CEQA Initial Study and Mitigated Negative Declaration
For
HUMSUN 3, LLC
Record No. PLN-12856-CUP
Primary APN: 217-253-001

Proposed Commercial Cannabis Cultivation Facilities

Lead Agency:

Humboldt County Planning Department
3015 H Street
Eureka, CA 95501

Prepared By:
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In Consultation with:

HumSun 3, LLC
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October 2024

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APPENDIX 2

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2E. Botanical Resources Report (GHD, 2020)
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2I. Supplemental Botanical Survey Report: Sensitive Natural Communities (Natural Resources Management Corporation, 2022)
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2K. Wildlife Resources Report (GHD, 2020)
2L. Golden Eagle Survey Report 1 (Natural Resources Management Corporation, 2021)
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2Q. Proposal and Justification for the Development of a Compensatory Mitigation and Monitoring Plan (Natural Resources Management Corporation, 2022)
2R. California Department of Fish and Wildlife (CDFW) Recommendations for HumSun 3, LLC Cannabis Cultivation APN 217-253-001 (May 29, 2024)
2S. Wetland Mitigation Summary – HumSun 2024 (J. Regan Consulting, August 2024)
2T. CONFIDENTIAL - Phase I Cultural Resource Inventory Report for Hum Sun Ranch, LLC - DZC Archaeology & Cultural Resource Management (March 2020) *for referenced purpose only, document is on file with Humboldt County Planning & Building Department*
2U. StreamStats Report – Larabee Creek at HumSun (USGS, 2024)
2V. Hydrologic Isolation from Surface Waters, Well WCR2017-001709 APN: 217-052-001, 30885 Alderpoint Road, Blocksburg, California (Lindberg Geologic Consulting, August 10, 2023)

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2Y. Noise Study for HumSun 3 LLC (NorthPoint Consulting Group, 2024)

2Z. Septic Suitability Survey for HumSun 3, LLC (NorthPoint Consulting Group, August 26, 2024)

List of Acronyms

AB	Assembly Bill
AC	Activity Center (Northern Spotted Owl)
ADA	American Disabilities Act
AQA	Air Quality Analysis
APN	Assessor Parcel Number
BAAQMD	Bay Area Quality Management District
BACT	Best Available Control Technology
BMPs	Best Management Practices
BPTC	Best Practicable Treatment or Control
CalEEMod	California Emission Model (CalEEMod® Version 2022.1)
CAL FIRE	California Dept. of Fire and Forestry Protection
Cal-IPC	California Invasive Plant Council
CAP	Climate Action Plan
CARB	California Air Resource Board
CBC	California Building Code
CCAA	California Clean Air Act
CCLUO	Commercial Cannabis Land Use Ordinance – Inland
CMMLUO	Commercial Medical Marijuana Land Use Ordinance - Inland
CCR	California Code of Regulations
CDFG	California Department of Fish and Game
CDFW	California Department of Fish and Wildlife (previously CDFG)
CDPR	California Department of Pesticide Regulation
CEHC	California Essential Habitat Connectivity
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CGP	Construction General Permit
CNEL	Community Noise Equivalent Level
CNNDB	California Natural Diversity Database
CNPS	California Native Plant Society
CRIR	Cultural Resource Inventory Report
CRPR	California Rare Plant Ranks
CUP	Conditional Use Permit
CUPA	Certified Unified Program Agency
DCC	Department of Cannabis Control
DEH	Department of Environmental Health
DTSC	Department of Toxic Substances Control
DWR	Department of Water Resources
DZC	DZC Archaeology & Cultural Resource Management Consulting
EIR	Environmental Impact Report
EPA	Environmental Protection Agency
ESU	Evolutionary Significant Unit
FEIR	Final Environmental Impact Report
FEMA	Federal Emergency Management Agency

GHG	Greenhouse Gas
HA	Hydrologic Area
HCAOG	Humboldt County Association of Governments
HAS	Hydrologic Subarea
HU	Hydrologic Unit
ISMND	Initial Study / Mitigated Negative Declaration
LSAA	Lake or Streambed Alteration Agreement
MND	Mitigated Negative Declaration
MSDS	Material Safety Data Sheets
NCAB	North Coast Air Basin
NCUAQMD	North Coast Unified Air Quality Management District
NEHRP	National Earthquake Hazards Reduction Program
NHRP	National Register of Historic Places
NRCS	Natural Resources Conservation Service
NRM	Natural Resources Management Corporation
NSO	Northern Spotted Owl
OES	Office of Emergency Services
OPS	Original Project Scope
OWTS	Onsite Wastewater Treatment System
PG&E	Pacific Gas and Electric Company
PM_{10}	Particulate matter with a diameter of 10 micrometers or less
Proposed Project	Describes the components of this project, described specifically starting on Page 6
Proposed Project Area	Bounds of land disturbance and development associated with the Proposed Project
Proposed Project Parcel	Bounds of ten (10) APNs, comprising one legal parcel, associated with the Proposed Project
RCAP	Regional Climate Action Plan
SB	Senate Bill
SGMA	Sustainable Groundwater Management Act
SMA	Streamside Management Area
SMAO	Streamside Management Areas and Wetlands Ordinance
SMP	Site Management Plan
Sq. ft.	Square feet
SRA	State Responsibility Area
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
THPO	Tribal Historic Preservation Officer
TMDL	Total Maximum Daily Load
UBC	Universal Building Code
USFWS	US Fish & Wildlife Service
USGS	United States Geological Survey
VFC	Volunteer Fire Company
WCR	Well Completion Report
WDID	Waste Discharge Identification

1.Background

1. **Project Title**: HumSun 3, LLC Cannabis Project – Conditional Use Permit for 3.1 acres of new mixed-light commercial cannabis cultivation under the Humboldt County Commercial Medical Marijuana Land Use Ordinance (CMMLUO) and a Special Permit for project related wetland impacts, creation, and enhancement, and riparian enhancement associated with the realignment of a Class III ephemeral drainage on a single legal parcel comprised of ten (10) Assessor Parcel Numbers (APNs) 217-051-001, 217-052-001, 217-053-002, 217-055-002, 217-056-001, 217-061-001, 217-062-003, 217-213-003, 217-214-001, and 217-253-001 in unincorporated Humboldt County, California.

2. **Lead Agency Name and Address**: Humboldt County Planning & Building Department, 3015 H Street, Eureka, CA 95501-4484; Phone: (707) 445-7541; Fax (707) 445-7446

3. **Contact Person and Phone Number**: Rodney Yandell, Senior Planner; (707) 268-3732; fax: 707-445-7446; email: RYandell@co.humboldt.ca.us

4. **Project Location**: The Project site is located at 30855 Alderpoint Road, Blocksburg, CA 95514, approximately 3 miles north of the town of Blocksburg, on one legal parcel comprised of Assessor Parcel Numbers (APN) 217-051-001, 217-052-001, 217-053-002, 217-055-002, 217-056-001, 217-061-001, 217-062-003, 217-213-003, 217-214-001, and 217-253-001 in the Blocksburg area, on the west side of Alderpoint Road. The legal parcel size is approximately 1,887 acres. The project site is located in an unincorporated area of Humboldt County. To reach the site from the United States Postal Service in Blocksburg, head northwest on Alderpoint Road. toward Cemetery Road. After 2.8 miles, turn left into the gated private driveway.

5. **Project Sponsor's Name and Address:**

Applicant	**Property Owner**	**Agent**
HumSun 3, LLC	HumSun Ranch, LLC	Northpoint Consulting Group, Inc
30855 Alderpoint Rd.	181 Sanchez Rd.	1117 Samoa Blvd.
Blocksburg, CA 95514	San Francisco, CA 94144	Arcata, CA 95521

6. **General Plan Designation**: Agricultural Grazing (AG); Residential Agriculture (RA20,RA40); Timberland (T).

7. **Zoning**: Agriculture Exclusive (AE-B-5(160)); Timberland Production Zone (TPZ).

8. **Project Site:** The Project parcel is located at 30855 Alderpoint Road (APNs 217-051-001, 217-052-001, 217-053-002, 217-055-002, 217-056-001, 217-061-001, 217-062-003, 217-213-003, 217-214-001, and 217-253-001) approximately 2.8 miles north of the town of Blocksburg (*Figure 1*). The parcel is approximately 1,887 acres in size per approved parcel merger (Instrument No. 2018-010363) and contains elevations ranging from 1200 to 2250 feet above sea level. The Project site is located in T02S, R05E, Section 7 of the Humboldt Base and Meridian.

   The parcel contains grassland, oak woodlands, early mature and mid mature Douglas fir, and riparian habitats (*Figure 2*). The Project site's historic uses include agricultural, cattle grazing, recreation, residential and timber harvesting operations. Current uses include grazing, residential, and timber harvesting operations. The Project parcel is an actively managed timber operation under Cemetery Road Timber Harvest Plan (Record 1-23-00157-

HUM) and was logged in 2024. The parcel is under a Williamson Act Contract in compliance with Humboldt County's Williamson Act ordinance for Class B Grazing Land Preserves (Appendix 2C).

The 1,887-acre parcel has undulating topography, with slopes between 0% and upwards of 30%. All development is slated for slopes of less than 15%. There are at least 58.41 acres of prime agricultural soil located on the legal parcel, including on the field proposed for cultivation development (Appendix 1A – Site Plans). The field proposed for development is also classified as Farmland of Statewide Importance. All proposed development would occur on Parkland, dry-Garberville, dry complex, 2 to 9 percent slopes soils, identified by Map Unit Symbol 1005 (Web Soil Survey 2024).

The parcel is bisected by a central roughly northwest-southeast trending ridge, with a series of small ravines and ephemeral streams flowing east and northeast into Larabee Creek or southwest into Coleman Creek and to the Eel River about 0.5 miles west of the westernmost part of the parcel. The property is split along this ridge into two (2) watersheds (*Figure 3*). The cultivation area and eastern portion of the ranch is located in the Upper Larabee Creek watershed (Hydrologic Unit Code [HUC]-12 #180101050601), and the western portion of the ranch is located in the Basin Creek-Eel River watershed (HUC-12 #180101050501) (*Figure 4*).

Larabee Creek, a perennial Class I watercourse and a tributary of the main stem of Eel River, flows through the eastern boundary of the parcel and crosses under Alderpoint Road twice within the parcel road frontage. Coleman Creek, a perennial watercourse and also a tributary of the main stem Eel River, originates in part within the western half of the parcel. Cooper Creek, a perennial Class I stream, flows from east of the parcel, south of the Project area, and continues west to a confluence with Larabee Creek. Additional intermittent and ephemeral watercourses, tributary to these perennial streams, are located across the property (*Figure 3*). All onsite watercourses are tributaries to the main stem of Eel River. An appropriate buffer from watercourses has been designated for the watercourses in accordance with County and State requirements (Appendix 1A – Site Plans).

More than 2.22 acres of 3-parameter Palustrine Emergent wetland are located across the Project Parcel, delineated by GHD and Natural Resources Management (NRM), across multiple years of surveys. A total of 1.59 acres of wetlands are delineated in and around the field proposed for development (*Figure 17*).

The Project parcel contains a FEMA 1% Annual Chance Flood Hazard Area along Larabee Creek and the Cooper Creek confluence, however, the flood hazard area is outside of the proposed cultivation development (*Figure 4*). The parcel is located within CAL FIRE State Responsibility Area (SRA) and Alderpoint Volunteer Fire Company (VFC) jurisdiction.

Existing onsite development includes a residence, a permitted septic and leach field system, four (4) permitted wells, a 5,000-gallon hard-sided water tank and two barns to support the current cattle operations. The parcel currently has a 200-amp residential power drop from PG&E, and overhead PG&E 12-kilovalt powerlines run across the length of the agricultural field proposed for development (Attachment A – Site Plans).

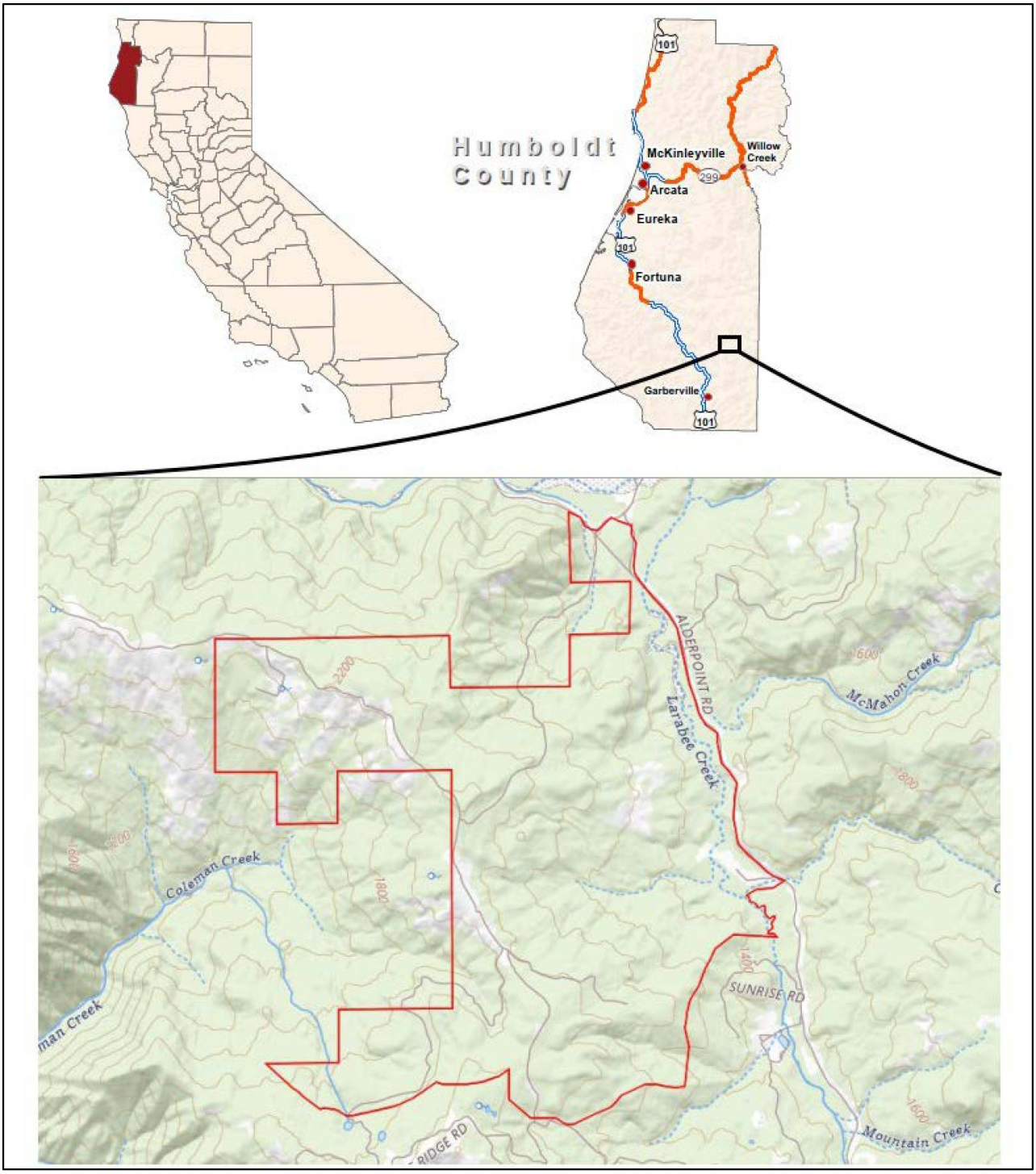


Figure 1: Project Parcel (in red) Vicinity Map (Source: GHD Wildlife Resources Report, 2019 – Note: Original image edited to reflect accurate legal parcel boundary)

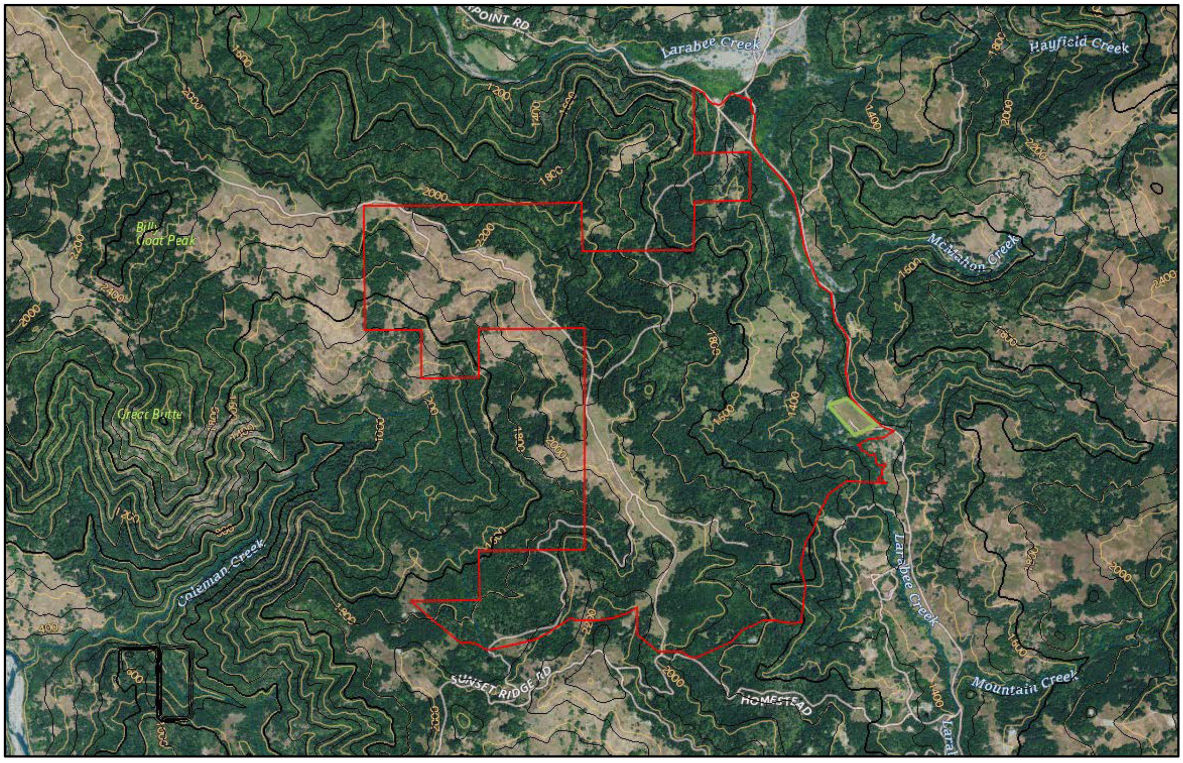


Figure 2: Aerial image, topography, and major streams of Project Parcel (red) and Proposed Project Area (green) (Source: USGS National Map, 2024)

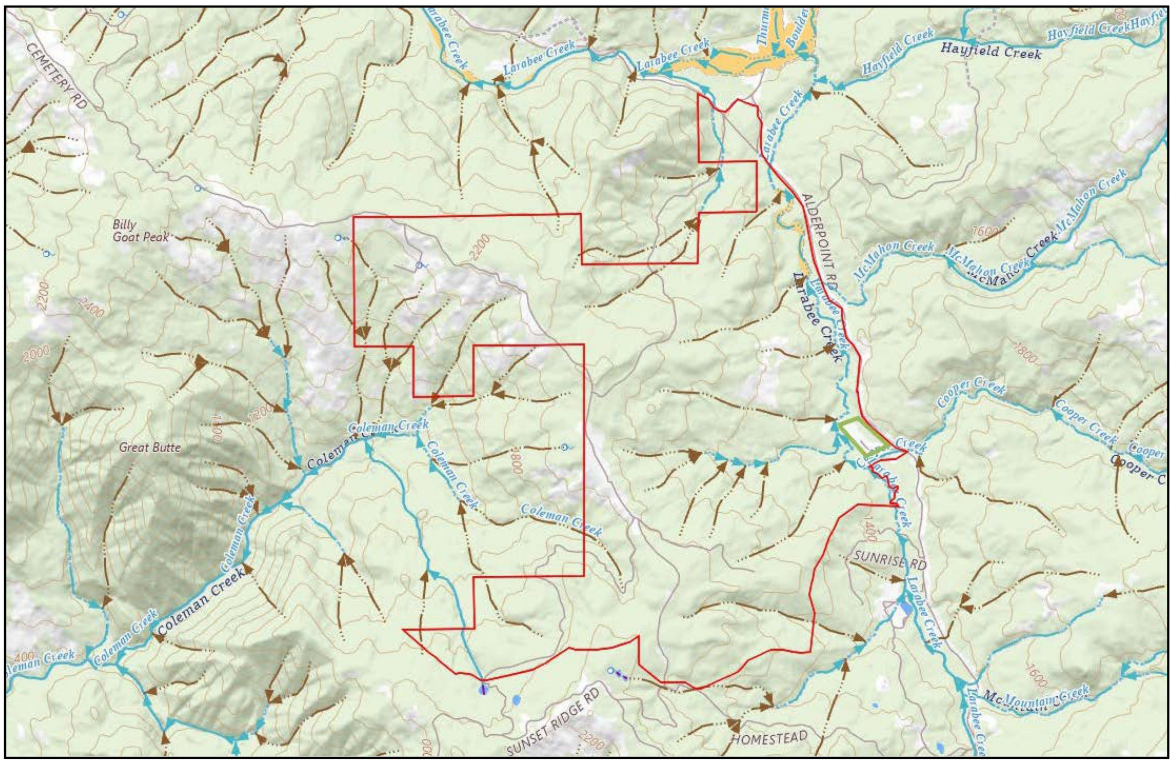


Figure 3: Watersheds, watercourses, and topography of Project Parcel (red) and Proposed Project Area (green) (Source: USGS National Map, 2024)

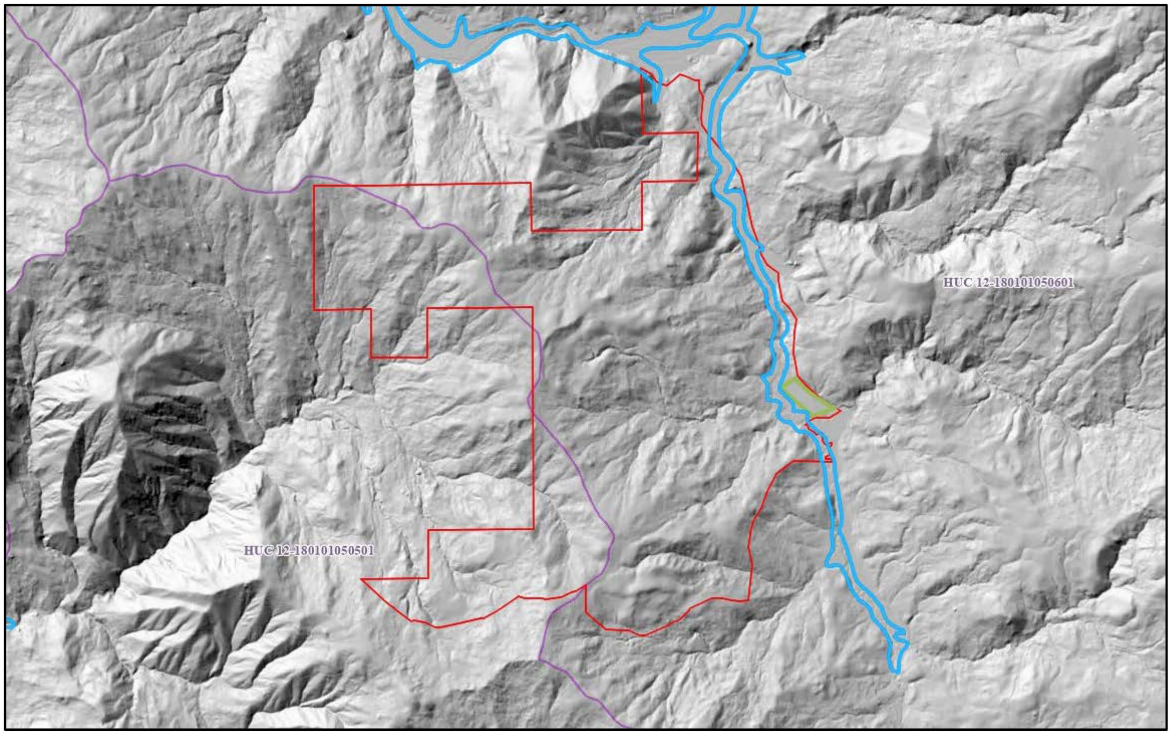


Figure 4: Hillshade, flood hazard zone (blue), and HUC-12 watershed boundaries (purple) of Project Parcel (red) and Proposed Project Area (green) (Source: USGS National Map, 2024)

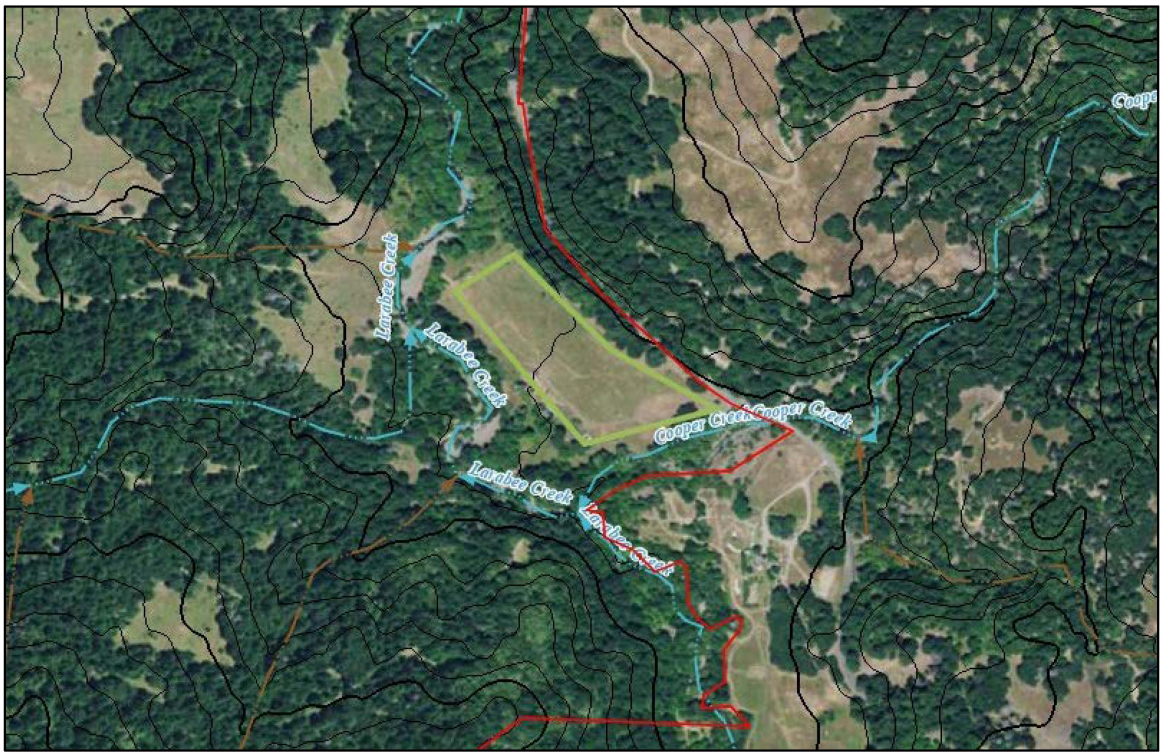


Figure 5: Detail Aerial View, watercourses, and topography of Proposed Project Area (green) (Source: USGS National Map, 2024)

9. **Description of Project**: HumSun 3, LLC is seeking a Conditional Use Permit on Primary APN 217-253-001 for 3.1 acres (134,850 sq. ft.) of new commercial cannabis mixed-light cultivation, commercial processing, and commercial nursery activities in accordance with the Humboldt County Commercial Medical Marijuana Land Use Ordinance (CMMLUO). A Special Permit is also requested for project related wetland impacts, creation, and enhancement, and riparian enhancement associated with the realignment of a Class III ephemeral drainage.

   Specifically, the "Proposed Project" includes the following activities (*Figure 6*, *Figure 7*, Appendix 1A – Site Maps):

   - Three and one tenth (3.1) acres (134,850 sq. ft.) of commercial cannabis cultivation:
     - Cultivation would occur in approximately 38 greenhouses (30' wide x 70' - 145' long), cultivated in soil bags or directly in the ground with supplemental lighting
     - A PG&E upgrade would be required to operate full mixed-light activities. Prior to the PG&E upgrade completion, a combination of light-deprivation and/or full sun outdoor cultivation techniques would be used
   - Up to 13,000 sq. ft. of ancillary nursery space would be allowed to occur within the canopy area;
   - A 60' x 100' building (6,000 sq. ft.) for ancillary nursery, drying, storage, and curing;
   - A 32' x 40' (1,280 sq. ft.) commercial processing building for onsite trimming;
   - Irrigation and employee water sourced from three (3) existing non-diversionary wells, and one (1) proposed non-diversionary well, if proven to be hydrologically disconnected from surface waters;
   - 250,000 gallons of water storage in tank storage;
   - Water conveyance infrastructure (polyethylene pipe);
   - One (1) 5,000-gallon tank dedicated fire suppression and associated fire riser;
   - PG&E upgrade and associated infrastructure
     - Combination of light deprivation greenhouses or outdoor cultivation during upgrades;
   - Installation of a solar panels on roofs of proposed buildings;
   - A minimum of eighteen (18) parking spaces for 18 employees, including a minimum of one (1) ADA-parking space, as required;
   - Construction of onsite wastewater treatment system associated with commercial processing building;
   - Use of ADA-accessible restroom inside commercial building with temporary portable toilet(s);
   - Redirected culvert drainage feature and creation of 1.1 acres of riparian vegetation;
   - Mitigation of 0.87 acres of impacted seasonal wetlands;
   - Mitigation of 0.21 acres of impacts to *Festuca idahoensis- Danthonia californica* Herbaceous Alliance;
   - Onsite stormwater treatment; and,
   - Site grading, drainage, and erosion control.

   The Proposed Project would create approximately 3.4 acres of new, impervious surface, including greenhouses, accessory buildings, and water tanks, and would create approximately 6 acres of land disturbance in the Agriculture Exclusive zone on the 1,887-acre property, representing less than 1% of the Project Parcel.

   Throughout this document, the "Proposed Project Parcel" or "Project Parcel" refers to the legal parcel that the Proposed Project is located on, which is 1,887-acres and comprised of 10 APNs. The "Primary APN" refers to the assessor's parcel that development associated with the Proposed Project is primarily located on, which is APN 217-253-001. The "Proposed Project Area" refers to the Lower Field located directly off of Alderpoint Road located on APN 217-253-001, where land disturbance associated with the proposed development of cannabis cultivation, accessory facilities and structures, construction of new buildings, new septic system, and associated activities would occur. Note that the mitigation of danthonia, the wells, and the water tanks are located on the ridgetop of the Project Parcel, outside of the "Proposed Project Area". Even though they are located outside of the

Proposed Project Area, impacts and disturbance associated with water tank placement, danthonia mitigation, and well maintenance included in the environmental impact evaluation.

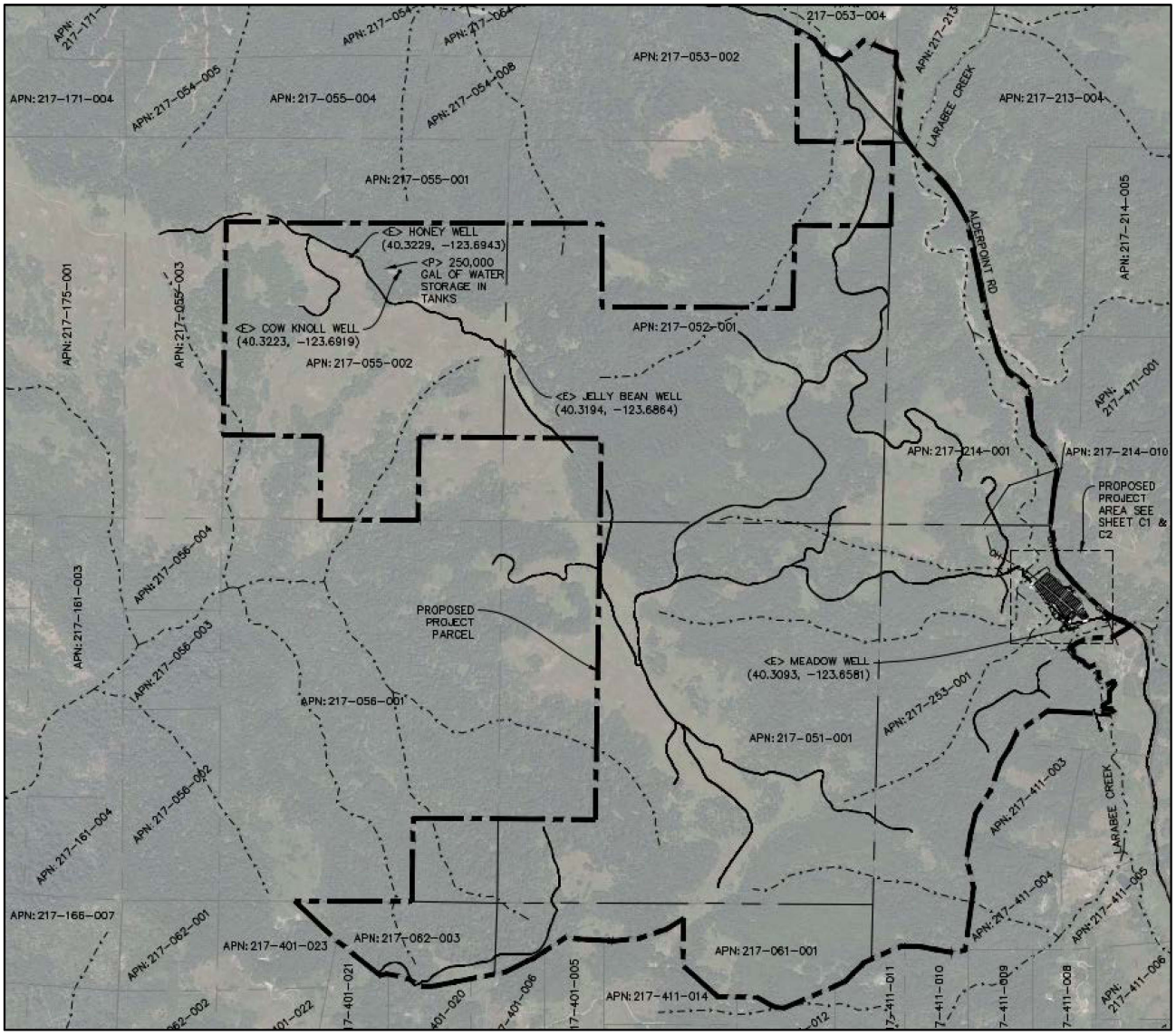


Figure 6: Project Parcel Overview, APNs, and location of wells/ water storage (Source: Site Maps, Sheet C0, NorthPoint Consulting – Appendix 1A)

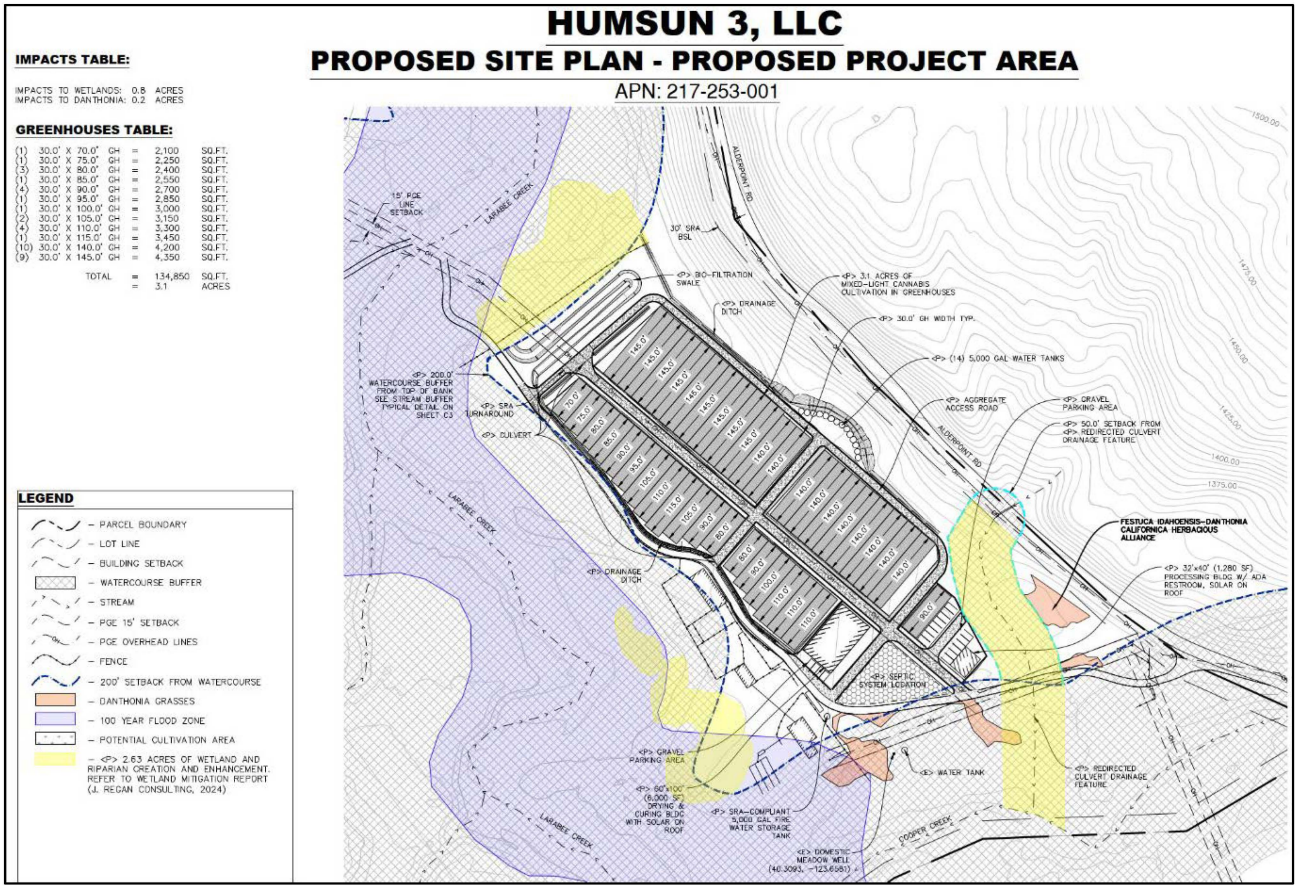


Figure 7: Proposed Project Area Details (Source: Site Maps, Sheet C2, NorthPoint Consulting – Appendix 1A)

Project Background: The Proposed Project is applying for a Conditional Use Permit in accordance with the CMMLUO, known as Ordinance 1.0. The application was first submitted to Humboldt County Planning and Building Department on December 29, 2016. The original application (referred to as the "Original Project Scope", or "OPS" throughout this document) was for approximately twelve (12) acres of cannabis cultivation, across the entire project parcel. In addition to the twelve (12) acres of cannabis cultivation, the original application included numerous new ponds, buildings, and accessory structures across the parcel. Due to potential significant and unavoidable impacts to Aesthetics, Biological Resources, Cultural Resources, Energy, Hydrology and Water Quality, Noise, and Tribal Cultural resources, preparation of an EIR was initiated, and the County issued a Notice of Preparation of an EIR for the Original Project Scope on November 22, 2022.

Since that time, the Proposed Project has been revised and is significantly condensed and it has been determined that the revised Proposed Project would not have any significant and unavoidable impacts; all impacts are either less than significant, or can be mitigated to be less than significant, based on the analysis in this document. As such, it has been determined that a Mitigated Negative Declaration (MND) is sufficient. The EIR for the Original Project Scope was never completed.

Numerous technical studies were conducted for the Original Project Scope. Therefore, some of the technical studies referenced herein refer to a larger scope of work and greater impacts than the currently Proposed Project, and some information is no longer relevant. However, many of the technical studies are still relevant to the current Proposed Project and applicable information has been sourced from these studies to evaluate impacts throughout this IS/MND document.

A notice of merger was completed through the Humboldt County Planning Department to merge the property into the current legal parcel shape (Instrument No. 2018-010363). Humboldt County Web GIS has not yet been updated to reflect the legal parcel merger after May 14, 2018. Note that figures throughout the project may reflect current Assessor Parcel Numbers, rather than the entire 1,887-acre legal parcel boundary. Refer to the Plot Plan and Vicinity Map (Appendix 1A), and the Notice of Merger (Appendix 2A), for the correct legal parcel boundary.

Access/Parking: The Proposed Project site is located approximately 2.8 miles north of the community of Blocksburg, west of Alderpoint Road. Alderpoint Road is a county-maintained Category 4 road. The entrance gate to the access road is directly off Alderpoint Road and highly visible. The onsite access road serves only one property ownership. An emergency turnaround is proposed at the northwestern end of the cultivation activities. A total of 18 parking spaces would be located near the ancillary nursery/drying building and processing building, including a minimum of one (1) required ADA-parking spaces, or as required by the California Building Code (Appendix 1A – Site Plan).

Cultivation Methods: The proposed mixed-light cultivation would be cultivated in approximately 38 greenhouses in raised beds, soil bags, or directly in the ground. The greenhouses would be 30 feet wide and range from 70 to 145 feet in length. The exact length, width, and number of greenhouses would be subject to current market conditions and material availability. Use of supplemental artificial lighting in the canopy area would occur at a rate of up to 25 watts/sq. ft., producing two to three flowering cycles per year from approximately April/May, June/July, and September/October. Mixed-light cultivation would not occur until upgraded power from PG&E is in place. The greenhouses would consist of heavy gage steel tubing covered with a woven poly translucent opaque tarp or corrugated plastic. Greenhouses are proposed to be ventilated by circulation fans.

Ancillary nursery propagation, up to 10% of the cultivation area or 13,000 sq. ft., would occur within the 3.1-acre cultivation area, or in the proposed 60’ x 100’ drying building.

Drying and curing would occur in the summer and fall months in the proposed 60’x100’ dry barn building. This building could also be shared by the nursery in the late winter/early spring. Processing of product grown onsite would occur in a proposed 32’ x 40’ commercial building. All processing would occur off-site until the 32’ x 40’ commercial processing building is constructed. Further processing (e.g., manufacturing, packaging, labeling) would occur offsite.

Hours/Days of Operation and Number of Employees: Activities associated with the proposed cultivation greenhouses, including watering, transplanting, and harvesting, would generally occur during daylight hours no earlier than 7 AM and no later than 8 PM, seven days a week. The site would not be open to the public.

Construction activities would require approximately 10 to 15 personnel on average. For operation purposes, an Agent in Charge would work part-time to full-time in a seasonal position, a Lead Cultivator would work year-round full-time, and an Assistant Cultivator/ Processing Manager would work in a seasonal full-time position. In addition to the three (3) business operations and management positions, there would be up to five (5) full-time seasonal laborer positions that would be required for a total of eight (8) full-time staff. The Proposed Project would require up to ten (10) seasonal labor positions for peak operational periods. In total, up to 18 employees may be required during peak operational periods, which would fluctuate based on the needs of the farm during cultivation and harvest.

Peak seasonal events occur at regular intervals during harvest and drying times. According to the Operations Plan, harvest and drying would be anticipated during April/May, June/July, and September/October

(approximately). Non-peak times are January through April, when only managers would be employed (Appendix 1C – Cultivation and Operations Manual). The residential structure on the subject parcel is not part of this proposal and all employees would live off-site and commute to the Proposed Project site.

Water Source, Storage, and Use: No diversionary water sources (e.g., stream diversion, spring diversion, etc.) are proposed for the Proposed Project. Water is proposed to be sourced from a combination of three (3) existing permitted groundwater wells, located on the centralized ridge above the Proposed Project Area, at approximately 2,170 to 2,250 feet elevation. The well sites would be accessed using an existing ranch road.

The well completion report number followed by the County permit number for each well is as follows:

- Jelly Bean Well: WCR2017-001709 and permit 16/17-0863,
- Cow Knoll/Before the Meadow Well: WCR2017-001697 and permit 16/17-0864,
- Honey Well: WCR2017-001712 and permit 16/17-0865.

The Jelly Bean, Cow Knoll, and Honey wells would provide water for irrigation and supply water for the processing buildings. The three wells have a low likelihood of being hydrologically connected to surface waters in a manner that could affect adjacent wells, wetlands, or surface waters in the 1,000-foot radius of each well (Lindberg Geologic Consulting, 2023). The estimated yield of the wells were 43,200 gallons per day from Jelly Bean well, 43,200 gallons per day from Cow Knoll well, and 14,400 gallons per day from Honey well. Water would be pumped from the wells to storage tanks adjacent to the wells using solar power and gravity-fed to storage tanks at the Proposed Project Area. Water conveyance pipes would be placed along the existing ranch roads to water storage tanks, and down to the Proposed Project Area.

Another well, the Meadow Well (WCR2017-002154 and permit 16/17-0846), is used to serve the existing residence. This well would not be used for cannabis cultivation purposes, unless it could be proved non-diversionary. The applicant could also pursue additional wells to be used for cultivation, if deemed non-diversionary.

An estimated 1,575,000 gallons (12 gal/sq. ft.) of water is expected to irrigate the 3.1 acres of cultivation area. *Table 1* outlines the estimated irrigation water usage for cultivation during a typical year. Variables such as weather conditions and specific cannabis strains would have a slight effect on water use.

The proposed water storage is comprised of a total of 250,000-gallons in 5,000-gallon hard sided tanks or larger, engineered tanks. Proposed water storage would be replenished during the winter and spring months to fill the 250,000 gallons of storage. The proposed water storage would supplement the use of the wells during the cultivation season. The proposed storage is estimated to be 15% of the project demand.

Table 1. Estimated Annual Irrigation Water Usage (gallons)

Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
10,000	15,000	15,000	60,000	140,000	275,000	325,000	330,000	310,000	60,000	25,000	10,000	**1,575,000**

Water for fire suppression would be stored in one (1) 5,000-gallon water tank dedicated to “Fire Use Only”.

Non-irrigation water for domestic uses, including drinking, plumbing, and processing (e.g., handwashing, surface and tool cleaning, and toilet flushing) would also be sourced from the Jelly Bean, Cow Knoll, and Honey Well. Drinking water will be sourced from the three existing wells on the property and available from the sink in the employee break room, restroom, and external taps/spigots.

Using the standard 35 gallons per person per day (Humboldt County Local Agency Management Program, 2017), the estimated total employee water use for restrooms, drinking water, and showers would be 145,250 gallons per year. This is a conservative (high) estimate, considering that the numbers used are maximum employee counts, and that there is not currently a shower proposed in the onsite ADA-restroom. As described above, eight (8) full-time employees would be onsite year-round, and up to 18 employees (8 full-time, 10 seasonal) would be onsite during peak seasonal events. Peak seasonal events are expected to be approximately four months out of the year. Therefore, it is reasonable to estimate that employee water use would be 67,760 gallons for eight (8) full-time employees during eight (8) months out of the year and 77,490 gallons for the maximum eighteen (18) employees on site during the peak season four (4) months out of the year (for a total of 145,250 gallons per year). Water use does not include the residential structure on the subject parcel since all employees would commute to the site.

In total, combining irrigation and non-irrigation water, the Proposed Project would utilize 1,720,250 gallons per year. The analysis in this document reflects this maximum potential volume of groundwater utilized by the Proposed Project.

Traffic: Construction activities would require approximately 10 to 15 personnel daily during the construction period, on average. During the construction period, it is expected that personnel would make two (2) trips per day to the site, resulting in 20 to 30 trips per day. In addition, four (4) delivery trips per day would be expected, based on an average of two (2) deliveries per day. In total, construction activities would average a maximum of 34 trips per day. Larger equipment would be mobilized to the site once at the beginning of the construction period, and out at the end of the project.

At full-build out, during operations, the Proposed Project would result in an average of 16 daily trips by full-time employees and an additional 20 trips by seasonal contract laborers for a total of 36 daily trips during peak season events. The calculation of 36 daily trips was based on employees commuting to the site twice daily. HumSun 3, LLC would encourage employee carpooling to help reduce the Proposed Project's carbon footprint. Distribution activities would result in an average of 6 deliveries (12 trips) per month (rounding up to 1 trip per day for a conservative estimate). In total combining delivery and employee trips, the project would result in 37 daily trips.

Onsite vehicle and truck traffic would be required to maintain a 15-mph speed limit or less. A speed limit sign would be posted onsite.

Electrical Service and Generator Use: The Proposed Project would use existing electrical service from Pacific Gas & Electric (PG&E) and roof-mounted solar power.

Electrical power for the Project area, including the greenhouses lights and fans, processing buildings, water pumps, and security lighting, would be primarily supplied by PG&E and supplemented by solar. Power would be purchased through the local utility Redwood Coast Energy Authority (RCEA) Community Choice Energy, Repower Plus Program (or similar renewable energy program). This program would allow the applicant to purchase on-grid power with one-hundred percent renewable energy resources. The PG&E upgrade is expected to require 1600 amps at 3 phase power. There is currently a 200-amp PG&E drop at the project area that would be upgraded to serve the Proposed Project. The upgrade would not result in any additional ground disturbance from placement of new lines, as the site is already served by PG&E. Mixed-light operations would not occur until adequate power, through the PG&E upgrade, was obtained.

The proposed dry barn and commercial processing building would include roof-mounted solar panels. An onsite generator would be kept for backup purposes only; use of any on-site generators would be limited to power outage events and would follow all guidelines set by Humboldt County and the State of California. The generator

would be located away from the property line to ensure the noise level does not exceed 50 decibels at the nearest tree line or property boundary, whichever is closest.

A generator would remain onsite for backup emergency use. The backup generator would only be deployed during the event of a power outage; no operational generator use is proposed.

Regulated Products: The Proposed Project involves the cultivation and processing of cannabis which is a use that typically uses hazardous materials including fertilizers, herbicides, pesticides, petroleum products, as well as vehicle and equipment fluids and lubricants. Fertilizers, nutrients, and soil amendments anticipated to be used include Earth Juice Rainbow Mix Pro Grow/Bloom, General Hydroponics Grow, gypsum, lime, dolomite, azomite, worm castings, alfalfa pellets, worm castings, compost, blood meal, bone meal, kelp, fish hydrolysate, feather meal, crab meal, and oyster shell. Pesticides anticipated to be used include biological controls, diatomaceous earth, sulfur products, neem oil, plant oils (e.g., cottonseed, clove), Green Cleaner, Dr. Zymes, Plant Therapy, Venerate, Regalia, and Grandevo, as needed (Appendix 1C – Cultivation and Operations Plan). Other legal pesticides, herbicides, fertilizers, nutrients, and soil amendments similar to the above could also be used during operations. Pesticides and fertilizers would be applied directly to plants and would be applied over 675 feet from the nearest residence. The fertilizers and pesticides used by the Proposed Project would primarily be stored in five-gallon containers and kept within a facility for containment.

Petroleum products, including lubricants, gasoline and diesel, are currently stored onsite to maintain existing residential and agricultural operations (e.g. to power tools, equipment, etc.). Petroleum products associated with the Proposed Project would include gasoline and diesel stored in small-quantity sealed containers (e.g. 5-gallon gas cans). All petroleum products would be stored within secondary containment. The fertilizers and pesticides used by the Proposed Project would primarily be in five-gallon containers and stored within the proposed facility for containment. Refueling of small equipment (e.g. weed whacker, tools, generator, etc.) would be conducted onsite over secondary containment and greater than 150 feet from any watercourses. Refueling of larger equipment (e.g., tractor or backhoe) would be conducted offsite at a properly licensed facility. Legal cleaning solvents (e.g., bleach) would also be stored and used onsite in the proposed buildings for general site cleaning purposes.

Lighting and Signage: For the artificial lighting used to assist with the enhancement of plant growth, the lights would be set on timers that activate ½ hour before sunset daily. To ensure that light does not disturb wildlife, neighboring parcels, and that lighting complies with International Dark Sky Association Standards, blackout covers would be automatically or manually pulled over the mixed-light greenhouses and nursery greenhouses. Blackout tarps would be constructed out of 2 ply-10-milimeter plastic with internal threading for shear strength. All Proposed Project lighting would be designed and located so that it is confined to the property and that there is no spillover to adjacent properties. All signage would be in conformance with Humboldt County Code §314-87.2, unless otherwise permitted.

Site Drainage, Runoff, and Erosion Control: HumSun 3, LLC would be required to enroll with the State Water Resources Control Board (SWRCB) for Tier 2, Low Risk under the Cannabis General Order prior to commencing cultivation operations. The Tier 2, Low Risk discharger status reflects the proposed operations of dischargers who disturb more than one (1) acre of land. The applicant's proposal would be required to keep all cultivation activities out of riparian and wetland setbacks to obtain, and maintain, Low Risk status with SWRCB. Within 90 days of enrollment in the Cannabis General Order, a Site Management Plan (SMP) would be developed utilizing Best Practicable Treatment or Control (BPTC) measures in accordance with the SWRCB's recommendations in the Cannabis General Order and Policy. The SMP would include erosion prevention and sediment control BPTC Measures designed to prevent, contain, and reduce sources of sediment. The SMP also includes corrective actions to reduce sediment delivery and prevent erosion. Additional filings,

monitoring, and furnishing of supporting documents once the Proposed Project is fully approved and developed would be coordinated with the SWRCB.

The Proposed Project would take place in the existing flats on slopes less than 10%. Stormwater would be collected from new impervious surfaces and conveyed to a designated stormwater treatment area located on the northwest area of the field. A Grading and Drainage Plan (Appendix 1B) has been developed to address proposed onsite grading and stormwater runoff for the development of the site. Existing and proposed structures would be located outside of all appropriate watercourse setbacks, including the SWRCB General Order watercourse setbacks of 150 ft. from a Class I stream, 100 ft. from a Class II stream, and 50 ft. from a Class III stream, measured from the top of bank, in addition to the Streamside Management Areas and Wetlands Ordinance (SMAO) watercourse buffers of 100 ft. from a perennial stream and 50 ft. from an intermittent stream, measured by riparian drip line, not to exceed 200 ft. measured horizontally from the top of stream bank.

The Site Grading and Drainage Plan includes erosion and sediment BPTCs designed to prevent, contain, and reduce sources of sediment. The forthcoming SMP would also include site-specific corrective actions to ensure property maintenance and erosion control. During the wet season, any soil piles would be located in a flat area outside of riparian setbacks and winterized, likely with a tarp underneath the pile and straw wattles located around the pile to prevent leachate from entering surface waters. Potential spent soil would be properly disposed of off-site at an appropriate facility.

Employees of the Proposed Project would be trained in usage and handling procedures of associated equipment and cleaning procedures. Chemicals and hazardous materials are only used with equipment as recommended by manufacturers. Cleaning would occur regularly with instructions based on the manufacturer's recommendations. All cleaning materials would be put away and stored properly within secondary containment when not in use and hazardous containers would be properly disposed of. Additionally, there would be a spill kit with sorbent pads that will be accessible for spill cleanup.

All agricultural chemicals would be properly stored in accordance with the County Agricultural Commissioner, the California Department of Pesticide Regulation (CDPR), and the Cannabis General Order No. WQ 2019-0001-DWQ (General Order). On-site inventory would be kept for all chemicals, and chemicals would be used and stored based on manufacturer's recommendations and requirements. Any materials required for the use of chemicals would be provided to employees. The material safety data sheets (MSDS) would be kept on site and accessible to employees.

All hazardous waste would be stored within secondary containment in a storage shed. Additionally, a hazardous waste materials log would be kept onsite to keep track of and account for hazardous waste quantities. Fertilizers and pesticides would be stored in a separate location from petroleum products. No rodenticides would be used on site. At the end of the season, any unused liquid products would be stored in secondary containment to be applied the following year. Appropriate BPTC measures would be used when storing, handling, mixing, applying, and disposing of all fertilizers, pesticides, herbicides, or any other hazardous materials. Each year an inventory would be conducted prior to the beginning of cultivation and necessary products would be delivered to the site as needed.

Riparian Habitat, Wetlands, and Water Bodies: The parcel contains watercourses, riparian habitats, and wetlands. No ponds are located onsite, and no new ponds are proposed. Note that prior studies, developed for the Original Project Scope, may mention or display ponds that were previously proposed but are no longer included in the Proposed Project.

The property contains several watercourses, including Larabee Creek, a perennial Class I watercourse, Cooper Creek, a perennial Class I watercourse, Coleman Creek, a perennial Class I watercourse, and several unnamed ephemeral and intermittent watercourses. Cultivation development has been designed outside of all appropriate watercourse setbacks, including the SWRCB General Order watercourse setbacks of 150 ft. from a Class I stream, 100 ft. from a Class II stream, and 50 ft. from a Class III stream, measured from the top of bank, in addition to the Humboldt County Streamside Management Areas and Wetlands Ordinance (SMAO) watercourse buffers of 100 ft. from a perennial stream and 50 ft. from an intermittent stream, measured by riparian drip line, not to exceed 200 ft. measured horizontally from the top of stream bank. An appropriate buffer not to exceed 200 ft. has been designated for the watercourses in accordance with State and County requirements (Appendix 1A – Site Plans). All watercourses are tributaries to the mainstem of the Eel River.

An Aquatic Resources Report was prepared for the Original Project Scope dated September 18, 2019 (GHD, 2019). The report was prepared to identify and describe wetlands and aquatic resources within the Proposed Project parcel to avoid or minimize impacts to wetland and aquatic resources during the design process and document wetland and aquatic resource boundary determinations for review by regulatory authorities. The report identified approximately 0.96 acres of wetlands within the Project parcel. The 2019 Aquatic Resources Report called out an area as "possible existing wetland not delineated" in the lower field. In 2021, NRM conducted a Supplemental Waters Investigation of the "possible existing wetland not delineated" and identified a wetland area of 0.61 acres categorized as seasonal palustrine forested wetland. An updated survey mapped 0.87 acres of wetlands that would be impacted by the Proposed Project. The wetlands impacted are considered low functioning, suggesting the high likelihood of creating mitigation wetlands that are equally or better functioning. A majority of the wetland plant species found were non-native due to heavy impact from past agricultural uses.

The Proposed Project would create 0.88 acres of new wetland (a 1:1 wetland creation mitigation ratio, no net loss), and would enhance/create approximately 1.75 acres of wetland and riparian area through invasive species removal, native plantings, and realignment of a Class III ephemeral drainage and associated riparian vegetation. The realignment of the drainage would connect an ephemeral watercourse that flows under Alderpoint Road and currently outflows into the agricultural field, to Cooper Creek. A 50 ft. setback would be applied to the newly established drainage channel.

A Lake and Streambed Alteration Agreement (LSAA) was issued for the Proposed Project under 1600-2020-0389-R1. The LSAA Notification was prepared by Mother Earth Engineering (February 13, 2020) and included jurisdictional items across the entire subject parcel. In total there are 23 jurisdictional items in the LSAA, all of which include the maintenance, replacement, or installation of stream-crossing culverts on the existing ranch roads. None of the jurisdictional items are located within the Proposed Project Area.

Sensitive Natural Communities: Initial biological scoping/habitat determination for the Project parcel was conducted and described in the Wildlife Resources Report (GHD, 2019) and Botanical Resources Report (GHD, 2020). The purpose was an initial analysis of the property and potential Proposed Project impacts to sensitive wildlife and plant species. NRM Corporation (2022) followed up with supplemental botanical reports. The *Festuca idahoensis- Danthonia californica* Herbaceous Alliance is designated by CDFW (2022) as a State Rank of S3 is considered a Sensitive Natural Community. Approximately 0.53 acres of California oat grass (*Festuca idahoensis- Danthonia californica*) with sufficient relative cover (minimum 10%) in the Project area and 28.75 acres total in the Project parcel were mapped in the Supplemental Botanical Survey Report by NRM (2022).

The Proposed Project would potentially impact approximately 0.21 acres of the 0.53 acres of California oat grass mapped in the lower field. A minimum of 0.42 acres (a 2:1 ratio of impacts, per CDFW recommendation) of "low-quality" stands of *Danthonia californica* prairie outside of the Proposed Project Area would be

mitigated to "high-quality" as described in the update to *Festuca idahoensis- Danthonia californica* Herbaceous Alliance Memo (Appendix 2J). Onsite stands are currently "low-quality", with less than 30% coverage of *Danthonia californica* and greater than 30 – 90% coverage of non-native species.

Waste & Wastewater System: The existing ranch house located on the property is served by a permitted septic tank/leach field system equipped with a 1,200-gallon tank and four lines 50 feet in length with a trench 5 feet deep. This system would not be used for cultivation activities. The Proposed Project includes construction of a 32' x 40' commercial building for processing which would have an ADA-compliant restroom and associated new Onsite Wastewater Treatment System (OWTS) used by employees. Sufficient treatment would be provided for up to 20 employees based on a Septic Suitability Survey, conducted by NorthPoint Consulting Group, Inc (Appendix 2Z) in April 2024. The Septic Suitability Survey conducted an analysis of the soils and found a potential leach field location with soils adequate to support a safe and effective OWTS for the Proposed Project.

Prior to construction of the commercial building, a temporary portable toilet and handwashing station would be used on site for the cultivation employees. Cultivation employees would have access to anti-bacterial liquid soap and paper hand towels. Work will occur at a distance no greater than 1,250 feet from the restroom facility.

The Proposed Project would generate solid waste in the form of cannabis plant material (e.g., stems, leaves, rootballs) and agricultural refuse (e.g., pots, fertilizer bags, empty containers, packaging, etc.), similar to other agricultural operations. Organic cultivation-related waste, including root balls, branches, and leaves would be hauled off site to a green waste management facility as needed. Trash and recycling from cannabis operations, including empty soil or fertilizer bags, liquid fertilizer bottles, cultivation supplies, etc., would be taken to the nearest waste management facility as needed.

The Proposed Project would also generate household-related waste, including trash (e.g., food wrappers) and recycling (e.g. bottles, cans). Plant material would be chipped and composted onsite, as feasible. Refuse and recycling would be taken to the Redway Transfer Station once every two weeks or as needed.

Construction: Proposed grading activities would include grading for ground preparation for greenhouses, stormwater treatment system (i.e., bio-filtration swale), building pads, onsite wastewater treatment system, and mitigation activities. An engineered grading permit would be required to be approved by the Humboldt County Building Division prior to commencement of grading activities. A Preliminary Site Grading and Drainage Plan has been developed for the Proposed Project (Appendix 1B).

The duration of the construction is expected as follows: three (3) weeks for grading activities, three (3) weeks for construction of the ancillary nursery/drying building, four (4) weeks for construction of the greenhouses, eight (8) weeks for construction of the proposed commercial facility and associated onsite wastewater treatment system, for a maximum total of 18 weeks or approximately 4.5 months. Construction could occur all at once (e.g. during one dry season), or built-out over time (e.g., grading and greenhouses constructed one dry season, and the processing facility constructed the following dry season). All construction staging areas would be located within the Proposed Project Area and outside of all riparian setbacks.

The Preliminary Site Grading and Drainage Plan (Appendix 1B) identified the following erosion control and sediment control Best Management Practices (BMPs) that would be implemented during construction:

- Site grading work would only occur during periods of dry weather, between April 15th and October 15th, unless otherwise authorized.
- Prior to construction, delineation of watercourse and wetland buffers would occur using stakes, flagging, or otherwise clearly identifiable markers.

- Prior to the onset of the wet season, non-plastic fiber rolls would be installed between the areas of construction and watercourse setbacks.
- Prior to the onset of the wet season, any exposed fill slopes would be seeded and strawed.
- Prior to the onset of the wet season, any construction materials (e.g., soil, gravel, etc.) would be either removed from the site or properly stabled with a tarp and straw wattles to prevent sediment discharge.

Surrounding Land Uses and Setting: The Proposed Project is located approximately 2.8 miles north of the town of Blocksburg off of Alderpoint Road. Surrounding land uses consist of agricultural and timber operations, rural residential homes, and natural space. The property is zoned Agriculture Exclusive (AE-B-5(160)) and Timberland Production Zone (TPZ) (*Figure 8*) and has General Plan Use Designations of Agricultural Grazing (AG), Residential Agriculture (RA20), and Timberland (T) (*Figure 9*). Surrounding properties are zoned Special Building Site Combining District of Forest Recreation (FR-B-5(40)), Agriculture Exclusive (AE-B-5(160)), and Timberland Production Zone (TPZ). Surrounding land use designations adjacent to the property are Agricultural Grazing, Residential Agriculture (RA20, RA40), and Timberland (T).

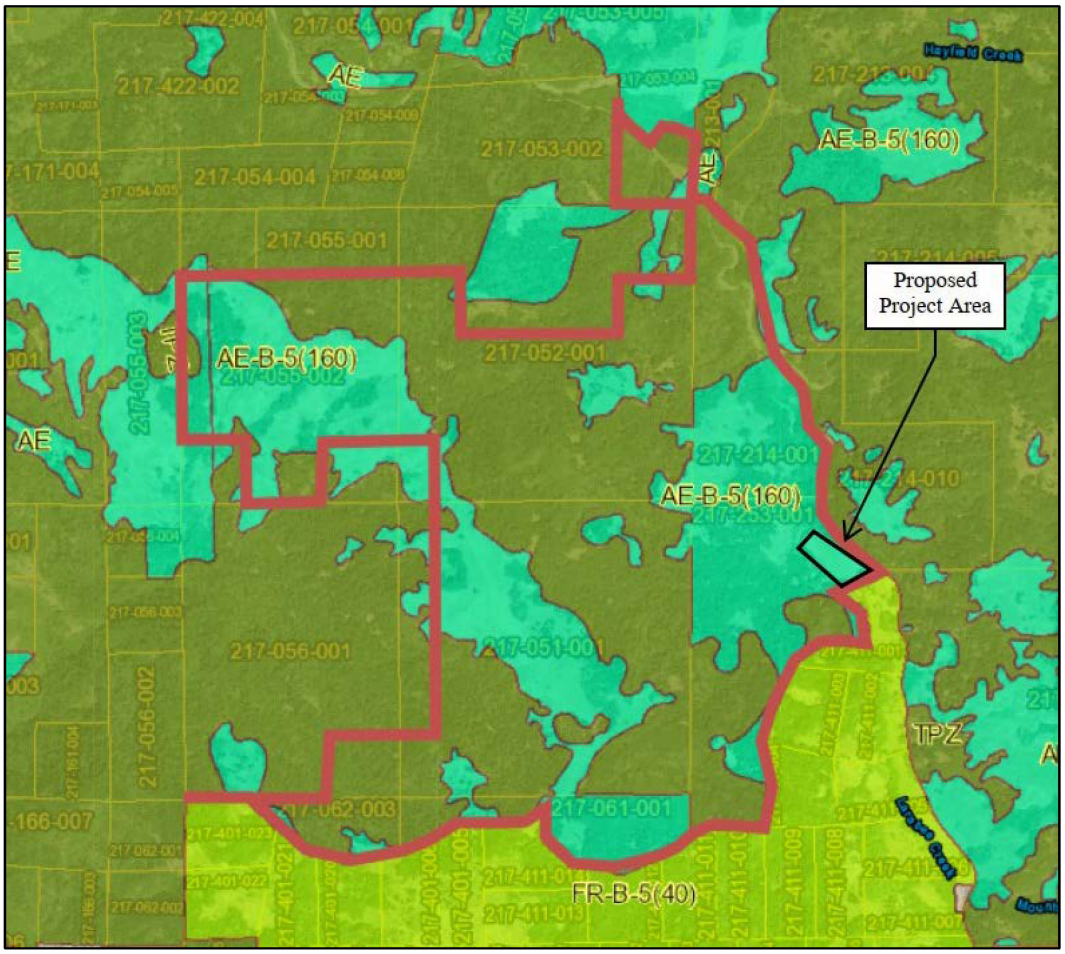


Figure 8: Zoning Designations of the Proposed Project Area, Project Parcel, and surrounding areas (Source: Humboldt County Web GIS, 2024)

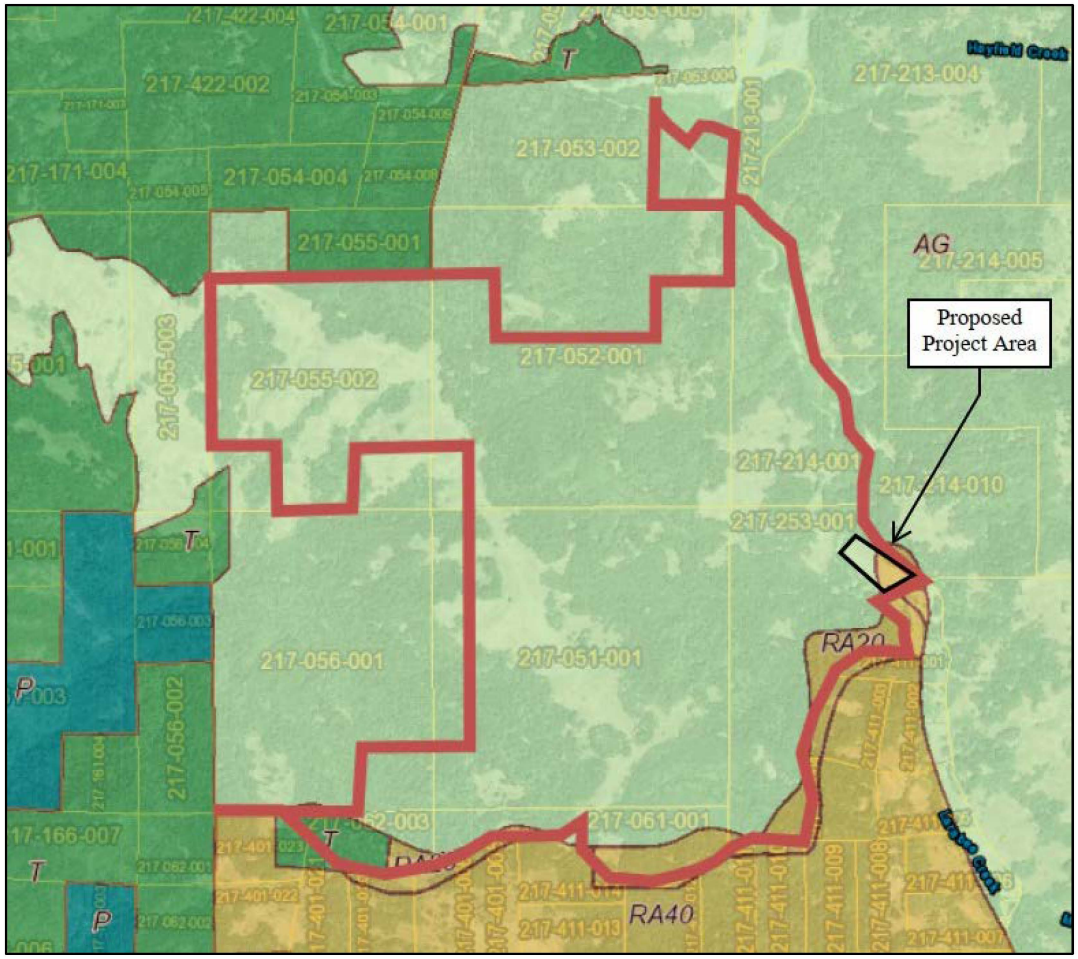


Figure 9: General Plan Land Use Designations of Proposed Project Area, Project Parcel, and surrounding areas (Source: Humboldt Web GIS, 2024)

10. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreements). Since the Proposed Project would disturb more than one acre of the site, the Proposed Project would be subject to the requirements of the State Water Resources Control Board (SWRCB) and North Coast Regional Water Quality Control Board (NCRWQCB) Cannabis General Order and Cannabis Policy. A 401 Water Quality Permit is also required to be obtained from the NCRWQCB. Locally, permits from the Humboldt County Building Division, Humboldt County Planning Division, and Division of Environmental Health are required. A Lake and Streambed Alteration Agreement (LSAA) for the Project was prepared by Mother Earth Engineering (February 13, 2020) and submitted to CDFW, which covered 23 jurisdictional items, all of which include the maintenance, replacement, or installation of stream-crossing culverts. An amendment to the LSAA may be required. HumSun 3, LLC would be required to enroll with the SWRCB for coverage under Order No. 2019-0001-DWQ General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities ("Cannabis General Order"). Wetland boundary determinations may require review by the US Army Corps of Engineers, and if necessary, a 404 Clean Water Act permit may be required. Upon approval of the Proposed Project, HumSun 3, LLC would apply for State of California Commercial Cannabis Licenses from the Department of Cannabis Control (DCC) prior to commencing cultivation activities.

11. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

☐ Aesthetics	☐ Agriculture and Forestry Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☒ Energy
☒ Geology/Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☒ Hydrology / Water Quality	☐ Land Use / Planning	☐ Mineral Resources
☐ Noise	☐ Population / Housing	☐ Public Services
☐ Recreation	☐ Transportation/Traffic	☒ Tribal Cultural Resources
☐ Utilities/Service Systems	☐ Wildfire	☒ Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

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

☐ I find that the project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the project COULD have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the project, nothing further is required.



Signature — Date: 10/11/2024

Rodney Yandell, Senior Planner — Humboldt County Planning & Building Department

Printed name

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2) All answers must take into account the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4) "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 21, "Earlier Analyses," may be cross-referenced).
5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.

   b) Impacts Adequately Addresses. Identify which effects from the above checklist were within the scope of and adequately analyze in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c) Mitigation Measures. For effects that are "Less Than Significant with Mitigation Measures Incorporated," describe the mitigation measures which they address site-specific conditions for the project.
6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plan, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8) This is only a suggested form, and lead agencies are free to use different formats, however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9) The explanation of each issue identify:

   a) The significant criteria or threshold, if any, used to evaluate each question; and

   b) The mitigation measure identified, if any, to reduce the impact to less than significant.

2.Introduction

This project-level Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared for the HumSun 3, LLC. Cannabis Cultivation Project (Proposed Project) to satisfy the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] 21000 et seq.) and State CEQA Guidelines (14 California Code of Regulations [CCR] 15000 et seq.). The County of Humboldt (County) is the lead agency for this Proposed Project under CEQA.

2.1.INITIAL STUDY PURPOSE

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

This IS/MND is a public information document that describes the Proposed Project, existing environmental setting at the project site, and potential environmental impacts of construction and operation of the Proposed Project. It is intended to inform the public and decision-makers of the Proposed Project's potential environmental impacts and to document the lead agency's compliance with CEQA and the State CEQA Guidelines.

2.2.REVIEW PROCESS

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

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

Rodney Yandell, Senior Planner
Planning and Building Department
County of Humboldt
3015 H Street
Eureka, CA 95501
RYandell@co.humboldt.ca.us

3.Environmental Checklist

3.1.EXPLANATION OF INITIAL STUDY CHECKLIST

The California Environmental Quality Act (CEQA) Guidelines Appendix G recommends that lead agencies use an Initial Study (IS) checklist to determine the potential impacts of the Proposed Project on the physical environment. The checklist provides a list of questions concerning a comprehensive array of environmental issue areas potentially affected by the Proposed Project. This section of the IS incorporates the Appendix G environmental checklist form, contained in the State CEQA Guidelines. Impact questions and responses are included in both tabular and narrative formats for each of the 17 environmental topic areas. There are four possible answers to the checklist questions on the following pages. Each possible answer is explained below:

- A *Potentially Significant Impact* is appropriate if there is enough relevant information, as well as reasonable inferences from that information, that a fair argument can be made to support a conclusion that a substantial or potentially substantial adverse change may occur to any of the physical conditions within the area affected by the Proposed Project. When one or more of these entries are made, an Environmental Impact Report (EIR) is required.
- A *Less-than-Significant Impact with Mitigation Incorporated* is appropriate when the lead agency incorporates mitigation measures to reduce an impact from a potentially significant level to a less-than-significant level. For example, floodwater impacts could be reduced from a potentially significant level to a less-than-significant level by relocating a building to an area outside the floodway. The lead agency must describe the mitigation measures and briefly explain how the measures would reduce the impact to a less-than-significant level.
- A *Less-than-Significant Impact* is appropriate if there is evidence that one or more environmental impacts may occur, but the impacts are determined to be less than significant or the application of development policies and standards to the Proposed Project would reduce the impact(s) to a less-than-significant level. For example, the application of the City's stormwater improvement standards would reduce potential erosion impacts to a less-than-significant level.
- A *No Impact* is appropriate where it can be demonstrated that the impact does not have the potential to adversely affect the environment. For example, a proposed in the center of an urbanized area with no agricultural lands on or adjacent to the project area clearly would not have an adverse effect on agricultural resources or operations.

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

3.2. CHECKLIST, DISCUSSION OF CHECKLIST RESPONSES, AND PROPOSED MITIGATION

3.2.1. AESTHETICS

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

Setting

The Proposed Project site is located at 30855 Alderpoint Road approximately 2.8 miles north of the community of Blocksburg. The entire parcel is a large, 1,887-acre ranch, spanning multiple APNs, however the cultivation activities would occur on primary APN 217-253-001. The property has historically been and is being used for residential, recreation, agricultural, livestock, and timber management purposes. The property is developed with a residence, agricultural barns, accessory structures, wells, gravel and dirt roads, and water storage and conveyance infrastructure.

No specific scenic vistas in the Proposed Project Area have been designated. Humboldt County has no officially designated State Scenic Highways, though it has numerous segments eligible for designation due to their scenic qualities (CalTrans State Scenic Highway System Map, 2024):

- State Highway 36 from State Highway 101 near Fortuna to the Trinity County Line
- State Route 254 in Avenue of the Giants
- State Route 299 from Arcata to Willow Creek
- State Route 96 from State Route 299 at Willow Creek north to Siskiyou County

Standard SR-S6 of the Humboldt County General Plan states that, "until such time as a General Plan Scenic Highway Roadway Map is prepared and adopted, Humboldt County Highways listed in Sections 263.1 through 263.8 of the California Streets and Highways Code shall be considered to be Scenic Highways pursuant to Policy SR-P3, Scenic Highway Protection, and the County shall address the potential for significant impacts to scenic resources during ministerial and discretionary permit review" (General Plan, Part 3, Chapter 10. Conservation and Open Space, pg. 10-50). Per CalTrans, the Humboldt County Highways listed in Sections 263.1 through 263.8 of the California Streets and Highways Code are the same segments of highways listed above as being eligible for designation due to their scenic qualities, per CalTrans. Therefore, for the purposes of this analysis, the above highways are functionally considered to be scenic highways.

In addition, the Humboldt County General Plan contains standards relevant to aesthetics. Relevant goals, policies, and standards from the Conservation and Open Space Chapter of the Humboldt County General Plan include:

Goal SR-G1	**Conservation of Scenic Resources.** Protect high-value scenic forest, agriculture, river, and coastal areas that contribute to the enjoyment of Humboldt County's beauty and abundant natural resources.
Policy SR-P1	**Working Landscapes.** Recognize the scenic value of resource production lands.
Standard SR-S4	**Light and Glare.** New outdoor lighting shall be compatible with the existing setting. Exterior lighting fixtures and street standards (both for residential and commercial areas) shall be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries.

The CMMLUO also includes Performance Standards for mixed-light cultivation (§55.4.11), including the requirement to shield greenhouses so that light shall not escape at a level that is visible from neighboring properties between sunset and sunrise (CMMLUO, 2016). The Proposed Project has been designed to meet the CMMLUO Performance Standards.

Analysis

a) Finding: The project will not have a substantial adverse effect on a scenic vista. *Less than significant impact.*

Discussion: There are no officially designated scenic vista points in the Proposed Project Area. No Wild, Scenic, and Recreational Rivers are designated near the Proposed Project site (Humboldt County General Plan, 2017). The nearest designated Wild, Scenic, and River is the Eel River, located approximately 3.88 aerial miles west/southwest of the proposed cultivation area, which is classified as "Recreational". The Proposed Project is not located on a ridge, and, due to natural topography, would not be visible from the Eel River, nor any other designated scenic vista points in the surrounding area.

The Project parcel has forested hillsides and undulating topography that is aesthetically pleasing to recreationists. Construction of the proposed facilities would be temporary and occur during daylight hours when surrounding neighbors are accustomed to the use of construction equipment. The Proposed Project would only impact approximately 3.5 acres of an 1,887-acre ranch, leaving over 99.2% of the ranch's current state and aesthetics intact, and demonstrating consistency with Goal SR-G1 of the Humboldt County General Plan.

In addition, existing trees and vegetation would mostly block views of the Proposed Project site from Alderpoint Road, a public road (*Figure 11*). Some of the proposed development would be visible through the existing vegetation and from the visible gap where the driveway is located. In addition, the Proposed Project could be visible from nearby private residences.

Furthermore, The Proposed Project is an agricultural project, consistent with the zoning and land use designation of the parcel. Other existing commercial cannabis operations are also located in the vicinity. All artificial light in the greenhouses would be shielded with blackout covers to avoid night-time light leakage. As such, the Proposed Project would not be widely visible and would not have a substantial adverse effect on a scenic vista, a less than significant impact would occur.

b) Finding: The project will not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. *No impact.*

Discussion: The Proposed Project is located off of Alderpoint Road near the community of Blocksburg and is accessed from the north off of State Highway 36. State Highway 36 is eligible to be designated as a California State Scenic Highway (California Department of Transportation, 2021) and is analyzed as a scenic highway pursuant to Standard SR-S6 of the Humboldt County General Plan. State Highway 36 is located over 16 miles north of the Proposed Project Area, and no components of the Proposed Project would be visible from this highway. As the Proposed Project site is not visible from a state scenic highway, no impacts would occur.

c) Finding: The project will not substantially degrade the existing visual character or quality of the site and its surroundings. *Less than significant impact.*

Discussion: Per CEQA Guidelines 15387, an urbanized area is one that has a population of 50,000 (CEQA Statute and Guidelines, 2023). According to the US Census Bureau, the nearest community of Blocksburg has an approximate population of 254 people, and is therefore not considered an urbanized area, per CEQA definitions. As such, the Proposed Project is located in a non-urbanized area.

Sensitive viewer groups in non-urbanized areas typically include residents and recreationists. The Proposed Project site is surrounded by rural residential, agricultural, woodlands, and other commercial cannabis operations. The existing visual character of the Proposed Project Area consists of an existing residence, an undeveloped agricultural field currently used for grazing, accessory barns, livestock sheds, and stands of trees and shrubs. The property is clearly visible from Alderpoint Road near the property entrance, though portions are obscured by existing trees and vegetations. See *Figure 10* and *Figure 11* for views of the Proposed Project Area from Alderpoint Road heading north and south.



Figure 10: Existing view of Proposed Project Area from Alderpoint Road, heading North – cultivation site visible from gab in vegetation near driveway (Source: Google Earth, 2024)



Figure 11: Existing view of Project Site from Alderpoint Road, heading south – mostly obscured by trees (Source: Google Earth, 2024)

During the Proposed Project's temporary construction periods, construction equipment, supplies, and construction activities would be visible on the subject property from immediately surrounding areas, including Alderpoint Road, and rural residences. All construction equipment would be removed from the Proposed Project site following completion of the construction activities. As such, the temporary visibility of construction equipment and activities at the Proposed Project site would not substantially degrade the visual character of the surrounding area.

Development of the site for the Proposed Project would alter the site's visual character by adding greenhouses, buildings, and cultivation-related infrastructure (Appendix 1A – Site Maps). The Proposed Project is set to occur in the existing field on the property; no trees or vegetation are proposed to be removed to develop the cannabis operation. Passing motorists would be able to view the site for short durations. There is no maximum building height specified in the AE zone; however, greenhouses would likely be between 15 to 20 feet in height. The proposed buildings would also likely be 20 feet in height and would not exceed 30 feet. While the Proposed Project would change the visual characteristics of the site permanently, the agricultural greenhouses are consistent with the agricultural commercial nature of the Proposed Project Area, the property zoning and general plan land use designation, other nearby cannabis cultivation activities, and the immediately surrounding area. The location of the wells and water tanks would not be visible from any public access point.

Because the Proposed Project site has limited visibility from public access points and agricultural/cannabis activities are typical and allowable uses in the area, the Proposed Project would not substantially degrade the existing visual character or quality of the site and its surroundings. Therefore, the impacts would be less than significant.

d) Finding: The project will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. *Less than significant impact*.

Discussion: New sources of light associated with the Proposed Project would include the lighting used for mixed-light cultivation within greenhouses, the lighting on the interior of the proposed structures, and potential exterior security and safety lighting.

Per the Cultivation and Operations Plan (Appendix 1C), all lighting associated with the Proposed Project would be shielded so as not to allow light to escape from sunrise to sunset. Automated blackout covers would be installed on all greenhouses to ensure that light would not disturb wildlife or neighboring properties. The blackout covers would be deployed on greenhouses with supplemental lighting one half hour before sunset and after sunrise. If automated blackout covers were to malfunction, employees would manually cover the greenhouse to ensure light does not escape. Prior to build-out of the full mixed-light greenhouses, light deprivation or outdoor cultivation techniques would be used, which would not require lighting for cultivation. The proposed processing building and accessory buildings would include blinds and/or window shutters to prevent significant light from escaping during nighttime hours. These project features were designed to meet International Dark Sky Association Standards, the Standards of the Humboldt County General Plan, and the Performance Standards for Mixed Light Cultivation of the CMMLUO.

All new outdoor lighting (e.g., security lighting) would be the minimum lumens required for security and safety purposes, directed downward, and shielded to prevent lighting spillover. All lighting would be designed and located so that it is confined to the property and that there is no spillover on to adjacent properties, as required by International Dark Sky Association Standards, the CMMLUO, the Zoning restrictions, and the General Plan (specifically, Standard SR-4).

The new structures proposed would not be constructed of materials that would reflect light or cause any sources of glare that would impact surrounding land uses, or drivers on adjacent roadways. Construction materials would consist of metal piping and plastic sheeting, or similar non-shiny materials. All new lighting on the property would conform with the CMMLUO and with International Dark Sky Association Standards. Therefore, the Proposed Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area and impacts would be less than significant.

Mitigation Measures

None.

3.2.2. AGRICULTURE AND FORESTRY RESOURCES

Would the Project:	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☒	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☒	☐
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))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Setting

The Proposed Project site is located at 30855 Alderpoint Road (APNs 217-051-001, 217-052-001, 217-053-002, 217-055-002, 217-056-001, 217-061-001, 217-062-003, 217-213-003, 217-214-001, and 217-253-001) approximately 2.8 miles north of the town of Blocksburg. The parcel is approximately 1,887 acres in size and is zoned Agriculture Exclusive (AE-B-5(160)) and Timberland Production Zone (TPZ) with land use designations of Agricultural Grazing (AG), Residential Agriculture (RA20), and Timberland (T). The Proposed Project site's historic and current uses include cattle grazing and timber harvesting operations. The Proposed Project Area is located entirely in the AE-B-5(160) zone (*Figure 8*).

The Proposed Project parcel is an actively managed timber operation that is completely unrelated to the Proposed Project, with an active THP onsite (Cemetery Road Timber Harvest Plan (Record 1-23-00157-HUM)) approved on March 6, 2024. Timber operations occur on the Proposed Project parcel and would not be affected by the Proposed Project as the Timberland Production Zone is outside of the Proposed Project Area. No trees, including oak woodlands, would be removed as a result of the Proposed Project.

The parcel is under a Williamson Act Contract in compliance with Humboldt County's Williamson Act ordinance for Class B Grazing Land Preserves (Appendix 2C).) Approximately 3,420 acres of grazing land

agriculture preserve was originally established in 1978 as the Fearrien/Dewey agriculture preserve. The agriculture preserve states compatible uses under Resolution 78-15 (1978): "(2) Field, row, tree, berry and bush crops, including timber growing and harvesting… (5) Nurseries, greenhouses, aviaries, apiaries, and mushroom farms". The current owners acquired the property on July 19, 2016 and submitted a request for non-renewal at the Williamson Act Committee Meeting of June 20, 2018 (Appendix 2C).

According to the Prime Agricultural Soil layer on Humboldt Web GIS, there are 24 acres of prime agricultural soils located on the overall Proposed Project parcel, all of which are located in and around the Proposed Project Area. In addition, multiple prime agricultural soil studies were conducted for the 12-acre Original Project Scope (OPS) across the entirety of the legal parcel. A letter titled "Prime soil location and distribution at 30740 Alderpoint Road", was written by Pacific Watershed Associates on December 22, 2016, stating that based on site soil test pits and soil qualities, a minimum of 61.18 acres of prime agricultural soils are present within the Proposed Project parcel (Appendix 2B). After accounting for the current parcel configuration, it is reasonable to assume that a minimum of 58.41 acres of prime agricultural soils are located onsite, with 46.13 acres occurring on APN 217-253-001, the primary APN where the Proposed Project is located. The PWA report found that that the entirety of the Proposed Project Area is considered to be prime agricultural soils (*Figure 12*).

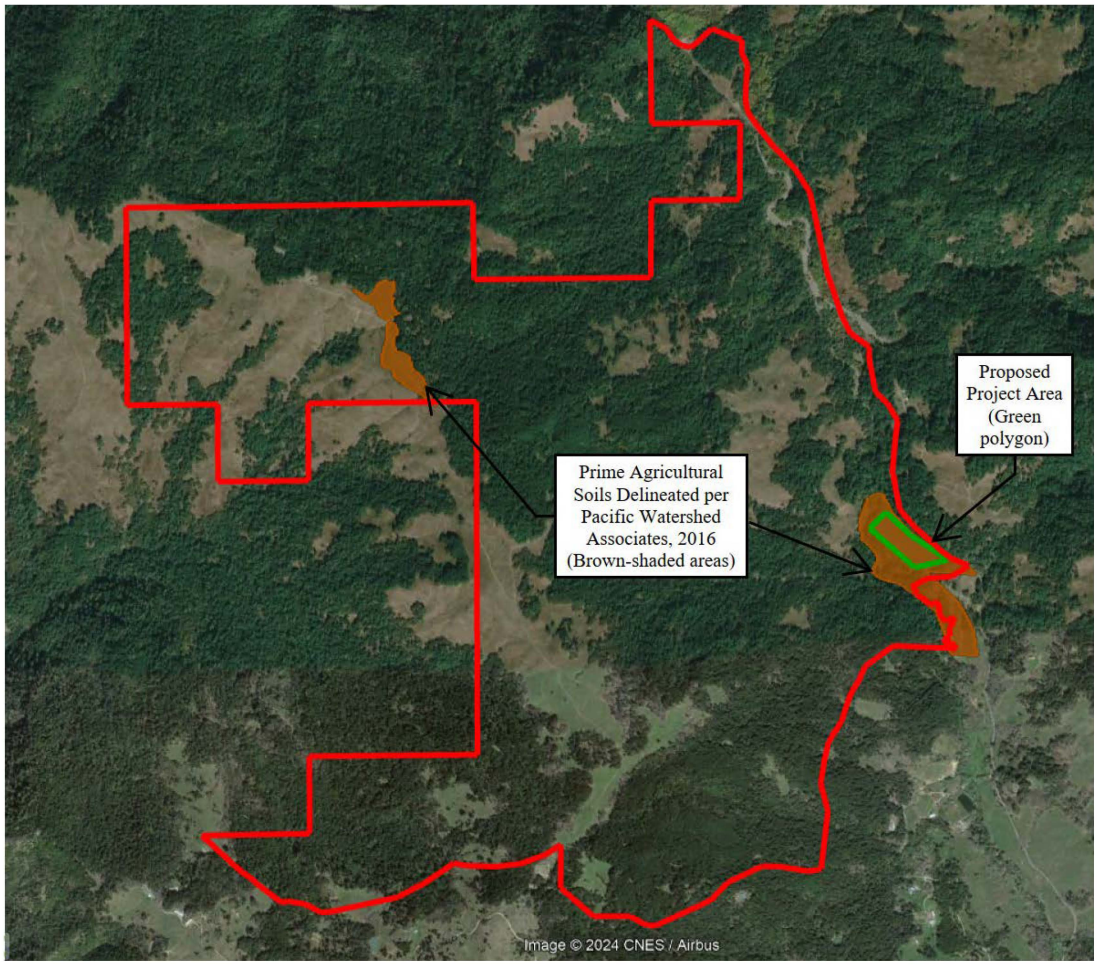


Figure 12: Additional Prime Agricultural Soils delineated onsite (Source: Appendix 2B - "Prime soil location and distribution at 30740 Alderpoint Road", Pacific Watershed Associates, 2016)

There are also approximately 59.5 acres of mapped Farmland of Statewide Importance, per Humboldt County Web GIS (2024), which encompass the entire Proposed Project Area (*Figure 13*).



Figure 13. Mapped Farmland of Statewide Importance (Source: Humboldt County Web GIS, 2024).

The Humboldt County General Plan Land Use Element includes the following relevant agricultural and timberland-related Goals and Policies:

Goal AG-G1 **Agricultural Production.** Economically viable agricultural operations contributing to the growth and stability of the economy and a strong market demand for agricultural lands dedicated to agricultural production.

Goal AG-G2 **Preservation of Agricultural Lands.** Agricultural land preserved to the maximum extent possible for continued agricultural use in parcel sizes that support economically feasible agricultural operations.

Policy AG-P5 **Conservation of Agricultural Lands.** Agricultural lands shall be conserved and conflicts minimized between agricultural and non-agricultural uses… (cont. in General Plan).

Policy AG-P6 **Agricultural Land Conservation – No Net Loss.** Lands planned for agriculture (AE, AG) shall not be converted to a non-agricultural uses... (cont. in General Plan).

Goal FR-G2 **Forestland Timber Production.** A prosperous timber industry managing a stable inventory of productive forest lands for timber production. Ranches and rural homesteads making full use of timber production potential of their lands.

Policy FR-P8 **Protection of High-Quality Timberlands.** Timberlands planned and zoned for timber production should be retained for timber production, harvesting and compatible uses, and reclassification of the Timberland Production Zones (TPZ) shall be done in accordance with the statutory requirements.

Analysis

a) Finding: The project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. *Less than Significant Impact.*

Discussion: The property contains approximately 59.5 acres of Farmland of Statewide Importance (*Figure 13*), and 58.41 acres of mapped prime agricultural soils (Appendix 1A – Site Plans, *Figure 12*). The CMMLUO requires that cannabis cultivation sites impact no more than 20% of prime agricultural soils onsite. The proposed disturbed area of approximately 6 acres represents approximately 10% of the 58.41 acres of prime agricultural soils, meeting the CMMLUO requirement The Proposed Project is an agricultural project consistent with Agriculture Exclusive (AE) zoning, consistent with the General Plan Goals and Policies surrounding agricultural production and prime agricultural soils preservation, and consistent with the uses of prime agricultural soils and Farmland of Statewide Importance. Therefore, the Proposed Project would not convert prime, unique, or farmland of statewide importance to a non-agricultural use and the impact would be less than significant.

b) Finding: The project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. *Less than Significant Impact.*

Discussion: The subject property is under an existing Williamson Act Contract, and currently supports cattle grazing year-round. The Proposed Project would occupy a total area of approximately 4 acres, including all cannabis-related areas, ancillary buildings, roads, and parking areas, and water storage infrastructure. The Proposed Project comprises a minor portion of approximately 0.21% of the parcel and 0.12% of the 3,420 acres of Fearrien/Dewey agriculture preserve under the Williamson Act Contract. The remaining 99% of preserve acreage would remain available for grazing operations. Therefore, the Proposed Project would not inhibit cattle grazing on the property and would not be in conflict with an existing Williamson Act Contract.

In addition, the Original Project Scope (OPS) was brought before the Humboldt County Williamson Act Committee on June 20th, 2018 for committee recommendation in support of the OPS. The Committee voted to support the OPS, which was at a larger scale than the Proposed Project, finding that it was in not in conflict with the existing Ferrian/Dewey Class B Agricultural Preserve. The Proposed Project has been revised to a smaller portion of the overall property, and the Proposed Project Area is within the area the Committee voted to support.

The Proposed Project Area proposed for development is zoned Agricultural Exclusive (AE) and designated Agricultural Grazing (AG) and Residential Agriculture (RA20). The proposed agricultural project is consistent with the intended zoning and general plan designation, and consistent with the agricultural goals, policies, and standards of the General Plan (Goals AG-G1 and AG-G2, Policies AG-P5 and AG-P6). Therefore, the Proposed Project would not conflict with existing zoning for an agricultural use, or a Williamson Act Contract and the impact would be less than significant.

c) Finding: The project would not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526). *No impact.*

Discussion: The Proposed Project would not conflict with existing forestland or timberland zoning because no development is proposed to occur within the forested areas of the property. The Proposed Project Area is zoned Agriculture Exclusive (AE-B-5(160)) and the Timberland Production Zone within the parcel exists outside of the Proposed Project Area (*Figure 8*). The Proposed Project would not impact ongoing timber operations at the site, consistent with the timberland Goals and Policies of the General Plan (Goal FR-G2 and Policy FR-P8). No

re-zoning of the TPZ-zoned areas of the Proposed Project parcel is proposed. All project components are proposed to occur within the areas of existing agriculture on the property zoned Agricultural Exclusive. No trees are proposed to be removed. Therefore, the Proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land or timberland, and no impact would occur.

d) Finding: The project will not result in the loss of forest land or conversion of forest land to non-forest use. *No impact*.

Discussion: The Proposed Project components would take place within the agriculturally zoned areas in existing agricultural fields. Other than placement of water tanks on an existing graveled pad, no development would occur within the forested areas of the property. No trees are proposed to be removed as part of the Proposed Project. Therefore, the Proposed Project would not result in the loss of forestland or conversion of forest land to non-forest use and no impact would occur.

e) Finding: The project would not 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. *No impact.*

Discussion: The Proposed Project would not produce significant growth inducing or cumulative impacts that would result in the conversion of farmland or forest land. The Proposed Project includes cannabis cultivation, which is an agriculture product, therefore protecting farmland from conversion. Growth inducing impacts are generally caused by projects that have a direct or indirect effect on economic growth, population growth, or land development. The Proposed Project would employ eight (8) full-time, year-round employees. An additional 18 persons and/or contract laborers will be hired during peak seasonal events, such as harvesting and processing (Appendix 1C– Cultivation and Operations Plan). Additionally, no trees are proposed to be removed as part of the Proposed Project.

Therefore, the Proposed Project is not anticipated to indirectly convert farmland to non-agricultural land or forest land to non-forest land and no impact would occur.

Mitigation Measures

None.

3.2.3. AIR QUALITY

Would the Project:	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☒	☐	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☒	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Setting

The Proposed Project site is located off of Alderpoint Road near the community of Blocksburg in Humboldt County, which lies within the North Coast Air Basin (NCAB). The NCAB extends for 250 miles from Sonoma County in the south to the Oregon border in the north. The climate of NCAB is influenced by two major topographic units: the Klamath Mountains and the Coast Range provinces. The climate is moderate with the predominant weather factor being moist air masses from the ocean. Annual average precipitation is approximately 63 inches per year and the average temperature is 56°F (PRISM, 2024). Dominant winds in the NCAB exhibit seasonal patterns. In the coastal areas, strong north to northwesterly winds are common in the summer whereas southwest winds occur during storm events in the winter months.

Proposed Project activities are subject to the authority of the North Coast Unified Air Quality Management District ("District" or NCUAQMD) and the California Air Resources Board (CARB). The NCUAQMD is listed as "attainment" or "unclassified" for all the federal and state ambient air quality standards except for the state 24-hour particulate (PM_{10}) standard, which relates to concentrations of suspended airborne particles that are 10 micrometers or less in size. In determining whether a project has significant air quality impacts on the environment, agencies often apply their local air district's thresholds of significance to projects in the review process. The District has not formally adopted specific significance thresholds, but rather utilizes the Best Available Control Technology (BACT) emissions rates for stationary sources as defined and listed in the NCUAQMD Rule and Regulations, Rule 110 – New Source Review and Prevention of Significant Deterioration, Section 5.1 – BACT (pages 8-9) (www.ncuaqmd.org).

Locally, the Humboldt County General Plan contains standards relevant to air quality analysis. Goals, policies, and standards from the Humboldt County General Plan that are relevant to the Air Quality analysis include:

Goal AQ-G1 **Improved Air Quality**. Air quality that meets state and federal ambient air quality standards.

Goal AQ-G2 **Particulate Emissions**. Successful attainment of California Ambient Air Quality Standards for particulate matter.

Goal AQ-G3 **Other Criteria Pollutants**. Maintain attainment of Ambient Air Quality Standards for ozone and other criteria pollutants which may be subject to tightening standards.

Policy AQ-P2 **Reduce Localized Concentrated Air Pollution**. Reduce or minimize the creation of "hot spots" or localized places of concentrated automobile emissions.

Policy AQ-P4 **Construction and Grading Dust Control**. Dust control practices on construction and grading sites shall achieve compliance with NCAQMD fugitive dust emission standards.

Policy AQ-P5 **Air Quality Impacts from New Development.** During environmental review of discretionary permits, reduce emissions of air pollutants from new commercial and industrial development by requiring feasible mitigation measures to achieve the standards of the NCAQMD.

Policy AQ-P7 **Interagency Coordination**. Coordinate with the NCAQMD early in the permit review process to identify expected regulatory outcomes and minimize delays for projects involving:

A. CEQA environmental review; and

B. Building demolition projects that may involve removal of asbestos containing material subject to National Emission Standards for Hazardous Air Pollutants (NESHAP); and

C. Grading and mining operations subject to State Airborne Toxic Control Measures (ATCM) for naturally occurring asbestos.

Rely on the air quality standards, permitting processes, and enforcement capacity of the NCAQMD to define thresholds of significance and set adequate mitigations under CEQA to the maximum extent allowable.

Policy AQ-P14 **Solar Electric System Capacity**. Encourage and provide incentives to increase solar-electric capacity in residential, commercial, and industrial sectors.

Policy AQ-P17 **Preservation and Replacement of On-site Trees**. Projects requiring discretionary review should preserve large trees, where possible, and mitigate for carbon storage losses attributable to significant removal of trees.

Standard AQ-S1 **Construction and Grading Dust Control**. Ground disturbing construction and grading shall employ fugitive dust control strategies to prevent visible emissions from exceeding NCAQMD regulations and prevent public nuisance.

Standard AQ-S3 **Evaluate Air Quality Impacts**. During environmental review of discretionary projects, evaluate new commercial and industrial sources of emissions using analytical methods and significance criteria used, or recommended by, the NCAQMD.

The Humboldt County Regional Climate Action Plan (RCAP) public draft was prepared by Humboldt County in July 2024 and is currently in the public review stage. The RCAP guides towards long-term GHG reduction in accordance with California's goals to reduce GHG emission by 40 percent below 1990 levels by 2030 and achieve carbon neutrality by 2045.

The Proposed Project site is located near rural residential and agricultural land uses. The nearest sensitive receptor is an off-site residence, located approximately 675 feet southeast of the proposed cultivation development, and there are seven (7) total off-site residences within a mile of the Proposed Project Area (*Figure 14*). No schools, hospitals, daycare facilities, senior homes, or other sensitive receptor groups are located within the vicinity of the Proposed Project.

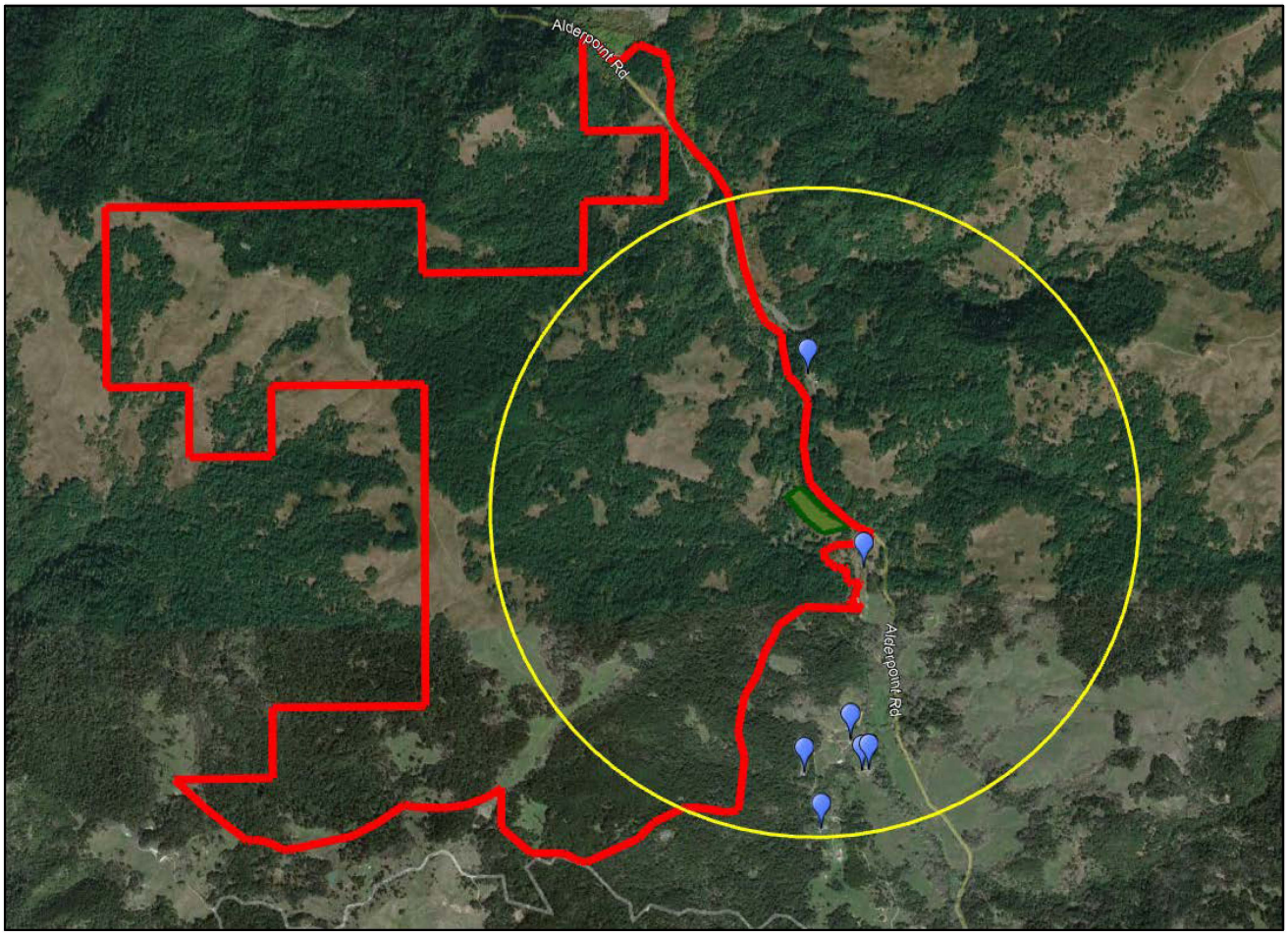


Figure 14: Off-site Residences (blue symbols) within a one-mile radius (yellow circle) of the Proposed Project Area (shown in green) on the Project Parcel (outlined in red) (Source: Google Earth Aerial Imagery, 2024)

Analysis

a) Finding: The project would not conflict with or obstruct implementation of the applicable air quality plan. *Less than significant impact with mitigation incorporated.*

Discussion: A potentially significant impact to air quality would occur if the Proposed Project would conflict with or obstruct the implementation of an applicable air quality management or attainment plan. Although the Proposed Project would represent an incremental increase in air emissions within the district, of primary concern is that Proposed Project-related impacts have been properly anticipated in the regional air quality planning process and reduced whenever feasible. Therefore, it is necessary to assess the Proposed Project's consistency with the applicable district air quality management or attainment plan(s).

Air quality in Del Norte, Humboldt, and Trinity counties is regulated by the NCUAQMD. The NCUAQMD's primary responsibility is to achieve and maintain federal and state air quality standards, subject to the powers and duties of the CARB. The NCUAQMD is currently listed as being in "attainment" or is "unclassified" for all federal health protective standards for air pollution (ambient air quality standards). However, under State ambient air quality standards, the air district has been designated "nonattainment" for particulate matter less than ten microns in size (PM_{10}). PM_{10} emissions include, but are not limited to, smoke from wood stoves, dust from traffic on unpaved roads, vehicular exhaust emissions, and airborne salts and other particulate matter naturally generated by ocean surf.

The California Clean Air Act (CCAA) requires the NCUAQMD to achieve and maintain State ambient air quality standards for PM_{10} by the earliest practicable date. The NCUAQMD prepared the Particulate Matter Attainment Plan, Draft Report, in May 1995 (Attainment Plan). This report includes a description of the planning area (North Coast Unified Air Quality District), an emissions inventory, general attainment goals, and a listing of cost-effective control strategies. The NCUAQMD's attainment plan established countywide goals to reduce PM_{10} emissions and eliminate the number of days in which standards are exceeded. The plan does not include project specific related requirements. However, NCUAQMD Rule 104, Section D – Fugitive Dust Emissions is used to address non-attainment for PM_{10} by prohibiting specific activities and providing reasonable precautions to prevent particulate matter from becoming airborne. Under Rule 104, Section D "no person shall allow handling, transporting, or open storage of materials in such a manner which allows or may allow unnecessary amounts of particulate matter to become airborne." Rule 104, Section D provides the following reasonable precautions that shall be taken to prevent particulate matter from becoming airborne, including, but not limited to, the following provisions:

a. Covering open bodied trucks when used for transporting materials likely to give rise to airborne dust.
b. The use of 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.
c. The application of asphalt, oil, water or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which can give rise to airborne dusts.
d. The prompt removal of earth or other track out 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.

According to the Humboldt County General Plan, unpaved road dust accounts for approximately 58.2% of the County's PM_{10} emissions (2017). This site is an existing agriculture and timber management property, accessed by paved roads and graveled driveways. The onsite road network is graveled. However, as the site does include graveled roads with the potential to emit PM_{10} emissions, to comply with the General Plan and NCUAQMD Rule 104, Section D – Fugitive dust Emissions, the Proposed Project design incorporates relevant control measures identified in the PM_{10} Attainment Plan appropriate to incorporate into construction and operational activities. These measures are included as **Mitigation Measures AQ-1.**

Additionally, the Proposed Project would not conflict with the applicable goals, policies, and standards from the Humboldt County General Plan Air Quality Element listed above. As described above, and in b), below, the Proposed Project would not significantly increase particulate matter emissions or (in compliance with Goals AQ-G1, AQ-G2, and AQ-G3). The Proposed Project is not located within a known "hot spot" of automobile emissions (Policy AQ-P2). Mitigation Measures AQ-1 would ensure that air quality impacts from construction, grading, and new development remain less than significant (consistent with Policies AQ-P4 and AQ-P5, and Standard AQ-S3). The County's CMMLUO referral process, and the CEQA process allows for interagency coordination with NCUAQMD (consistent with Policy AQ-P7). The Proposed Project includes development of solar panels on building roofs, and no trees are proposed to be removed (in compliance with Policies AQ-P14 and AQ-P17, respectively). Lastly, the CalEEMod Analysis conducted for the Proposed Project (Appendix 2D) quantifies potential emissions associated with Proposed Project, consistent with Standard AQ-S3.

Therefore, the Proposed Project would not conflict with or obstruct implementation of the NCUAQMD Attainment plan for PM_{10}, or the Humboldt County General Plan Air Quality Element, and the impacts would be less than significant with mitigation incorporated.

b) Finding: The project would not 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. *Less than significant impact with mitigation incorporated.*

Discussion: The NCUAQMD is currently listed as being in "attainment" or is "unclassified" for all federal health protective standards for air pollution (ambient air quality standards). However, under State ambient air quality standards, the air district has been designated "nonattainment" for PM_{10} (NCUAQMD website, 2021).

The Proposed Project would generate short term PM_{10} emissions from construction and operational activities. Due to the size of the Proposed Project (3.1 acres of cultivation), a site-specific air quality analysis was conducted. The analysis, titled "HumSun 3, LLC – Air Quality Analysis" (AQA), was conducted by NorthPoint Consulting Group in August of 2023 (Appendix 2D), and was conducted to analyze whether emissions from the Proposed Project would be less than stated standards.

The AQA was conducted for the Original Project Scope (OPS) of 12 acres of cannabis cultivation, across the entire ranch. Aside from the size of the cannabis cultivation, the OPS included many project components that are no longer relevant in the currently Proposed Project, including a larger area of land disturbance (greater than 600,000 sq. ft.), large generators as a primary energy source, significant grading quantities for the construction four ponds (38,366 cubic yards), significantly higher employee count and truck trips for construction. The currently Proposed Project is now only 3.1 acres of cannabis cultivation (approximately 6 acres of land disturbance), less than 0.25% of the size of the OPS. No generators are proposed as a primary energy source (only as backup), no ponds are proposed, and a total of 34 trips are proposed daily during construction and a maximum of 37 daily trips during operation.

The AQA is used here to represent conservative estimates of criteria pollutant emissions; in reality, the Proposed Project is expected to have less than half of the emissions (still a conservative estimate) described below due to the 75% reduction project size.

Construction: During construction, scraping, grading, tilling, excavating, building construction, landscaping, and vehicle traffic could generate emissions and dust. The NCUAQMD has advised that, generally, an activity that individually complies with the state and local standards for air quality emissions would not result in a cumulatively considerable increase in the countywide PM_{10} air quality violation. Potential particulate matter could be generated during construction activities and build-out of the site, in

general; however, short-term construction activities that use standard quantities and types of construction equipment are not required to be quantified and are assumed to have a less than significant impact. In addition, the Proposed Project design incorporates control measures identified in the PM_{10} appropriate to this type of project to reduce fugitive emissions. These measures are included in **Mitigation Measure AQ-1**.

The NCUAQMD and the County have not adopted thresholds of significance for construction generated PM_{10}. However, the Bay Area Quality Management District (BAAQMD) has established thresholds that can be used for significance determination. The BAAQMD bases the determination of significance for fugitive dust on consideration of the control measures to be implemented. If all appropriate emissions control measures recommended by BAAQMD are implemented for a project, then fugitive dust emissions during construction are not considered significant. BAAQMD recommends a specific set of Basic Construction Measures to reduce emissions of construction generated PM_{10} to less than significant. The BAAQMD Basic Construction Measures are consistent with NCUAQMD Rule 104, Section D, provide supplemental additional measures to control fugitive dust, and have been incorporated into **Mitigation Measure AQ-1**. Therefore, with incorporation of **Mitigation Measure AQ-1**, the construction related Proposed Project impacts would be less than significant impact.

The NCUAQMD has indicated that it is appropriate for lead agencies to compare proposed construction emissions that last more than one year to its stationary source significance thresholds which are provided in (*Table 3*). If the Proposed Project's construction emissions are below these thresholds, the Proposed Project's impacts are considered to be less than significant.

As mentioned above, the AQA was conducted for the originally proposed, 12-acre project. The California Emission Estimator Model (CalEEMod®) Version 2022.1 was used to estimate emissions from related construction activities. There are no specific default values for agricultural operations, so the most fitting Land Use Types from CalEEMod were used. Approximately 573,780 sq. ft. of "Industrial – Unrefrigerated Warehouse- No Rail" was used to calculate emissions related to the cultivation and nursery activities, 23,825 sq. ft. of "Industrial-General Light Industry" was used to calculate emissions related to the processing and drying activities, and 1,000 sq. ft. of "Paving" was used to account for potential paving associated with ADA parking spaces. All other non-default CalEEMod values were sourced from the Cultivation and Operations Plan (Appendix 1C) or were determined using the best available information.

The estimated emissions along with the BAAQMD and NCUAQMD BACT significance thresholds for criteria pollutants are summarized in *Table 2* and *Table 3*. As shown in the table, all construction-related emissions are less than the significance thresholds, and, as noted above, true emissions are likely to be less than approximately half of the estimated concentrations below, thus, the Proposed Project's construction emissions would have a less than significant impact.

Table 2: Construction Air Quality Pollutant Emissions Compared to BAAQMD Significance Thresholds (Source - Air Quality Analysis, NorthPoint Consulting, 2023 - Appendix 2D)

Pollutant	Proposed Construction Project Emissions – Average Daily Unmitigated (Maximum Lbs./day)	BAAQMD Significance Thresholds (Average Lbs./day)	Exceeds Threshold?
ROG	1.49	54	No
NO_x	13.6	54	No
CO	13.9	None	n/a
SO_x	0.02	None	n/a
PM_{10} (Exhaust)	0.56	82	No
$PM_{2.5}$ (Exhaust)	1.52	54	No
PM_{10} / (Fugitive Dust)	2.92	None – Implement BMPs	n/a
$PM_{2.5}$ (Fugitive Dust)	0.71	None – Implement BMPs	n/a

Table 3: Construction Air Quality Pollutant Emissions Compared to NCUAQMD BACT Significance Thresholds (Source - Air Quality Analysis, NorthPoint Consulting, 2023 - Appendix 2D)

Pollutant	Proposed Project Emissions - Unmitigated		NCUAQMD (BACT) Significance Thresholds		Exceeds Threshold?
	Maximum Tons/year	Maximum Lbs./day	Tons/year	Lbs./day	
ROG	0.27	1.49	40	50	No
NO_x	2.48	13.6	40	50	No
CO	2.54	13.9	100	500	No
SO_x	<0.005	0.02	40	80	No
PM_{10} (Total)	0.63	3.48	15	80	No
$PM_{2.5}$ (Total)	0.22	1.23	10	50	No

Operation: During operation of the Proposed Project, the primary activities that would generate pollutant emissions would be daily vehicle traffic, delivery truck traffic, and the potential use of a back-up fuel-powered generator during power outages. Although the use of the generator would be infrequent (backup purposes only), generator use was considered as part of the operational impact analysis. Since the Proposed Project would result in an increase in operational trips (employees and delivery trucks), operational analysis includes emissions from these mobile sources.

Operational emissions for the OPS were estimated using CalEEMod in the AQA (Appendix 2D). At full build-out the OPS would have resulted in an average of 8 daily trips by full-time employees and 44 trips by seasonal contract laborers during peak seasonal events. Approximately 36 truck trips were expected per month (approximately 9 truck trips per week), and a total of 60 vehicle trips per day were used as an estimate in CalEEMod. As noted above and throughout the rest of this document, vehicle trips anticipated under the

Proposed Project would be lower, approximately 37 daily trips from operational activities. Therefore, similar to construction emissions estimates, the emissions in the below tables are considered an overestimate of actual emissions associated with traffic from the Proposed Project.

The estimated emissions along with the BAAQMD and NCUAQMD BACT significance thresholds are summarized in *Table 4* and *Table 5*, respectively. As shown in the tables, all operational-related emissions are less than the significance thresholds, even when combining construction pollutant emissions, although temporary, from *Table 2* and *Table 3*. As noted above, true emissions are likely to be less than approximately half of the estimated concentrations below, thus, the Proposed Project's construction emissions would have a less than significant impact.

Table 4: Operational Air Quality Pollutant Emissions Compared to BAAQMD Significance Thresholds (Source - Air Quality Analysis, NorthPoint Consulting, 2023 - Appendix 2D)

Pollutant	Proposed Operational Project Emissions - Unmitigated		BAAQMD Significance Thresholds		Exceeds Threshold?
	Maximum Tons/year	Maximum Lbs./day	Maximum Tons/year	Average Lbs./day	
ROG	2.42	13.3	10	54	No
NO_x	0.30	1.65	10	54	No
CO	0.36	1.97	9.0 ppm (80hour average) or 20.0 ppm (1-hour average)		No
SO_x	<0.005	<0.005	None		n/a
PM_{10} (Exhaust)	0.02	0.10	15	82	No
$PM_{2.5}$ (Exhaust)	0.02	0.10	10	54	No
PM_{10} / (Fugitive Dust)	0.00	0.00	None		n/a
$PM_{2.5}$ (Fugitive Dust)	0.00	0.00	None		n/a

Table 5: Operational Air Quality Pollutant Emissions Compared to NCUAQMD BACT Significance Thresholds (Source - Air Quality Analysis, NorthPoint Consulting, 2023 - Appendix 2D)

Pollutant	Proposed Project Emissions - Unmitigated		NCUAQMD (BACT) Significance Thresholds		Exceeds Threshold?
	Maximum Tons/year	Maximum Lbs./day	Tons/year	Lbs./day	
ROG	2.42	13.3	40	50	No
NO_x	0.30	1.65	40	50	No
CO	0.36	1.97	100	500	No
SO_x	<0.005	<0.005	40	80	No
PM_{10} (Total)	0.02	0.10	15	80	No
$PM_{2.5}$ (Total)	0.02	0.10	10	50	No

Therefore, the Proposed Project impacts would be less than significant with **Mitigation Measure AQ-1** incorporated.

c) Finding: The project would not expose sensitive receptors to substantial pollutant concentrations. *Less than significant impact.*

Discussion: Sensitive receptors (e.g., children, senior citizens, and acutely or chronically ill people) are more susceptible to the effect of air pollution than the general population. Land uses that are considered sensitive receptors typically include residences, schools, parks, childcare centers, hospitals, convalescent homes, and retirement homes.

The nearest sensitive receptors near the Proposed Project site are off-site residence, the nearest of which is located approximately 675 feet southeast of the Proposed Project Area (*Figure 14*). Six (6) other off-site residences are located within a 1-mile radius, all greater than 0.5-miles from the Proposed Project Area. There are no schools, community centers, hospitals, designated retirement communities, childcare centers, or other known sensitive receptors within 1 mile of the Proposed Project Area.

As indicated by the Air Quality impact analysis under subsection b), the Proposed Project would not produce significant quantities of criteria pollutants (e.g., PM_{10}) during short-term construction activities or long-term operation.

As part of the proposed cultivation, pesticides and fertilizers would be applied to cannabis cultivation. Pesticide or fungicide application would occur within greenhouses and outside for the full sun outdoor cultivation. Chemicals would be applied directly to the plants; no aerial spraying would occur. Application is normally required to be administered a minimum of 300 feet from sensitive receptors (e.g. residences) in the case of dry pesticides and 200 feet in the case of wet pesticides. The Proposed Project area is greater than 675 feet from the nearest sensitive receptor, and all other residences or sensitive receptors are located greater than 0.5-miles from the Proposed Project Area. Therefore, the Proposed Project would not expose sensitive receptors to substantial pollutant concentrations and the impacts would be less than significant.

d) Finding: The project would not result in emissions (such as those leading to odors adversely affecting a substantial number of people). *Less than significant impact.*

Discussion: During long-term operation of the Proposed Project there is the potential to impact air quality due to odors from the cannabis plants would be generated by the proposed cultivation and processing activities. Odors from the Proposed Project cannabis cultivation activities would primarily be noticeable in April, July, and October, during flowering and harvesting periods (Appendix 1C – Cultivation and Operations Plan).

The closest sensitive receptors to the Proposed Project site that could potentially be impacted by odors include surrounding residences. As described above, there are seven (7) residences within one mile of the Proposed Project Area, per aerial imagery (*Figure 14*). The nearest residence is located greater than 675 feet southwest of the Proposed Project Area, and the other six (6) residences are located greater than 0.5 miles away.

According to the 2020 Census, the average household size in Humboldt County was 2.41 (US Census Bureau, 2024). Based on this it is estimated that the nearby residential units would provide housing for approximately 17 persons. Although a majority of residents are located greater than 0.5 miles away, there is the potential for these residents to experience odors from the Proposed Project. However, 17 persons does not constitute a substantial number of people. Moreover, the commercial cannabis operation is consistent with the parcel zoning and surrounding land uses. The size of the parcel, topography, and distance to sensitive receptors would reduce

any odors emitted from commercial cannabis activities. The Proposed Project site meets all siting criteria outlined in the CMMLUO and is consistent with surrounding land uses. Therefore, no mitigation is necessary, and Proposed Project impacts would be less than significant.

Mitigation Measures

AQ-1. During construction and operation, the following dust control measures shall be implemented:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, active graded areas, excavations, and unpaved access roads) shall be watered two times per day in areas of active construction.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All vehicle speeds on unpaved roads shall be limited to 15 mph, unless the unpaved road surface has been treated for dust suppression with water, rock, wood chip mulch, or other dust prevention measures.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes. Clear signage shall be provided for construction workers at all access points.
- All construction and operation equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications.

3.2.4. BIOLOGICAL RESOURCES

Would the Project:	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the United States Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or the United States Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on Federally protected wetlands (including, but not limited to, marshes, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
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?	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological Resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
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?	☐	☐	☐	☒

Setting

The Proposed Project parcel (APNs 217-051-001, 217-052-001, 217-053-002, 217-055-002, 217-056-001, 217-061-001, 217-062-003, 217-213-003, 217-214-001, and 217-253-001) is approximately 1,887 acres located off Alderpoint Road about 2.8 miles north of the town of Blocksburg. Elevations range from 1200 to 2250 ft. above mean sea level. Annual average precipitation is approximately 63 inches, and the average temperature is 56°F (PRISM, 2024). The Proposed Project Area is located in the Upper Larabee Creek HUC-12 watershed (HUC-12 #180101050601) and contains Larabee Creek (perennial Class I watercourse) and Cooper Creek (perennial Class I watercourse) which flows from east of the parcel, south of the Project area, and continues west to a confluence with Larabee Creek. Many of the riparian areas on the parcel are comprised of narrow corridors bordering small Class II and Class III streams.

The Proposed Project Area is located adjacent to Larabee Creek and Cooper Creek. The SWRCB Cannabis General Order and the Humboldt County Streamside Management Areas and Wetlands Ordinance (SMAO) include different setback requirements for cultivation activities. The SWRCB Cannabis General Order requires cannabis activities to be set back a minimum of 150 feet (ft.) from the top of bank of a perennial watercourse. The SMAO requires activities to occur a minimum of 100 ft. from the riparian vegetation drip line of a perennial watercourse, but not to exceed 200 ft. as measured horizontally from the top of watercourse bank. All Proposed Project Development is located outside of the most conservative required buffer, which is the not-to-exceed 200-ft. watercourse buffer from the top of bank of Larabee Creek and Cooper Creek.

These setbacks are shown in detail in *Figure 15*, displaying a map of the Proposed Project Area (the pink line denotes the SWRCB 150 ft. setback, the solid and dashed red line denote the riparian dripline and 100 ft. setback per the SMAO, and the bold, blue line denotes the 200 ft. setback per the SMAO), and in *Figure 16*, displaying a typical cross-section of watercourses and watercourse setbacks for the Proposed Project. Top of bank was determined using field data points and USGS StreamStats for Larabee Creek, which identified that the bankfull channel width is approximately 30 feet (*Figure 16*, Appendix 2U – StreamStats Report, 2024).

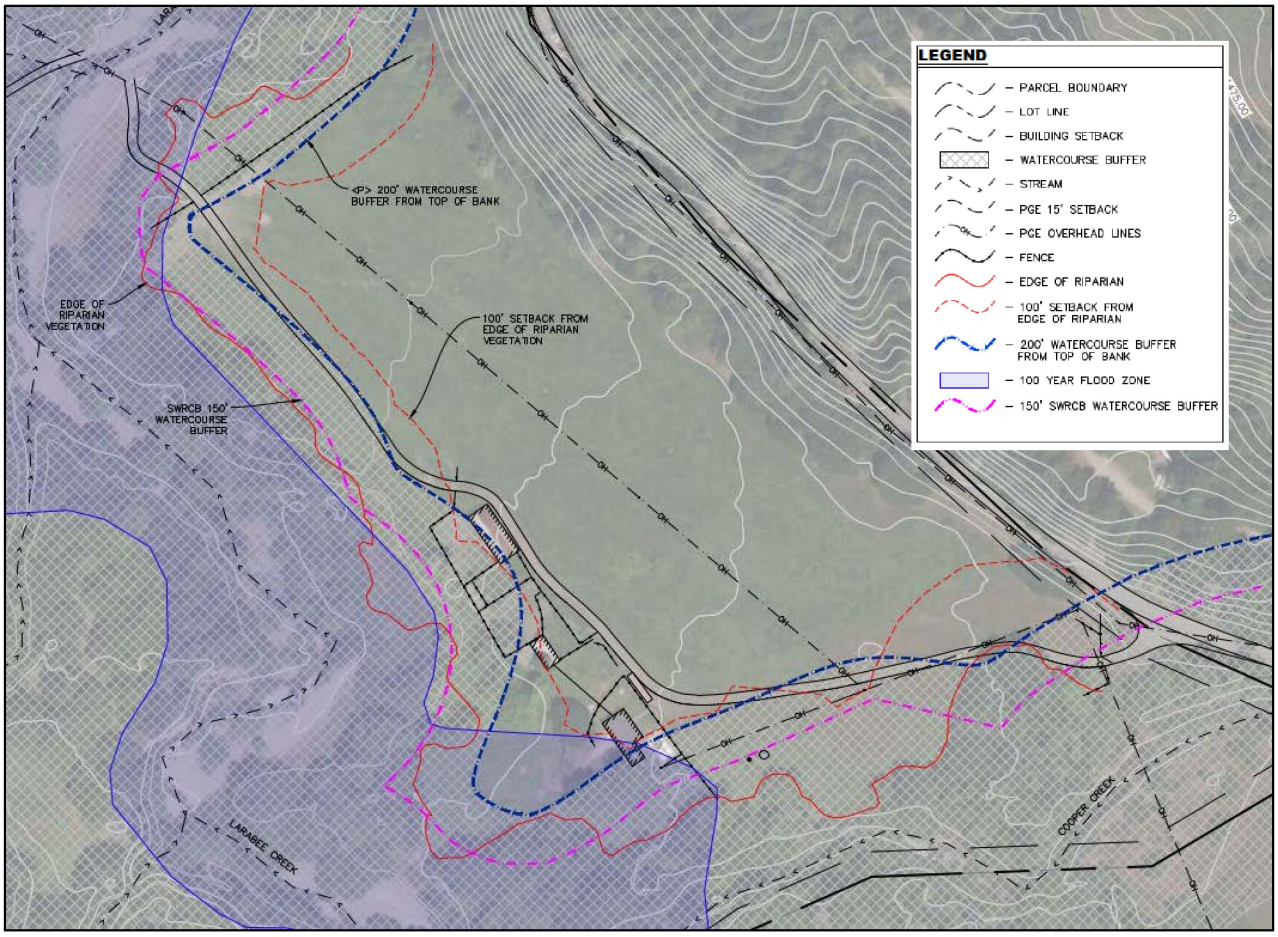


Figure 15: Watercourse Setbacks from Larabee Creek and Cooper Creek on the Proposed Project Area - Note that the blue-dashed line, delineating 200 ft watercourse setback, is generally the buffer used for cultivation activities (Source: NorthPoint Consulting Group, Inc., 2024)

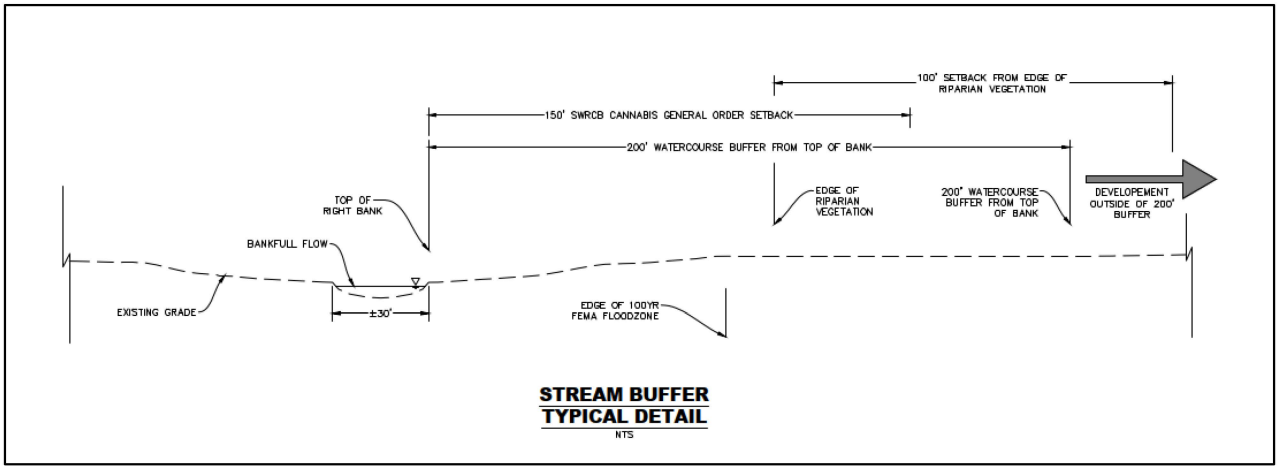


Figure 16: Typical Stream Buffer Detail displaying various watercourse setbacks (Source: NorthPoint Consulting, 2024, Site Plans, Sheet C3 - Appendix 1A)

The Proposed Project parcel's historic and current uses include agricultural, cattle grazing, recreation, residential, and timber harvesting operations. The parcel contains grassland, oak woodlands, early mature and mid mature Douglas fir, and riparian habitats. Existing onsite development includes a residence, a permitted septic and leach field system, a well, a 5,000-gallon hard-sided water tank and two barns to support the current cattle operations. Surrounding properties are zoned Special Building Site Combining District of Forest Recreation (FR-B-5(40)), Agriculture Exclusive (AE-B-5(160)), and Timberland Production Zone (TPZ). Surrounding land use designations adjacent to the property are Agricultural Grazing, Residential Agriculture (RA20, RA40), and Timberland (T).

Technical Studies Background

Numerous biological, botanical, and waters/wetland studies have been conducted for this site, most of which were conducted for the Original Project Scope (OPS). Authors included GHD, Natural Resources Management (NRM), ICF, NorthPoint Consulting Group, and J. Regan Consulting. *Table 6* displays a summary of these reports conducted for the Proposed Project Parcel, and further described in detail in this section. The table denotes whether the study was conducted across the entire parcel for the previously proposed OPS or if the study was prepared for the currently Proposed Project Area.

Table 6: Index of Biological, Botanical, and Waters/Wetland Surveys and Reports conducted for the OPS and the Proposed Project (all available in Appendix 2).

Category	Title	Author	Date	Scope	Appendix
Botanical	Botanical Resources Report	GHD	January 2020	Parcel-wide for OPS	2E
Botanical	Memo - Review of GHD Botanical Resources Report	ICF	March 18, 2021	Parcel-wide for OPS	2F
Botanical	2021 Supplemental Botanical Survey Report	NRM	July 1, 2021	Parcel-wide for OPS	2G
Botanical	Impacts Botanical Resources Sensitive Natural Communities: *Festuca idahoensis- Danthonia californica* Herbaceous Alliance (2022a)	NRM	December 2020 Rev. 3/17/2021 Rev. 9/28/2022	Parcel-wide for OPS	2H
Botanical	2022 Supplemental Botanical Survey Report: Sensitive Natural Communities (2022b)	NRM	September 28, 2022	Parcel-wide for OPS	2I

Botanical	Update to *Festuca idahoensis-Danthonia californica* Herbaceous Alliance Impacts and Mitigation	NorthPoint Consulting	August 29, 2024	Proposed Project	2J
Biological	Wildlife Resources Report	GHD	January 2020	Parcel-wide for OPS	2K
Biological	Golden Eagle Survey Report #1	NRM	February 2021	Parcel-wide for OPS	2L
Biological	Golden Eagle Survey Report #2	NRM	March 2022	Parcel-wide for OPS	2M
Biological	Northern Spotted Owl (NSO) Report	NRM	September 7, 2022	Parcel-wide for OPS	2N
Waters/ Wetland	Aquatic Resources Report	GHD	September 18, 2019	Parcel-wide for OPS	2O
Waters/ Wetland	Supplemental Waters Investigation	NRM	February 16, 2021	Parcel-wide for OPS	2P
Waters/ Wetland	Proposal and Justification for the Development of a Compensatory Mitigation and Monitoring Plan	NRM	September 28, 2022	Parcel-wide for OPS	2Q
Waters/ Wetland	Wetland Mitigation Summary	J. Regan Consulting	August 30, 2024	Proposed Project Area	2S

Botanical Resources Report, GHD (2020)

A Botanical Resources Report was first conducted by GHD (2020) (Appendix 2E) for the OPS, across the entire Project Parcel. Prior to field surveys, GHD prepared a scoping list of California Rare Plant Ranks (CRPRs) and habitats with recorded occurrences in the project vicinity was compiled by consulting with the CDFW's California Natural Diversity Database (CNDDB) (CDFW, 2019), the California Native Plant Society (CNPS) Inventory of Rate and Endangered Vascular Plants (CNPS, 2019), and the list of Federally listed plant species maintained by the U.S. Fish and Wildlife Service (USFWS, 2019). Of the 45 special status species from the queries, 20 had a CRPR rank of 1B or 2B and the other 25 species have a CRPR rank of 4. All species were reviewed prior to the field survey. Of the 20 species with a CRPR rank of 1 or 2, eight (8) had a high probability of occurring within the study area, and one of these species was located. Three (3) species were determined to have a moderate probability of occurring within the study area. Within the study area, one (1) sensitive plant community was documented according to CNDDB (2018), upland Douglas-fir forest within the Project area.

The Botanical Resources Report included dozens of field surveys, including rare plant surveys on 3/29/19, 4/10/19, 4/24/19, 6/5/19, and 6/6/19, and multi-day vegetation mapping field mapping on 4/10/19-4/12/19, 5/8/19-5/10/19, 6/4/19-6/6/19, and 6/13/19-6/14/19 (more than 16 field survey days). The surveys occurred over the areas previously proposed in the OPS, which encompassed the currently Proposed Project Area. During the surveys, vegetation types were mapped and assigned based on 6 relevé plots, 18 rapid assessment forms, and 23 reconnaissance forms sampled. Surveys to determine the presence of special status plant species (listed as rare, threatened, endangered, or candidate under the State or Federal Endangered Species Acts, CNPS, or species of local importance) are considered floristic in nature and were timed to coordinate with both early and late blooming periods for the majority of the species thought to have moderate or high potential to occur within the project area. GHD did not identify any rare plant species onsite during these visits.

GHD identified three (3) Sensitive Natural Communities from the OPS that overlap with the Proposed Project Area: Douglas-fir – tanoak forest (*Pseudotsuga menziesii-Notholithocarpus densiflorus*) Forest Alliance, California bay forest (Umbellularia californica) Forest Alliance, and Dense sedge marshes (*Carex densa*) Provisional Herbaceous Alliance (*Table 7*, *Figure 22*).

Review of GHD Botanical Resources Report (ICF, March 2021) and 2021 Supplemental Botanical Survey Report (NRM, July 2021)

To provide more accurate baseline conditions and to develop an assessment of impacts and a mitigation plan for environmental impact analysis, ICF (2021) (Appendix 2F) put forward suggested revisions to the 2020 GHD Botanical Resources Report, suggesting reclassification and further study of the California oat grasslands identified onsite that were previously not considered Sensitive Natural Communities. As a result, additional botanical surveys were conducted. The Supplemental Botanical Survey Report by NRM in 2021 (Appendix 2G) provided a review of the GHD botanical report (GHD, 2020) for potential impacts to any plant species listed, candidates for listing, or proposed for listing under the ESA, CESA and the California Native Plant Protection Act, and/or meeting the definition of rare or endangered under the California Environmental Quality Act (CEQA), which NRM referred to as "special status plants". During the preparation of their report, NRM conducted additional surveys on 4/16/21, 5/27/21, and 6/8/21. One (1) special-status plant species with a CRPR of 4.3 was found onsite along, located 3,500 feet from the Proposed Project Area. In addition, two (2) populations that could be considered locally rare but do not hold sensitive State Rank or CNPS Rare Rank were identified: Needle goldfields, *(Lasthenia gracilis),* located over 4,000 feet from the Proposed Project Area, and Howell's yampah (*Perideridia howellii*). Howell's yampah (*Perideridia howellii*), was observed at the North End of the Proposed Project Area, in the stand of trees proposed for wetland enhancement (*Figure 18*). Howell's yampah could be considered locally rare but does not hold a sensitive State Rank or CNPS Rare Rank.

Impacts Botanical Resources Sensitive Natural Communities: *Festuca idahoensis- Danthonia californica* Herbaceous Alliance and Dense sedge marshes (*Carex densa*)" (NRM, 2022a) **and** Supplemental Botanical Survey Report: Sensitive Natural Communities (NRM, 2022b)

NRM followed up their 2021 Supplemental Botanical Survey Report (Appendix 2G) with two additional reports. The first report "Impacts Botanical Resources Sensitive Natural Communities: *Festuca idahoensis- Danthonia californica* Herbaceous Alliance and Dense sedge marshes (*Carex densa*)" final revision dated September 28, 2022 (NRM, 2022a) (Appendix 2H) as a result of being called out as Sensitive Natural Communities by CDFW and the second report "Supplemental Botanical Survey Report: Sensitive Natural Communities" by NRM (2022b) (Appendix 2I) which categorized existing *Festuca idahoensis- Danthonia californica* stands to identify mitigation prairies for potential mitigation sites along with a maintenance and monitoring schedule.

The Impacts Botanical Resources Sensitive Natural Communities report (NRM, 2022a) identifies mitigation locations and strategies for potential mitigation sites along with a maintenance and monitoring schedule. This report reflected mitigation strategies for the entire OPS.

The additional Supplemental Botanical Survey Report (NRM, 2022b) (Appendix 2I) provides a delineation of stands categorized as existing *Festuca idahoensis- Danthonia californica* within the OPS. NRM conducted additional surveys on 5/20/22, 5/23/22, 6/1/22, and 6/3/22. Approximately 29 acres of *Danthonia californica* with sufficient cover to be classified as *Festuca idahoensis-Danthonia californica* Herbaceous Alliance (Sensitive Natural Community, Rank of S3) were mapped by NRM. The surveys occurred across the entire legal parcel for the scope of the OPS.

The Proposed Project Area was included in the area surveyed by NRM and contains 0.53 acres of this Sensitive Natural Community (*Figure 17*, Site Plans – Appendix 1A).

Update to *Festuca idahoensis- Danthonia californica* Herbaceous Alliance Impacts and Mitigation (NorthPoint Consulting, August 2024)

Since the NRM reports covered the entire OPS of 12 acres, a Memorandum was created by NorthPoint Consulting Group, Inc. (August 2024) (Appendix 2J) to summarize the results for the Proposed Project Area. The Memorandum was conducted to clarify and describe impacts and mitigation measures to California oat grass Sensitive Natural Community from the current Proposed Project. The memorandum describes impacts, mitigation measures, mitigation locations, success criteria, and monitoring and reporting recommendations associated with impacts to *Festuca idahoensis- Danthonia californica* (California oat grass).

Summary of Studies relating to Special-Status Fish and Wildlife

Initial biological scoping/habitat determination for the parcel under the OPS was conducted and written in the Wildlife Resources Report (Appendix 2K, GHD, 2020). The purpose of the report was to provide an initial analysis of the property and potential project impacts to sensitive wildlife species. GHD conducted a query of the CDFW's California Natural Diversity Database (CNDDB), USFWS' Information for Planning and Consultation (IPaC), NOAA Fisheries West Coast Regional California Species List Tool, iNaturalist, and eBird databases. Field surveys were performed on 8/20/18 and 12/14/18, in addition to an unspecified number of additional site visits. Mammalian surveys included wildlife camera traps over a three-month period from May to August 2019 and bat acoustic monitoring over seven nights from May to August 2019. Field survey methods included wildlife camera traps, bat acoustic monitoring, special status nesting bird surveys, early season nesting, nighttime calling stations, and visual encounter surveys near streams and wetlands for reptiles and amphibians.

Avian surveys were conducted by GHD within 500 feet of the OPS study area. Three separate types of surveys were conducted for special-status nesting bird surveys (all species, including raptors), Golden Eagle surveys, and Northern Spotted Owl (NSO) surveys. Avian surveys also included special-status nesting bird surveys with a list of all avian species heard or observed on site for a three-month period from May 7th, 2019, to August 6th, 2019, during sunrise hours.

A raptor nesting survey involving stationary four-hour surveys at the highest points of the project site and two four-hour surveys mid-morning to late afternoon was conducted on 3/18/19 to address early season nesting for Bald and Golden Eagle. Habitat was generally evaluated for the potential to support eagle species. Additional stationary observational surveys occurred on 4/11/19, 5/10/19, 5/29/19, and 6/11/19 to document eagle species potentially missed earlier in the season.

Bat acoustic monitoring focused on potential bat foraging and roosting areas. Surveying was conducted along developed roads across the project study boundary from the OPS via mobile transects to document species presence. Surveys were conducted at speeds no more than 10 miles per hour or stationary monitoring along roads approximately at least 500 feet from NSO call stations. Acoustic monitoring occurred over seven nights from May through August 2019.

Additional nesting bird, owl, and raptor field surveys were continued into 2020, 2021, and 2022 by NRM and summarized in a Golden Eagle Survey Report (Report 1) dated February 2021 (Attachment 2L), another Golden Eagle Survey Report (Report 2) dated March 2022 (Appendix 2M), and an NSO Report dated September 2022 (Appendix 2N).

Unless otherwise referenced, species details discussed in this Section are sourced from the Wildlife Resources Report by GHD (Appendix 2K, 2019), Golden Eagle Survey Report 1 and Golden Eagle Survey Report 2 by NRM (Appendix 2L, 2021) (Appendix 2M, 2022), and 2022 Northern Spotted Owl (NSO) Report by NRM (Appendix 2N, 2022). All studies were conducted for the OPS, across the entire Project Parcel, which included the current Proposed Project Area.

Summary of Studies related to Wetlands

An Aquatic Resources Report prepared by GHD in September 2019 (Attachment 20) identifies and describes wetlands and aquatic resources within the project parcel to avoid or minimize impacts to wetland and aquatic resources during the design process, and document wetland and aquatic resource boundary determinations for review by regulatory authorities. Field surveys occurred on 4/11/19, 4/12/19, 4/25/19, 4/26/29, and 5/9/19. The report identified approximately 2.22 acres of 3-parameter Palustrine Emergent wetlands across the Project Parcel, within the scope of the OPS. Of those, approximately 0.98 acres of wetlands were observed in and around the field where the Proposed Project Area is located (referred to in the GHD report as the "Road Site"). An additional area, titled "possible existing wetland, not delineated" was identified by GHD within the Proposed Project Area but not formally delineated in the GHD Aquatic Resources Report.

A follow-up report, by NRM titled Supplemental Waters Investigation and dated February 2021 (Attachment 2P) was prepared to formally delineate the "possible existing wetland, not delineated" denoted in the GHD Aquatic Resources Report. NRM delineated 0.61 acres of seasonal palustrine forest wetland in this area.

GHD and NRM delineated a total of 1.59 acres of wetlands in and around the Proposed Project Area (*Figure 17*).

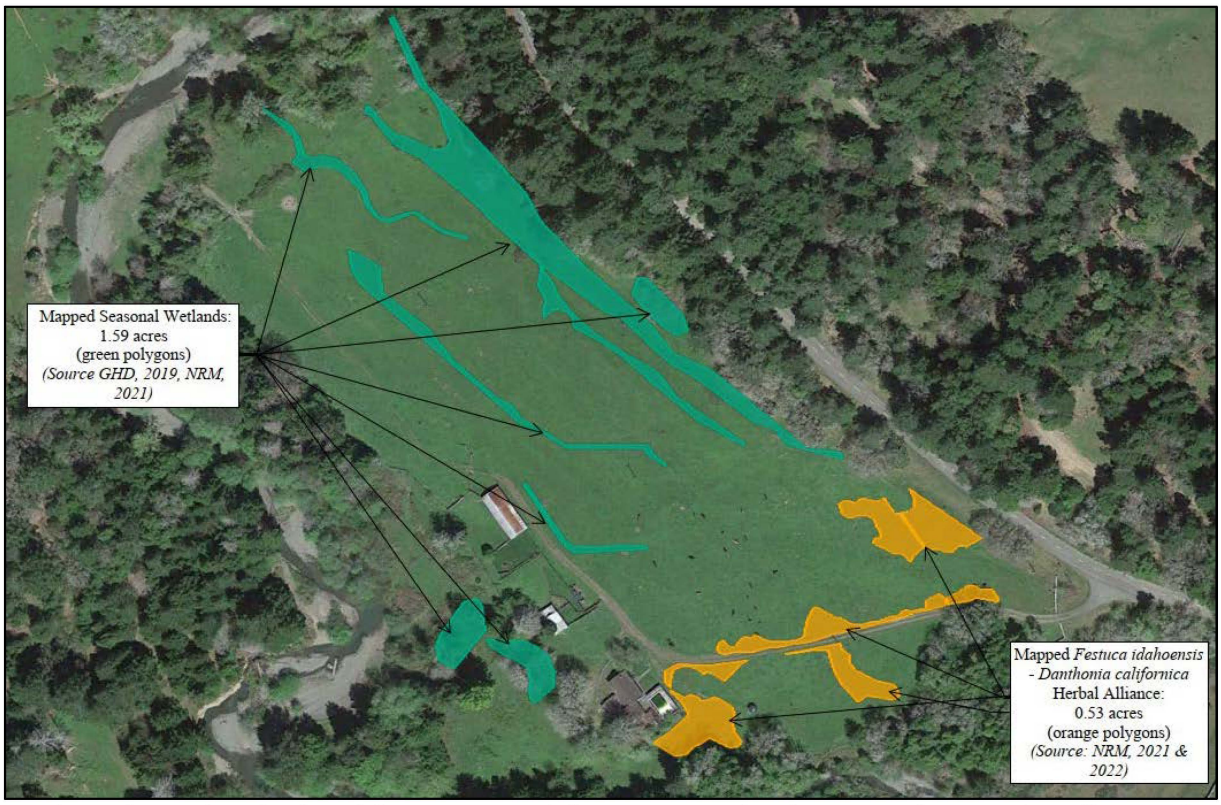


Figure 17: Delineated Wetlands and Sensitive Natural Communities within the Proposed Project Area (Source: Google Earth, 2024; data files from GHD and NRM)

The OPS proposed impacts to wetlands in both the Lower Field (current Proposed Project Area) and across the Project Parcel associated with the original 12-acre project. Due to the potential impacts to wetlands from the OPS, NRM prepared a wetland mitigation document, titled, "Proposal and Justification for the Development of a Compensatory Mitigation and Monitoring Plan," dated September 28, 2022 (Attachment 2Q). This plan describes proposed impacts from the OPS and proposed wetland and mitigation strategies. As the scope of the Proposed Project has changed significantly, a supplemental "Wetland Mitigation Summary" report was

prepared by J. Regan Consulting dated August 2024 (Attachment 2S) to update wetland mitigation strategies, clarify current impacts, and propose creation and mitigation measures, focused around the Proposed Project Area.

As described above, and as described in the Aquatic Resources Report (GHD, 2019, Attachment 20), the parcel contains several watercourses, including Larabee Creek, a perennial Class I watercourse, Cooper Creek, a perennial Class I watercourse, Coleman Creek, a perennial Class I watercourse, and several unnamed ephemeral and intermittent watercourses.

The Proposed Project has been designed to meet the Performance Standards of the CMMLUO, and all relevant Biological Resources Goals, Policies, and Standards of the Humboldt County General Plan Conservation and Open Space Element (2017). Applicable Goals and Policies include the following:

Goal BR-G3	**Benefits of Biological Resources.** Fish and wildlife habitats protected on a sustainable basis to generate long-term public, economic, and environmental benefits.
Policy BR-P2	**Critical Habitat.** Discretionary projects which use federal permits or federal funds on private lands that have the potential to impact critical habitat shall be conditioned to avoid significant habitat modification or destruction consistent with federally adopted Habitat Recovery Plans or interim recovery strategies.
Policy BR-P5	**Streamside Management Areas.** To protect sensitive fish and wildlife habitats and to minimize erosion, runoff, and interference with surface water flows, the County shall maintain Streamside Management Areas, along streams including intermittent streams that exhibit in-channel wetland characteristics and off-channel riparian vegetation.
Policy BR-P7	**Wetland Identification.** The presence of wetlands in the vicinity of a proposed project shall be determined during the review process for discretionary projects and for ministerial building and grading permit applications, when the proposed building development activity involves new construction or expansion of existing structures or grading activities. Wetland delineation by a qualified professional shall be required when wetland characterization and limits cannot be easily inventoried and identified by site inspection
Policy BR-P9	**Oak Woodlands.** Oak woodlands shall be conserved through the review and conditioning of discretionary projects to minimize avoidable impacts to functional capacity and aesthetics, consistent with state law.
Policy BR-P10	**Invasive Plant Species.** The County shall cooperate with public and private efforts to manage and control noxious and exotic invasive plant species. The County shall recommend measures to minimize the introduction of noxious and exotic invasive plant species in landscaping, grading and major vegetation clearing activities.
Policy BR-P11	**Biological Resource Maps.** Biological resource maps shall be consulted during the ministerial and discretionary permit review process in order to identify habitat concerns and to guide mitigation for discretionary projects that will reduce biological resource impacts to below levels of significance, consistent with CEQA.

Policy BR-P12 **Agency Review.** The County shall request the California Department of Fish and Wildlife, as well as other appropriate trustee agencies and organizations, to review plans for development within Sensitive Habitat, including Streamside Management Areas. The County shall request NOAA Fisheries or U.S. Fish and Wildlife Service to review plans for development within critical habitat if the project includes federal permits or federal funding. Recommended mitigation measures to reduce impacts below levels of significance shall be considered during project approval, consistent with CEQA.

Analysis

a) Finding: The project will not 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 CDFW or USFWS. *Less than significant impact with mitigation incorporated.*

Discussion: The Proposed Project would involve the development of 3.1 acres of mixed-light cannabis cultivation, ancillary structures, parking, septic systems, and water distribution infrastructure. All proposed development except for water tank placement on the ridge on an existing, disturbed, graveled flat, would occur on an existing grazed agricultural field. The Proposed Project also includes the reconnection of an existing disconnected Class III watercourse.

As described above, numerous botanical and biological studies occurred on the Project Parcel to survey the property for special-status plant and animal species over the 12-acre OPS, which includes the Proposed Project Area.

Special-Status Plant Species

During the preparation of six (6) separate botanical reports, described above, a total of over 20 survey days, no special-status plant species were found within the Proposed Project Area. Sensitive plant species were found within the Project Parcel and the OPS, but outside of the Proposed Project Area, and are not further discussed. See the referenced Botanical Reports in listed in *Table 6* and provided in Appendix 2.

One (1) locally-rare plant was identified during field surveying (without a state rank or CNPS rare rank), as follows:

Howell's yampah (*Perideridia howellii)*

A Supplemental Botanical Survey Report by NRM (2021, Appendix 2G) provided a review of the GHD Botanical Report (2020, Appendix 2E) for potential impacts to special status plants. Pertaining to the Proposed Project Area, which makes up a minor portion of the study area, Howell's yampah (*Perideridia howellii*) was found at the north portion of the Proposed Project Area within the 100 ft. setback from the edge of the riparian dripline (*Figure 18*). Howell's yampah could be considered locally rare, however, it does not have a sensitive State Rank of CNPS Rare Rank. NRM (2021) concluded that the Howell's yampah identified were outside of Proposed Project Areas of ground disturbance and would not be impacted by proposed development. However, the current Proposed Project includes ground disturbance in this area for stormwater treatment, wetland enhancement, and wetland mitigation. Due to confirmed onsite presence of this locally-rare species, prior to construction, a survey would occur to identify current existing stands of Howell's yampah by a qualified botanist. Any existing plants would be flagged and would be avoided during construction or relocated if they cannot be avoided. This has been incorporated as **Mitigation Measure BIO-1.** With incorporation of this mitigation measure, impacts to rare plants would be less than significant.



Figure 18: Location of Perideridia howellii (Source: 2021 Supplemental Botanical Resources Report, NRM - Appendix 2G)

Special-Status Wildlife Species

As described in the Setting, the Wildlife Resources Report (GHD, 2020, Attachment 2K) identified 38 special-status wildlife species as potentially present or confirmed presence on the Project Parcel on database review, available habitat, or other sources in the Wildlife Resources Report: thirteen (13) birds, four (4) fish, one (1) reptile, four (4) amphibians, five (5) terrestrial mammals, ten (10) bats, and 1 (one) invertebrate.

Potentially Present Special-Status Bird Species (13):

The 13 database-queried special-status bird species with potential to occur on the Project Parcel are described below. Of the 13 species, ten (10) had either confirmed onsite presence, or moderate/high potential to be present onsite, and three (3) had a low likelihood of onsite presence, as follows:

Golden Eagle (*Aquila chrysaetos*) – The Golden Eagle is a CDFW Fully Protected Species, CDFW Watch List, and under the USFWS Bald and Golden Eagle Protection Act. Golden Eagles prefer open habitats and are found across a wide range of elevations from sea level to 3,630 meters. Across Humboldt County, Golden Eagles build stick nests in large, pre-dominantly Douglas fir trees adjacent to foraging habitat and open prairies.

Golden eagle surveys began on March 18th, 2019 to address early season nesting. Additional observations occurred on April 11th, May 10th, May 29th, and June 11th, 2019. No Golden Eagles were observed in or adjacent to the study area, but potential for occurrence was not ruled out due to the suitable breeding and foraging habitat.

After 2019, NRM completed two years of protocol-level surveys per the FEIR for Humboldt County Code Cannabis Regulating Commercial Cannabis Activities in response to the presence of optimal Golden Eagle foraging habitat. In 2021, NRM conducted 16 total survey hours with two (2) surveys each at two (2) stations for four (4) hours each where no golden eagles were detected (*Figure 19*). In 2022, 24 survey hours occurred over four (4) weeks were conducted at each station twice, for four (4)

hours each, with a 7-day interval between. Surveys also occurred on February 10th, February 11th, February 17th, and February 18th of 2022. On February 18th, 2022, survey at Station 1, one golden eagle was observed coming from the east, circling southeast along the ridge, then disappearing to the west. This observation prompted additional surveys at Station 1 on February 25, 2022, and March 7, 2022, which resulted in no additional golden eagle observations over the 8 survey hours. The Golden Eagle Survey Reports from NRM did not make further recommendations regarding this species. (Attachments 2K, 2L, and 2M)

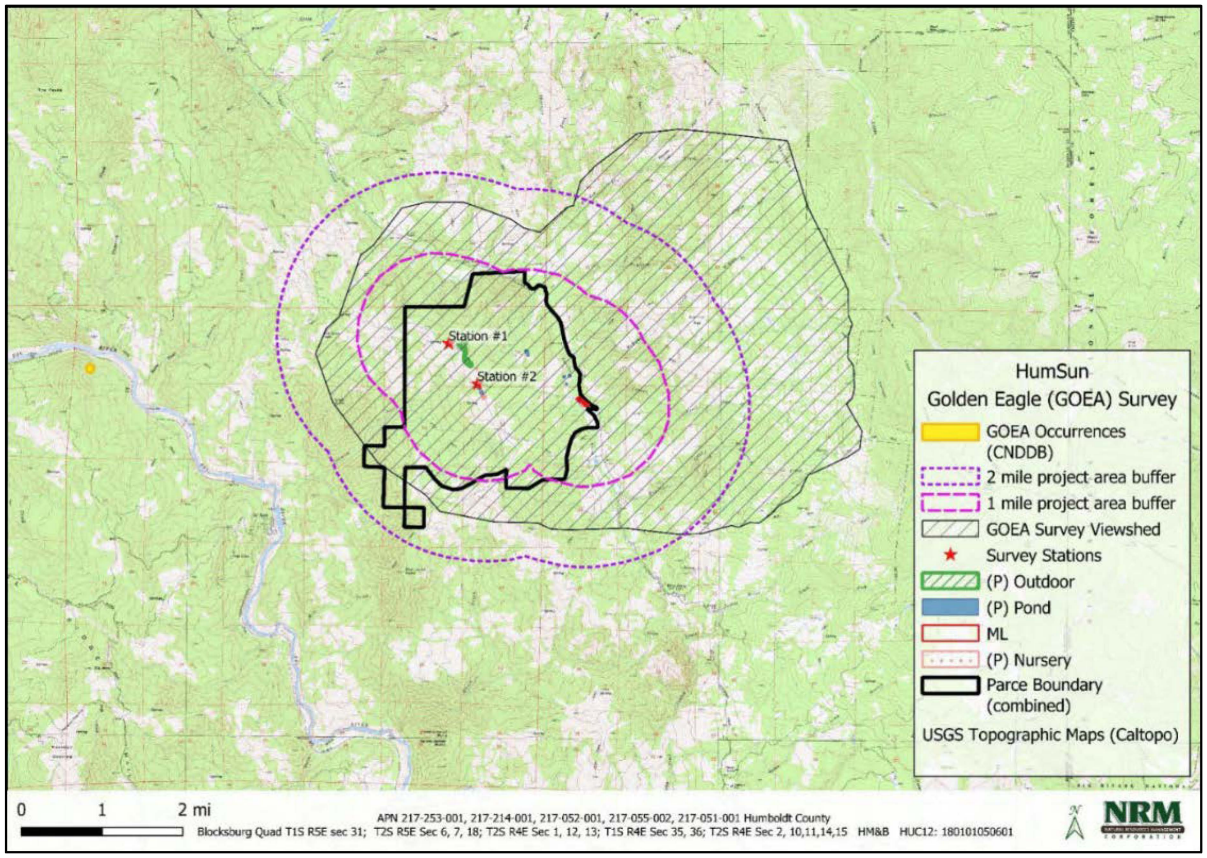


Figure 19. Golden Eagle survey station map with viewshed extent (Source: NRM Golden Eagle Survey Report 2 – Appendix 2M).

Golden Eagles, and birds of prey in general, are susceptible to bioaccumulation poisoning from consumption of poisoned prey. As such, **Mitigation Measure BIO-2** has been incorporated to prevent anticoagulant rodenticide poisoning in raptors.

In addition, the Wildlife Resources Report (GHD, 2020) recommended incorporation of pre-construction raptor and nesting bird surveys if construction occurs between March 15th – August 15th (incorporated as **Mitigation Measure BIO-3**), and concluded that, with proposed mitigation, impacts from the OPS would be less than significant. Therefore, as the Proposed Project has been significantly condensed and relocated from the impacting ridge where the Golden Eagles were observed, impacts from the Proposed Project on the Golden Eagle would be less than significant with mitigation incorporated.

Northern Spotted Owl (*Strix occidentalis caurina*, NSO) – The NSO is a federally threatened species (55 Federal Registry 26114-26194) and listed under the California Endangered Species Act (CESA) as

Threatened. The preferred habitat type of the NSO consists of old growth forests with moderate to high canopy closure, a multi-species canopy with large over-story trees, large trees with numerous decadence features (i.e. broken tops, cavities, and snags), and a significant amount of open space beneath the canopy (USFWS 2008). NSOs are particularly susceptible to disturbance from increased human activity, including light and noise impacts.

There are three (3) historic NSO Activity Centers (AC) (HUM0841, HUM0514, and HUM1095) that overlap the Project Parcel. The Proposed Project Area is within the 1.3-mile NSO habitat retention buffer for HUM0514 and HUM1095 and the Project Parcel is within the habitat retention buffer for HUM0841 (*Figure 20*). According to CNDDB records, the available history (CNDDB NSO Report, generation date 8/25/2022) of HUM0514 ranges from 2003 to 2014. The last recorded positive NSO detection of an NSO pair at HUM0514 was 2014. The history of HUM0841 ranges from 1996 to 2014. The last recorded positive NSO detection of an NSO pair at HUM0841 was 2013; multiple detections of NSO adults were recorded in 2014. The history of HUM1095 ranges from 2013 to 2014. The last recorded positive NSO detection of an NSO pair at HUM1095 was 2014.

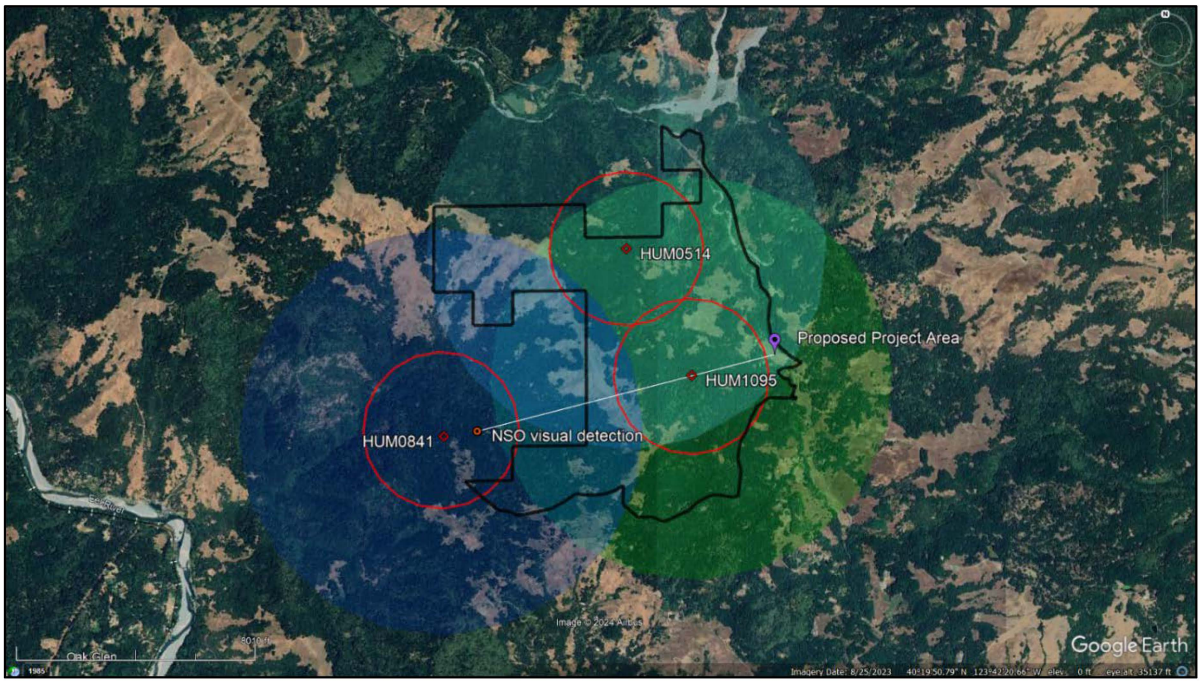


Figure 20. NSO Activity Centers and Visual Detections in relation to the Project Parcel and Proposed Project Area – Note that the Project Parcel (black boundary) is within the 1.3-mile buffer of three ACs (blue and green circles), and that Proposed Project (purple icon) is 1.9 miles from the NSO visual detection (white line) and outside of the 0.5-mile buffer (red circle) from the nearest Activity Center (Source: Google Earth, 2024)

NSO surveys were conducted using the USFWS NSO protocol (2012) involving night calling visits and historic Activity Center searches. Six total NSO surveys were within the Project Parcel and extended 1.3 miles from the Project site in May, June, July, and August of 2019. A total of 15 nighttime calling stations were established and six complete nighttime calling visits across the NSO season. There was a total of four (4) NSO auditory detections from three night calling stations around AC HUM0841. No NSOs were located during daytime follow-up outings or AC searches in 2019. There was also a total of ten (10) Barred Owl (*Strix varia)* nighttime auditory (and or visual) detections across 6 out of 15 stations and one Sparred Owl (*Strix occidentalis* x *varia)* detected at Station #3.

In 2022, NRM conducted one year of NSO surveying also using the USFWS NSO protocol (2012) which included night calling visits and historic AC searches (Attachment 2N). NRM performed six (6) night calling visits between April 26, 2022, and July 28, 2022, with calling at 15 stations per visit. The night calling visits resulted in no NSO responses. AC searches resulted in the positive identification of one (1) juvenile NSO and one (1) adult NSO near AC HUM0841 (*Figure 20*). AC HUM0841 is located on the ridge far east of the Project parcel approximately 1.9 miles away from the Proposed Project Area, which is outside of the 1.3-mile NSO habitat retention buffer.

AC HUM1095, the closest AC to the Proposed Project Area, and AC HUM0514 were searched with no owls detected. Although no positive NSO detections occurred within 1.3 miles of the Proposed Project Area, the Proposed Project has the potential to impact NSO's from direct impact, pollution, light pollution, and noise disturbance, as follows:

- *Direct impact:* **Mitigation Measure BIO-3** has been included to conduct preconstruction surveys during the NSO nesting season to ensure no nests or individual NSOs are located within 500 feet of the Proposed Project Area or within 500 feet of the area proposed for water tanks.

- *Pollution:* **Mitigation Measure BIO-2** has been incorporated to prohibit use of anticoagulant rodenticide, which has been shown to poison, and kill, sensitive NSO individuals.

- *Light:* The Proposed Project has been designed with light attenuation measures. Light attenuation, which is discussed further in detail at the end of the sensitive-status bird species summary section below, is required by local, state and laws, and, in accordance, all proposed exterior lighting would be downcast such as not to spill over the Proposed Project Area and impact sensitive habitat.

- *Noise:* A Noise Study was conducted for the Proposed Project (Appendix 2Y - NorthPoint Consulting Group, 2024). The Noise Study estimated the project-related noise to be 50 dB at the edge of the tree line, to the southwest of the Proposed Project Area. Noise from the Proposed Project was estimated using the inverse square law and was calculated based on the ambient noise plus the sound pressure from 152 Snapfans operating at full power within the greenhouses.

  According to the Humboldt County CMMLUO Performance Standards for all CMMLUO Cultivation and Processing Operations (§55.4.11 o)), "*The combined decibel level for all noise sources, including generators, at the property line shall be no more than 60 decibels. Where applicable, sound levels must also show that they will not result in the harassment of Marbled Murrelet or Spotted Owl species, when generator use is to occur in the vicinity of potential habitat. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Services, and further consultation where necessary."* As such, the Proposed Project was compared against the guidance in the *Revised Transmittal of Guidance: Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California*, published on October 28th, 2020, by the United States Department of the Interior, USFWS. The USFWS guidance states that disturbance to either of these species may reach the level of take when project-generated sound exceeds ambient conditions by 20-25 decibels, when project-generated sound in addition to existing ambient conditions exceeds 90 decibels, or when activities occur within 330 feet or less from a known nest. As shown above, the Proposed Project would not increase onsite noise by greater than 20-25 decibels, nor would it exceed 90 decibels when added to existing ambient

noise. The site is not located within 330 feet from a known nest, and the Proposed Project does not include operational use of a generator.

Furthermore, Humboldt County has established a threshold to mitigate impacts to NSOs associated with cannabis projects under the Commercial Cannabis Land Use Ordinance (CCLUO). Although the Proposed Project is not subject to the CCLUO, in developing the CCLUO, the county established a threshold noise exposure to NSOs as follows, "*Where located within one (1) mile of mapped habitat for marbled murrelet or spotted owls where timberland is present, maximum noise exposure from the combination of background cultivation related noise may not exceed fifty (50) decibels measured at a distance of one hundred (100) feet from the noise source or the edge of habitat, whichever is closer"* (CCLUO Performance Standard §55.4.12.6.1). Even though the Proposed Project is subject to the CMMLUO, and not the CCLUO, the anticipated noise from this project would follow the threshold established by this performance standard to ensure a less than significant impact to NSOs from noise.

The Noise Study (Appendix 2Y) shows that the proposed noise sources are anticipated to create a sound pressure of 50.0 dB at a distance outside of the edge of potential habitat, designated as the tree line to the south/southwest of the proposed development. This 50.0 dB contour is shown on the Site Map in Attachment A.

The proposed noise sources within the noise study are based on typical equipment brands, that could be subject to change based on availability and costs. Due to this and the potential of other noise sources near NSO habitat, the Proposed Project would incorporate sound monitoring to ensure that noise levels remain below 50 dB at the nearest edge of potential sensitive species habitat, incorporated as **Mitigation Measure BIO-4.** Mitigation Measure BIO-4 would require the operator to conduct sound monitoring for a minimum period of eight (8) hours during a typical operational day, from April to August. Monitoring would be conducted using an accurate decibel reader and would occur at the nearest tree line toward the known NSO habitat, located at lat/long 40.310680°, -123.660347° (Figure 21). Copies of the monthly readings would be kept on file and delivered to the Humboldt County Planning and Building Department at the end of the operational season, prior to December 31st. If measured noise levels are higher than 50 decibels at the monitoring location, adjustments would be made to reduce onsite noise levels. Adjustments could include adjusting the variable-speed dials on fans within greenhouses, thus reducing the noise output from the fans, or installing sound barriers (e.g., enclosures) on the greenhouses. Noise monitoring associated with the noise attenuation measures, along with a summary of the noise attenuation measures and date of acknowledgement of the noise issue with the initial noise level readings exceeding 50 decibels would be furnished to the Planning and Building Department within 10 days of acknowledgement of the noise issue.

With incorporation of these measures, impacts to NSOs would be less than significant.

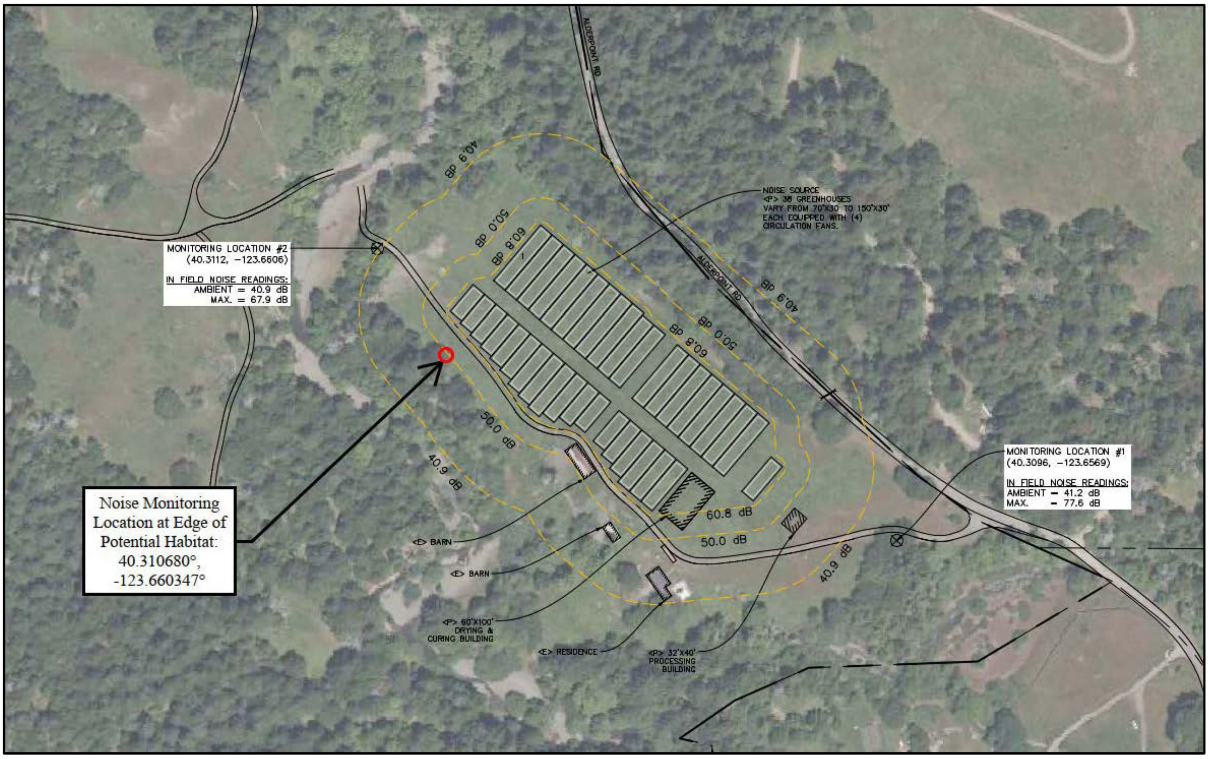


Figure 21: Proposed Noise Monitoring Location at Edge of Potential Habitat (Source: Edited Figure from Noise Study, NorthPoint Consulting Group, 2024)

Cooper's Hawk (*Accipiter cooperi*) – Cooper's hawks are protected by CDFW and are listed on the CDFW Watch List. Cooper's Hawks utilize dense stands of live oak, riparian deciduous habitat, or other forest habitats near water for foraging and nesting. The Project Parcel is bordered by trees, both onsite and on adjacent properties, that could serve as foraging and breeding habitat. Cooper's Hawks were historically detected within the parcel, which may indicate that the species would breed within the parcel. The Wildlife Resources Report (GHD, 2021) concluded that, with incorporation of **Mitigation Measure BIO-3,** the OPS, and therefore the reduced Proposed Project, would have no impact on the Cooper's Hawk.

Northern Goshawk (*Accipiter gentilis*) – Northern Goshawk is a CDFW Species of Special Concern and designated as a Sensitive Species by the US Forest Service and used as a "management indicator" species because they are potentially sensitive to habitat change. They are highly associated with forested habitats and occur in both coniferous and deciduous forests. An adult Northern Goshawk and two juveniles were observed in the vicinity of Coleman Creek at the western parcel boundary, which is well away from the Proposed Project area. Northern Goshawks likely breed onsite as adults were observed exhibiting territorial behavior and a young of the year observed associating with adults late in the breeding season. Due to onsite presence, the Wildlife Resources Report (GHD, 2021) concluded that, with incorporation of **Mitigation Measure BIO-3,** the OPS, and therefore the reduced Proposed Project, would have no impact on the Northern Goshawk.

Sharp-shinned Hawk (*Accipiter striatus*) – Sharp-shinned Hawk is on the CDFW Watch List. They may be found in a variety of forested habitats including coniferous forests, deciduous forests, woodlots, and transitional/forested edges. The Sharp-shinned Hawk was detected in the Project Parcel and presence was confirmed. Due to onsite presence, the Wildlife Resources Report (GHD, 2021)

concluded that, with incorporation of **Mitigation Measure BIO-3,** the OPS, and therefore the reduced Proposed Project, would have no impact on the Sharp-shinned Hawk.

Marbled Murrelet (*Brachyramphus marmoratus*) – Marbled Murrelet is a federally and California threatened species. Proximity of nesting habitat to foraging habitat determines murrelet distribution. The closest records of the species to the Project parcel were from Humboldt Redwood State Park roughly 15 linear miles west. No critical habitat for this species was identified on the parcel. The Marbled Murrelet was not detected during general avian surveys and there was no evidence of the use in the original project area. Due to lack of presence, the Wildlife Resources Report (GHD, 2021) concluded that the Proposed Project would not impact the Marbled Murrelet, and no further recommendations were made.

Olive-sided Flycatcher (*Contopus cooperi*) – The Olive-sided Flycatcher is a CDFW Species of Special Concern and one of the USFWS Birds of Conservation Concern. The species breeds in coniferous forest edges in Canada and the western US from sea level to the Rockies. The Olive-sided Flycatcher was detected in the parcel and presence was confirmed. The Wildlife Resources Report (GHD, 2021) concluded that, with incorporation of **Mitigation Measure BIO-3,** the OPS, and therefore the reduced Proposed Project, would have no impact on the Olive-sided Flycatcher.

White-tailed Kite (*Elanus leucurus*) – The White-tailed Kite is a CDFW Fully Protected Species. The species prefers open landscapes at low elevations such as grasslands, marshes, oak-woodlands, and agricultural land. The closest records of this species to the study area in the Original Project Scope was from Whitlow, approximately eight miles to the west (eBird, 2019). The White-tailed Kite was not detected during general avian surveys. As the White-tailed Kite was not detected onsite, the Wildlife Resources Report (GHD, 2021) concluded that the Proposed Project would not impact this species, and no further recommendations were made.

American Peregrine Falcon (*Falco peregrinus anatum*) – The Peregrine Falcon is a CDFW Fully Protected Species and one of the USFWS Birds of Conservation Concern. In California, Peregrines generally prefer open landscapes for foraging and cliffs or buildings for breeding. The Peregrine Falcon was not detected during general avian surveys, however, suitable habitat for the species may exist within and adjacent to the OPS area. Due to potential presence, the Wildlife Resources Report (GHD, 2021) recommended inclusion of pre-construction surveys for this species. With incorporation of **Mitigation Measure BIO-3,** the OPS, and therefore the reduced Proposed Project, would have no impact on the American Peregrine Falcon.

Bald Eagle (*Haliaeetus leucocephalus*) – The Bald Eagle is CESA listed as Endangered, is a CDFW Fully Protected Species, and one of the USFWS Birds of Conservation Concern. Bald Eagles nest in large trees, on cliffs, or on the ground in treeless regions adjacent to lakes, rivers, estuaries, and dams. No Bald Eagles were detected during two protocol-level surveys and four follow-up surveys. Based on historic records and habitat at the project site, it would be unlikely that Bald Eagles are present or breed in the original project area as more suitable habitat exists outside of the Project parcel. The Wildlife Resources Report (GHD, 2021) concluded that the OPS, and therefore the reduced Proposed Project, would not impact this species, and no further recommendations were made.

Osprey (*Pandion haliaetus*) – The Osprey is on the CDFW Watch List. In California, Ospreys breed throughout the state near various bodies of water and nest in proximity to shallow fish-bearing waters. The nesting and foraging habitat for Ospreys exists along Larabee Creek. Although breeding Ospreys are easily detectable with their nests on tree-tops, no nests were observed at or near the original project

area across multiple field surveys. Based on historical records and available habitat, Ospreys have a moderate potential to occur in the Project parcel. The Wildlife Resources Report (GHD, 2021) concluded that, with incorporation of **Mitigation Measure BIO-3,** the OPS, and therefore the reduced Proposed Project, would have no impact on the Osprey.

Flammulated Owl (*Psiloscops flammeolus*) – The Flammulated Owl is a CDFW Special Status Species and one of the USFWS Birds of Conservation Concern. The small forest owl may be found throughout the Cascade, Nierra Navada, and interior coastal ranges. They are strict cavity nesters and lay their eggs directly at the bottom of the cavity or debris already present. The Flammulated Owl was detected across the study area of the Original Project Scope during NSO nighttime surveys, mostly during the early spring. Nesting habitat is within the OPS boundary. Due to confirmed onsite presence, the Wildlife Resources Report (GHD, 2021) recommended inclusion of pre-construction surveys for this species. With incorporation of **Mitigation Measure BIO-3,** the OPS, and therefore the reduced Proposed Project, would have no impact on the Flammulated Owl.

Rufous Hummingbird (*Selasphorus rufus*) – The Rufous Hummingbird is under the USFWS Birds of Conservation Concern. The breeding range in California is restricted to northwestern coastal areas into the foothills and Sierras. *Selasphorus sp.* were detected onsite but was not confirmed to the species level of either Rufous or Allen's hummingbirds. Based on occurrence records, *Selasphorus sp.* has potential to be onsite. Due to confirmed onsite presence, the Wildlife Resources Report (GHD, 2021) recommended inclusion of pre-construction surveys for this species. With incorporation of **Mitigation Measure BIO-3,** the OPS, and therefore the reduced Proposed Project, would have no impact on the Rufous Hummingbird.

As described above, eight (8) bird species, including the Golden Eagle (*Aquila chrysaetos),* Northern Spotted Owl (*Strix occidentalis caurina*, NSO), Cooper's Hawk (*Accipiter cooperi*), Northern Goshawk (*Accipiter gentilis)*, the Sharp-shinned Hawk (*Accipiter striatus*), Olive-sided Flycatcher (*Contopus cooperi),* Flammulated Owl (*Psiloscops flammeolus)*, and the Rufous Hummingbird (*Selasphorus rufus)* had documented occurrences on the Project Parcel. Two (2) bird species, including the American Peregrine Falcon (*Falco peregrinus anatum)* and the Osprey (*Pandion haliaetus*) had moderate or high potential to occur onsite. Sensitive-status species with confirmed presence or moderate to high potential presence have the potential to be impacted by the Proposed Project.

To prevent direct impacts to these species, should they choose to utilize habitat in or adjacent to the Proposed Project Area for nesting, roosting, or foraging, **Mitigation Measure BIO-3**, has been incorporated to require preconstruction surveys if construction is to occur during the nesting season, from March 15th to August 15th. Pre-construction surveys would occur within a 7-day period prior to vegetation removal or ground disturbing activities.

The other three (3) queried sensitive-status bird species, including the Marbled Murrelet (*Brachyramphus marmoratus*) White-tailed Kite (*Elanus leucurus*), the Bald Eagle (*Haliaeetus leucocephalus*) were determined to have low potential of occurring onsite and being impacted by the Proposed Project. While no further recommendations were made for these species, they would also benefit from incorporation of pre-construction nesting bird surveys.

Additionally, special-status bird species, particularly raptor and owl species, have potential to be significantly impacted by consumption of poisoned prey (e.g., rat poisoning). Specifically, anticoagulant rodenticides, used for rat poison to control infestations on cannabis farms, have been demonstrated to bioaccumulate up the food chain and poison owls, hawks, and other birds of prey, often killing them (Ornithological Applications, 2021). Therefore, no anticoagulant rodenticides would be allowed to be used

for pest control, as recommended in the Wildlife Resources Report (GHD, 2021). This has been incorporated as **Mitigation Measure BIO-2.**

Bird species are also susceptible to indirect impacts from human activity (e.g., light and noise). As described in Section 2.2.1, Aesthetics, new light sources associated with the Proposed Project development would include mixed-light cultivation lighting within greenhouses, lighting on interior of the proposed structures, and exterior security/safety lighting. Lighting within greenhouses would be strictly shielded so as not to allow light to escape from sunrise to sunset, through deployment of automated or manual blackout covers. Proposed buildings would be designed with blinds or window shutters to prevent interior lighting from escaping during nighttime hours. Mixed-light cultivation light source would comply with the International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1, per the CMMLUO. In addition, the Humboldt County General Plan requires that all new outdoor security lighting is the minimum lumens required for safety, and that all lighting is directed downward and shielded to prevent lighting spillover, to meet International Dark Sky Association Standards. Therefore, the Proposed Project would not impact special-status bird species due to creating disturbing new light sources.

Sources of noise from the Proposed Project include fans in the greenhouses, dehumidifiers and fans in the drying building, general employee noise/noise from vehicles, and noise from the emergency backup generator. The backup generator is not proposed as an energy source and would only be deployed when needed during the event of a power outage. To ensure that noise from the Proposed Project does not exceed 50 dB at the edge of habitat line, and to prevent impacts to sensitive species, particularly the NSO, ongoing noise monitoring has been included as **Mitigation Measure BIO-4.** With the incorporation of mitigation measures ensuring that noise from the Proposed Project would not exceed 50 dB, impacts to sensitive species would be less than significant.

Potentially Present Special-Status Fish Species (4):
Four (4) fish species have moderate or high potential to occur within the streams near the Proposed Project Area, as follows:

Pacific Lamprey (*Entosphenus tridentatus*) – Pacific Lamprey is a CDFW Species of Special Concern. The species rears in freshwater streams and migrates to the ocean where they grow to full size and return to freshwater streams to spawn and die. They may also reside in freshwater for a few months to a few years before spawning. California Department of Fish and Game (currently CDFW) was not able to identify lamprey encountered in Larabee Creek to the species level during a 2000 creek inventory; however, Pacific Lamprey may be present in the Eel River at any time of the year and is widespread in Humboldt County. Therefore, Pacific Lamprey has moderate potential to occur within the OPS study area and in close proximity to the Proposed Project Area.

Coho Salmon - southern Oregon / northern California ESU (*Oncorhynchus kisutch*) – The southern Oregon/northern California coast Coho Salmon Evolutionary Significant Unit (ESU) is defined as all Coho Salmon naturally produced in streams between Punta Gorda in northern California, Humboldt County and Cape Blanco in southern Oregon. This Coho Salmon ESU is federally threatened and listed in CESA as Endangered. Juveniles and yearlings spend various amounts of time in freshwater/estuary transition zones. Adults typically spend the next two years in the ocean before returning to their home streams to spawn. Although no Coho Salmon were detected during California Department of Fish and Game (currently CDFW) surveys of Larabee and Coleman Creek, Coho Salmon have moderate potential to occur within the Eel River at any time of the year. Therefore, this species has a moderate potential to occur within the OPS study area and in close proximity to the Proposed Project Area.

Steelhead (*Oncorhynchus mykiss irideus*) – The Northern California Steelhead is ESA-listed as Threatened and a CDFW Species of Special Concern. Steelhead occupies river basins from Redwood Creek in Humboldt County to Gualala River near Mendocino/Sonoma County line. Smaller fish inhabit shallow, slow moving margins of streams or other open water. Steelhead spend their adult lives in marine environments, returning to freshwater at the age of four or five to spawn generally in their home stream. Spring/summer, fall, and winter run Steelhead occur in the Eel and its tributaries. Summer Steelhead enter freshwater in the spring and summer months, hold in the mainstem and Middle Fork Eel River, and then spawn in fall. California Department of Fish and Game surveys of Larabee Creek in August of 2000 resulted in 66 young of the year steelhead. Salmonoids were documented in Coleman Creek, although not identified to the species level and believed to be limited to areas downstream of the study area from the OPS. Steelhead were documented as present in the past, although not identified to run, and would have a high probability of occurrence onsite the OPS, and in close proximity to the Proposed Project Area.

Chinook Salmon – California Coastal ESU (*Oncorhynchus tshawytscha*) – The California Coast Chinook Salmon (California coastal ESU) is a federally threatened species. They are a distinct population of Chinook Salmon that range from Redwood Creek in Humboldt County, south to the Russian River in Sonoma County. California Coast Chinook spawn and rear in coastal and interior rivers in Northern California. Ocean-type Chinook (fall run) rear for less than one year in freshwater and only fall-run Chinook appear in the Distinct Population Segment. Adult Chinook enter the Eel River between September and February and wait in pools on the lower river before winter rains/runoff increases river flows. Then they migrate upstream to spawning grounds. Although no Chinook Salmon were detected during California Department of Fish and Game surveys of Larabee and Coleman Creek, various life stages Chinook Salmon have moderate potential to occur within the OPS boundary and thus in close proximity to the Proposed Project Area.

Larabee Creek and Coleman Creek have been the subject of past stream inventories conducted by CDFW (California Department of Fish and Wildlife 1999, 2000) and have been thoroughly characterized. Pacific Lamprey has moderate potential to occur in these onsite creeks. Although no Coho Salmon and Chinook Salmon were detected during CDFW surveys of Larabee and Coleman Creek, various life stages of Coho Salmon and Chinook Salmon have moderate potential to occur within the Eel River at any time of the year. California Department of Fish and Game surveys of Larabee Creek in August of 2000 resulted in 66 young of the year steelhead. Salmonoids were documented in Coleman Creek, although not identified to the species level and believed to be limited to areas downstream of the study area from the OPS. Steelhead were documented as present in the past, although not identified to run, and would have a high probability of occurrence onsite.

Sensitive-status fish species are cumulatively impacted by low-water levels and rising river temperatures, which can be exacerbated by individual water diversions along the creek. The Proposed Project does not propose any surface diversion, and all wells proposed for water use have been determined to be non-diversionary from surface waters (Attachments 2V, 2W, and 2X). Therefore, the Proposed Project would not negatively impact fish species through habitat impacts from water diversion.

Sensitive-status fish species are impacted by water quality pollution, including through sediment and pollutants. The Proposed Project has been designed to meet all local, state, and federal regulations regarding water quality protection. All agricultural chemicals and petroleum products (e.g., soil amendments, fertilizers, herbicides, pesticides, lubricants, gas, etc.) would be located within sealed containers and kept within secondary containment inside of the drying building or other enclosed structure. Application of agricultural chemicals would occur greater than 200 feet from the nearest watercourse. Stockpiled materials

would be properly covered and wattled prior to the wet season. All existing and proposed structures associated with the Proposed Project Area would be located outside of all appropriate watercourse setbacks, including the SWRCB Cannabis General Order watercourse setbacks, in addition to the Streamside Management Areas and Wetlands Ordinance (SMAO) watercourse buffer, and all proposed activities would occur on slopes less than 10%. The Proposed Project includes design of a stormwater treatment system at the north/northwest end of the Proposed Project Area to treat stormwater runoff from the proposed new impervious surfaces (Appendix 1A – Site Plans). Erosion and sediment controls would be installed during construction activities and maintained as part of ongoing site maintenance and compliance with the SWRCB Cannabis Policy and General Order. A Site Management Plan detailing cannabis-related Best Practicable Treatment or Control Measures for erosion and sediment control would be required to be developed and submitted to the North Coast Regional Water Quality Control Board prior to commencement of cultivation activities. Prior to commencement of onsite grading or building construction, a Grading Permit, complete with an Erosion and Sediment Control Plan detailing site-specific erosion prevention and sediment control measures, would be required to be submitted to the Humboldt County Building Department for approval. See Appendix 1B for a Preliminary Site Grading and Drainage Plan (NorthPoint Consulting Group, 2024). As such, impacts to the special-status fish species habitat through water quality degradation would be less than significant.

Potentially Present Special-Status Reptile and Amphibian Species (5):

Four (4) amphibian and one (1) reptile species had potential for onsite presence, per database queries. Of the five (5) species, three (3) had confirmed onsite presence or moderate/high likelihood of onsite presence, as follows:

Western Pond Turtle (*Emys marmorata*) – The western pond turtle is a CDFW Species of Special Concern and the only freshwater turtle native to most of the west coast of temperate North America. In California, it is found from the Oregon border along the Coast Ranges to the Mexican border, and west of the crest of the Cascades and Sierras. The western pond turtle is found in intermittent or permanent rivers, creeks, lakes, marshes, ditches, or reservoirs. The species is relatively common in Larabee Creek and was observed at the northern end of the Proposed Project Area.

Southern Torrent Salamander (*Rhyacotriton variegatus*) – The Southern Torrent Salamander is a CDFW Species of Special Concern. This species inhabits small, high gradient headwater streams or cold seeps within late seral stage forests. Adults are often found in the immediate splash zone of waterfalls, with aquatic larvae under or among cobble or loose gravel substrate. Southern Torrent Salamanders have low potential to be present within the Original Project Scope based on limited and mostly poor available habitat, rarity of absence of suitable hydrology within forested parts of the site, the location of the original study area at the inland range limits, and the absence of captures or observations during multiple days of intensive sampling using proven methods. No further recommendations were made for this species.

Pacific Tailed Frog (*Ascaphus truei*) – The Pacific Tailed Frog is a CDFW Species of Special Concern. The species occurs across the Pacific Northwest and their range extends from the Oregon border south along the coast to Mendocino County and east to Shasta County. Coastal and inland populations may be separate species. Adults, eggs, and tadpoles inhabit clear, cold rocky streams in humid forests. Pacific Tailed Frog have low potential to be present within the Original Project Scope based on scarcity of high-quality habitat as most streams are seasonal, and no perennial high-gradient stream close to any proposed impact areas. No further recommendations were made for this species.

Northern Red-legged Frog (*Rana aurora*) – The Northern red-legged frog is a CDFW Species of Special Concern. It is known to occur along the California coast from Mendocino County north to

southwestern British Columbia, at elevations from sea level to 1,160 m (0–3,800 ft). The northern red-legged frog requires permanent or nearly permanent pools in streams, marshes, or ponds. This species was documented on the southwest portion of the parcel on mid-slopes above Coleman Creek and two individuals in the central part of the property, although, none of the observations were in the proximity of the Proposed Project Area. Even though no species were identified, presence is still likely within the area of proposed development, pre-construction surveys were recommended one week (1) prior to the commencement of construction activities (incorporated as **Mitigation Measure BIO-5).**

Foothill Yellow-legged Frog (*Rana boylii*) – The Foothill Yellow-legged Frog is a CDFW Species of Special Concern and designated as a candidate for threatened listing under the California ESA. Within California, foothill yellow-legged frogs were historically found in the Sierra Nevada foothills, up to elevations of approximately 6,000 feet, and in the Coast Range from the Oregon state border south to the San Gabriel River in southern California. Foothill yellow-legged frogs inhabit rocky streams or rivers with permanent water, though they can be found in many habitats. The species is present along Larabee Creek throughout the year in one or more life stages as observed with egg masses upstream of the ford north of the main cultivation site, tadpoles present in the summer, and newly transformed frogs in the creek in September 2018. The Foothill Yellow-legged Frog was observed in the northern end of the Proposed Project Area. As presence is confirmed onsite within the area of proposed development, pre-construction surveys were recommended one week (1) prior to the commencement of construction activities (incorporated as **Mitigation Measure BIO-5).**

As described above, the Proposed Project has the potential to provide habitat for two (2) amphibian species, the Foothill Yellow-legged Frog (*Rana boylii*) and the Northern Red-legged Frog (*Rana aurora*), and one (1) reptile species, the Western Pond Turtle (*Emys marmorata*). The Foothill Yellow-legged Frog and the Western Pond Turtle were both observed onsite, in close proximity to the Proposed Project Area. The Wildlife Resources Report (GHD, 2021) recommended pre-construction amphibian and reptile surveys of the Proposed Project Area within one week of the commencement of construction activities. This has been incorporated as **Mitigation Measure BIO-5.** The other two (2) amphibian species described above (the Southern Torrent Salamander [*Rhyacotriton variegatus*] and the Pacific Tailed Frog [*Ascaphus truei*]) had low likelihood of onsite presence, however, they would still benefit from preconstruction surveys.

Amphibians have permeable skin and are particularly susceptible to chemical exposure. The Proposed Project would utilize legal pesticides, herbicides, and fungicides in the cultivation greenhouses. Greenhouses would be monitored for runoff, and application of these agricultural chemical substances would only occur by hand or by focused sprayer (e.g., no aerial or wide-scale spraying) to minimize the spread of chemicals. No illegal pesticides or herbicides would be allowed to be used, per County regulations. Hazardous substances would be required to be kept within secondary containment to prevent leakage into the environment. Additionally, no anticoagulant rodenticides, which can impact amphibians, would be allowed to be used (**Mitigation Measure BIO-2).**

With adherence to watercourse setbacks, the water quality protection measures described above and within this document, and with the implementation of **Mitigation Measure BIO-2 and Mitigation Measure BIO-5**, the Proposed Project would not have a substantial adverse impact on sensitive-status amphibian or reptile species.

Potentially Present Special-Status Terrestrial Mammal Species (5):
The Wildlife Resources Report (GHD, 2020) (Attachment 2K) identified (5) mammal species with potential onsite presence. Of these species, two (2) special-status mammal species had confirmed or moderate/high potential of onsite presence, as follows:

Sonoma Tree Vole (*Arborimus pomo*) – The Sonoma tree vole is a CDFW Species of Special Concern and occurs along the North Coast in old-growth and other forests, mainly Douglas-fir, redwood, and montane hardwood-conifer habitats. The small rodent specializes in feeding on Douglas-fir and grand fir needles, and typically constructs nests in Douglas-fir trees. A small Sonoma tree vole nest was found within the OPS boundary along the main ridgeline, which is located approximately 1 mile from the Proposed Project Area. Due to the presence of the Sonoma Tree Vole, the Wildlife Resources Report (GHD, 2020) recommended Sonoma Tree Vole surveys prior to any tree removal or construction. In the current Proposed Project, no trees are proposed to be removed. Due to the lack of tree removal, and the distance from the detected species to the Proposed Project Area, impacts to the Sonoma Tree Vole would be unlikely, however, due to confirmed onsite presence, **Mitigation Measure BIO-6** has been incorporated to survey the trees around the Proposed Project Area for Sonoma Tree Vole individuals or nests seven (7) days prior to construction. With incorporation of mitigation measures, impacts to this species would be less than significant.

North American Porcupine (*Erethizon dorsatum*) – North American porcupines are a CDFW species of special concern. They are commonly found in coniferous areas, shrublands, and grasslands. The species was detected via wildlife camera monitoring at the site on the main ridge at the very western end of property near the OPS boundary and are known to be present onsite. This detection was located greater than 1.4 miles from the Proposed Project Area, and the Wildlife Resources Report (GHD, 2020) concluded that the OPS would not impact this species or its habitat.

Humboldt Marten (*Martes caurina humboldtensis*) – The Humboldt marten is listed under the Federal Endangered Species Act as Threatened and is listed under the CESA as Threatened. The Humboldt Marten is also a CDFW Species of Special Concern. Martens occur only in the coastal redwood zone in Northern California, and prefer conifer forests with low, overhead cover. The closest documented historic records are in central Humboldt and northern Mendocino Counties, none closer than 25 miles to the original project study boundary. Based on the absence of proximate records, despite recent extensive field surveys as part of federal and state listing reviews, the Humboldt Marten is not likely to be present in or near the Proposed Project Area, and no further recommendations were made for this species.

Fisher – West Coast DPS (*Pekania pennant*) – The West Coast DPS Fisher is a candidate species under the ESA as Threatened and a candidate species under CESA as Threatened, and a CDFW Species of Special Concern. The West Coast DPS Fisher has moderate potential to occur in the Proposed Project parcel. Existing populations are located around Crater Lake, Oregon, North Coast Range and Klamath Region, and southern Sierra Nevada range. Fisher prefer late successional forests with high canopy closure, multi-story canopy, woody debris, and snags/large, and hollow trees. There is moderate potential for the Pacific Fisher to occur in the OPS area because of the suitable habitat presence of woodland and dense forest stands. As potential habitat exists next to the Proposed Project Area, **Mitigation Measure BIO-6** has been incorporated to survey the trees around the Proposed Project Area for signs of Fishers seven (7) days prior to construction. With incorporation of mitigation measures, impacts to this species would be less than significant.

American Badger (*Taxidea taxus*) – The American badger is a CDFW species of special concern. Badgers are most abundant in shrub, forest, and herbaceous habitats near friable soils, and open, uncultivated ground. Suitable habitat is limited to extensive grasslands within the Project parcel. Due to no records of this species from within the Original Project Scope boundary or vicinity, there is low potential for the American Badger to occur within the Proposed Project Area. No further recommendations were made for this species.

As described above, of the five (5) mammal species with potential to occur onsite, two (2) species, the Fisher – West Coast DPS (*Pekania pennant*) and the Sonoma Tree Vole (*Arborimus pomo*), had confirmed onsite presence or moderate/high likelihood of onsite presence. The other three (3) species were not anticipated to be impacted by the OPS, or the significantly reduced Proposed Project, and no further recommendations were made.

Similar to bird species, mammals can experience poisoning from accidental consumption of poisoned prey (e.g., rats), or direct consumption of improperly stored poisons and agricultural chemicals. With adherence to agricultural chemical storage regulations in the SWRCB Cannabis General Oder, implementation of anticoagulant rodenticide use, incorporated as **Mitigation Measure BIO-2,** and conduction preconstruction surveys for the Sonoma Tree Vole and the Fisher – West Coast DPS, incorporated as **Mitigation Measure BIO-6,** impacts to these species would be less than significant.

Potentially Present Special-Status Bat Species (10):

Ten (10) bat species have the potential to be located onsite, as follows:

Pallid Bat (*Antrozous pallidus*) – The Pallid Bat is a CDFW Species of Special Concern and Western Bat Working Group High Priority. The species is commonly associated with habitats such as grassland, scrub, woodland, mixed conifer, and redwood forest. They use day and night roosts in a variety of habitat types such as bridges, mines, barns, dead tree snags, live old-growth tree basal hollows, and other structures to protect them from temperature extremes. There is moderate potential for the Pallid Bat to occur in the Project parcel because suitable habitat exists within the original project study boundary and the closest documented occurrence to the Original Project Scope is roughly 15 miles west at Humboldt Redwoods State Park. However, the species was not detected during acoustic monitoring.

Townsend's Big-eared Bat (*Corynorhinus townsendii*) – The Townsend's big-eared bat is a CDFW Species of Special Concern and a Western Bat Working Group High Priority. The species is typically associated with coastal Redwood forests, foothill oak woodlands, inland deserts, pine forests, and mixed coniferous-deciduous forests. Townsend's big eared bats require caves, mines, tunnels, buildings, or other structures for roosting and are sensitive to noise. Townsend's Big-eared Bat was not detected during acoustic monitoring. There is moderate potential for the Townsend's Big-eared Bat to occur in the Project parcel because suitable habitat exists within the original project study boundary and the closest documented occurrence to the Original Project Scope is roughly 15 miles west at Humboldt Redwoods State Park. However, the species was not detected during acoustic monitoring.

Silver-haired Bat (*Lasionycteris noctivagans*) – The Silver-haired Bat is a Western Bat Working Group Medium Priority status. The species is associated with coniferous and mixed deciduous forested habitat near a water source. The Silver-haired Bat frequently forages over water and open brushy areas and roosts in caves or rock crevices. The species was detected during bat acoustic monitoring in the original project site.

Western Red Bat (*Lasiurus blossevillii*) – The Western Red Bat is a CDFW Species of Special Concern and Western Bat Working Group High Priority. The species is associated with extensive stands of mature cottonwood and sycamore riparian forest for roosting and foraging. Roosts are generally located along a habitat edge adjacent to a creek of field. The Western Red Bat was detected during bat acoustic monitoring.

Hoary Bat (*Lasiurus cinereus*) – The Hoary Bat is a Western Bat Working Group Medium Priority. The species preferred habitat includes a mosaic of forested habitat for roosting and open or edge habitat

for foraging. There is moderate potential for the Hoary Bat to occur in the Project parcel because suitable habitat exists within the original project study boundary and the closest documented occurrence to the Original Project Scope is roughly 15 miles west at Humboldt Redwoods State Park. However, the species was not detected during acoustic monitoring.

Western Small-footed Myotis (*Myotis ciliolabrum*) – The Western Small-footed Myotis is a Western Bat Working Group Medium Priority. The species is found in low to mid-elevation arid habitats in California with sources of water. The species tends to roost in tree cavities, mines, under bridges, and other structures. Western Small-footed Myotis was detected during bat acoustic monitoring.

Long-eared Myotis (*Myotis evotis*) – The Long-eared Myotis is a Western Bat Working Group of Medium Priority. They are commonly associated with high desert, mixed coniferous/hardwood forests, pinyon-juniper, mesquite scrub, pine/oak woodland, sequoia forests, and residential areas. The species roosts in trees, rocks, mines, buildings, bridges, and caves. Long-eared Myotis was detected during bat acoustic monitoring.

Fringed Myotis (*Myotis thysanodes*) – The Fringed Myotis is a Western Bat Working Group High Priority. Preferred habitats in California are considered hardwood-conifer, pinyon-juniper, and valley foothill hardwood near water. In northern California, the species roosts in tall, dead tree snags in medium stages of decay near water. There is moderate potential for the Fringed Myotis to occur in the Project parcel because suitable habitat exists within the original project study boundary and the closest documented occurrence to the Original Project Scope is roughly 15 miles west at Humboldt Redwoods State Park. However, the species was not detected during acoustic monitoring.

Long-legged Myotis (*Myotis volans*) – The Long-legged Myotis is a Western Bat Working Group High Priority. In California, the species is present in the coastal, Cascade, and Sierra ranges. Daytime roosts include tree roots, rock crevices, cliffs, and buildings. Night roosts and winter hibernacula include caves and mines. There is moderate potential for the Fringed Myotis to occur in the Project parcel because suitable habitat exists within the original project study boundary and the closest documented occurrence to the Original Project Scope is roughly 15 miles west at Humboldt Redwoods State Park. However, the species was not detected during acoustic monitoring.

Yuma Myotis (*Myotis yumanensis*) – The Yuma Myotis is a Western Bat Working Group of Low/Medium Priority. The species is widespread throughout California except for the desert regions. Roots include bridges, swallow nests, rock crevices, tunnels, tree cavities, and buildings. Yuma Myotis was detected during bat acoustic monitoring.

As described above, five (5) special-status bat species were detected during surveys for the OPS: the Silver-haired Bat (*Lasionycteris noctivagans*), Western Red Bat (*Lasiurus blossevillii*), Western Small-footed Myotis (*Myotis ciliolabrum*), Long-eared Myotis (*Myotis evotis*), and Yuma myotis (*Myotis yumanensis*). Due to confirmed onsite presence, the Wildlife Resources Report (GHD, 2021) recommended preconstruction bat surveys. This has been incorporated as **Mitigation Measure BIO-6.**

The other five (5) bat species, the Pallid Bat *(Antrozous pallidus*), Townsend's Big-eared Bat (*Corynorhinus townsendii*), Hoary Bat (*Lasiurus cinereus*), Fringed Myotis (*Myotis thysanodes*), and Long-legged Myotis (*Myotis volans*), also have moderate potential to occur in the Project Parcel. Although these species were not detected during acoustic monitoring, suitable habitat exists in the OPS study boundary and the closest documented occurrence is from Humboldt Redwoods State Park about 15 miles west.

No development would occur within the forested areas of the property, no trees are proposed to be removed as part of the Proposed Project, and with the incorporation of **Mitigation Measure BIO-6**, the impacts would be less than significant.

Potentially Present Special-Status Invertebrate Species (1):

Obscure Bumble Bee (*Bombus caliginosus*) – The Obscure Bumble Bee is a CDFW Special Status Species. The Original Project Scope site falls within the current documented range of the species and includes fog-belt coastal habitat preferred by the species. There is moderate potential for the Obscure Bumble Bee to occur based on the Project parcel location, the presence of host plants in the area, and recent documented presence of the species in Humboldt County. The Wildlife Resources Report (GHD, 2021) concluded that there was abundant suitable habitat on the Proposed Project parcel, and that the Proposed Project would not significantly impact this species due to abundant presence of similar homogenous habitat throughout the parcel. The Proposed Project would disturb approximately 6 acres within an 1,887-acre parcel, leaving 99.7% of the rest of the property available for the Obscure Bumble Bee. The Report made no further recommendations for this species.

With incorporation of **Mitigation Measures BIO-1 through BIO-6**, adherence to the Performance Standards in the CMMLUO, compliance with the SWRCB Cannabis General Order and Policy, compliance with the Humboldt County General Plan, and adherence to the recommendations for the project area in the GHD and NRM Biological Resources Memos, in addition to the analysis in subsections b), c), d), and e), the Proposed Project would not 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 CDFW or USFWS.

b) Finding: The project will not 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 CDFW or USFWS. *Less than significant impact with mitigation incorporated.*

Discussion:
As described above, numerous biological and botanical surveys were conducted for the Project Parcel for the OPS. Sensitive Natural Communities identified across the Project Parcel for the OPS, but outside of the Proposed Project Area, are not further discussed in this analysis. Refer to the Botanical Resources Report (Appendix 2E – GHD, 2020).

Between the various botanical surveys described above, total of four (4) Sensitive Natural Communities were identified within or near the Proposed Project Area (*Table 7*, *Figure 21).* Of those, two (2) impacted Sensitive Natural Communities, Dense sedge marshes (*Carex densa*) Provisional Herbaceous Alliance and (2) *Festuca idahoensis – Danthonia californica* Herbaceous Alliance, would be impacted by the Proposed Project. Mitigation Strategies for these two (2) communities is discussed further, below.

Table 7. Sensitive Natural Communities Previously Mapped on the Proposed Project Area

Sensitive Natural Community	Rank	Impacted?	Reference Report(s)	Reference Figure(s)
Douglas-fir – tanoak forest (*Pseudotsuga menziesii-Notholithocarpus densiflorus*) Forest Alliance	Sensitive, (S3)	No	Botanical Resources Report (GHD, 2020)	*Figure 22* (Map ID 19)

California bay forest (*Umbellularia californica*) Forest Alliance	Sensitive, (S3)	No	Botanical Resources Report (GHD, 2020)	*Figure 22* (Map ID 24)
Dense sedge marshes (*Carex densa*) Provisional Herbaceous Alliance	Sensitive, Provisional Alliance (S2?)	Yes	Botanical Resources Report (GHD, 2020)	*Figure 22 (*Map ID 6), Site Plans, Sheets C1 & C2 (Appendix 2E)
Festuca idahoensis – Danthonia californica Herbaceous Alliance	Sensitive, S3	Yes	Impacts Botanical Resources Sensitive Natural Communities: *Festuca idahoensis- Danthonia californica* Herbaceous Alliance (NRM, 2022); 2022 Supplemental Botanical Survey Report: Sensitive Natural Communities (NRM 2022)	*Figure 17*, *Figure 23: Impacted (purple) and remaining (orange) Danthonia californica stands on the Lower Field Site as a result of the Proposed Project (Source: Google Earth mapping derived from NRM-delineated stands, 2024)*, Site Plans, Sheets C1 & C2 (Appendix 2A)

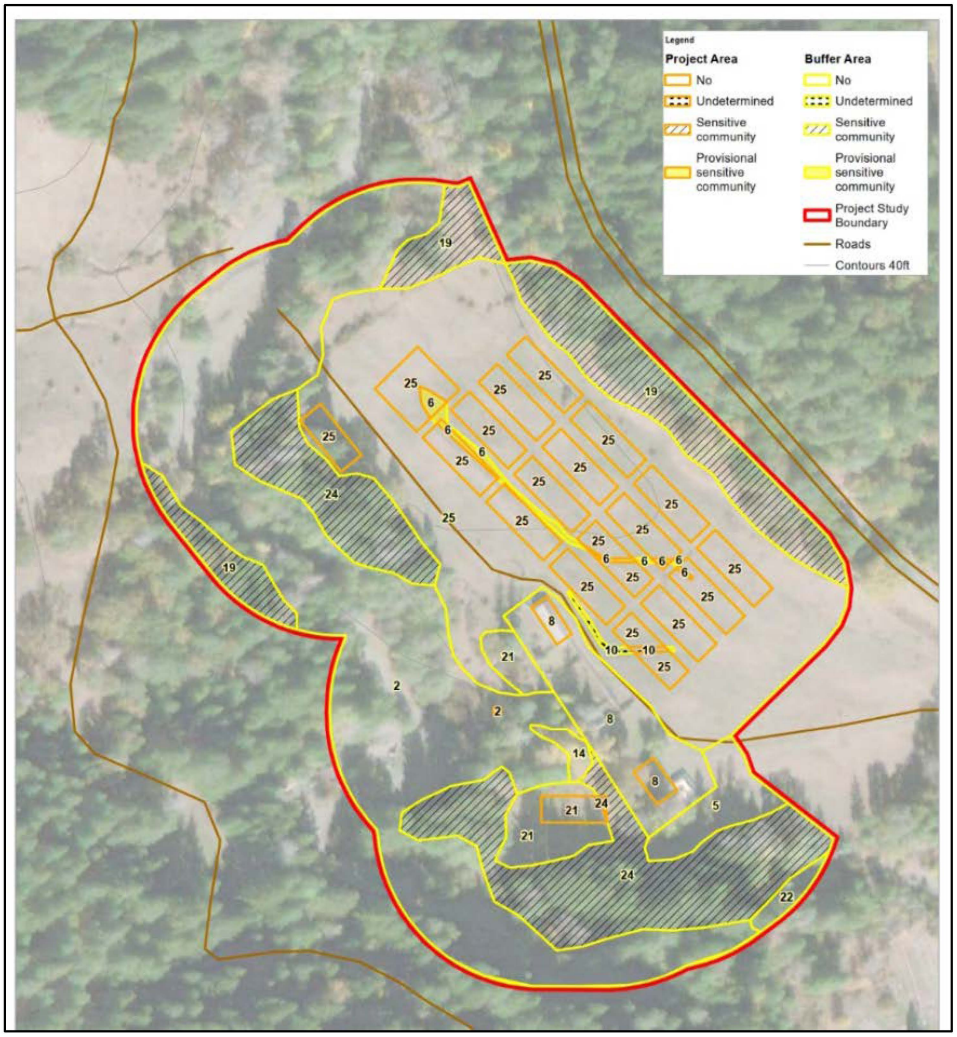


Figure 22. GHD Sensitive Natural Communities Map - from the Original Project Scope – note: not all impacted sensitive natural communities are shown, and greenhouse layout is outdated, refer to Site Plans in Appendix 1A for current layout (Source: Botanical Resources Report, GHD, 2020 – Appendix 2E).

Douglas-fir – tanoak forest (*Pseudotsuga menziesii-Notholithocarpus densiflorus*) Forest Alliance (Map ID: 19):

The Douglas-fir – tanoak forest alliance is ranked as S3 (vulnerable). The forest alliance is defined by Douglas-fit and tanoak both between 25% - 60% cover in the tree canopy and occurs on deep, well drained soils on raised stream benches, terraces, slopes and ridges of all aspects (Sawyer et al., 2009). Douglas-fir tanoak Forest Alliance is present on the east and northeast side of the Proposed Project Area (*Figure 22*). No trees would be removed for the Proposed Project. GHD concluded that no impacts would occur to this Sensitive Natural Community (Botanical Resources Report, 2020).

California bay forest (*Umbellularia californica*) Forest Alliance (Map ID: 24):

The California bay forest alliance has a rank of S3 (vulnerable). Soils are shallow to deep, sandy to clay loams. The USFWS Wetland Inventory (1996 national list) recognizes *Umbellularia californica* as a facultative plant that occurs in wetlands and non-wetlands. The alliance was mapped south and west outside

of the proposed cultivation area adjacent to Larabee Creek. California bay forest is present west and southwest of the Proposed Project Area (*Figure 22*). GHD concluded that no impacts would occur to this Sensitive Natural Community (Botanical Resources Report, 2020).

Dense sedge marshes (*Carex densa)* Provisional Herbaceous Alliance (Map ID: 6):
The dense sedge marsh provisional alliance has a state rarity rank of S2?. According to NatureServe, a community ranked as a S2 is "at high risk of extirpation in the jurisdiction due to restricted range, few populations or occurrences, steep declines, severe threats, or other factors" (NatureServe 2019). The question mark after the S2 rank denotes an inexact numeric rank because there are insufficient samples over the full expected range of this community type, but existing information points to this rank (CDFW 2019b). GHD categorized this alliance as a "Provisional Sensitive Natural Community." Dense sedge marshes are present within the field proposed for cultivation development and would be impacted by the Proposed Project (*Figure 22*).

As described in subsection c, below, impacts would be reduced to less than significant through wetland mitigation (creation and enhancement), incorporated as **Mitigation Measure BIO-7.** With incorporation of **Mitigation Measure BIO-7**, impacts to this provisional sensitive natural community would be less than significant.

California oat grass (*Festuca idahoensis - Danthonia californica)* (Identified in Appendix 1A – Site Plan):
The California oat grass prairie alliance is designated as a S3 (vulnerable) community. The alliance is characterized by California oat grass being dominant or codominant in the herbaceous layer (Sawyer et al. 2009, as cited in GHD, 2020). California oat grass prairies are threatened by intensive livestock grazing, non-native grass invasions, and fire suppression (Sawyer et al. 2009). However, California oat grass is known to respond favorably to moderate grazing and dry season burning under the right conditions (Sawyer et al. 2009). As further mapped by NRM in 2021 and 2022, approximately 0.53 acres of California oat grass is present in the southeastern/eastern areas of the Proposed Project Area (*Figure 17*, *Figure 23*).

Due to development of cultivation activities in the field, the Proposed Project would impact this species. A Memorandum titled "Update to *Festuca idahoensis- Danthonia californica* Herbaceous Alliance Impacts and Mitigation" (Appendix 2J – NorthPoint Consulting, 2024) provided updated impacts from the Proposed Project, given the reduction in scope from the original mitigation memorandum (NRM, 2022).

The OPS of 12-acres would have impacted 8.05 acres of the *Festuca idahoensis – Danthonia californica* Herbaceous Alliance across the 1,887-acre ranch. In reducing the Proposed Project by condensing all impacts to the Lower Field site, impacts to this Sensitive Natural Community have been greatly reduced, and a total of 0.21 acres are now proposed to be impacted, leaving 0.32 acres intact on the Lower Field site (*Figure 23*).

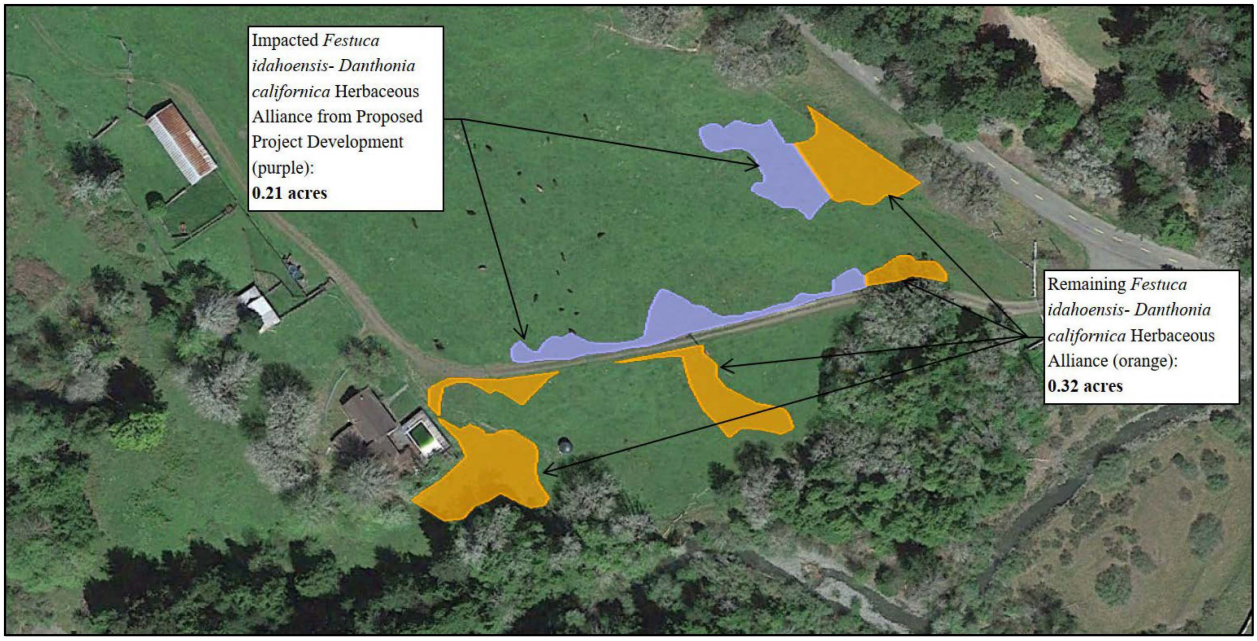


Figure 23: Impacted (purple) and remaining (orange) Danthonia californica stands on the Lower Field Site as a result of the Proposed Project (Source: Google Earth mapping derived from NRM-delineated stands, 2024)

NRM (2022a) categorized three California oat grass stands (*Festuca idahoensis – Danthonia californica* herbaceous alliance) based on the CNPS relevé protocol: "high quality" (~0-30% non-native), "moderately invaded" (~31-60% non-native), and "heavily invaded" (~61-90% non-native). They proposed that mitigation sites would be enhanced within existing "moderately invaded" and "heavily invaded" stands to bring the stands to a category of "high quality" by using a combination of weeding out invasive species and excluding cattle and feral pigs.

In NRM's report (2022b), a 1:1 acre ratio of mitigation to impacts was proposed for the Original Project Scope. In consultation with CDFW for the Proposed Project, CDFW recommended a 2:1 mitigation ratio where impacts cannot be avoided (Appendix 2R -- May 2024 CDFW Comment Letter). Accordingly, to address the potential impact to 0.21 acres of *Festuca idahoensis – Danthonia californica* herbaceous alliance, a minimum 2:1 ratio of compensatory mitigation is proposed to enhance at least 0.42 acres of *Festuca idahoensis-Danthonia californica* that are currently designated as moderately invaded (~31-60% non-native) and/or heavily invaded (~61-90% non-native) **(Mitigation Measure BIO-8)**. The recommended mitigation area is the Mid-Ridge Site with 7.76 acres of mapped *Festuca-idahoensis - Danthonia californica* stands. This area was identified as a low to moderate quality stand due to presence of invasive species and cattle/pig impacts.

Due to the difficulty of planting *Festuca idahoensis – Danthonia californica* and considering the compensatory mitigation at least 0.42 acres, mitigation for the Proposed Project will focus on a combination of invasive species management and cattle and feral pig exclusion. If, given unforeseen circumstances, greater than 0.42 acres of the Sensitive Natural Community were impacted, the success criteria would adjust accordingly at a 2:1 mitigation ratio. Invasive species management emphasis will be placed on any invasive species with a California Invasive Plant Council (Cal-IPC) rank of High or Moderate, and any weedy species of non-native plants threatening the successful establishment of any natural recruits. Target invasive species will include yellow star thistle and weedy perennial grasses. Excluding cattle and pigs from mitigation areas will be accomplished with fencing installed around the protected stand to prevent cattle

and pigs from accessing the area. Additional management of feral pigs would be through hazing, licensed sport hunting, depredation permits, or a combination thereof.

Enhancement would occur until the success criteria of establishment of a minimum 0.42-acre "high quality" *Festuca idahoensis-Danthonia californica* stand with a minimum of 30% *Danthonia californica* cover and no greater than 10% invasive species cover. A Monitoring Report would be conducted each year by a qualified botanist, documenting the progress toward the success criteria, and the results would be furnished to the Humboldt County Planning and Building Department annually by December 31st. Monitoring would occur until the success criteria was met, with a minimum of three (3) years. This has been incorporated as **Mitigation Measure BIO-8.**

With regard to riparian habitat, the Proposed Project includes reconnection of an existing Class III ephemeral drainage and creation of additional riparian habitat (Appendix 1A – Site Plans). The Class III ephemeral drainage currently runs through a county-maintained culvert under Alderpoint Road and discharges into the agricultural field, currently flowing westerly across the northeast edge of the agricultural field proposed for development. No existing defined channel connects this water to Larabee Creek or Cooper Creek. The Proposed Project would re-route this channel to the east, allowing the water to re-connect and flow to Cooper Creek. As part of this riparian enhancement, riparian species would be planted along the re-routed channel, creating new riparian habitat that currently does not exist onsite. Riparian enhancement of this stream would occur in accordance with the Wetland Mitigation Summary (J. Regan Consulting, 2024) and has been incorporated as part of **Mitigation Measure BIO-7.** Restoration and enhancement of this Class III drainage would provide an additional 1.1 acres of riparian habitat.

Additionally, the Proposed Project has been designed to be outside of applicable riparian setbacks from mapped riparian setbacks. Prior to operation of the site, a Site Management Plan (SMP) would be created in accordance with SWRCB Cannabis General Order 2019-0001-DWQ. The SMP would detail operational Best Practicable Treatment or Control (BPTC) Measures which would be installed and adhered to for the duration of the Proposed Project, such as revegetating any bare or exposed soils, ensuring secondary containment and proper storage of all liquid products (including liquid fertilizers, pesticides, amendments, and petroleum products), and proper storage and disposal of waste materials (including organic plant matter and refuse). Such actions would reduce the potential for any materials from the Proposed Project to become pollutants. To further prevent runoff to riparian areas, water conservation and containment measures would be implemented including the use of hand irrigation or drip irrigation with sensors to prevent excessive water use, and the maintenance of a stable, vegetated buffer between the cultivation area and the riparian zone. All hazardous materials, agricultural chemicals, and petroleum products would be stored in secondary containment, away from watercourses. In addition, prior to the start of construction, a Grading Permit would be obtained from the Humboldt County Building Department, which would detail onsite erosion and control measures in order to protect water quality.

With the implementation operating restrictions provided in this document, incorporation of **Mitigation Measures BIO-7 and BIO-8,** compliance with the CMMLUO, compliance with the Humboldt County General Plan, and compliance with the SWRCB Cannabis General Order, and the County's grading regulations, potential impacts to sensitive communities would be less than significant.

c) Finding: The project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. *Less than significant impact with mitigation incorporated.*

Discussion: As described above, numerous wetland delineations have occurred across the Project Parcel for development of the OPS. Over 2.8 acres of wetlands have been delineated across the Parcel, per NRM and GHD

delineations. Since these reports, the entire scope of the project has been significantly reduced in size and intensity. The OPS has been reduced from 12 acres of cannabis cultivation and numerous proposed rainwater catchment ponds with property-wide impacts, to 3.1 acres of cannabis cultivation in a centralized location on the existing agricultural field used for grazing.

As described above, approximately 1.59 acres of seasonal wetlands have been delineated on or near the Proposed Project Area on the agricultural field (*Figure 17*). Of those, the Proposed Project would directly impact approximately 0.87 acres of seasonal wetlands (*Figure 24*). According to the Wetland Mitigation Summary (Appendix 2S – J. Regan Consulting, 2024), the impacted wetlands are "low-quality".

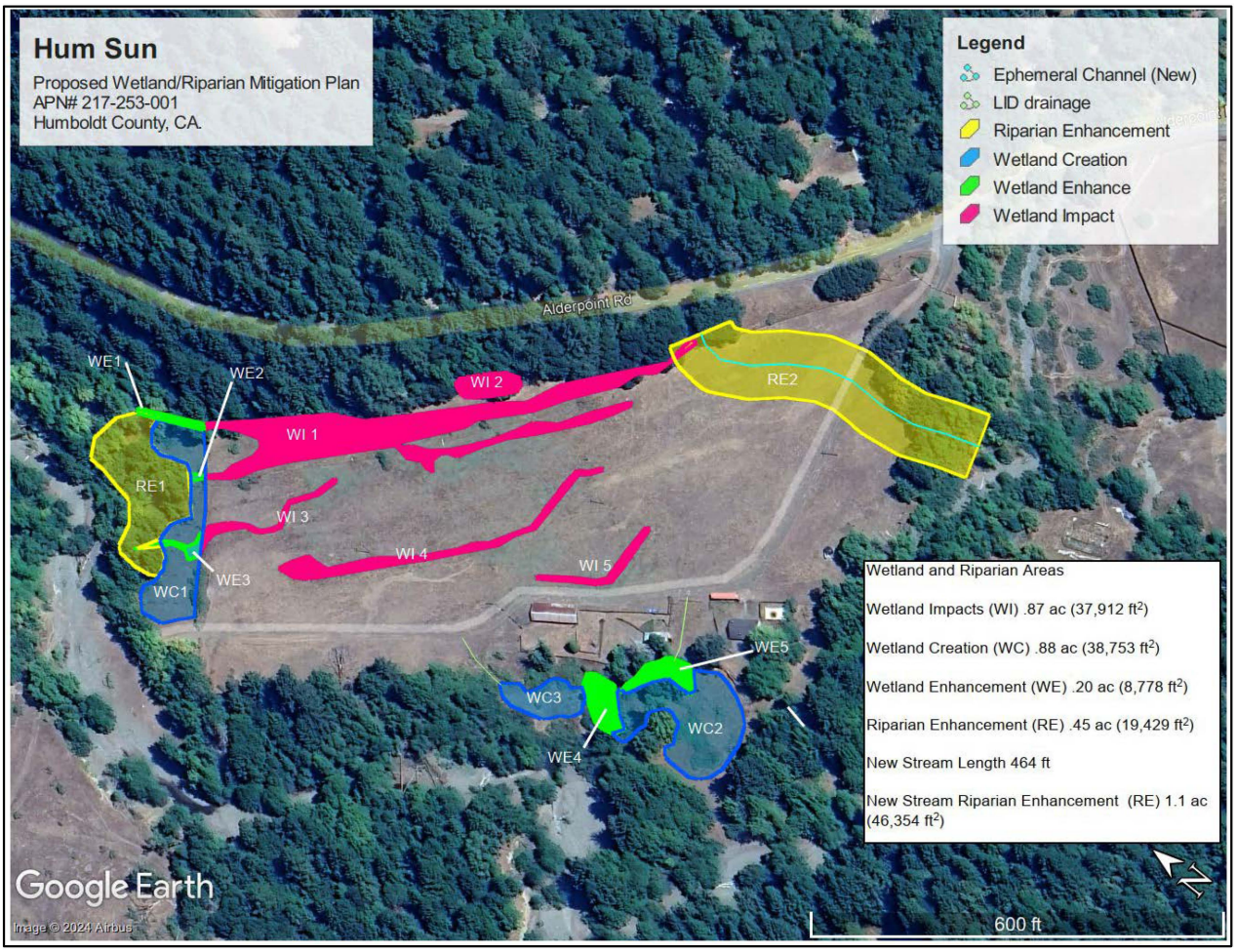


Figure 24: Wetland Impacts, Creation, Enhancement, and Riparian Enhancement within the Proposed Project Area (Source: Wetland Mitigation Summary, J. Regan Consulting, August 2024 – Appendix 2S)

The Wetland Mitigation Summary (J. Regan Consulting, 2024) proposes an overall mitigation ratio of 3:1 resulting in 2.63 acres (114,563 sq. ft.) of wetland mitigation for the 0.87 acres of impacted seasonal wetlands. The Wetland Summary proposes 0.88 acres (38,753 sq. ft.) of new, wetland creation (greater than a 1:1 ratio of wetland creation, with no net loss), 0.20 acres (8,778 sq. ft.) of wetland enhancement and approximately 0.45 acres (19,602 sq. ft.) of enhancing existing riparian area , and 1.1 acres (46,354 sq. ft.) of new riparian area (*Figure 24*).

Per the Wetland Mitigation Summary, wetland creation areas (38,753 sq. ft., or 0.88 acres) are proposed adjacent to existing wetlands, at the northwestern end of the Proposed Project Area (WC-1), and southwest of the existing residence (WC-2, WC-3). In these areas, new wetlands would be created by shaping the ground to capture runoff from the upslope areas and stormwater treatment areas. Plantings in these zones would include the following species: slough sedge (*Carex obnupta*), small flowered bullrush (*Scirpus microcarpus*), and lamp rush (*Juncus effusus*) which may be installed in the bottom and lower side slopes of the wetlands. In addition, Arroyo willow (*Salix lasiolepis*), Oregon ash (*Fraxinus latifolia*), and California bay (*Umbellularia californica*) would be planted on wetland edges and in the transition to riparian forest areas.

Wetland enhancement areas are areas of existing onsite wetlands that could be enhanced through management of invasive species. These areas include existing wetlands on the northwestern end of the Proposed Project Area (WE-1, WE-2, WE-3), and southwest of the existing residence (WE-4, WE-5). Invasive Species, particularly the Himalaya berry *(Rubus armeniacus)* would be removed using hand-tools. Native species plantings (same species to wetland creation areas) would be planted in order to bolster the vegetation community and assist with slope stability.

Riparian enhancement areas are located at the northwestern end of the Proposed Project Area, adjacent to Larabee Creek (RE-1), and along the newly-created proposed Class III watercourse reconnection (RE-2). Within RE-1, enhancement activities would include removal of invasive species, including the Himalaya Berry and sapling Douglas fir (*Pseudotsuga menziesii*) trees, which can negatively impact oak woodland and hardwood trees. No trees over 8 inches in diameter would be removed; implementation of this mitigation measure would not constitute mature tree removal. Erosion control and soil stabilization measures would be implemented in Area RE-1, as needed. In RE-2, a new area of riparian habitat would be created as a part of reconnection of a currently disconnected Class III watercourse. The area would be graded and lowered to provide a defined stream channel for water to be conveyed to Cooper Creek. Herbaceous wetland species (listed above) would be planted, in addition to coyote brush (*Bacharris pilularis*), Oregon white oak (*Quercus garryana* var. *garryana)* or black oak (*Quercus kelloggii*), and along with the Oregon ash and California bay.

The above-described wetland mitigation has been included as **Mitigation Measure BIO-7.**

Construction of the Proposed Project would occur during the dry months when it is not raining and appropriate BMPs would be installed. All construction materials, including gravel and soils would be covered and fiber rolls would be installed around the perimeter of all construction areas to ensure no sediment discharges into Waters of the US. Spoils piles would be covered, and fiber rolls would be installed around the perimeter of construction areas to ensure no sediment discharges into Waters of the United States (US) or Waters of the State.

Once the Proposed Project is operational, a SMP would be created in accordance with SWRCB Cannabis General Order 2019-0001. The SMP would detail operational Best Practicable Treatment or Control (BPTC) Measures which would be installed and adhered to for the duration of the Proposed Project, such as revegetating any bare or exposed soils, ensuring secondary containment and proper storage of all liquid products (including liquid fertilizers, pesticides, amendments, and petroleum products), and proper storage and disposal of waste materials (including organic plant matter and refuse). Such actions would reduce the potential for any materials from the Proposed Project to become pollutants. To further prevent runoff to riparian areas, water conservation and containment measures would be implemented including the use of hand irrigation or drip irrigation with sensors to prevent excessive water use, and the maintenance of a vegetated buffer between the cultivation area and the riparian zone.

Therefore, the Proposed Project as proposed and in compliance with regulatory requirements, would not have a substantial adverse effect on federally protected wetlands through direct removal, filling, hydrological interruption, or other means. Impacts would be less than significant with mitigation incorporated.

d) Finding: The project will not 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. *Less than significant impact with mitigation incorporated.*

Discussion: Wildlife movement corridors connect suitable wildlife habitat areas in an otherwise fragmented region. The site is in a rural area of Humboldt County and is currently used for residential and livestock uses, and is surrounded by residential, agricultural, and timber uses. The California Essential Habitat Connectivity (CEHC) Map shows large, relatively natural habitat blocks that support native biodiversity (Natural Landscape Blocks) and areas essential for ecological connectivity between them (Essential Connectivity Areas) (CDFW, 2014). The CEHC project was prepared for Caltrans and CDFG (currently CDFW) to support the functional network of connected wildlands in the face of human development, climate change, and reducing wildlife-vehicle collisions. The purpose of the map is to focus attention on large areas important to maintaining ecological integrity at the broadest scale by connecting very large blocks of mostly protected natural lands Spencer et al. (2010). Essential Connectivity Areas were mapped using the least-cost corridor models on a data layer based on land cover naturalness. These areas also tend to connect most ecologically intact and well-conserved lands across less intact and protected land.

CEHC uses a ranking from 1, defined as more permeable to wildlife movements, and 5 being less permeable to wildlife movements. The ranking does not indicate importance of connectivity areas bring more permeable or less permeable for wildlife movement. A majority of the Proposed Project Area has CEHC mapped areas of 2-rank and minor portions at a 5-rank (*Figure 25*). The Proposed Project will disturb approximately 6 acres within an 1,887-acre parcel (0.3% of the total parcel area), and with the availability of remaining open space to maintain essential habitat connectivity to natural areas, the Proposed Project would not likely interfere with the movement of wildlife or wildlife use patterns.

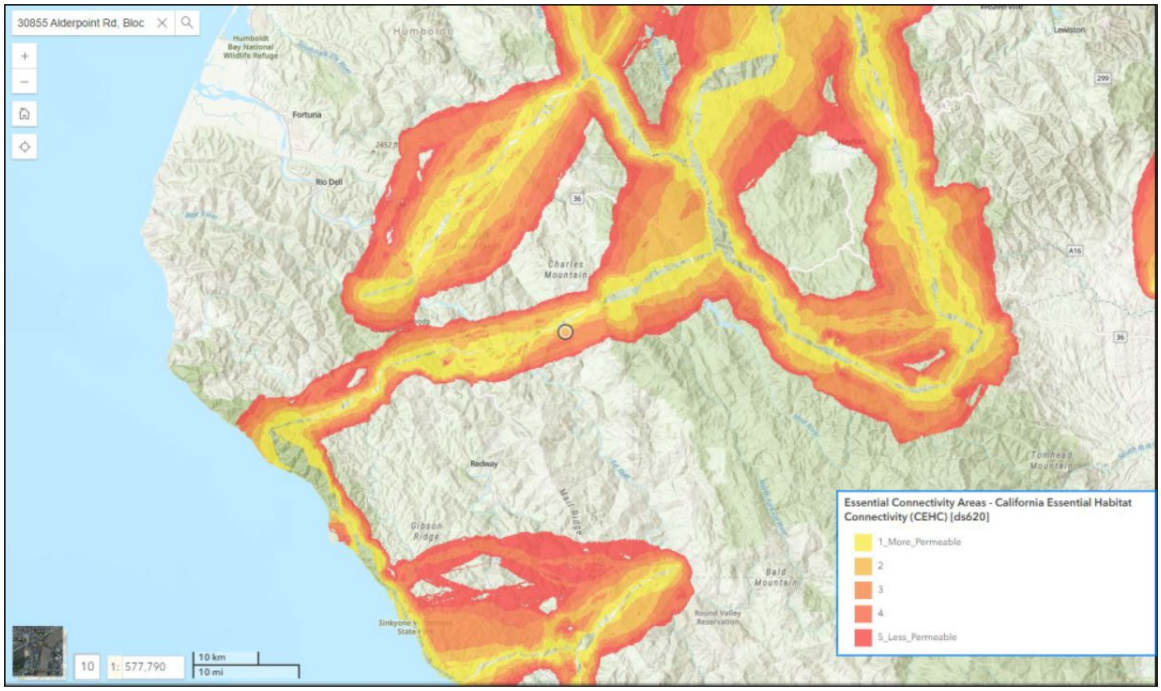


Figure 25. Proposed Project Area (circle with black outline) relative to the modeled Essential Connectivity Map (CDFW, 2014).

Based on the Wildlife Report by GHD (2020), special status migratory wildlife that have confirmed presence from the Original Project Scope or potential presence due to suitable habitat include: four (4) bats (Silver-haired bat (*Lasionycteris noctivagans)*, Hoary Bat (*Lasiurus cinereus)*, Fringed Myotis (*Myotis thysanodes)*, Yuma myotis (*Myotis yumanensis*); ten (10) special-status birds: Osprey (*Pandion haliaetus)*, Golden Eagle (*Aquila chrysaetos)*, Sharp-shinned hawk (*Accipiter striatus)*, Cooper's Hawk (*Accipiter cooperi)*, Flammulated Owl (*Psiloscops flammeolus)*, Northern Goshawk (*Accipiter gentilis)*, Olive-sided Flycatcher (*Contopus cooperi)*, White-tailed Kite (*Elanus leucurus)*, American Peregrine Falcon (*Falco peregrinus anatum)*, Rufous Hummingbird (*Selasphorus rufus)*; and three (3) fish Coho Salmon - southern Oregon / northern California ESU (*Oncorhynchus kisutch),* Steelhead (*Oncorhynchus mykiss irideus*), and Chinook Salmon – California Coastal ESU (*Oncorhynchus tshawytscha*)).

The area in which the greenhouses and accessory facilities would be located would not contain habitats unique to the area such that the removal of the habitat would preclude wildlife from moving through adjacent areas. Also, the Proposed Project Area is located directly off of and adjacent to Alderpoint Road, which is an existing impediment to terrestrial wildlife movement. As discussed above, the site has been designed to meet minimum setback requirements and no work would be done directly within the riparian areas; therefore, the Proposed Project would not directly interfere with movement of fish and other aquatic species.

Mitigation measures would be implemented during construction to reduce potential impacts, as discussed above, to migratory wildlife, including migratory birds. Therefore, the Proposed Project would not 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. Impacts are less than significant with implementation of **Mitigation Measure BIO-3.**

e) Finding: The project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. *Less than significant impact.*

Discussion: The Proposed Project would not involve the removal of any trees. In addition to the general biological resources policies in the County General Plan, the County maintains Streamside Management Areas (SMAs) to protect sensitive fish and wildlife habitats and to minimize erosion, runoff, and other conditions detrimental to water quality. All SMA buffers would be exceeded, and no trees are proposed to be removed. Therefore, the Proposed Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance and the impact would be less than significant.

f) Finding: The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. *No impact.*

Discussion: According to the U.S. Fish & Wildlife Service Environmental Conservation Online System (ECOS), the Proposed Project site is not located within the boundaries of an adopted or proposed Habitat Conservation Plan. Habitat Conservation Plans (HCP) in Humboldt County include the following: 1) Green Diamond Resource Company California Timberlands & Northern Spotted Owl (formerly Simpson Timber Company); 2) Humboldt Redwood Company (formerly Pacific Lumber, Headwaters); 3) Regli Estates; and 4) Humboldt Bay Municipal Water District Habitat Conservation Plan. These Habitat Conservation Plans primarily apply to forest lands in the County. The Proposed Project would not occur on forested lands. According to CDFW (2023), the Proposed Project site is not located within the boundaries of an adopted or proposed Natural Community Conservation Plan. The Project is not identified as being located within a local, regional, or state habitat conservation plan.

In addition, the Proposed Project is located on private property and would continue to use the land for agricultural purposes. No trees would be removed as a result of the Proposed Project. Therefore, the Proposed Project would not conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan.

Mitigation Measures

BIO-1. Prior to the commencement of construction activities for stormwater treatment, wetland enhancement, and wetland mitigation, a qualified botanist shall survey the northern/northwestern area of the Proposed Project Area for the locally-rare Howell's yampah *(Perideridia howellii).* Any identified species shall be flagged and either not disturbed during land-disturbing activities, or if they cannot be avoided, the Howell's yampah shall be relocated or replanted at a 1:1 ratio. A relocation/replanting/monitoring plan shall be developed by a qualified botanist and submitted to the Humboldt County Planning and Building Department prior to disturbance.

BIO-2. The use of anticoagulant rodenticides shall be prohibited.

BIO-3. For construction related and land disturbance activities that take place within the nesting season, accepted as March 15th – August 15th, a pre-construction special status nesting bird survey shall be conducted by a qualified biologist for a minimum of one day within the 7-day period prior to vegetation removal and ground disturbing activities and a buffer zone determined by the qualified biologist, depending on the species nesting. This Mitigation Measure applies to construction / land disturbance within in the Proposed Project Area, and to water tank installation/placement on the ridge. If ground disturbance and vegetation removal work lapses for seven days or longer during the breeding season, a supplemental avian pre-construction survey shall be conducted by a qualified biologist before project work is reinitiated. If active nests are found within the construction footprint or within 500-feet of construction activities, the biologist shall flag a buffer around each nest. If nests are documented outside of the disturbance footprint and within 500-feet of the construction area, the biologist will determine the buffer size. Buffer size for common species would be determined with CDFW. Within this buffer zone, no construction shall take place until the qualified biologist determines that the young have fledged, or nesting activity has ceased.

If active nests are detected during the survey, the qualified biologist shall monitor all nests at least once per week to determine whether birds are being disturbed and which activities might disturb nesting activities, which shall be prohibited within the buffer zone until a determination is made. If signs of disturbance or distress are observed, the qualified biologist shall immediately implement adaptive measures to reduce disturbance.

BIO-4. Once cultivation operations that use fans commence, noise monitoring shall occur monthly during the NSO nesting season (once per month from April - August). Monitoring shall be conducted for eight (8) hours, once per month, to capture the noise produced on a typical operational day. The average of the 8-hour noise measurements shall be calculated and recorded. Noise readings shall be taken using an accurate decibel reader that has the capacity to store and output recorded data. Data outputs shall include the sound pressure measurements, the average of the minimum 8-hour measurement, and the date, time, and duration of monitoring. Readings shall occur at the edge of tree line, located at 40.310680°, -123.660347° and shown in *Figure 21*. Copies of the readings from the monitor shall be kept on file and delivered to the Humboldt County Planning and Building Department at the end of the operational season, prior to December 31st of the operational year.

Noise readings shall be required during the first year of operation with fans. If data demonstrates that noise pressure from the operation is below 50 dB, noise monitoring shall not be required for subsequent years of operation with the same equipment. If equipment or cultivation techniques are changed, noise monitoring shall again resume for the first year of operation with the new equipment.

If noise readings indicate an average daily sound pressure of greater than 50 decibels at the monitoring location, measures shall immediately be taken to reduce noise levels. Measures shall include reducing the power output on fans within greenhouses, reducing the number of fans, installing noise-dampening barriers (e.g., greenhouse covers), or other applicable sound-reducing actions. Follow-up monitoring shall occur the day after measures have been implemented. The initial noise level readings exceeding 50 decibels, implemented correction measures, and resulting sound pressure shall be documented, and submitted to the Planning and Building Department within ten days of acknowledgement of the noise issue.

BIO-5. Pre-construction surveys for amphibians and reptile species shall be conducted within one week prior to ground disturbance within the Proposed Project Area, with a qualified biologist familiar with Northern Red-legged Frog and Western Pond Turtle identification. Any identified individuals shall be relocated to suitable habitat, away from construction activities. If, during construction a Northern Red-legged Frog or Western Pond Turtle is observed in an active construction zone, construction activities shall halt in the observation area and the frog(s) shall be moved to a safe location in a similar habitat outside of the construction zone.

BIO-6. Bat surveys, Sonoma Tree Vole, and Fisher – West Coast DPS surveys shall be conducted by a qualified biologist within seven (7) days prior to the start of construction in areas where potential roosts or foraging habitat may be disturbed/removed. Surveys shall be conducted by a qualified biologist. Surveys shall include a visual inspection of the trees surrounding the Proposed Project Areas, with particular interest in large trees/snags with cavities or loose bark. If the presence of a bat roost or Sonoma tree vole nest is identified, tree removal shall be prohibited and no activity generating significant noise shall occur within 300 feet of the roost.

BIO-7. Wetland mitigation shall follow the guidelines and site-specific recommendations in the Wetland Mitigation Summary (J. Regan Consulting, 2024). In total, 2.63 acres (114,563 sq. ft.) of wetland mitigation shall be provided for the 0.87 acres of unavoidable wetland impacts from the Proposed Project. The 3:1 mitigation ratio will create 0.88 acres (38,753 sq. ft.) of new wetlands, an additional 0.20 acres (8,778 sq. ft.) of wetland enhancement, 0.45 acres (19,602 sq. ft.) of riparian enhancement and approximately 1.1 acres (46,354 sq. ft.) of new stream riparian enhancement.

BIO-8. California oat grass (*Festuca idahoensis – Danthonia californica)* shall be mitigated as described in the

"Update to *Festuca idahoensis-Danthonia californica* Herbaceous Alliance" Memorandum prepared by NorthPoint Consulting Group, 2024. Any impacted California oat grass stand shall be mitigated at a 2:1 ratio. A minimum of 0.42 acres, or a higher area, adjusted for additional unforeseen impacts, of the existing stand of low-quality *Danthonia sp.* located on the Mid-Ridge Site shall be enhanced through (1) removal of invasive species with a Cal-IPC rank of High or Moderate, and (2) installation of wildlife-proof fencing to prevent additional cattle and feral pig impacts. Enhancement shall occur until the success criteria of establishment of a 0.42-acre "high quality" *Festuca idahoensis-Danthonia californica* stand with a minimum of 30% *Danthonia californica* cover and no greater than 10% invasive species cover.

A qualified botanist or restoration specialist shall perform annual monitoring to ensure progress toward the success criteria is being made. Monitoring visits and invasive species maintenance shall be conducted within the same three-week period at the end of May or beginning of June. A minimum of three (3) years of monitoring shall occur, or until the target area reaches the success criteria described above.

A Monitoring Report shall be submitted annually to the Planning Department by December 31st of each monitoring year. The Annual Monitoring Report shall include:

1. A summary of maintenance and enhancement done that year
2. Description of site conditions
3. Monitoring methods used
4. Photos and photo points
5. Discussion of any needed corrective actions or proposed method changes
6. Results of Annual Monitoring, including total absolute cover estimates for vegetative cover plots, total absolute cover estimates for native herbaceous cover where applicable, absolute cover of target invasive species within the target area, analysis and discussion of progress towards meeting Success Criteria.

3.2.5. CULTURAL RESOURCES

Would the Project:	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

Setting

The Proposed Project site is an approximately 1,887-acre parcel located off of Alderpoint Road in Blocksburg. The subject parcel is an agricultural and timber production zoned parcel historically used for agricultural, cattle grazing, recreation, residential, and timber harvesting operations. Current uses include grazing, residential, and timber harvesting operations. Surrounding land uses include agriculture, livestock/grazing, timberland, and rural residential uses. The project site was traditionally occupied by the Nongatl Tribe. Descendants of the Nongatl are now typically members of the Bear River Band of the Rohnerville Rancheria and other communities.

A Cultural Resources Inventory Report (CRIR) was prepared for the Original Project Scope (OPS) by DZC Archaeology & Cultural Resource Management (DZC) in March of 2020 (Appendix 2T – Confidential). The scope of the report included analysis of OPS components over the larger 1,887-acre ranch on APNs 217-051-001, 217-052-001, 217-253-001 (the primary APN associated with the current Proposed Project Area), 217-053-002, 217-055-001, and 217-214-001. The purpose of the investigation was to document whether cultural resources were present within the Proposed Project area, and whether any present cultural resources would be considered "Tribal Cultural Resources" or "historic resource" under CEQA. The report included data queries from the National Register of Historic Places (NRHP), Determinations of Eligibility for the NRHP, the California Register of Historical Places, and the California listing of Historical Landmarks.

The CRIR included an examination of archaeological site records and survey reports in the area as identified by the Northwest Information Center (NWIC). The NWIC review indicated that eighteen (18) previous archaeological surveys were present near the proposed property, five (5) of which were located within the area of potential impacts from the OPS but not within the current Proposed Project Area (DZC, 2020).

During report preparation, on January 25, 2019, the Tribal Historic Preservation Officers (THPOs) and/or applicable Chairpersons from the following Tribal Governments were contacted about the Project: Big Lagoon Rancheria, Hoopa Valley Tribe, the Bear River Band of the Rohnerville Rancherias, the Cher-Ae-Heights Indian Community of the Trinidad Rancheria, and the Round Valley Indian Tribes of the Round Valley Reservation. By request, a site visit was conducted with the Bear River Band of Rohnerville Rancheria, in 2019.

The recommendations in the CRIR reflect the discussions and recommendations, including the presence of a monitor, were developed after this site visit, in consultation with the Bear River Band of Rohnerville Rancheria.

The County sent out requests for official inter-governmental consultation, often called "AB 52" consultation, in August/September of 2021. Requests were sent to the Big Lagoon Rancheria, the Bear River Band of the Rohnerville Rancheria, the Karuk Tribe, the Round Valley Reservation / Covelo Indian Community, the Tsnungwe Council, and the Yurok Tribe. No responses were received, and on March 11, 2022, Notice of Closure of AB 52 Consultation letters were sent to all previously referred Tribal governments. On March 18, 2022, the Tribal Historic Preservation Officer (THPO) of the Bear River Band of Rohnerville Rancheria responded requesting additional details. After reviewing the proposed recommendations for the Proposed Project in the CRIR, the Bear River Band of Rohnerville Rancheria THPO responded to the County concurring with the recommendations and providing no further comment on the Proposed Project, provided that the recommendations were included as Mitigation Measures in the CEQA analysis (incorporated as **Mitigation Measure CUL-2**).

The CRIR also included a field survey which encompassed all of the current Proposed Project Area. Field investigations occurred on April 29th and 30th, and May 1st, 2nd, and 3rd of 2019, in addition to February 27th and February 28th of 2020. The Proposed Project Area was investigated for the presence of archaeological deposits, historic features, or other cultural resources. The survey across the entire area resulted in the recordation of two new identified cultural resource sites (HS-S1 and HS-S2), both which met the definition of a *significant historical resource* under Criteria 4, and one of which (HS-S1) meets the definition of a *unique archaeological resource* under CEQA. Neither resource is located near the Proposed Project Area; these resource sites are located greater than 600 feet from the current Proposed Project Area. No resources were found in the Proposed Project Area. No other historic resources, as defined in CEQA, Article 4, Section 16054.5 were identified within the Proposed Project Area or within a 600-foot buffer from the Proposed Project Area (DZC, 2020).

Analysis

a) Finding: The project would not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5. *Less than significant with mitigation incorporated*.

Discussion: The CRIR completed by DZC in 2020 identified no "historical resources" as defined by Section 15064.5 within the currently proposed Project Area. The two (2) discovered historical resources (HS-S1 and HS-S2) located elsewhere on the 1,887-acre property would require additional consideration under CEQA, however, both cultural resource sites are located greater than 1.4 miles from the Proposed Project Area. Both of the identified cultural resource sites span a ridgetop road on the upper area of the property, currently used for timber operations and used to access two (2) wells for cultivation: Honey and Cow Knoll well. No land alteration or disturbance associated with the Proposed Project is anticipated in this area other than well and water conveyance infrastructure maintenance, and placement of water tanks on already-disturbed areas. Regardless, the specific recommendations from the CRIR regarding these two resources have been incorporated as **Mitigation Measure CUL-2.**

In addition, due to the historic and prehistoric uses of the Proposed Project site, there is potential of discovering unknown subsurface historical resources during the proposed construction activities, therefore, Mitigation Measure CUL-1 is included to ensure that potential project impacts on cultural resources are eliminated or reduced to less than significant levels. With the incorporation of **Mitigation Measures CUL-1 and CUL-2**, the impact would be less than significant.

b) Finding: The project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5. *Less than significant impact with mitigation incorporated*.

Discussion: The CRIR completed by DZC in 2020 identified no archaeological resources as defined by Section 15064.5 within the currently proposed Project Area. The isolated artifacts identified within the Proposed Project Area do not meet the definition of a historical resource and therefore the Proposed Project would not directly impact an archaeological resource in the area proposed for cultivation activities.

As described above, two (2) resources were discovered during onsite field investigations. Of the two historical resources identified, one (1) resource (HS-S1) was also classified as a "unique archaeological resource", per CEQA. This resource is located greater than 1.4 miles from the Proposed Project Area. This resource spans the ridgetop road on the upper area of the property, currently used to access irrigation-associated wells. No land alteration or disturbance associated with the Proposed Project is anticipated in this area other than well and water conveyance infrastructure maintenance, and placement of water storage tanks. Regardless, the specific recommendations from the CRIR regarding this resource have been incorporated as **Mitigation Measure CUL-2.**

In addition, due to the historic and prehistoric uses of the project site, there is potential of discovering unknown subsurface archaeological resources during the proposed construction activities, therefore, Mitigation Measure CUL-1 is included to ensure that potential project impacts on cultural resources are eliminated or reduced to less than significant levels. With the incorporation of **Mitigation Measures CUL-1 and CUL-2**, the impact would be less than significant.

c) Finding: The project would not disturb any human remains, including those interred outside of formal cemeteries. *Less than significant impact with mitigation incorporated.*

Discussion: The CRIR completed by DZC (2020) did not identify any human remains on the project site. However, due to the historic and prehistoric uses of the project site, there is potential of discovering unknown human remains during the proposed construction activities, therefore, the inadvertent discovery protocol, **Mitigation Measure CUL-1** is included. With the proposed mitigation, the impact would be less than significant.

Mitigation Measures

CUL-1. If cultural materials for example: chipped or ground stone, historic debris, building foundations, or bone are discovered during ground-disturbance activities, work shall be stopped within 50-foot buffer of the discovery location, per the Cultural Resources Inventory Report. Work near the archaeological find(s) shall not resume until a professional archaeologist, who meets the Secretary of the Interior's Standards and Guidelines, has evaluated the materials and offered recommendation for further action.

If human remains are discovered during project construction, work shall be stopped at the discovery location, within 20 meters (66 feet), and any nearby area reasonably suspected to overlie adjacent to human remains (Public Resources Code, Section 7050.5). The Humboldt County coroner shall be contacted to determine if the cause of death must be investigated. If the coroner determines that the re- mains are of Native American origin, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (Public Resources Code, Section 5097). The coroner would contact the NAHC. The descendants or most likely descendants of the deceased would be contacted, and work shall not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98.

CUL-2. The applicant shall follow all applicable conditions listed for Resource HS-S1 (Windy Ridge) and Resource HS -S2 (Secret Knoll), as outlined in the Cultural Resource Inventory Report (CRIR) prepared by DZC Archaeology & Cultural Resource Consulting, LLC, developed in March 2020, as adjusted to the currently Proposed Project. The specific applicable conditions are as follows:

- All surface and subsurface cannabis cultivation and related activities are prohibited within 100 feet of the recorded boundaries of HS-S1 and HS-S2. The resource site boundary and 100-ft. resource buffer are identified in the Appendix H of the **confidential** CRIR.

- Survey whiskers shall be placed across and within the roadbed at the 100 ft. resource buffer to denote entrance to the resource protective buffer. These shall be replaced as needed to maintain boundary identification. Annual replacement is recommended.

- The road-bed bisecting HS-S1 and HS-S2 shall be capped using No. 2 base rock to a depth of 4 inches within the resource site boundary, the 100-ft. site buffer, and for an additional 100 ft. outside of the site buffer, on both the east and west road approaches to the site. The mitigated road segments are identified in Appendix H of the **confidential** CRIR.

- No blading or road maintenance shall occur outside of the existing road prism within the identified site boundary or mitigated road extent of HS-S1 and HS-S2.

- Should major road repairs be required within the site boundary or 100 ft. buffer, an archaeological monitor shall be present.

3.2.6. ENERGY

Would the Project:	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy re- sources, during project construction or operation?	☐	☒	☐	☐
b) Conflict with or obstruct a state or local plan for renewable energy and energy efficiency?	☐	☐	☒	☐

Setting

The Proposed Project is for 3.1 acres of new commercial mixed-light cultivation, 6,000 sq. ft. of ancillary nursery, drying, curing, and storage, and 1,280 sq. ft. commercial processing building. Electricity at the Proposed Project site is currently provided by an existing 200-amp service from Pacific Gas and Electric Company (PG&E). Energy use would require a proposed electrical upgrade from PG&E and solar panels. The Proposed Project would utilize solar and PG&E to power the proposed facilities, including a proposed update to upgrade to a 1600-amp at 3-phase power service. The proposed dry barn and commercial processing building would include roof-mounted solar panels. An on-site generator would be kept for backup purposes only; use of any on-site generators would be limited to power outage events and would follow all guidelines set by Humboldt County and the State of California.

The proposed mixed-light cultivation would be cultivated in greenhouses using supplemental artificial lighting in the canopy area at a rate of up to 25 watts/sq. ft., producing two to three flowering cycles per year from April/May to October/November. Electrical power for the Proposed Project Area, including the greenhouse lights and fans, processing buildings, water pumps, and security lighting, would be primarily supplied by PG&E. Existing solar-powered pumps are used to power the three existing wells (Cow Knoll, Jelly Bean, and Honey) that are proposed to be used for the Proposed Project. Electrical power would be purchased through the local utility Redwood Coast Energy Authority Community Choice Energy, Repower Plus Program (or similar renewable energy program). This program would allow the applicant to purchase on-grid power with one-hundred percent renewable energy resources.

The CMMLUO requires a 100% renewable energy source for indoor cultivation but does not require a specific energy source for mixed-light cultivation. Even so, the Proposed Project has been designed to source all energy from renewable sources, through a combination of renewable PG&E power and solar power. In addition, although the CMMLUO allows generator use as a primary power source, the Proposed Project would not use generators as a primary power source. Generators would only be used as backup during a power outage. Mixed-light cultivation would not occur until power service is upgraded from PG&E and solar power is in place. The PG&E upgrade would not result in any additional ground disturbance.

The State of California Building Energy Efficiency Standards (Energy Code) under the California Building Code (CBC), known widely as Title 24, outline requirements for all new commercial and residential construction projects. The Energy Code contains energy, water efficiency, and indoor quality requirements for

newly constructed buildings, and additions and alterations to existing buildings (California Energy Commission, 2022). Title 24 standards would apply to any buildings seeking a commercial building permit from the Humboldt County Building Department, including the proposed 60' x 100' dry barn and the 32' x 40' commercial processing structure. Also at the state level, Senate Bill (SB) 100 is California's Commitment to 100% Clean Energy, which requires 60% of the power purchased by California utilities to come from renewable sources by 2030.

The Humboldt County General Plan includes an Energy Element (Humboldt County, 2017). The Energy Element promotes self-sufficiency, independence, and local control in energy management and supports diversity and creativity in energy resource development, conservation, and efficiency. The Energy Element notes that key renewable energy resources include biomass, wind, wave, and small run-of-river hydroelectric. According to the Energy Element, local biomass resources are used to provide about 25% to 30% of the County's electricity needs. Roughly half of the electricity serving Humboldt County is generated at the Pacific Gas and Electric Company Humboldt Bay Generating Station. The County imports about 90% of its natural gas; the rest is obtained locally from fields in the Eel River valley. Humboldt County has an approximately peak electrical demand of 170 MW (Humboldt County General Plan, Energy Element, 2017).

The Humboldt Regional Climate Action Plan (RCAP) draft was prepared for review in July 2024, which is currently in the public review period. It has not been adopted as of the writing of this report.

Analysis

a) Finding: The project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. *Less than significant impact with mitigation incorporated.*

Discussion: Power for the Proposed Project would be needed for cultivation (fans and lights), drying, processing activities, security lighting, and employee restrooms and break room. Most of the power would be for mixed-light cultivation, which would require a proposed 1600-amp at 3-phase service upgrade from PG&E along with roof-mounted solar panels installed on both the drying/curing and processing building. Drying, curing, processing, and security/general site utility would use the least amount of energy. Energy usage would fluctuate throughout the year.

Prior to build-out of the full mixed-light greenhouses, light deprivation or outdoor cultivation techniques would be used, which would not require lighting for cultivation. Temporary portable toilets and handwashing stations would be used on site for the cultivation employees until the processing building is constructed.

At no time would the Proposed Project build-out or intensity exceed the available energy (e.g., during the first operational year all cultivation would be full-sun or light-deprivation with limited energy demand). This has been incorporated as **Mitigation Measure EN-1.**

Generators would not be utilized as a source of power. A back-up generator would remain onsite for emergency purposes only. Use of any on-site generators would be limited to power outage events and would follow all guidelines set by Humboldt County and the State of California.

Renewable energy is proposed to meet all of the energy demand for the Proposed Project, through either solar power or power purchased through the local utility Redwood Coast Energy Authority (RCEA) Community Choice Energy, Repower Plus Program (or similar renewable energy program). This program would allow the applicant to purchase on-grid power with one-hundred percent renewable energy resources. **Mitigation**

Measure EN-1 has been included to ensure that all power for the Proposed Project comes from these sources and to ensure that the scale of Proposed Project build-out is developed in concert with available power supply.

No aspect of the project would result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources. With **Mitigation Measure EN-1** incorporated, a less than significant impact would occur.

b) Finding: The project would not conflict with or obstruct a state or local plan for renewable energy and energy efficiency. *Less than significant impact*.

Discussion: The Proposed Project would not conflict with the Humboldt County General Plan Energy Element. The Proposed Project would only use the amount of electricity required for its operations. A less than significant impact would occur.

The Project would comply with all local and state renewable energy efficiency plans. The Proposed Project would comply with all the building energy efficiency standards for all new commercial buildings set by Title 24. All energy sourced for the Proposed Project would come from a 100% renewable source, exceeding the requirements in the CMMLUO. This would be achieved for the Proposed Project purchasing on-grid power with one-hundred percent renewable energy through the local utility Redwood Coast Energy Authority (RCEA) Community Choice Energy, Repower Plus Program (or similar renewable energy program). This program would allow the applicant to purchase on-grid power with one-hundred percent renewable energy resources.

In accordance with SB 100, PG&E currently obtains 38% of its power supply from renewable energy sources, which is 33% of its power supply from renewable energy sources, which is on track to meet the 60% renewable energy mix by 2030 (PG&E, 2022). The Proposed Project would not conflict with the Humboldt County General Plan Energy Element or the local draft Climate Action Plan. See 3.2.8, Greenhouse Gas Emissions, for further analysis. Therefore, a less than significant impact would occur.

Mitigation Measures

EN-1. Mixed-light cultivation shall not occur until the necessary power is brought to the site to meet the Mixed-light power demand. Prior to this, proposed cultivation shall be outdoor cultivation cultivated using light-deprivation techniques in greenhouses. At no point in time shall onsite activities exceed existing site power capacity. All power used onsite shall be solar and/or one-hundred percent renewable energy purchased through the local utility Redwood Coast Energy Authority Community Choice Energy, Repower Plus Program (or similar renewable energy program).

3.2.7. GEOLOGY AND SOILS

Would the Project:	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
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.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located in a geological 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?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐
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?	☐	☐	☒	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

Setting

The Proposed Project includes 3.1 acres of commercial cannabis on one legal parcel comprised of approximately 1,887 acres located north of Blocksburg in the unincorporated area of Humboldt County. The Project parcel contains 11 different soil types, as described in *Table 8* and as shown in *Figure 26*, per the Natural Resources Conservation Service (NRCS) Web Soil Survey.

Table 8: Soils underlying the Project Parcel and the Proposed Project Area – Proposed Project Area soils shown in bold (Source: NRCS Web Soil Survey, 2024)

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
101	Typic Udifluvents-Fluvents complex, 0 to 2 percent slopes	2.2	0.1%
402	Tannin-Wohly-Rockyglen complex, 50 to 75% slopes	44.5	2.4%
405	Tannin-Wohly-Rockyglen complex, 30 to 50% slopes	82.3	4.4%
451	Burgsblock-Coolyork-Tannin complex, 15 to 30 percent slopes	1,127.3	59.7%
452	Burgsblock-Coolyork-Tannin complex, 30 to 50 percent slopes	138.8	7.4%
655	Yorknorth-Witherell complex, 15 to 30 percent slopes	198.8	10.5%
662	Yorknorth-Witherell complex, 30 to 50 percent slopes	115.9	6.1%
667	Dryfield-Yorknorth-Witherell complex, 5 to 30 percent slopes	55.6	2.9%
668	Dryfield-Yorknorth-Witherell complex, 30 to 50 percent slopes	20.4	1.1%
671	Coolyork-Yorknorth complex, 5 to 30 percent slopes	34.9	1.9%
1005	**Parkland, dry-Garberville, dry complex, 2 to 9 percent slopes**	**66.6**	**3.5%**
Total for Area of Interest (AOI)		1,887.3	100%

Within the Proposed Project Area, the cultivation development would occur entirely on Parkland, dry-Garberville, dry complex, 2 to 9 percent slopes soils, identified by Map Unit 1005 by Web Soil Survey (*Figure 27*). Map Unit 1005 is comprised of two soil profiles, Parkland and Garberville. The Parkland, dry-Garberville, dry complex is also classified as Farmland of Statewide Importance. The moderately well drained Parkland soil profile is composed of loam, clay loam, and sandy clay loam. The well drained Garberville soil profile is composed of loam, gravelly loam, gravelly clay loam, gravelly sandy loam, and very gravelly sandy loam.

Water tank placement on the ridge would occur entirely on Burgsblock-Coolyork-Tannin complex, 15 to 30 percent slopes, identified by Map Unit 451 by Web Soil Survey (*Figure 27*). Map Unit 451 is comprised of three soil profiles, Burgsblock, Coolyork, and Tannin. The well-drained Burgsblock soil profile is composed of gravelly loam and very gravelly loam. The moderately well-drained Coolyork soil profile is composed of loam, clay loam, gravelly loam, and gravelly silt loam. Lastly, the well-drained Tannin soil profile is composed of loam and sandy clay loam.

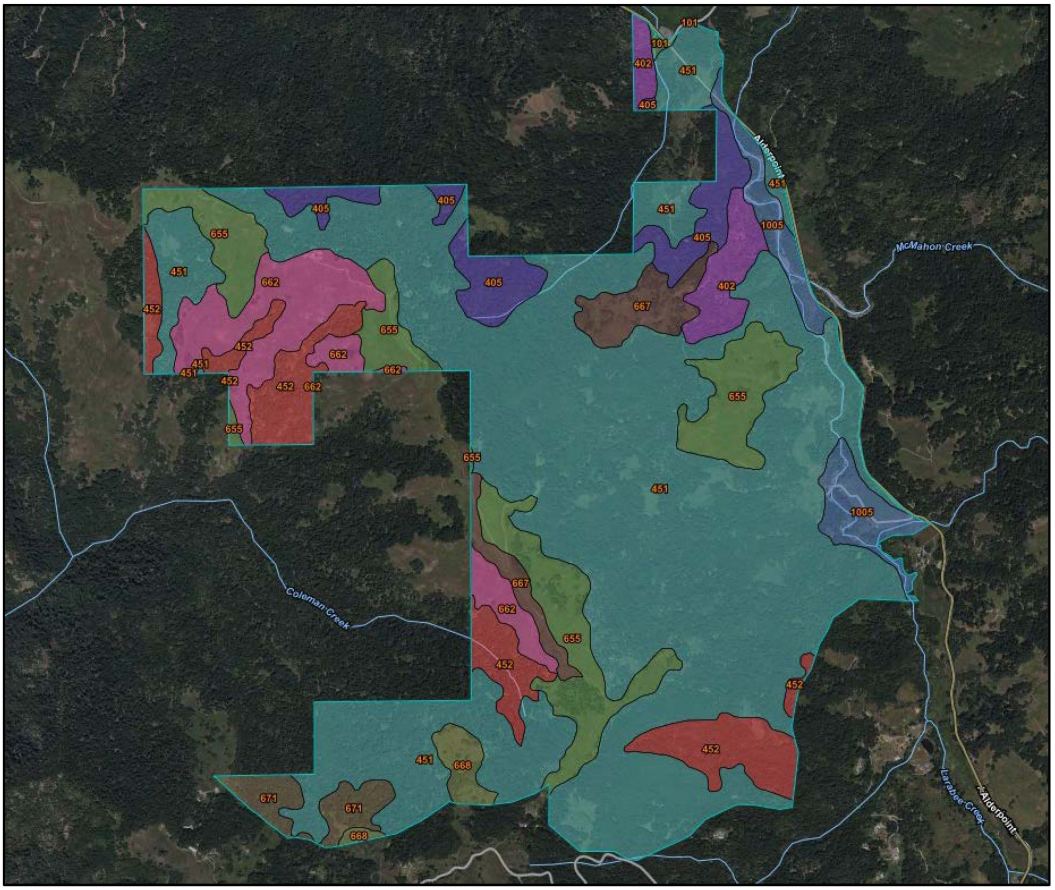


Figure 26: Soils on the Project Parcel (Source: NRCS Web Soil Survey, 2024)

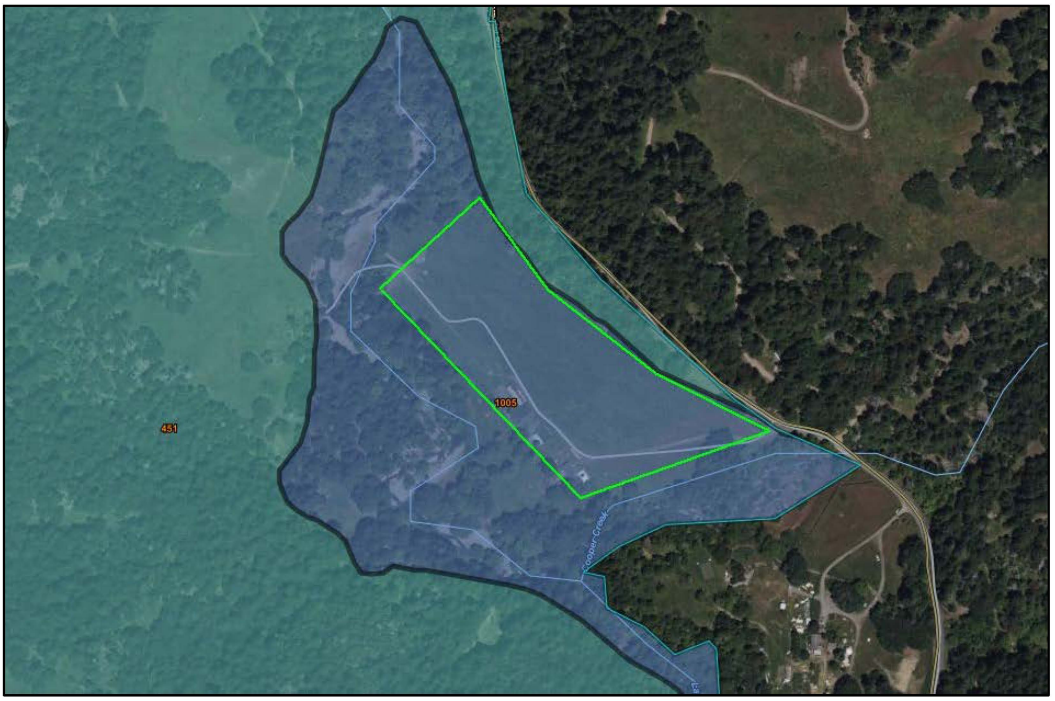


Figure 27. Soils in the Proposed Project Area (outlined in green) (Source: NRCS Web Soil Survey, 2024)

The Proposed Project Area is located within Northern California's Coast Ranges Geomorphic Province, which is a geologically active region at risk for strong ground shaking. Humboldt County is located within the two highest of five seismic risk zones specified by the federal Uniform Building Code (UBC). The Cascadia Subduction Zone runs north offshore of Humboldt, Del Norte, Oregon, and Washington. Landslides and soil slips are common due to the combination of sheared rocks, shallow soil profile development, steep slopes, and heavy seasonal precipitation (Humboldt County 2025 General Plan Update. Natural Resource and Hazards Report; Pg. 10-9).

An Unnamed fault zone is located approximately 3.25 miles southeast of the Proposed Project Area and another Unnamed fault in the Russ zone is located approximately 7 miles southwest of the Proposed Project Area (USGS, 2017). The Proposed Project is not within an Alquist-Priolo Zone, and the nearest Alquist-Priolo Zone is located approximately 25 miles northwest in Hydesville, California (Humboldt County Web GIS, 2024; California Department of Conservation, 2024a).

No portion of the Project parcel is listed as an area of potential liquefaction. The Proposed Project is located within an area of low and high instability on less than 15% slopes (Humboldt County Web GIS, 2024). No historic landslides are mapped within the Proposed Project Area. The Proposed Project Area is within a Very High and High Fire Hazard Severity Zone. The Proposed Project parcel contains a FEMA 1% Annual Chance Flood Hazard Area along Larabee Creek and the Cooper Creek confluence, however, the flood hazard area is outside of the proposed cultivation development (Appendix 1A – Site Plans).

Analysis

a. i) Finding: The project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving 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. *Less than significant impact.*

Discussion: Seismically induced ground rupture is defined as the physical displacement of surface deposits in response to an earthquake's seismic waves. The magnitude and nature of fault rupture can vary for different faults or even along different strands of the same fault. Surface rupture can damage or collapse buildings, cause severe damage to roads and pavement structures, and cause failure of overhead as well as underground utilities.

There are no earthquake faults delineated on the Alquist-Priolo Fault Zone maps within the Proposed Project Area (California Department of Conservation, 2024a and Humboldt County Web GIS, 2024), or within a 5-mile radius of the Proposed Project. The closest fault is an Unnamed fault zone near Alderpoint, California, an undifferentiated quaternary fault located approximately 3.25 miles southeast of the Proposed Project Area (Humboldt County Web GIS, 2024). No historic earthquakes have been associated with this fault (USGS, 2017).

The State of California provides minimum standards for building design through the California Building Code (CBC). Where no other building codes apply, CBC Chapter 29 regulates excavation, foundations, and retaining walls. The CBC applies to building design and construction in the State and is based on the UBC used widely throughout the country. The CBC has been modified for California conditions with numerous more detailed and/or more stringent regulations. Specific minimum seismic safety and structural design requirements are set forth in CBC Chapter 16. The CBC identifies seismic factors that must be considered in structural design.

Since the Proposed Project buildings would be designed to CBC seismic standards, and because the Proposed Project Area is not located within or near an Alquist-Priolo Fault zone (e.g., an "active" earthquake zone), surface fault rupture is not considered to be a significant hazard for the project site any more than in other areas

of earthquake-prone Humboldt County. Therefore, the Proposed Project would not expose people or structures to substantial adverse effects from a fault rupture and the impact would be less than significant.

a. ii) Finding: The project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking. *Less than significant impact.*

Discussion: Earthquakes on active faults in the region have the capacity to produce a range of ground shaking intensities in the Proposed Project Area. Ground shaking may affect areas hundreds of miles distant from an earthquake's epicenter. Ground motion during an earthquake is described by the parameters of acceleration and velocity as well as the duration of the shaking. A common measure of ground motion is peak ground acceleration (PGA). The PGA for a given component of motion is the largest value of horizontal acceleration obtained from a seismograph. PGA is expressed as the percentage of the acceleration due to gravity (g). Moderate earthquake hazard areas are defined as areas with ground accelerations of less than .092g and Violent earthquake hazard areas have ground accelerations of 0.65g to 1.24g. The California Geological Survey, Probabilistic Seismic Hazards Mapping Ground Motion Page (www.conservation.ca.gov) indicates a maximum PGA on the order of 0.61g for a seismic event with a 10 percent probability of exceedance in 50 years (design basis earthquake).

See discussion in a. i), above. There are no earthquake faults delineated on Alquist-Priolo Fault Zone maps within the Proposed Project Area. In addition, an R-2 Soils Report would be developed for all proposed buildings and water tanks greater than 5,000 gallons during the building and grading permit approval process prior to construction to identify site-specific constraints. The Proposed Project structures would be required to follow all requirements outlined in the CBC. Therefore, the Proposed Project would not expose people or structures to substantial adverse effects involving strong seismic ground shaking and the impact would be less than significant.

a. iii) Finding: The project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction. *No impact.*

Discussion: Liquefaction is a phenomenon whereby unconsolidated and/or near-saturated soils lose cohesion and are converted to a fluid state as a result of severe vibratory motion. The relatively rapid loss of soil shear strength during strong earthquake shaking results in temporary, fluidlike behavior of the soil. Soil liquefaction causes ground failure that can damage roads, pipelines, underground cables and buildings with shallow foundations (NRCS, 2024).

According to the Humboldt County Web GIS (2024), neither the Proposed Project Area nor the area proposed for water tank placement are designated as an area subject to liquefaction. Therefore, the Proposed Project would not expose people or structures to substantial adverse effects involving seismic-related ground failure, including liquefaction, and no impact would occur.

a. iv) Finding: The project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides. *Less than significant impact.*

Discussion: Slope failures, commonly referred to as landslides, include many phenomena that involve the downslope displacement and movement of material, either triggered by static (i.e., gravity) or dynamic (i.e., earthquake) forces. Earthquake motions can induce significant horizontal and vertical dynamic stresses in slopes that can trigger failure. Earthquake-induced landslides can occur in areas with steep slopes that are susceptible to strong ground motion during an earthquake. The youthful and steep topography of the coast range is known for its potential for landslides.

The Proposed Project Area contains areas designated as "high" instability and "low" instability, per Humboldt County Web GIS (*Figure 28*), and is directly surrounded by gentle slopes (0 to 15%) and moderate slopes (15% to 30%) (*Figure 30*). Some steeper slopes (30% to 50%) exist to the northeast of the Proposed Project Area, however, the area of steeper slopes is immediately followed by an area with less than 15% slopes, likely preventing a large-scale landslide from developing (*Figure 29, Figure 30*). In addition, no historic landslides are mapped on the entirety of property or in the vicinity of the Proposed Project Area (Humboldt County Web GIS, 2024 and California Department of Conservation, 2024b). Therefore, the Proposed Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides, and the impact would be less than significant.

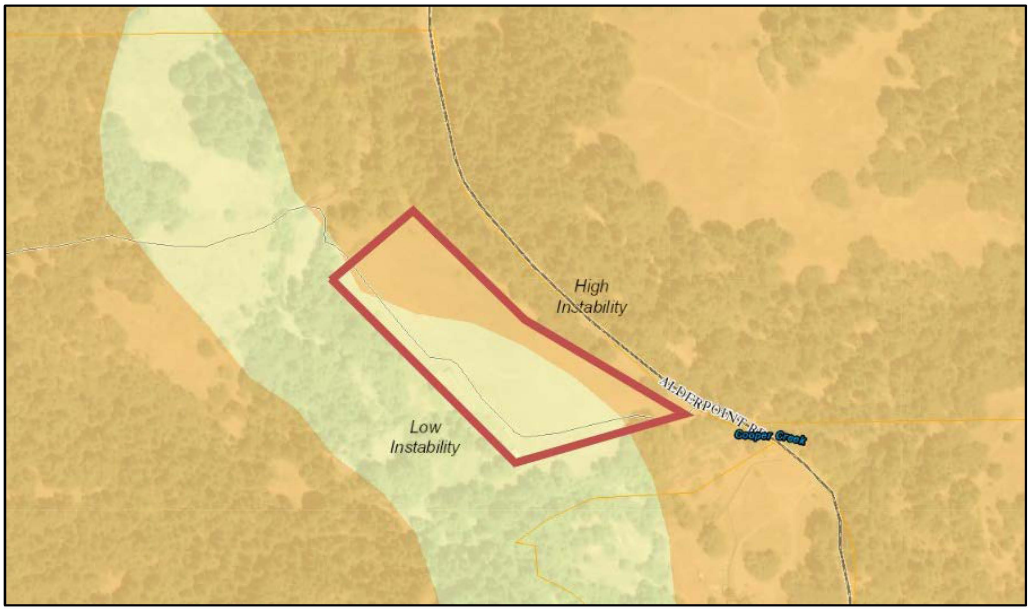


Figure 28. Seismic Safety Map of Proposed Project Area, outlined in red (Source: Humboldt County Web GIS, 2024)



Figure 29: USGS Slopes of Proposed Project Area, outlined in red (Source: Humboldt County Web GIS, 2024)

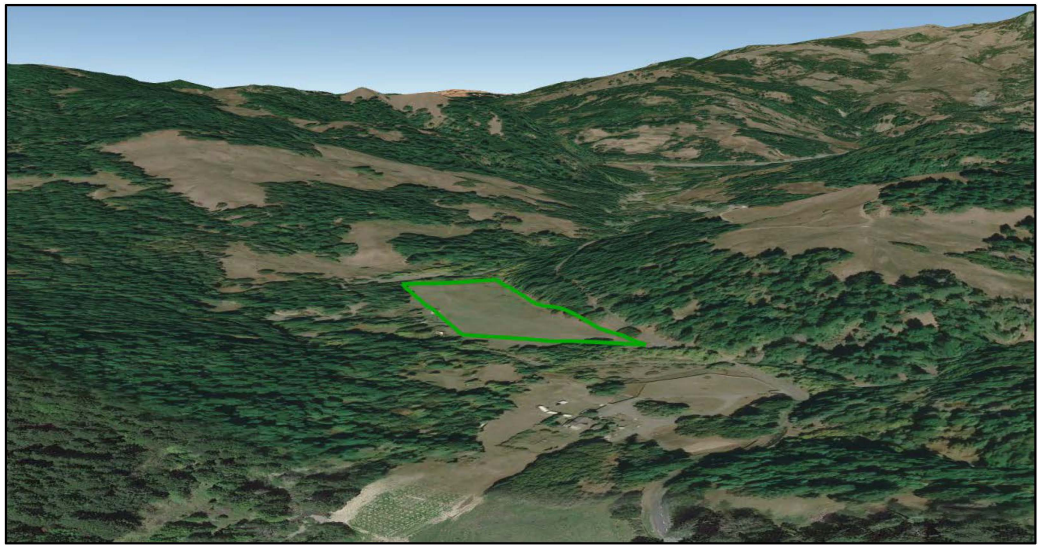


Figure 30: Proposed Project Area (outlined in green) with surrounding topography, facing north (Source: Google Earth, 2024)

b) Finding: The project would not result in substantial soil erosion or the loss of topsoil. *Less than significant impact.*

Discussion: Soil qualities can be an indicator of the potential loss of topsoil due to disturbance from proposed development. The proposed cultivation area is in Parkland, dry-Garberville, dry complex soils, which have a medium wind erodibility group index rating of 5 and a moderate K factor of 0.32, meaning that the soil is moderately susceptible to sheet and rill erosion by water (Web Soil Survey, 2024).

Scraping, grading, ground disturbance, and the removal of on-site groundcover and vegetation (e.g., grasses) within the Proposed Project Area would occur during construction of the proposed structures and greenhouses. Prior to construction, the applicant would be required to obtain Grading and Building Permits from Humboldt County. A Grading Permit, associated Erosion and Control Plan, and an R2 Soils Report, would be developed and submitted to the Humboldt County Building Department as part of the Grading Permit application process. A Conceptual Grading and Erosion Control Plan (Appendix 1B) has been developed for the Proposed Project. As long as required erosion control mechanisms are followed, as outlined in the Erosion Control Plan, there are no issues concerning loss of topsoil or soil stability.

The Proposed Project does not involve the removal of any vegetation outside of the Proposed Project footprint that could result in erosion. Hand watering or drip irrigation methods minimize the over-irrigation of plants and subsequent runoff. Additionally, to prevent runoff to riparian areas, water conservation and containment measures would be implemented including the maintenance of a stable, vegetated buffer between the cultivation areas and riparian zone.

Regarding water tanks, the area proposed for water tank placement on the ridge is an existing, disturbed, graveled flat. Placement of water tanks on this flat would not result in substantial soil erosion or the loss of topsoil, as the flat is already existing and graveled.

Given that CBC requirements relating to soil stability would be adhered to during construction of structures and water tanks, as required by an approved Building Permit, the relatively flat topography of the project site, and that the Proposed Project must adhere to the requirements of the SWRCB Cannabis General Order 2019-0001-DWQ. The Cannabis General Order requires Best Management Practices (BMPs) and Best Practicable

Treatment or Control measures (BPTCs), and, along with the standard erosion control measures of the Humboldt County General Plan, the Proposed Project is not expected to result in significant soil erosion or loss of topsoil during the construction phase or for the life of the Proposed Project.

Therefore, the Proposed Project would not result in substantial soil erosion or the loss of topsoil and a less than significant impact would occur.

c) Finding: The project would not 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. *Less than significant impact.*

Discussion: According to Humboldt County GIS data, the parcel is not mapped within an area of potential liquefaction. The National Earthquake Hazards Reduction Program (NEHRP) denotes the Proposed Project soils as Geological Unit C, indicating very dense soil and soft rock (FEMA, 2000). Design and construction of the Proposed Project would incorporate appropriate engineering practices to ensure seismic stability as required by the CBC and Humboldt County standards. Therefore, the Proposed Project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Proposed Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse and a less than significant impact would occur.

d) Finding: The project would not be located on expansive soil, as defined in Table 18-1-B of the UBC (1994), creating substantial risks to life or property. *Less than significant impact.*

Discussion: Expansive soils possess a "shrink-swell" characteristic. Shrink-swell is the cyclic change in volume (expansion and contraction) that occurs in fine-grained clay sediments from the process of wetting and drying. Structural damage may occur over a long period of time due to expansive soils, usually the result of inadequate soil and foundation engineering or the placement of structures directly on expansive soils.

All building construction would occur on Parkland, dry-Garberville complex soils. The typical Parkland, dry-Garberville, dry complex soil profile is clay loam (from 0 to 10 inches), clay loam (10 to 43 in.), gravelly sandy clay loam (43 to 59 in.), and sandy clay loam (59 to 71 in.), which have the potential to be expansive due to the presence of clay soils. Clay soils are more susceptible to expanding and contracting (NRCS, 2024). Linear extensibility is used to determine the shrink-swell potential of soils. High and Very High shrink-swell potentials are present if soils have linear extensibility ratings of between 6% and 9%, and greater than 9%, respectively (USDA, 2024). Per Web Soil Survey (2024), soils proposed for development have a 3.8% linear extensibility rating (i.e., "moderate" shrink-swell potential) which is indicative of soil features moderately favorable for the proposed construction.

Water tank placement would occur on Burgsblock-Coolyork-Tannin complex soils. These soils have a linear extensibility rating of 1.7%, indicating a low shrink-swell potential, and suggesting that soil features are favorable for proposed water tank placement.

In addition, all construction of structures or installation of water tanks greater than 5,000 gallons would be required to obtain a Building Permit from the Humboldt County Building Department prior to commencement. An R-2 Soils Report would be prepared and submitted as part of the Building Permit application process. If soils were deemed to have expansive qualities deeming further consideration, special design factors would be considered and required at that time, at the recommendation of a qualified geologist or engineer, and proper foundation design would be incorporated into building construction that accounts for the special design factors. No construction or installation of water tanks greater than 5,000 gallons would occur without an approved

Building Permit, as required by County code. Therefore, the Proposed Project would not be located on expansive soils creating substantial risks to life or property. Impacts would be less than significant, and no mitigation would be necessary.

e) Finding: The project would not 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. *Less than significant impact.*

Discussion: The existing residence located on the property is served by a permitted septic tank/leach field system equipped with a 1,200-gallon tank and four lines 50 feet in length with a trench 5 feet deep. This system would not be used in cultivation activities. The Proposed Project includes construction of a 32' x 40' commercial building for processing, which would include construction of an ADA-compliant restroom and associated new Onsite Wastewater Treatment System (OWTS) used by employees.

Sufficient treatment would be provided for up to 20 employees based on a Septic Suitability Survey conducted by NorthPoint Consulting Group, Inc in April 2024 (Appendix 2Z – Septic Suitability Survey). Two backhoe test holes were excavated near the location of the proposed buildings to the depths of eight (8) feet. Soil samples were visually analyzed, collected, and tested for textural analysis by SHN Consulting Engineers (Appendix 2Z). Stabilized percolation rates were found to be approximately 18 min per inch for a test hole at 37 in. and 21 min per inch for the second test hole at 40 in during a non-wet weather percolation test. The results of the Septic Suitability Survey identified a suitable leach field location with soils adequate to support a safe and effective OWTS for up to 20 employees, and had no further recommendations or mitigation measures (Appendix 2Z)

Based on the OWTS standard 35 gallons/person/shift and a conservative soil application rate of 0.4 at the most restrictive soil horizon encountered, an estimated 2,494 sq. ft. area is required for the primary and reserve leach fields to account for up to 20 employees. The Proposed Project would have approximately eight (8) full-time employees during the cultivation season from May to November, up to ten (10) additional employees and seasonal laborers during peak seasonal events, such as harvesting and planting, for a total of 18 employees at any one time. An approximate 8,861-sq. ft. site with suitable soils was located that meets the requirements set by the Humboldt County Division of Environmental Health (DEH) (Appendix 2Z). A permit would be obtained through the DEH, prior to the installation of the OWTS. Any OWTS components, including the septic tank and leach field, would be outside of the Meadow Well, wetland, and riparian setbacks.

Therefore, the Proposed Project would not have soils incapable of adequately supporting the use of septic tanks for the disposal ofwastewater. In addition, the system would be reviewed and approved by the County Division of Environmental Health prior to commencement of construction. Impacts would be less than significant, and no mitigation would be necessary.

f) Finding: The project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. *Less than significant impact with mitigation incorporated*.

Discussion: Regional uplifting and other seismic activity in the area have limited the potential for discovery of paleontological resources. However, there is a potential for fossils to be discovered and inadvertently damaged during Proposed Project construction even in an area with a low likelihood of occurrence. As such an inadvertent discovery protocol for paleontological resources has been included as **Mitigation Measure GEO-1.** With the proposed **Mitigation Measure GEO-1**, the Proposed Project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Mitigation Measures

GEO-1. If paleontological resources are encountered during implementation of the Project, ground disturbing activities will be temporarily redirected from the vicinity of the find. A qualified paleontologist shall be retained by the developer to make an evaluation of the find. If a significant paleontological resource(s) is discovered on the property, the qualified paleontologist shall develop a plan of mitigation which shall include salvage excavation and removal of the find, removal of sediment from around the specimen (in the laboratory), research to identify and categorize the find, curation in the find a local qualified repository, and preparation of a report summarizing the find.

3.2.8. GREENHOUSE GAS EMISSIONS

Would the Project:	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Setting

The Proposed Project site is located within the North Coast Air Basin, which is under the jurisdiction of the North Coast Air Quality Management District (NCAQMD). The NCAQMD applies air pollution regulations to all major stationary pollution sources and monitors air quality. GHGs are emitted into the atmosphere from a variety of sources, including the combustion of fuel for energy and transportation, cement manufacturing, and refrigerant emissions. GHGs are gases that have the ability to trap heat in the atmosphere, a process that is analogous to the way a greenhouse traps heat. GHGs are emitted from human activities, as well as through natural processes. Increasing GHG concentrations in the atmosphere are leading to global climate change.

The primary GHGs that are of concern for development projects include carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and fluorinated gases. Emissions of CO_2 are largely by-products of fossil fuel combustion and CH_4 results from off-gassing associated with agricultural practices and landfills (California Air Resources Board, 2017; Humboldt County General Plan, 2017).

Greenhouse gases are regulated on federal, state, and local levels. At the state level, Assembly Bill (AB) 32 Scoping Plan (2017 Update) contains the main strategies California will use to reduce GHG emissions. AB 32 was originally passed by the California Global Warming Solutions Act of 2006 and details strategies and greenhouse gas reduction goals for projects across the state, including the now-achieved requirement to reduce statewide GHG emissions to 1990 levels by 2020 (a 28% reduction). In 2016, AB 32 was amended to require California to reduce GHG emissions to 40% below 1990 levels by 2030, and in 2022, the updated Scoping Plan was released to obtain carbon neutrality by 2045, which would be an 85% reduction in GHG emissions below 1990 levels (California Air Resources Board, 2022).

Locally, Humboldt County is complying with AB 32 to reduce GHG emissions to 40% below 1990 levels by 2030. The County has been coordinating with other local agencies to finalize a Regional Climate Action Plan (RCAP) to reduce GHG emissions throughout Humboldt County. The first draft of the RCAP was released in 2012 with a new release in August 2024. The newly released Humboldt RCAP Draft is currently available for public review. The RCAP explores locally oriented strategies to reduce emissions from vehicle travel, electricity consumption, natural gas use, and other sources of GHGs.

The County has existing programs and policies in place that reduce and minimize GHG emissions:

- Draft Humboldt County Regional Climate Action Plan (2024)
- Air Quality Element, Humboldt County General Plan (2017)
- Commercial Medical Marijuana Land Use Ordinance (2016)
- California Air Resources Board Climate Change Scoping Plan (2022)
- NCUAQMD Particulate Matter Attainment Plan (1995)

Sources of GHG emissions from the Proposed Project would occur during short-term construction activities (e.g. equipment, vehicle/truck traffic, transportation of materials) over 18 weeks and long-term operation of the Proposed Project (e.g. lights, fans, vehicle/truck traffic, equipment, and an emergency back-up generator used during power outages).

a) Finding: The project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. *Impacts are less than significant.*

Discussion: The Proposed Project would significantly impact GHG emissions if it were to generate substantial GHG emissions exceeding the CEQA thresholds of significance adopted by the NCAQMD and Humboldt County. NCAQMD and Humboldt County have not adopted thresholds of significance for GHG emissions from non-stationary sources. However, the Bay Area Quality Management District (BAAQMD) has established GHG thresholds that can be used in for significance determination. These thresholds are used by other counties in California without adopted thresholds of significance. Thus, for the analysis of GHG emissions, BAAQMD's GHG thresholds are used to evaluate the significance of the Proposed Project's GHG emissions. For land use development projects, the BAAQMD GHG threshold is "annual emissions less than 1,100 metric tons per year (MT/yr) of CO_2e" (BAAQMD, 2022).

Mobile sources of GHGs from the Proposed Project would include equipment used during short-term construction and vehicle/truck traffic from long-term operation. All construction equipment would be maintained to meet current emissions standards as required by the California Air Resources Board (CARB). The bulk of operational GHG emissions would come from vehicle and truck traffic as the Proposed Project is in a rural location in the unincorporated area of Humboldt County, and trips from larger metropolis areas (e.g., Garberville, Fortuna, Eureka), would be a source of GHG emissions.

As the Proposed Project is a CMMLUO project, it was originally proposed to be powered largely off generators, which would have been a major source of GHG emissions. The applicant has voluntarily reduced the scope of the Proposed Project and has agreed to utilize 100% renewable energy, in excess of the requirements of the CMMLUO, which only require 100% renewable energy for indoor cultivation. The Proposed Project would be electrically powered exclusively by renewable energy sources, primarily through a renewable energy purchased through PG&E (via 100% Solar Choice, REPower+, or similar renewable energy source through RCEA) and through a solar panel system installed on the rooftops of the proposed greenhouses and buildings. Utilizing renewable energy would greatly reduce GHG emissions from operational energy use (e.g. lights and fans). All buildings would be designed to meet or exceed Title 24 requirements, in accordance with the California Building Code.

Even with incorporation of renewable energy as the exclusive power source, the Proposed Project would still generate GHG emissions, primarily through vehicular traffic emissions. To quantify these emissions, an Air Quality Analysis (AQA, refer to Section 3.2.3) was conducted for the Original Project Scope (OPS) by NorthPoint Consulting Group in August of 2023 (Appendix 2D). The OPS was a 12-acre commercial cannabis cultivation project, whereas the current Proposed Project is a 3.1-acre commercial cannabis project. In addition, operational generators were accounted for in the AQA that are no longer proposed as part of the Proposed Project. Therefore, the AQA represents an extremely conservative estimate of GHG emissions from the

Proposed Project. It is likely that the true emissions of the Proposed Project are approximately 50%, or less, of the emissions estimated in the AQA.

The AQA estimated construction and operation GHG emissions using the California Emission Estimator Model (CalEEMod®) Version 2022.1 (Appendix 2D). Information for the CalEEMod Analysis was derived from applicant information and correspondence, and default parameters were used where appropriate (e.g., construction equipment list). Mitigation measures available in the model, such as carpooling, Title 24 compliance, the offset of propane use, and use of renewable energy, were not included in the analysis and therefore the CalEEMod analysis represents a maximum estimation of Project emissions. The results are summarized in *Table 9*.

Table 9: Construction and Operational GHG Emissions (Source: Air Quality Analysis, NorthPoint Consulting, 2023 – Appendix 2D)

Type	Maximum Proposed Project Annual CO_2e Emissions – Unmitigated (MT/year)	BAAQMD Significance Thresholds (MT/year)	Exceeds Threshold?
Construction	481	1,100	No
Operational	545	1,100	No

As can be seen in *Table 9*, emissions of GHGs of the OPS would be below the BAAQMD CEQA threshold, and therefore GHG emissions from the Proposed Project, which is 25% of the scale of the OPS, would also be below BAAQMD CEQA thresholds. Therefore, significant or cumulative impacts to the environment due to GHG emissions from the Proposed Project are not likely. Thus, the Proposed Project would not generate GHGs, either directly or indirectly, that would have a significant impact on the environment and impacts would be less than significant.

b) Finding: The project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gas. *Less than significant impact.*

Discussion: The Proposed Project would significantly impact GHG emissions if it were to conflict with an adopted plan, policy or regulation intended to reduce GHG emissions. The Proposed Project proposes a facility that would involve the cultivation of cannabis. For the purposes of this analysis, the Proposed Project was evaluated against the following applicable plans, policies, and regulations (also listed above).

1) Humboldt County Draft Climate Action Plan (2024)

The County prepared the Humboldt Regional Climate Action Plan (RCAP) public draft dated July 2024, which seeks to guide toward the State's goal to reduce GHG emissions by 40 percent below 1990 levels by 2030 and achieve carbon neutrality by 2045. The 2024 RCAP is undergoing a public review period. The RCAP was prepared to meet the requirements of CEQA guidelines Section 15183.5(b) as a "qualified" GHG reduction plan. By tiering projects from a qualified GHG reduction plan, CEQA analysis of GHGs can be streamlined for projects by establishing consistency with the RCAP and GHG emissions to be considered to have a less than significant impact. This Proposed Project, as mitigated and conditioned, is consistent with the following GHG reduction strategies listed in the RCAP:

- *Increase carbon-free electricity:* The Proposed Project would be powered by renewable energy, purchased through PG&E and through solar power. Mixed-light cultivation would not occur until required power sourced from a renewable source is brought to the site whether solar power or

completion of a PG&E upgrade. The Proposed Project would install solar panels on the roof of both the proposed ancillary dry barn and commercial processing building.
- *Decarbonization of new construction*: Although 2027 is the timeline for the decarbonization of 95% of new nonresidential building measure, the Proposed Project is designed for electrification through the installation of efficient electric equipment and solar.

2) Humboldt County General Plan – Air Quality Element (2017)

The Air Quality Element of the Humboldt County General Plan (Chapter 15) describes the County's policies to reduce GHG emissions and mitigate climate change. The General Plan provides GHG-related Goals and Policies for projects to meet, including the following relevant policies:
- *AQ-P1. Reduce Length and Frequency of Vehicle Trips:* In total, the Proposed Project anticipates about 37 daily trips during peak season operations. To reduce the frequency of vehicle trips, the Proposed Project would encourage employee carpooling.
- *AQ-P11. Review of Projects for Greenhouse Gas Emission Reductions,* which states that the County shall evaluate GHG emissions of new large-scale commercial projects for compliance with state regulations and require feasible mitigation measures to reduce GHG emissions. See Section 3.2.8.a.
- *AQ-P14. Solar Electric System Capacity,* which states that the County shall encourage and provide incentives to increase solar electric capacity in residential, commercial, and industrial sectors. The Proposed Project proposes the use of renewable energy, including solar.
- *AQ-P15. Energy Efficient Building Design,* which states that the County shall encourage and provide incentives for construction of buildings beyond Title 24 requirements. The Proposed Project would meet Title 24 requirements.

3) Humboldt County Commercial Medical Marijuana Land Use Ordinance (CMMLUO, 2016)

The Proposed Project would be powered by solar panels and a renewable energy plan from on-grid PG&E power. Although the CMMLUO requires 100% renewable sources only for indoor operations, the Proposed Project, using mixed-light cultivation techniques, would be designed to meet this standard.

4) California Air Resources Board Climate Change Scoping Plan (2022)

The 2022 Climate Change Scoping Plan developed by the California Air Resources Board (CARB) provides context and strategies to help achieve statewide greenhouse gas emission reduction goals. Appendix B of the Scoping Plan includes suggested actions that local governments can take to support the State's climate goals. The Project is consistent with the following applicable GHG reduction measures identified in the Scoping Plan:
- *Energy Efficiency / Green Building Strategy:* The proposed buildings associated with the Proposed Project would comply with the CBC and California Energy Code and thus would include the required energy features to be consistent with this measure.
- *Renewable Portfolio Standard to achieve 60% renewable energy mix statewide by 2030:* The Proposed Project would source energy from solar and PG&E. Solar is inherently a renewable energy source, and PG&E currently obtains 33% of its power supply from renewable energy sources, which is on track to meet the 60% renewable energy mix by 2030 (PG&E website, Accessed April 2024). If utilizing PG&E, the Proposed Project would be required to enroll in a PG&E renewable energy program, such as the "100% Solar Choice" plan or the "RePower+" plan (PG&E, 2024).
- *Million Solar Roofs Program:* The Proposed Project would comply with Title 24 energy requirements, which requires new buildings to be "solar ready". The Proposed Project includes a roof-mounted solar photovoltaic power system.

5) NCUAQMD Particulate Matter Attainment Plan (1995)

The NCUAQMD prepared a Particulate Matter Attainment Plan, Draft Report, in May 1995 with the goal of achieving and maintaining state ambient air quality standards for PM_{10}. This report includes a description of the planning area (North Coast Unified Air District), and emissions inventory, general attainment goals, and a listing of cost-effective control strategies. The NCUAQMD's attainment plan established goals to reduce PM_{10} emissions and eliminate the number of days in which standards are exceeded. The plan includes three areas of recommended control strategies to meet these goals – transportation, land use and burning. Control measures for these areas are included in the Particulate Matter Attainment Plan. Compliance with the control measures in the Particulate Matter Attainment Plan would not only result in a reduction of PM_{10} emissions but would also result in a reduction of GHG emissions. Control strategies focused on reducing transportation emissions, more efficient land use patterns, and reducing emissions from burning activities would also reduce the amount of GHG emissions. The Proposed Project would be designed to meet all CBC and Title 24 Standards.

Therefore, the Proposed Project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs and the impact would be less than significant.

Mitigation Measures

None.

3.2.9. HAZARDS AND HAZARDOUS MATERIALS

Would the Project:	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

Setting

The Proposed Project involves commercial cannabis cultivation and ancillary activities (including harvesting, bucking, drying, and trimming). Agricultural chemicals, including fertilizers, soil amendments, pesticides, fungicides, and petroleum products, including diesel and gasoline, would be used for agricultural operations. The Proposed Project site is located in Humboldt County near the community of Blocksburg, and has historically been used for agricultural, livestock grazing, recreational, residential, and timber harvesting purposes.

The California Code of Regulations (CCR) defines a hazardous material as a substance that, because of physical or chemical properties, quantity, concentration, or other characteristics, may either: (1) cause an increase in mortality or an increase in serious, irreversible, or incapacitating illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of, or otherwise managed (CCR, Title 22, Division 4.5, Chapter 10, Article 2, Section 66260.10). Pesticides, herbicides, fungicides, fertilizers, fuels, and solvents associated with the Proposed Project are considered hazardous materials. Hazardous wastes refer to hazardous materials that are no longer used and have been disposed of or are awaiting disposal.

The Department of Toxic Substances Control (DTSC) requires that local jurisdictions have a Certified Unified Program Agency (CUPA), which is in charge of conducting compliance inspection of sites that handle hazardous materials, generate or treat hazardous waste, and/or operate underground storage tanks. Locally, the Hazardous Materials Program of the Humboldt County Division of Environmental Health (DEH) is the acting CUPA in charge of hazardous material sites in Humboldt County. Under CUPA, a Hazardous Materials Business Plan would be required for projects that store greater than 55 gallons, 500 pounds, or 200 cubic feet of hazardous materials for 30 days or more at any time throughout the course of the year, or projects that produce any amount of hazardous waste (DEH, 2024).

Per the State Water Resources Control Board (SWRCB) GeoTracker website, there are no cleanup sites on the subject parcel (2024). The nearest Cleanup Program Sites are the "John Benbow" Site, a closed diesel cleanup site, and the "Craig Waste Oil Spill", a closed oil / lubricant cleanup site. Both sites are located approximately 2.61 miles southeast of the Proposed Project Area near Blocksburg. Additionally, per the DTSC EnviroStor website, there are no mapped hazardous waste or cleanup sites within a mile of the Proposed Project Area (2024).

The Proposed Project site has a CalEnviroScreen score between 25-30% (CalEnviroScreen 3.0, accessed February 2024). The CalEnviroScreen mapping tool helps identify California communities that are most affected by sources of pollution, and where people are often especially vulnerable to pollution effects. The scores are mapped so that different communities can be compared. Scores range between 1-100%. An area with a high score is one that experiences a much higher pollution burden than areas with low scores. The low score of 25-30% indicates that the Proposed Project Area is not likely to be recognized as a highly disadvantaged area from environmental pollution.

The CMMLUO includes Performance Standards for all CMMLUO Cultivation Operations, including the requirement to enroll in CUPA (if required), the requirement to properly store fuels, fertilizers, pesticides, fungicides, rodenticides, and herbicides, and the requirement to use approved pesticide products in compliance with State pesticide laws and regulations (§55.4.11 j).

The closest schools to the Proposed Project site are the Casterlin Elementary School and High School, located at 24790 Alderpoint Road south of Blocksburg (approximately 6.3 driving miles and 5 aerial miles from the

Proposed Project driveway), and the Bridgeville Elementary School, located at 38717 Kneeland Road in Bridgeville (approximately 16.8 miles driving miles north of the Proposed Project driveway). The closest airport is Dinsmore Airport, located approximately 12 miles northeast of the Proposed Project Area.

According to the Humboldt County Web GIS, the Project parcel contains High and Very High Fire Hazard Severity Zones. FEMA Flood Zones are located along Larabee Creek, outside of the Proposed Project Area. No portion of the property is located within a dam failure inundation zone. The Proposed Project is not located in the Coastal Zone and would not be impacted by a tsunami or sea level rise.

Analysis

a) Finding: The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. *Less than significant impact.*

Discussion: The Proposed Project site would be developed for the cultivation and processing of cannabis, which typically uses hazardous materials including fertilizers, herbicides, pesticides, petroleum products, as well as vehicle and equipment fluids and lubricants. These materials would be transported to the site and used at the facility. No disposal of hazardous materials would occur as part of the Proposed Project.

The risks associated with the routine transport, use, and storage of these materials during construction are anticipated to be relatively small. With appropriate handling and disposal practices consistent with the SWRCB Cannabis General Policy and General Order WQ 2019-0001-DWQ, there is relatively little potential for accidental release of hazardous materials during construction or operation. Storage and handling of materials would employ BMPs and BPTCs. The Site Management Plan required by the General Order would include provisions for safely refueling equipment, and spill response and containment procedures.

Fertilizers, nutrients, and soil amendments anticipated to be used include Earth Juice Rainbow Mix Pro Grow/Bloom, General Hydroponics Grow, gypsum, lime, dolomite, azomite, worm castings, alfalfa pellets, worm castings, compost, blood meal, bone meal, kelp, fish hydrolysate, feather meal, crab meal, and oyster shell. Pesticides anticipated to be used include biological controls, diatomaceous earth, sulfur products, neem oil, plant oils (e.g., cottonseed, clove), Green Cleaner, Dr. Zymes, Plant Therapy, Venerate, Regalia, and Grandevo, as needed (Appendix 1C – Cultivation and Operations Plan). Other legal pesticides, herbicides, fertilizers, nutrients, and soil amendments similar to the above could also be used during operations. Pesticides and fertilizers would be applied directly to plants and would be applied over 675 feet from the nearest off-site residence.

Petroleum products, including lubricants, gasoline and diesel, are currently stored onsite to maintain existing residential and agricultural operations (e.g. to power tools, equipment, etc.). Petroleum products associated with the Proposed Project would include gasoline and diesel stored in small-quantity sealed containers (e.g. 5-gallon gas cans). All petroleum products would be stored within secondary containment. Refueling of small equipment (e.g. weed whacker, tools, generator, etc.) would be conducted onsite over secondary containment and greater than 150 feet from any watercourses. Refueling of larger equipment (e.g., tractor or backhoe) would be conducted offsite at a properly licensed facility. Legal cleaning solvents (e.g., bleach) would also be stored and used onsite in the proposed buildings for general site husbandry.

In addition, the Proposed Project is required to enroll in the State Water Resources Control Board (SWRCB) for coverage under Order No. WQ 2019-001-DWQ. To comply with the Cannabis General Order, a Site Management Plan is required to be prepared prior to the commencement of cultivation operations. The SWRCB program and Humboldt County CMMLUO have "standard conditions" applicable to cannabis operations that

address impacts from the storage and use of hazardous materials which include the following requirements and performance standards:

- Any pesticide or herbicide product application would be consistent with product labeling and be managed to ensure that they would not enter or be released into surface or groundwater;
- Petroleum products and other liquid chemicals would be stored in containers and under conditions appropriate for the chemical with impervious secondary containment; and
- Implementation of spill prevention, control, and countermeasures (SPCC) and have appropriate cleanup materials available onsite.

BMPs and BPTCs outlined in the Cannabis General Order (refer to Attachment A of the Order on the SWRCB website) would be employed when storing, handling, mixing, application and disposal of all fertilizers, pesticides and fungicides. All nutrients, pesticides and fungicides would be located in a locked storage room, and contained within water-tight, locked and labeled containers in accordance with manufacturers' instructions. Application rates would be tracked and reported with the end of the year monitoring report required in the Site Management Plan. Employees responsible for application are trained to handle, mix, apply or dispose of pesticides/fungicides with proper hand, eye, body, and respiratory protection in accordance with the manufacturer's recommendations.

With appropriate storage, handling, and application practices that comply with the requirements of the NCRWQCB, the CMMLUO, and Humboldt County, it is not anticipated that the use of these materials at the facility would pose a significant hazard. Therefore, the Proposed Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, and a less than significant impact would occur.

b) Finding: The project would not 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. *Less than significant impact.*

Discussion: See above discussion in Section 3.2.9.a. The Proposed Project involves the cultivation and processing of cannabis which is a use that typically uses hazardous materials including fertilizers, herbicides, pesticides, petroleum products, as well as vehicle and equipment fluids and lubricants. As described in subsection a), fertilizers, pesticides, lubricants and oils (less than 5-gallons), and diesel (less than 10-gallons) would be stored and used at the site. The fertilizers and pesticides used by the Proposed Project would primarily be in five-gallon containers and stored within the proposed facility for containment.

Per County Code and the CMMLUO, if greater than 55 gallons of these hazardous materials is stored onsite, the applicant would file a Hazardous Materials Business Plan with the County Division of Environmental Health for the storage and handling of the various materials described above at the site. With appropriate storage, handling, and application practices, it is not anticipated that the use of these materials would pose a significant hazard. In the event of foreseeable upset and accident conditions, it is unlikely that these hazardous materials would be released in a manner that would create a significant hazard to the public or the environment. Therefore, the Proposed Project would not 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, and a less than significant impact would occur.

c) Finding: The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school. *No impact.*

Discussion: There are no schools located within 0.25 miles of the Proposed Project Area. The nearest school, the Casterlin Elementary School, is located greater than 5 aerial miles from the Proposed Project Area. The Proposed Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school. No impact would occur.

d) Finding: The project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would not create a significant hazard to the public or the environment. *No impact.*

Discussion: The Proposed Project site was not included on a site which is included on a list of hazardous materials sites, and no hazardous sites were identified within 2,000 feet of the Proposed Project Area (SWRCB Geotracker website and DTSC EnviroStor, 2024). Because the Proposed Project is not listed as a hazardous materials site, implementation of the Proposed Project would not create a significant hazard to the public or the environment. No impact would occur.

e) Finding: For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area. *No impact.*

Discussion: The Proposed Project Area is not located within an airport land use plan or within two miles of a public airport or public use airport. The nearest airport is Dinsmore Airport, located over 12 miles away. Therefore, the Proposed Project would not result in a safety hazard for people residing or working in the Proposed Project Area. No impact would occur.

f) Finding: The project would not impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan. *Less than significant impact.*

Discussion: The Proposed Project would use Alderpoint Road to access the Proposed Project Area. Alderpoint Road is a paved Category 4 County-maintained road. At the Proposed Project Area, onsite roads would include an emergency turnaround (Appendix 1A – Site Maps). No specific adopted emergency response plans or evacuation plans are present along Alderpoint Road that would be impacted. At any given time, no more than 18 people would be onsite for the Proposed Project. In the event of an emergency, if all 18 employees took individual cars to evacuate the site, 18 cars would not significantly impede traffic on Alderpoint Road or Highway 36 that could impair evacuation. Additionally, the applicant would supply local emergency services with the gate code or would install a lockbox for emergency access only.

The Proposed Project would be required to comply with the "State Minimum Fire Safe Regulations", also known as Subchapter 2, which establish the minimum Wildfire protection standards of the California Board of Forestry and Fire Protection (CAL FIRE) (14 C.C.R. §1270-1276.05) (2023). The State Minimum Fire Safe Regulations provides specific standards for roads providing ingress and egress, signing of streets and buildings, minimum water supply requirements, and setback distances for maintaining defensible space. The improvement plans for the Proposed Project would be reviewed by the County to verify compliance with the State's Minimum Fire Safe Regulations which would ensure that adequate access for emergency response and evacuation is provided. Therefore, the Proposed Project would not impair the implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan, and a less than significant impact would occur.

g) Finding: The project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to an urbanized area or where residences are intermixed with wildlands. *Less than significant impact.*

Discussion: The Proposed Project would be required to comply with the State Minimum Fire Safe Regulations (14 C.C.R. §1270-1276.05) (2023), which provides specific standards for roads providing ingress and egress, signing of streets and buildings, minimum water supply requirements, and setback distances for maintaining defensible space. The Proposed Project Area is accessed by Alderpoint Road, which is a paved County-maintained road, developed to Category 4 standards. The driveway entrance would be maintained in accordance with the County Department of Public Works, and the building permit approval process would be subject to approval by the Humboldt County Building Department to verify compliance with the State Minimum Fire Safe Regulations which would ensure that adequate access for emergency response and evacuation is provided.

Fire protection in Humboldt County is provided by local districts, cities, and CAL FIRE. The Proposed Project Area is within the Alderpoint Volunteer Fire Company Response Area. CAL FIRE identifies fire hazard severity zones in State Responsibility Areas (SRA) throughout California. According to Humboldt County Web GIS mapping, the Proposed Project Area is located in a Very High Fire Hazard Severity Zone within the SRA. The County of Humboldt Office of Emergency Services coordinates emergency response in Humboldt County through the Humboldt Operational Area. The Humboldt Operational Area is composed of the County of Humboldt, serving as the lead agency, and all political subdivisions (cities and Special Districts) within the county.

The risk of causing a wildfire would not be significant during construction and operation because the Proposed Project activities would comply with state and local requirements. Equipment shall be "fire-safe", i.e. operating under a fire safety plan and equipped with spark arrestors. The access road shall be maintained in a state such that it is free of vegetation during times of activity.

Fueling of vehicles/equipment during construction activities would occur off-site or be transported and dispensed from pick-up trucks equipped for such a purpose. During long-term operation of the project, fuel would be stored on-site for equipment use in containers designed for fuel storage that includes secondary containment.

As required by fire code, SRA improvements include management of trees and vegetation around existing structures to maintain the required 100-foot defensible space and all structures on the property meet the 30-foot SRA setback requirement from property lines. In addition, the Proposed Project includes one (1) 5,000-gallon water tank and associated fire riser dedicated to fire suppression. Therefore, the Proposed Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. Potential impacts would be less than significant, and no mitigation would be necessary.

Mitigation Measures

None.

3.2.10. HYDROLOGY AND WATER QUALITY

Would the Project:	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☒	☐	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
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;	☐	☐	☒	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐
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	☐	☐	☒	☐
iv) Impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

Setting

The Proposed Project is 3.1 acres of commercial cannabis cultivation and would create approximately 3.4 acres of new, impervious surface, including greenhouses, buildings, and water tanks, and would create approximately 6 acres of land disturbance in the Agriculture Exclusive zone on the 1,887-acre property, representing less than 1% of the Project Parcel.

The Proposed Project is in the 30,546-acre Upper Larabee Creek HUC-12 (#180101050601) subwatershed and is within the greater Lower Eel River watershed (*Figure 31*). The Lower Eel River watershed has a contributing acreage of 191,069 acres (Humboldt County Web GIS, 2024) and drainage area of 3,684 square miles (Friends of the Eel River, 2024). Larabee Creek, small tributaries, and the Salt River Area compose the three distinctive areas of the Lower Eel River watershed (EPA, 2007). Larabee Creek occupies the upstream and eastern portion of the watershed and corresponds with the Larabee Creek Hydrologic Subarea (HSA). At the headwater tributaries, Larabee Creek has open grasslands, oak, and associated ranching lands, then transitions from Douglas-fir to redwood forest at the confluence with the Lower Eel River. Small tributaries are located downstream of the confluence of the South Fork Eel River within the Scotia and Ferndale HSAs dominated by redwood forest. The Salt River is a flat delta area in the western half of Ferndale HSA. The Proposed Project parcel contains elevations ranging from 1200 to 2250 ft. above sea level and receives an annual average of 63 inches of precipitation, which can vary from year to year (PRISM, 2024).

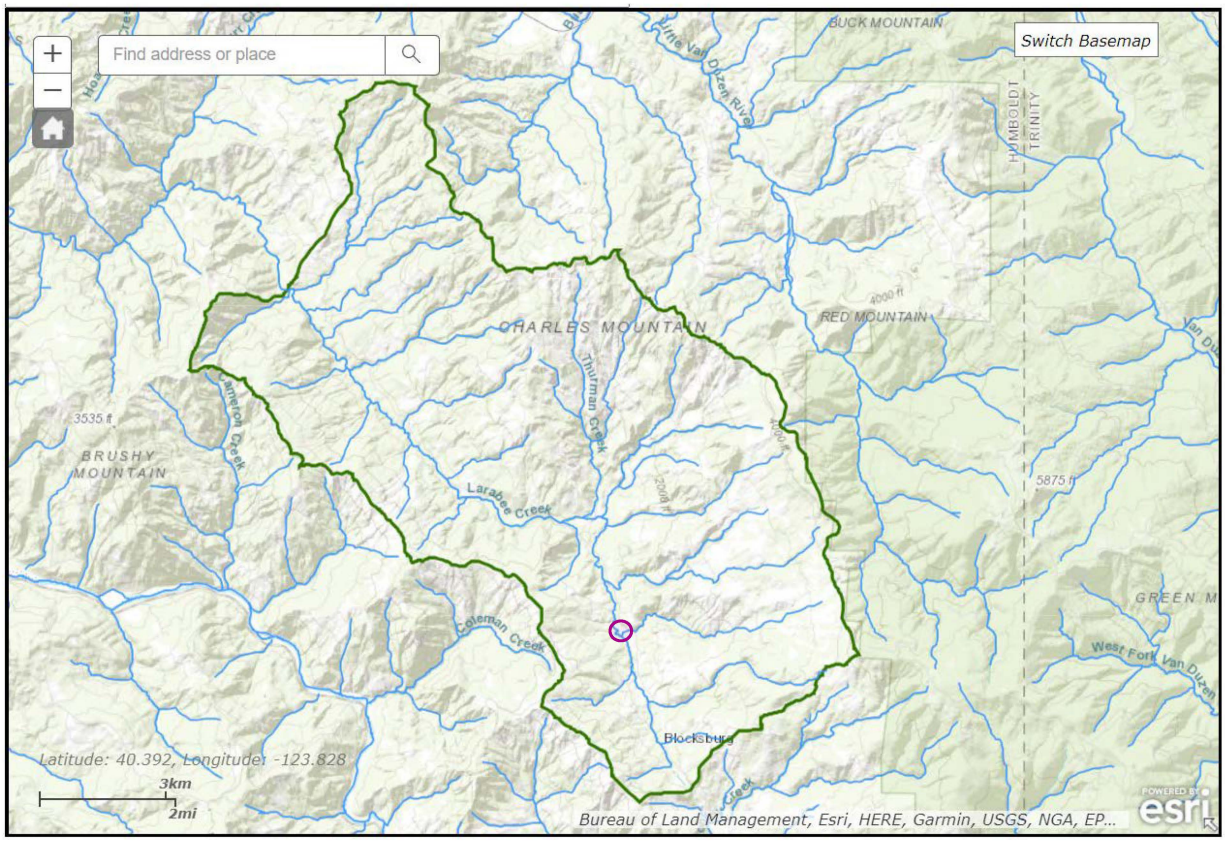


Figure 31. Approximate Proposed Project Area (purple circle) within the Upper Larabee Creek subwatershed (USGS, 2024).

Larabee Creek flows into the Eel River, which is the state's third largest watershed. The mainstem of the Eel River flows more than 200 air miles and travels over 800 river miles from the headwaters in Lake County to the Pacific Ocean (National Wild and Scenic Rivers System, 2024).

The parcel contains several watercourses, including Larabee Creek, a perennial Class I watercourse, Cooper Creek, a perennial Class I watercourse, Coleman Creek, a perennial Class I watercourse, and several unnamed ephemeral and intermittent watercourses (*Figure 3*). The Proposed Project has been designed to be outside of the 200-foot buffer from the top of bank and 100-foot buffer from the riparian dripline of Larabee Creek, and 150-foot setback from Cooper Creek (*Figure 15*). All watercourses generally flow westerly through the parcel and are tributaries to the Eel River. The site is not connected to a municipal storm drainage system. Using USGS StreamStats (Appendix 2U, 2024) for Larabee Creek, the bankfull channel width is approximately 30 ft, which determines the top of bank. As a result, a typical cross-section of watercourses and watercourse setbacks for the Proposed Project is displayed in *Figure 16*.

A total of 1.59 acres of wetlands have been delineated in and around the Proposed Project Area (*Figure 17*). An updated survey mapped 0.87 acres of wetlands that would be impacted by the Proposed Project (*Figure 24*, Appendix 2S, J. Regan Consulting, 2024). Animal grazing and trailing contribute to the low quality and low functioning of some of the wetland sites, suggesting the high likelihood of creating mitigation wetlands that are equally or better functioning.

A Lake and Streambed Alteration Agreement (LSAA) was issued for the Project under 1600-2020-0389-R1. The LSAA Notification was prepared by Mother Earth Engineering (February 13, 2020) and included jurisdictional items across the entire subject parcel. There are 23 total jurisdictional items, all of which include the maintenance, replacement, or installation of stream-crossing culverts. None of the jurisdictional items are located in the Proposed Project Area. Some of the stream crossings are located along the existing onsite roads used to access the existing wells, and proposed water tanks, located on the ridge. These crossings would be upgraded and maintained per the existing LSAA; they would not be impacted by the Proposed Project.

The National Wild and Scenic Rivers System map provides segment classification for designated rivers under the Wild and Scenic Rivers Act. The Eel River is a state (1972) and federal (1981) wild and scenic river designation. Under the Wild and Scenic Rivers Act, rivers can be classified as "wild", "scenic", or "recreational", depending on the specific characteristics of the portion of river. The segment closest to the Proposed Project Area holds a "Recreational" classification, meaning that it is a river readily accessible by road with some development along the shoreline.

The Lower Eel River Hydrologic Area (HA) within the Eel River Hydrologic Unit (HU) is listed as an "Impaired" waterbody per section 303(d) of the Clean Water Act, for excessive sediment/siltation, high temperature, low concentration of dissolved oxygen, and elevated levels of aluminum (EPA, 2024). Listing a waterbody as impaired for a particular constituent or stressor requires the development of Total Maximum Daily Load (TMDL), which is a pollution control plan for the waterbody and the associated constituent or stressor. The TMDL identifies the quantity of the constituent that can be safely assimilated by a waterbody without violating water quality standards. A TMDL for sediment and temperature in the Lower Eel River was established and adopted by the EPA on December 18, 2007. In 1992, the EPA added the Lower Eel River to California's 303(d) impaired waters list due to elevated sedimentation/siltation and temperature, as part of listing the entire Eel River basin. The North Coast Regional Water Quality Control Board has continued to identify the Lower Eel River as impaired. The TMDL includes numeric targets, source analysis, sediment loading rates, and implementation and monitoring recommendations within the Lower Eel River watershed (US

EPA, 2007). The primary purpose of the TMDLs for the Lower Eel River is to ensure that beneficial uses of freshwater habitat (such as salmonoid habitat) are protected from elevated levels of sediment and temperature.

Regarding groundwater, as part of the Sustainable Groundwater Management Act (SGMA), the California Department of Water Resources (DWR) prioritized 515 groundwater basins and subbasins in California as either high, medium, low, or very low based on eight components to determine which basins are in overdraft and/or require groundwater management. The Proposed Project is not within any basin subject to the SGMA, and there has been no Groundwater Sustainability Agency established with authority over the area where the three permitted wells for the proposed cultivation (Cow Knoll, Honey, and Jelly Bean) are sited (Lindberg Geologic Consulting, 2023). Cow Knoll, Honey, and Jelly Bean Well are located on the ridge of the Project Parcel (*Figure 6*) and have a low likelihood of being diversionary in a way that would affect adjacent wells, wetlands, or surface waters in the vicinity (Lindberg Geologic Consulting, 2023). (Attachments 2V, 2W and 2X)

The Project parcel contains a FEMA 1% Annual Chance Flood Hazard Area along Larabee Creek and the Cooper Creek confluence, however, the flood hazard area is outside of the proposed cultivation development. No portion of the property is located within a dam failure inundation zone.

The Proposed Project has been designed to meet all relevant Water Resources Goals, Policies, and Standards of the Humboldt County General Plan Water Resources Element (2017). Applicable Goals, Policies, and Standards include the following:

Goal WR-G2 **Water Resource Habitat.** River and stream habitat supporting the recovery and continued viability of wild, native salmonoid and other abundant coldwater fish populations supporting a thriving, commercial, sport and tribal fishery.

Goal WR-G8 **Restoration of Impacted River Flows**. Restoration of water flow regimes in the Trinity, Klamath, Eel, and all other river systems impact by out of basin water diversions to meet all beneficial uses, including salmon and steelhead recovery plans, recreational activities, and the economic needs of river dependent communities with no additional watershed exports from rivers flowing through the County that are detrimental to beneficial uses.

Policy WR-P10 **Erosion and Sediment Discharge.** Ministerial and discretionary projects requiring a grading permit shall comply with performance standards adopted by ordinance and/or conditioned to minimize erosion and discharge of sediments into surface runoff, drainage systems, and water bodies consistent with the best management practices, adopted TMDLs, and non-point source regulatory standards.

Policy WR-P12 **Project Design.** Development should be designed to complement and not detract from the function of rivers, streams, ponds, wetlands, and their setback areas.

Policy WR-P36 **Natural Stormwater Drainage Courses.** Natural drainage courses, including ephemeral streams, shall be retained and protected from development impacts which would alter the natural drainage courses, increase erosion or sedimentation, or have a significant adverse effect on flow rates or water quality. Natural vegetation within riparian and wetland protection zones shall be maintained to preserve natural drainage characteristics consistent with the Biological Resource policies. Stormwater discharges from outfalls, culverts, gutters, and other drainage control facilities that discharge into natural drainage courses shall be dissipated so that they make no significant

contribution to additional erosion and, where feasible, are filtered are cleaned of pollutants.

Policy WR-P42 **Erosion and Sediment Control Measures.** Incorporate appropriate erosion and sediment control measures into development design and improvements.

Standard WR-S6 **TMDLs Implementation.** Discretionary development within watersheds containing impaired water bodies as defined under Section 303(d) of the federal Clean Water Act and governed by the TMDL implementation consistent with applicable TMDLs.

Standard WR-S7 **Erosion and Sediment Discharge.** Ministerial and discretionary projects shall conform to grading ordinance standards for erosion and sediment control.

Standard WR-S9 **Projects in Proximity to Wild and Scenic Rivers.** Projects located within state designated wild, scenic, or recreational river basins shall be consistent with the guidelines in the State Wild and Scenic Rivers Act as amended.

Analysis

a) Finding: The project would not violate any water quality standards or waste discharge requirements. *Less than significant impact with mitigation incorporated.*

Discussion: Construction of the Proposed Project would include site preparation, grading, storage and use of construction materials, and the operation of heavy equipment. Until construction at the site is complete, soil and pavement particulate may become entrained in stormwater resulting in sediment being discharged from the site. In addition, stormwater discharge may include debris, particulate, and petroleum hydrocarbons as a result of improper storage of construction materials, improper disposal of construction wastes, discharges resulting from construction dewatering activities, and spilled petroleum products. No construction would occur in or within 150 feet of Class I (perennial) watercourses, 100 feet of Class II (intermittent) watercourses, or 50 feet of Class III (ephemeral) watercourses.

The Proposed Project would impact approximately 0.87 acres (37,912 sq. ft.) of relatively low-quality wetland habitat. The Wetland Mitigation Summary (J. Regan Consulting, 2024) proposes a mitigation ratio of 3:1 for an overall mitigation of 2.63 acres for the 0.87 acres of impacted seasonal wetlands from the Proposed Project. The 2.63 acres (114,563 sq. ft.) of wetland mitigation is comprised of 0.88 acres (38,753 sq. ft.) of new, wetland creation (greater than a 1:1 ratio of wetland creation, with no net loss), 0.20 acres (8,778 sq. ft.) of enhanced wetlands, 0.45 acres (19,602 sq. ft.) of riparian enhancement, and 1.1 acres (46,354 sq. ft.) of new riparian habitat along the bank of a small ephemeral stream that will be re-routed to Cooper Creek (*Figure 24*).

In total, 2.63 acres of wetland and riparian creation and enhancement would occur, for a mitigation ratio of 3:1 (required by **Measure BIO-7**). The realignment of the drainage would connect an ephemeral watercourse that flows under Alderpoint Road and currently outflows into the agricultural field, to Cooper Creek. A 50 ft. setback would be applied to the newly established drainage channel (Appendix 1A – Site Plan).

An existing permitted septic system serves the existing residence, and a new septic system is proposed to accompany the processing facility as part of the Proposed Project. Sufficient treatment would be provided for up to 20 employees based on a Septic Suitability Survey conducted by NorthPoint Consulting Group, Inc (Appendix 2Z – Septic Suitability Survey) in April 2024. The survey analyzed the soils and identified a potential leach field location with soils adequate to support a safe and effective onsite wastewater treatment system.

Based on the standard 35 gallons/person/shift and a conservative soil application rate of 0.4 at the most restrictive soil horizon encountered, an estimated 2,494 sq. ft. area is required for each primary and reserve leach fields for 20 employees. The Proposed Project would have less individuals at approximately eight (8) full-time employees during the cultivation season from May to November, up to 10 additional employees and seasonal laborers during peak seasonal events, such as harvesting and planting for a total of 18 employees. An area of approximately 8,861 sq. ft. was located that meets the requirements set by the Humboldt County Division of Environmental Health (Appendix 2Z – Septic Suitability Survey).

A permit would be obtained through the Humboldt County Division of Environmental Health and/or State Water Resources Control Board, as appropriate and required by regulating agencies, prior to the installation of the onsite wastewater treatment system. Any onsite wastewater treatment system components, including the septic tank and leach field would be outside of the Meadow Well, wetland, and riparian setbacks. Portable toilets and handwashing facilities would be provided onsite and serviced by a licensed provider prior to construction of the processing building.

HumSun 3, LLC would be required to enroll with the State Water Resources Control Board (SWRCB) for Tier 2, Low Risk under the Cannabis General Order prior to commencing cultivation operations. The Tier 2, Low Risk discharger status reflects the proposed operations of dischargers who disturb more than one (1) acre of land. The applicant's proposal would be required to keep all cultivation activities out of riparian and wetland setbacks to obtain, and maintain, Low Risk status with SWRCB. Within 90 days of enrollment in the Cannabis General Order, a Site Management Plan (SMP) would be developed utilizing Best Practicable Treatment or Control (BPTC) measures in accordance with the SWRCB recommendations in the Cannabis General Order and Policy. The SMP would include erosion prevention and sediment control BPTC Measures designed to prevent, contain, and reduce sources of sediment. The SMP also includes corrective actions to reduce sediment delivery and prevent erosion. Additional filings, monitoring, and furnishing of supporting documents once the Proposed Project is fully approved and developed would be coordinated with the SWRCB.

Irrigation of plants would consist of hand watering and drip irrigation and conservation and containment measures to prevent excess water use. Vegetated buffers between the cultivation activities and the riparian areas would be maintained.

With the implementation of operating restrictions, compliance with SWRCB Construction General Permit and Cannabis General Order, and incorporation of **Mitigation Measure BIO-7**, the Proposed Project would have less than significant impacts to water quality standards or waste discharge requirements.

b) Finding: The project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. *Less than significant impact.*

Discussion: In total, combining irrigation and non-irrigation water, the Proposed Project would utilize a maximum potential volume of 1,720,250 gallons per year. Estimated annual irrigation water demand for the Proposed Project is 1.575 million gallons per year (MGPY) and employee water use (drinking water and sink use) would be approximately 145,250 gallons per year. Water for the Proposed Project would be served by three permitted, non-diversionary groundwater wells and 250,000 gallons of associated storage (Appendix 1A – Site Plan). The estimated yield of the wells was 43,200 gallons per day at Jelly Bean Well, 43,200 gallons per day at Cow Knoll Well, and 14,400 gallons per day at Honey Well. Water would be pumped using existing solar on the wells and gravity fed to the water storage tanks.

Drinking water would be sourced from the three existing wells on the property and available from the sink in the employee break room and external taps/spigots. Using the standard 35 gallons per person per shift

(Humboldt County Local Agency Management Program, 2017), the estimated total employee water use would be 145,250 gallons per year. This is a conservative (high) estimate, considering that the numbers used are maximum employee counts, and currently no shower is proposed in the onsite ADA-restroom. Employee drinking water and water use would be an estimated 67,760 gallons for eight (8) full-time employees during eight (8) months out of the year and 77,490 gallons for the maximum eighteen (18) employees on site during the peak season four (4) months out of the year.

In August 2023, Lindberg Geologic Consulting assessed the hydrologic connectivity of the Jelly Bean, Cow Knoll, and Honey wells with any adjacent wells, wetlands, and/or surface waters and if pumping the well would significantly impact nearby wells, wetlands, and/or surface waters (Hydrologic Isolation from Surface Waters Reports for Jelly Bean, Cow Knoll, and Honey Wells, respectively, Appendices 2V, 2W, and 2X). According to the Reports, the aquifer for all three wells would be recharged by water infiltrating through the soil and mélange bedrock from source areas proximal to the well site and also ephemeral streams in the vicinity when they flow during runoff generating storm events in the winter wet season. Mean annual precipitation listed by the NRCS is between 49 to 90 inches per year. Cow Knoll, Jelly Bean, and Honey well are set within well-drained soils with a depth to the water table greater than 80 inches (Burgsblock-Coolyork-Tannin complex).

According to the Hydrologic Isolation from Surface Waters Reports (Appendices 2V-2X), if, during the wet season, ten percent (10%) of the low end of mean annual precipitation, 49 inches, is absorbed by the soils/bedrock and does not run off or be lost to evapotranspiration, then approximately 162 to 235 acre-feet, or 52 to 76 million gallons of water per year (MGPY), would be expected to recharge the local aquifers below the three wells. Recharge is estimated to be more than 29 acre-feet, or 9.5 MGPY within the 1000-foot radius of each well. Water use for the Proposed Project is estimated to be 1,720,250 gallons per year based on the irrigation demand (1,575,000 gallons per year) and annual employee water use (145,250 gallons per year). Therefore, groundwater recharge estimates would be greater than the Proposed Project water demand.

The Upper Larabee Creek subwatershed is 30,546 acres located within the greater Lower Eel River watershed (Humboldt County Web GIS, 2024) and has a drainage area of 3,684 square miles (Friends of the Eel River, 2024). Projected total water demand for the proposed commercial cannabis cultivation is 1,575,000 gallons per year. Lindberg Geologic Consulting assessed the potential for hydrologic connectivity for the Cow Knoll, Jelly Bean, and Honey wells (Appendices 2V-2X, 2023). All three resulted in a low likelihood of being diversionary in a way that would affect adjacent wells, wetlands, or surface waters in the vicinity.

The Proposed Project is not within any basin subject to the SGMA, and there has been no Groundwater Sustainability Agency established with authority over the area where the three permitted wells for the proposed cultivation (Cow Knoll, Honey, and Jelly Bean) are sited (Lindberg Geologic Consulting, 2023).

Therefore, the Proposed Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Impacts would be less than significant, and no mitigation would be necessary.

c. i) Finding: The project would not 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 result in substantial erosion or siltation on- or off- site. *Less than significant impact.*

Discussion: The wetlands and watercourse at the site are heavily impacted by cattle grazing and manure. The Proposed Project would create 0.88 acres of new wetland (a 1:1 wetland creation mitigation ratio, no net loss), and would enhance/create approximately 1.75 acres of wetland and riparian area through invasive species removal, native plantings, and realignment of a Class III ephemeral drainage and associated riparian vegetation. Refer to Section 3.2.4 - Biological Resources, section c) for the wetland mitigation plan. The redirected culvert

drainage feature would reroute an unnamed ephemeral stream that currently flows under Alderpoint Road onto the proposed cultivation area and redirect to flow into Cooper Creek (Appendix 1A – Site Plan). Redirecting the culvert would implement best management practices (BMP), and an amendment to the LSAA could be required. The Preliminary Grading and Site Drainage Plan identifies erosion and sediment control BMPs that would be implemented during construction:

- Site grading work would only occur during periods of dry weather, between April 15th and October 15th, unless otherwise authorized.
- Prior to construction, delineation of watercourse and wetland buffers would occur using stakes, flagging, or otherwise clearly identifiable markers.
- Prior to the onset of the wet season, non-plastic fiber rolls would be installed between the areas of construction and watercourse setbacks.
- Prior to the onset of the wet season, any exposed fill slopes would be seeded and strawed.
- Prior to the onset of the wet season, any construction materials (e.g., soil, gravel, etc.) would be either removed from the site or properly stabled with a tarp and straw wattles to prevent sediment discharge.

In addition, the forthcoming Site Management Plan would include site-specific corrective actions to ensure property maintenance and erosion control.

The Proposed Project would create approximately 3.4 acres of new, impervious surface, including greenhouses, buildings, and water tanks, and would create approximately 6 acres of land disturbance in the Agriculture Exclusive zone on the 1,887-acre property, representing less than 1% of the Project Parcel.

The estimated 3.4 acres of impervious surface created by the Proposed Project represents 0.2% of the total parcel size (1,887 acres) and approximately 0.01% of the Upper Larabee Creek watershed (30,546 acres). The increase in runoff due to the new impermeable surfaces would be minimal. Stormwater would be collected from new impervious surfaces and treated through a proposed bio-filtration swale.

With the implementation of operating restrictions, and compliance with SWRCB Construction General Permit and Cannabis General Order, the Proposed Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site. The applicant would follow all stream crossing upgrade requirements as outlined in an executed LSAA by the CDFW. Impacts would be less than significant, and no mitigation would be necessary.

c. ii) Finding: The project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. *Less than significant impact.*

Discussion: The Proposed Project would increase the amount of impermeable surface within the Project Area by approximately 3.4 acres, through construction of 38 greenhouses (30’ x 70’-145’), a drying and curing building, a processing building, and water storage tanks. The estimated 3.4 acres of impervious surface created by the Proposed Project represents 0.2% of the total parcel size (1,887 acres) and approximately 0.01% of the Upper Larabee Creek watershed (30,546 acres). The increase in runoff due to the new impermeable surfaces would be minimal. Stormwater would be collected from new impervious surfaces and treated through a proposed bio-filtration swale.

The Proposed Project would include a redirected culvert drainage feature to reroute an unnamed Class III ephemeral stream that currently flows onto the proposed cultivation area and redirect to flow into Cooper Creek (Appendix 1A – Site Plan). Redirecting the culvert would implement best management practices (BMP). An amendment to the LSAA may be required.

Minimal surface runoff from irrigation would be generated from the cultivation activities. Irrigation of plants would consist of hand watering and drip irrigation and conservation and containment measures to prevent excess water use.

With the implementation of operating restrictions, and compliance with SWRCB Construction General Permit and Cannabis General Order, the Proposed Project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. The Proposed Project impacts would be less than significant.

c. iii) Finding: The project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. *Less than significant impact.*

Discussion: The site is not connected to a municipal storm drainage system. Proposed Project would increase the amount of impermeable surface within the Proposed Project Area by approximately 3.4 acres, through construction of greenhouses, a drying and curing building, a processing building, and water storage tanks. The approximate 3.4 acres of impermeable surface created by the Proposed Project represents 0.2% of the total parcel size (1,887 acres) and approximately 0.01% of the Upper Larabee Creek watershed.

Stormwater would be collected from new impervious surfaces and treated through a proposed bio-filtration swale. To further prevent runoff to riparian areas, water conservation and containment measures would be implemented including the use of hand irrigation or drip irrigation with sensors to prevent excessive water use, and the maintenance of a stable, vegetated buffer between the cultivation area and the riparian zone.

The Proposed Project involves the cultivation and processing of cannabis that typically uses hazardous materials including fertilizers, herbicides, pesticides, petroleum products, as well as vehicle and equipment fluids and lubricants. As described in Section 3.2.9 Hazards and Hazardous Materials a), fertilizers, pesticides, lubricants and oils (less than 5-gallons), and diesel (less than 10-gallons) would be stored and used at the site. The fertilizers and pesticides used by the Proposed Project would primarily be in five-gallon containers and stored within the proposed facility for containment. During the wet season, any soil piles outdoors would be located in a flat area outside of riparian setbacks and winterized, likely with a tarp underneath the pile and straw wattles located around the pile to prevent leachate from entering surface waters.

The Proposed Project would be on existing flats with slopes at less than 10%. A Preliminary Site Grading and Drainage Plan (Appendix 1B) has been developed to address proposed onsite grading and stormwater runoff for the development of the site. Additionally, the Proposed Project has been designed to be outside of applicable riparian setbacks from mapped riparian setbacks. Prior to operation of the site, a Site Management Plan (SMP) would be created in accordance with SWRCB Cannabis General Order 2019-0001-DWQ. The SMP would detail operational Best Practicable Treatment or Control (BPTC) Measures which would be installed and adhered to for the duration of the Proposed Project, such as revegetating any bare or exposed soils, ensuring secondary containment and proper storage of all liquid products (including liquid fertilizers, pesticides, amendments, and petroleum products), and proper storage and disposal of waste materials (including organic plant matter and refuse). Such actions would reduce the potential for any materials from the Proposed Project to become pollutants. All hazardous materials, agricultural chemicals, and petroleum products would be stored in secondary containment, away from watercourses. In addition, prior to the start of construction, a Grading Permit would be obtained from the Humboldt County Building Department, which would detail onsite erosion and control measures in order to protect water quality.

With the implementation of operating restrictions, compliance with SWRCB Construction General Permit and Cannabis General Order including BPTC Measures, the Proposed Project would not create or contribute runoff

water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant, and no mitigation would be necessary.

c. iv) Finding: The project would not impede or redirect flood flows. *Less than significant impact.*

Discussion: A portion of the Proposed Project parcel contains a FEMA 1% Annual Chance Flood Hazard Area. The flood hazard area runs along Larabee Creek and the Cooper Creek confluence, however, the flood hazard is over 100 feet away from the edge of the proposed cultivation development (*Figure 16*). Since the Proposed Project would not impede or redirect flood flows, the project impact would be less than significant.

d) Finding: The project would not in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation*. Less than significant impact.*

Discussion: A portion of the Proposed Project parcel contains a FEMA 1% Annual Chance Flood Hazard Area. The flood hazard area runs along Larabee Creek and the Cooper Creek Confluence, however, the flood hazard area is outside of the proposed cultivation development (*Figure 7*, Appendix 1A – Site Plans). The Proposed Project would not expose people or structures to any kind of flooding event. The Proposed Project Area is not located within a dam failure inundation area according to Humboldt County Web GIS. Therefore, the Proposed Project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

Agricultural chemicals, including fertilizers, soil amendments, pesticides, fungicides, and petroleum products, including diesel and gasoline, would be used for agricultural operations. No disposal of hazardous materials would occur as part of the Proposed Project. With appropriate handling and disposal practices consistent with the SWRCB Cannabis General Policy and General Order WQ 2019-0001-DWQ, there is relatively little potential for accidental release of hazardous materials during construction or operation. Storage and handling of materials would employ BMPs and BPTCs. Petroleum products associated with the Proposed Project would include gasoline and diesel stored in small-quantity sealed containers (e.g. 5-gallon gas cans). All petroleum products would be stored within secondary containment. All nutrients, pesticides and fungicides would be located in a locked storage room, and contained within water-tight, locked and labeled containers in accordance with manufacturers' instructions.

Cultivation development has been designed outside of all appropriate watercourse setbacks, which further reduces the risk from the flood hazard area. The Proposed Project site is not located within a dam failure inundation area according to the Humboldt County Web GIS system. Therefore, the Proposed Project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

e) Finding: The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan*. Less than significant impact.*

Discussion: The Proposed Project is not within any basin subject to the Sustainable Groundwater Management Act, and there has been no Groundwater Sustainability Agency established with authority over the area where the three permitted wells for the proposed cultivation (Cow Knoll, Honey, and Jelly Bean) are sited (Lindberg Geologic Consulting, 2023). Cow Knoll, Honey, and Jelly Bean Well have a low likelihood of being diversionary in a way that would affect adjacent wells, wetlands, or surface waters in the vicinity (Lindberg Geologic Consulting, 2023). There are no conditions associated with the Proposed Project that would result in a conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan beyond what is described in the responses to subsections a) – d) above. The Proposed Project

includes compliance with the SWRCB Construction General Permit (CGP), if required, and enrollment in the SWRCB for coverage under Order No. WQ 2019-0001-DWQ, as required by the North Coast Regional Water Quality Control Board. Therefore, the Proposed Project would not otherwise substantially degrade water quality or conflict with or obstruct a water quality control plan or sustainable groundwater management plan.

Mitigation Measures

a) Refer to **Mitigation Measure BIO-7.**

3.2.11. LAND USE AND PLANNING

Would the Project:	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with the jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

Setting

The Proposed Project is located off of Alderpoint Road, approximately 2.8 miles north of the community of Blocksburg in the unincorporated area of Humboldt County. The subject parcel has historically been used for agriculture, livestock, grazing, timber, recreational, and residential uses. The Project parcel is an actively managed timber operation, with an active THP onsite (Cemetery Road Timber Harvest Plan (Record 1-23-00157-HUM)) approved on March 6, 2024. The property is zoned Agriculture Exclusive (AE) and Timberland Production Zone (TPZ) and has General Plan Land Use Designations of Agricultural Grazing (AG), Residential Agriculture (RA), and Timberland (T) (*Figure 8*, *Figure 9*). Surrounding land uses include agriculture, livestock/grazing, timberland, and rural residential uses.

Analysis

a) Finding: The project would not physically divide an established community. *No Impact.*

Discussion: The Proposed Project would not substantially alter existing land uses and all work would be completed within existing Agriculture Exclusive (AE) zoning. No residences or businesses would be demolished as part of the Proposed Project. The Proposed Project would continue to conduct agricultural activities on the project site. No activities are proposed that would physically divide an established community. No impact would occur as a result of the Proposed Project.

b) Finding: The project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. *Less than significant impact.*

Discussion: The Proposed Project site is zoned Agriculture Exclusive (AE). The Proposed Project would not result in changes to existing land use, zoning, or specific plans in Humboldt County. Land uses and zoning would remain unchanged.

The agricultural use associated with the Proposed Project would be consistent with the allowable land uses under the Humboldt County General Plan and Zoning Ordinance. The CMMLUO identified AE-zoned parcels as sites where cultivation, processing activities, and nurseries projects of this size and scope would be allowed, subject to the issuance of discretionary permits. The Proposed Project development would conform with all development standards of the AE zone. In addition, the Proposed Project would otherwise not conflict with any applicable goals, objectives, and policies of the Humboldt County General Plan and Zoning Ordinance. As discussed throughout this document, in all instances where potentially significant impacts have been identified, mitigation is provided to reduce each impact to less than significant levels.

The analysis contained in this document addressed the potential conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Proposed Project adopted for the purpose of avoiding or mitigating an environmental effect including, but not limited to, the Humboldt County General Plan and Land Use Ordinance, the Humboldt County Draft Climate Action Plan (2024), the HCAOG 20-Year Regional Transportation Plan (2021 Update), the HCAOG Regional Bicycle Plan Update (2018), and the NCUQMD Particulate Matter (PM_{10}) Draft Attainment Plan (1995). As discussed throughout this document, the Proposed Project would not conflict with any goals, policies, or objectives in the Humboldt County General Plan intended to mitigate potential environmental impacts.

Therefore, based on the analysis conducted in this document, it was determined that the Proposed Project was not in conflict with any adopted land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. A less than significant impact would occur.

Mitigation Measures

None.

3.2.12. MINERAL RESOURCES

Would the Project:	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and residents of the State?	☐	☐	☒	☐
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?	☐	☐	☒	☐

Setting

According to the Humboldt County General Plan, mineral production within the county is limited to sand, gravel, and rock extraction. Gravel bars and deposits from the large stream and flood plains supply most of the gravel needs of the County. Since costs for these materials are mostly associated with transportation, operations are usually located close to rural and urban development areas and used locally. Production of sand, gravel, and rock are essential for the continued well-being of the County. They are the basis for much of the construction materials for roads, concrete, streambank protection, erosion control, septic systems, and passive solar projects (Humboldt County General Plan, 2017).

No historical mining is known to have occurred on the property. Within the Proposed Project Area, there is no land classified as IR (Industrial Resource) which designates areas for resource-related industrial processing including mineral products. Additionally, there is no surrounding land classified under this designation. One parcel (APN 217-053-004), located adjacent to the subject property to the north, is a designated Surface Mining and Reclamation Act (SMARA) parcel for gravel mining along Larabee Creek. This parcel is located greater than 1.4 miles from the Proposed Project Area.

Land uses surrounding the parcel are comprised of rural residential, livestock/grazing, timber, and agricultural uses. Surrounding zoning designations adjacent to the property are Agriculture Exclusive (AE), Forestry Recreation (FR), and Timberland Production Zone (TPZ). Surrounding General Plan Land Use Designations consist of Agricultural General (AG), Residential Agriculture (RA), Timberland (T), and Public Lands (P).

Analysis

a) Finding: The project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. *Less than Significant Impact*.

Discussion: The Proposed Project site does not include any lands that are classified as MRZ-2 or any known locally important mineral resources. The Proposed Project is not within any mining operations. One gravel extraction parcel, APN 217-053-004, is located adjacent to the subject property to the north but greater than 1.4 miles away from the Proposed Project Area. The Proposed Project would have no direct or indirect impact on this parcel, nor any other known mineral resource parcels in the County. Therefore, a less than significant impact would occur.

b) Finding: The Proposed Project will not 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. *Less than Significant Impact.*

Discussion: There are no known mineral deposits of significance on the Proposed Project site. The parcel to the north, APN 217-053-004 appears in the Humboldt County General Plan as a rock and mineral extraction site, however, the Proposed Project would not impact this site. Therefore, implementation of the Proposed Project would not result in the loss of availability of a locally important mineral resource recovery site, and a less than significant impact would occur.

Mitigation Measures

None.

3.2.13. NOISE

Would the Project result in:	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or ground-borne noise levels?	☐	☐	☒	☐
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?	☐	☐	☐	☒

Setting

The Proposed Project is located off of Alderpoint Road north of the town of Blocksburg. Surrounding land uses consist of agricultural and timber operations, rural residential homes, and natural space. The Proposed Project is for 3.1 acres of mixed-light new commercial cannabis mixed-light cultivation in greenhouses, 6,000 sq. ft. building for ancillary nursery, drying, storage, and curing, and 1,280 sq. ft. commercial processing building for onsite trimming.

With approval of the Proposed Project, noise on the project vicinity would increase from construction and operational activities. Noise levels during levels during construction activities would increase temporarily from equipment (e.g. backhoe or bulldozer). Noise from operational activities would increase at the start of each cultivation season with equipment used for annual site preparation. Noise from operational activities would include vehicular and delivery truck traffic, employee noise, equipment noise, and a backup generator (if used).

The noise standards in the Humboldt County General Plan are based on the Community Noise Equivalent Level (CNEL), which is a measure that describes average noise exposure over a period of time (Humboldt County General Plan, 2017). Because communities are more sensitive to impacts from nighttime noise, noise descriptors must specifically take this time period into account. Common measures include the CNEL and the Day-Night Average Level (Ldn). Both reflect noise exposure over an average day, with greater weight given to noise occurring during the evening and night. The two descriptors are roughly equivalent, but CNEL is used in the General Plan for regulating cumulative noise exposure over a 24-hour period.

A standard construction wood frame house reduces noise transmission by 15 dB. Since interior noise levels for residences are not to exceed 45 dB, the maximum exterior noise level for residences is 60 dB without requiring additional insulation. In areas where CNEL noise levels exceed 60 dB, the need for additional noise insulation would vary depending on the land use designation; adjacent uses; distance-to-noise source; and intervening topography, vegetation, and other buffers. The building code provides standards for meeting noise insulation requirements (Humboldt County, 2017).

According to Table 13-C (Land Use/Noise Compatibility Standards) in the Humboldt County General Plan, normally acceptable noise levels go up to 91+ dB in an Agriculture land use category. Per Policy N-S1, the Land Use/Noise Compatibility Standards (Table 13-C) shall be used as a guide to ensure compatibility of land uses. Development may occur in areas identified as "normally unacceptable" if mitigation measures can reduce indoor noise levels to "Maximum Interior Noise Levels" and outdoor noise levels to the maximum "Normally Acceptable" value for the given Land Use Category.

The Proposed Project would be permitted under the Humboldt County Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The CMMLUO states that "*noise produced by a generator used for cannabis cultivation shall be no more than 60 decibels…[and] sound levels must show that they would not result in the harassment of the Marbled Murrelet or Spotted Owl species*" (§55.4.11(o)). The Proposed Project would have an onsite generator kept for backup purposes only, limited to power outage events, and would follow all guidelines set by Humboldt County and the State of California.

A Noise Study was prepared for the Proposed Project by Northpoint Consulting Group, Inc in August 2024 (Appendix 2Y) to evaluate the estimated noise volumes from fans installed in the greenhouses for the Proposed Project. The study included 24-hour recording intervals, to determine ambient noise levels, at two (2) monitoring locations closest to the nearest off-site residence to the southeast and closest to potential habitat areas (*Figure 32*). The Noise Study estimated the project-related noise to be 50 dB at the edge of the tree line, to the southwest of the Proposed Project Area. Noise from the Proposed Project was estimated using the inverse square law and was calculated based on the ambient noise plus the sound pressure from 152 Snapfans operating at full power within the greenhouses.

Analysis

a) Finding: The project would not generate 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. *Less than significant impact.*

Discussion: The Proposed Project proposes the cultivation and processing of cannabis in a designated agriculture area. Potential noise sources associated with the Proposed Project would include operational noises such as employee vehicle traffic, delivery truck traffic, equipment use (e.g. fans), and a back-up generator only during power outages, as well as temporary noises, including noise from construction. Activities associated with cultivation in the greenhouses (watering, transplanting, and harvesting) would generally occur during daylight hours. All other activities, such as processing, would typically occur no earlier than 7 AM and extend no later than 8 PM.

The Noise Study by NorthPoint Consulting (2024, Appendix 2Y) measured noise levels for 24-hours at two (2) Monitoring Locations described above. Noise recordings were taken using a type 2 digital sound meter mounted to a tripod. Measurements were recorded on April 19th, 2024. Recorded decibel readings in dBA were averaged across the 24-hour recording period to estimate the ambient noise levels on site. Recorded ambient noise levels at the two locations were 40.9 dB (Location #2) and 41.2 dB (Location #1). Maximum noise levels recorded at

the two locations were 67.9 dB (Location #2) and 77.6 dB (Location #1). Location #1 registered larger noise levels which is most likely due to the closer proximity to Alderpoint Road and associated vehicle noise.

Air circulation fans for the Proposed Project have the potential to increase ambient noise levels. When considering 38 proposed cultivation greenhouses and considering each greenhouse may utilize up to four (4) 28" variable speed SnapFan circulation fans (152 SnapFans total), or similar product, the total sound pressure levels, including the largest ambient level of 41.2 dB, would produce approximately 60.8 dB at 19.7 ft (*Figure 32*). All other cultivation activities would occur inside enclosed buildings and would not be anticipated to increase outside noise levels. Using the known sound pressure from a single SnapFan, the Noise Study deermined, using the logarithmic addition of sound levels, 152 SnapFans plus ambient noise would produce a sound pressure level of approximately 60.8 dB at, a distance of 19.7 feet from the fans. Proposed sound contours, at specific distances from the noise sources, were estimated using the inverse square law and mapped (*Figure 32*). The sound level at the nearest property line, which is at Alderpoint Road, is 44.2 dB and is 50 dB at the nearest edge of habitat.

Noise from generator use would be temporary in nature, housed in an accessory structure, and would be only used in case of a power outage. Humboldt County Code 314.91.2.5.4 states that emergency generator use must not exceed 60 dB.



Figure 32. Projected Noise Contours from Proposed Project (NorthPoint Consulting, 2024 – Appendix 2Y)

To ensure that the Proposed Project has back-up power in the case of a power outage during long-term operation, a generator would be kept onsite. The use of the backup generator would only occur during power outages or emergencies. In the event of generator use, to buffer noise levels generated by use of the back-up generators, generators would be housed in one of the accessory buildings. The use of generators would follow all guidelines set up by Humboldt County and the State of California.

Per Humboldt County General Plan Chapter 13, noise impacts for new development projects should be based on a comparison of the noise compatibility standards provided Table 13-C of the General Plan. The Community Noise Equivalent Level (CNEL) is used as a measure that describes average noise exposure over a period of time. CNEL is used in the General Plan for regulating cumulative noise exposure over a 24-hour period. Clearly acceptable CNEL levels, per Table 13-C of the General Plan, for residential land uses are CNEL of 50 dB. Clearly acceptable noise exposure is defined in the General Plan as "*the noise exposure is such that the activities associated with the land use may be carried out with essentially no interference. (Residential areas: both indoor and outdoor noise environments are pleasant).*" The maximum short-term day (6:00 AM to 10:00 PM) noise standard for AG land uses is 80 dBA. The maximum short-term night (10:00 PM to 6:00 AM) noise standard for AG land uses is 70 dBA (*Figure 33*).

SHORT-TERM NOISE STANDARDS (Lmax)		
Zoning Classification	Day (maximum) 6:00 a.m. to 10:00 p.m. dBA	Night (maximum) 10:00 p.m. to 6:00 a.m. dBA
MG, MC, AE, TPZ,TC, AG, FP, FR, MH	80	70
CN, MB, ML, RRA, CG, CR	75	65
C-1, C-2. C-3, RM, R-3, R-4	65	60
RS, R-1, R-2, NR	65	60

Figure 33: Humboldt County General Plan Short-Term Noise Standards for Zoning Classifications (Source: Humboldt County General Plan Noise Element, 2017)

Given the type of use (i.e., cannabis facility) and size of the Proposed Project, long-term operation of the Proposed Project would not be expected to result in a significant temporary or periodic increase in ambient noise levels exceeding the Humboldt County General Plan Noise Element Standards. Many of the Proposed Project activities would take place within the existing and new buildings which would significantly reduce noise levels.

Construction activities would result in a temporary increase in noise levels in the area. This noise increase would be short in duration and would occur during daytime hours. It is anticipated that construction would take approximately 18 weeks. Activities involved in construction would generate maximum noise levels from heavy equipment, as indicated in *Table 10* ranging from approximately 80 to 85 dB at a distance of 50 feet (Appendix 2Y - Noise Source Assessment & Mitigation Plan). Due to the size of the parcel (approximately 1,887 acres), surrounding topography, and distance to neighboring residences (675+ feet), temporary construction noise would likely be reduced beyond the boundaries of the site to acceptable levels.

Table 10. Construction Equipment Noise Levels (Source: Federal Highway Administration Construction Noise Handbook, 2006)

Type of Equipment	Maximum Noise Level (dB at 50 feet)
Dozer	85
Heavy Trucks	85
Backhoe	80
Pneumatic Tools	85

The Proposed Project would be conditioned to comply with the County's noise regulations which would ensure that impacts from the Proposed Project would be less than significant. Since the Proposed Project would be located near existing agricultural uses and in a rural environment and on a parcel of greater than 500 acres, noise levels are anticipated to be less than significant. Therefore, the Proposed Project would not expose persons to or result in the generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standard of other agencies. Impacts would be less than significant.

b) Finding: The Proposed Project will not expose persons to or generate excessive groundborne vibration or groundborne noise levels. *Less than significant impact.*

Discussion: Construction of the Proposed Project facilities would result in a temporary increase in noise levels in the area. Groundborne vibrations or groundborne noise levels would be short in duration and would occur during daytime hours. As previously mentioned, the distance to the nearest residence is located approximately 675 feet from the nearest cultivation facility. Given the distance of the nearest sensitive noise receptor and the temporary nature of construction, impacts from construction activities are considered less than significant.

Long-term operation of the Proposed Project facilities would not involve the regular use of heavy machinery or ground disturbing activities that would result in excessive groundborne vibration or groundborne noise levels. An agricultural tiller may be used at the beginning of the cultivation season, consistent with historic agricultural uses on the property and surrounding properties. Therefore, the Proposed Project would not expose persons to or generate excessive groundborne vibration or groundborne noise levels. The Proposed Project impacts would be less than significant, and no mitigation would be necessary.

c) Finding: The project would not, 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, expose people residing or working in the project area to excessive noise levels. *No impact.*

Discussion: The Proposed Project Area is not in the vicinity of a private airstrip, airport land use plan, or within two miles of a public airport or public use airport. The closest airport is Dinsmore Airport D63, located over 12.5 miles from the Proposed Project Area. Therefore, the Proposed Project would not expose people residing or working in the Proposed Project Area to excessive noise levels. No impacts would occur, and no mitigation would be necessary.

Mitigation Measures

None.

3.2.14. POPULATION AND HOUSING

Would the Project:	Potentially Significant Impact	Less-than-Significant Impact with Mitigation	Less-than-Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Setting

Humboldt County is a rural county with a large land area and low population density. The 2020 Census reported the county's population to be 136,463, which represents an increase of 1,840 over the population reported in the 2010 census (US Census Bureau, 2024). The Proposed Project is 2.8 miles north of the community of Blocksburg in the unincorporated area of Humboldt County. Blocksburg has an estimated population of approximately 254 people (Census Facts, 2024).

Analysis

a) Finding: The Proposed Project would not induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure). *Less than significant impact.*

Discussion: The Proposed Project would provide employment for eight (8) full-time employees during the regular cultivation season, and up to ten (10) additional employees/contract laborers during peak seasonal events, such as harvesting and planting, for a total of 18 employees. The Proposed Project is a commercial cannabis operation; no housing is proposed as a part of the Proposed Project.

Growth inducing impacts are generally caused by projects that have a direct or indirect effect on economic growth, population growth, or when the project taxes community service facilities which require upgrades beyond the existing remaining capacity. Providing employment for eight (8) full-time employees and up to ten (10) seasonal employees, for a total of 18 employees, is not likely to substantially increase population growth in the area. Therefore, the Proposed Project would not induce substantial population growth in the area either directly or indirectly. Impacts would be less than significant in this regard.

b) Finding: The project would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere. *No Impact.*

Discussion: The Proposed Project would not displace people or existing housing. The existing residence on the Proposed Project site is proposed to remain as a residence and would provide housing for a site caretaker. No new residences are proposed. Therefore, the Proposed Project would not displace a substantial number of

existing housing, necessitating the construction of replacement housing elsewhere. No impacts would occur in this regard.

Mitigation Measures

None.

3.2.15. PUBLIC SERVICES

Would the Project:	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
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:				
a) Fire protection?	☐	☐	☒	☐
b) Police Protection?	☐	☐	☒	☐
c) Schools?	☐	☐	☐	☒
d) Parks?	☐	☐	☐	☒
e) Other public facilities?	☐	☐	☐	☒

Setting

Fire Protection:

Fire protection within Humboldt County is provided by local districts and cities (often considered special districts). Areas outside of these special districts and cities are typically served by volunteer fire companies. In addition, much of the County is serviced by the California Department of Forestry and Fire Protection (CAL FIRE). CAL FIRE protection for the site is provided by the Humboldt-Del Norte Fire Unit, located in Fortuna, and services 3.1 million acres between the Oregon border and Mendocino County (CAL FIRE, 2024). CAL FIRE has responsibility for enforcement of Fire Safe Standards as required by Public Resources Code (PRC) 4290 and 4291.

The subject parcel is in a State Responsibility Area (SRA) and has areas of Very High and Fire Hazard Severity ratings, though the entire Proposed Project Area is located within a Very High area (Humboldt Web GIS, 2024, *Figure 35*).

Fire protection services for wildland fires are provided by CAL FIRE and the Alderpoint Volunteer Fire Company (VFC). CAL FIRE is the primary command and control dispatch for most local agency fire districts and departments, and generally would respond to an onsite wildfire. The Alderpoint VFC is a small, local volunteer fire response team that would respond generally to structure fires onsite. The Alderpoint VFC has a service area of approximately 128 square miles across Southern Humboldt (2022 Humboldt County Fire Chiefs Association Annual Report). Alderpoint VFC has approximately 17 volunteers, including nine (9) first responders and three (3) Emergency Medical Technicians. The nearest fire station to the site is the Alderpoint VFC Station, located at 19545 Alderpoint Road in the community of Alderpoint, located 11.6 driving miles south of the site, or 23 minutes, per Google Maps (2024).

Police Protection:

The Humboldt County Sheriff's Office is responsible for law enforcement in the unincorporated areas of the County including for the Proposed Project site. The Humboldt County Sheriff's Office provides a variety of public safety services countywide (court and corrections services) and law enforcement services for the unincorporated areas of the County. The California Highway Patrol is responsible for enforcing traffic laws on roadways within the unincorporated areas and on state highways throughout the County. The Sheriff's Office Operations Bureau is made up of seven units under the command of the Undersheriff. The most visible of these

units is the Patrol Unit. Sheriff's Deputies assigned to the Patrol Unit are responsible for responding to emergency calls for service, criminal investigations, and crime prevention through neighborhood and beat patrols. According to the Humboldt County General Plan Update EIR, in the more rural areas of the County, like the Proposed Project Area, maximum response times may reach 50 minutes because of longer travel distances, varied topography, available resources, and the location of the Sheriff Deputy on patrol in relation to the incident (Humboldt County, 2017).

Police and law enforcement services for the Proposed Project Area are provided by the Humboldt County Sheriff's Department. The closest sheriff's station is located in Garberville, approximately 30.7 driving miles from the Proposed Project Area, which is an approximately 1-hour drive (Google Maps, 2024).

Schools, Parks, and other Facilities:

The closest schools to the Proposed Project site are the Casterlin Elementary School and High School, located at 24790 Alderpoint Road south of Blocksburg (approximately 6.3 driving miles and 5 aerial miles from the Proposed Project driveway), and the Bridgeville Elementary School, located at 38717 Kneeland Road in Bridgeville (approximately 16.8 miles driving miles north of the Proposed Project driveway). There are no nearby parks. The nearest mapped Public Lands are located 2.12 miles west of the Proposed Project site.

Analysis

a) Finding: The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for fire protection. *Less than significant impact.*

Discussion: During peak operations, the Proposed Project would provide employment for approximately eight (8) full-time operations and up to ten (10) seasonal laborers. This would not significantly increase the population in the unincorporated area in Blocksburg as all employees would already live and work in Humboldt County.

The Proposed Project would be required to comply with the "State Minimum Fire Safe Regulations", also known as Subchapter 2, which establish the minimum Wildfire protection standards of the California Board of Forestry and Fire Protection (CAL FIRE) (14 C.C.R. §1270-1276.05) (2023). The State Minimum Fire Safe Regulations provides specific standards for roads providing ingress and egress, signing of streets and buildings, minimum water supply requirements, and set-back distances for maintaining defensible space. Improvement plans for the Proposed Project would be subject to approval by the Humboldt County Building Department to verify compliance with the Subchapter 2, which would ensure that adequate access for emergency response and evacuation is provided.

Due to the nature of the proposed cannabis uses and required compliance with fire code requirements, it is not anticipated that the Proposed Project would result in a significant increase in the number of calls-for-service to which the Alderpoint Volunteer Fire Company responds. As such, the Proposed Project would not result in the need for new or physically altered fire protection facilities. Therefore, impacts to fire protection services from the Proposed Project are considered less than significant and a less than significant impact would occur.

b) Finding: The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services for police protection. *Less than significant impact.*

Discussion: Due to the nature of the Proposed Project, there is the potential for security to be an issue and place a greater demand on law enforcement services provided by the County Sheriff's Department. All commercial cannabis facilities would be accessed from a driveway off of Alderpoint Road, behind a locked gate, and would be securely locked while not staffed or in use. Security lighting would be installed across the property as needed, and a fence would be constructed to surround the Proposed Project Area. Implementation of the Proposed Project security measures would minimize impacts on local law enforcement. As such, the Proposed Project would not result in the need for new or physically altered law enforcement facilities. Therefore, impacts to law enforcement services from the Proposed Project would be considered less than significant.

c)- e) Finding: The project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services schools, parks, or other public facilities including public health services and library services. *No impact.*

Discussion: The Proposed Project would not substantially increase the population in the Blocksburg area and would thus not create a demand for new schools, housing, parks, libraries, or public health services. No schools, parks, or other public facilities are located within a 5-mile radius of the Proposed Project Area. No new permanent residences are proposed. Therefore, no impacts would occur.

Mitigation Measures

None.

3.2.16. RECREATION

Would the Project:	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Setting

See Section 3.2.15 Public Services for a discussion of parks and recreational resources in the region.

Analysis

a) Finding: The project would not 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. *No impact*.

Discussion: The Proposed Project would not include new residences or features that would attract new residents or increase demand on parks and recreational trail systems. The Proposed Project would not directly induce population growth or otherwise result in an increased demand on existing recreational facilities. The Proposed Project would not provide direct access to or increase the use of recreational facilities in the region. No impact would occur in this regard.

b) Finding: The project would not include recreational facilities or require the expansion of recreational facilities which might have an adverse effect on the environment. *No impact.*

Discussion: The Proposed Project would not include construction of recreational facilities. The Proposed Project would not directly induce population growth or otherwise result in an increased demand on existing recreational facilities that would require the construction or expansion of recreational facilities. No impact would occur in this regard.

Mitigation Measures

None.

3.2.17. TRANSPORTATION

Would the Project:	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

Setting

The Proposed Project parcel is approximately 1,887 acres in size and is located off of Alderpoint Road in a rural area of Humboldt County, approximately 2.8 miles north of the community of Blocksburg. The site is located at 30855 Alderpoint Road, approximately 61.3 driving miles from Eureka and approximately 44 miles from Fortuna. The property is currently utilized for residential, recreational, timber, and livestock purposes.

To reach the site from Highway 101, turn off the Highway on exit 685 for State Highway 36 East. Travel for 23.9 miles and take a right onto Alderpoint Road. After driving 16.4 miles on Alderpoint Road, take a right into the property driveway (Appendix 1A – Site Plan, 2024).

Access to the site is from Alderpoint Road, a paved, striped, two-lane, county-maintained road developed to Category 4 Standards. Alderpoint Road runs from Bridgeville in the north to Garberville in the south. Per the Humboldt County General Plan, Alderpoint Road is considered a "Rural Major Collector". The site is accessed directly off of Alderpoint Road via a private driveway.

Traffic data about Alderpoint Road was not readily available at the time of publication of this CEQA document. The nearest publicly-available traffic data was for State Highway 36 at the intersection of Alderpoint, located approximately 16 miles north of the Proposed Project Area. Per Caltrans traffic counts conducted in 2021, the intersection of Highway 36 and Alderpoint Road receives approximately 1,950 Average Daily Traffic (AADT) trips (Caltrans, 2021).

Daily trips generated by the Proposed Project were estimated based on information on employee count, delivery truck trips, etc. from the Cultivation and Operations Plan (Appendix 1C):

Construction: During construction, it is estimated that 10-15 personnel would be needed for construction activities. During this period, it is expected that construction personnel would make two (2) trips per day to the site, as there are no nearby stores to exit for lunch, resulting in 20-30 trips per day. In addition, four (4) round trips per day would be expected from dump trucks or materials delivery trucks (based on an average of 2 deliveries per day). In total, construction activities are expected to average a maximum of 34 trips per day from employees and delivery trips. Larger equipment would be mobilized once at the beginning of the project, and out at the end of the project.

Operation: At full build-out, the Proposed Project would result in an average of 16 daily trips by full-time employees, 20 trips by seasonal contract laborers during peak seasonal events, and approximately 1 average daily truck trip for deliveries. Thus, at peak season during full build out, the maximum daily vehicle trips would be approximately 37. The 37 trips per day corresponds to peak seasonal events, which is anticipated to be less than 4 months out of the year (Appendix 1C – Cultivation and Operations Plan).

The Humboldt County Association of Governments (HCAOG) designates bicycle transportation routes in the County. No designated routes are located on Alderpoint Road or Highway 36 near the Proposed Project. The nearest designated bicycle route is located in Fortuna, approximately 25 air miles from the site (HCAOG, 2024).

According to the Humboldt County General Plan Circulation Element, most facilities dedicated to pedestrians are located in urban areas of Humboldt County. There are no existing or proposed pedestrian facilities, such as sidewalks, in the surrounding area of the Proposed Project Area (Humboldt County General Plan, 2017). The Great Redwood Trail, a proposed 307-mile multi-use trail connecting Humboldt County with the Bay Area, does not pass by the Proposed Project site or in the vicinity of the Proposed Project site (Great Redwood Trail Agency, 2024).

The Humboldt Transit Authority provides public transportation services across Humboldt County. No public transportation is available on Alderpoint Road, Highway 36, or anywhere near the Proposed Project parcel (Humboldt Transit Authority Website, 2024).

A draft of the Regional Climate Action Plan (RCAP) was made public for review on August 14th, 2024. The RCAP contains relevant information regarding VMT, however, no official thresholds or methodologies for rural project calculations are available in the RCAP. According to the RCAP, the County is currently developing VMT guidelines and thresholds. As of the date of this document, the draft RCAP has not been finalized, or adopted, nor have any VMT thresholds been made available.

The closest airport is Dinsmore Airport, located approximately 12 miles northeast of the Proposed Project Area.

Analysis

a) Finding: The project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. *Less than significant impact.*

Discussion: The Proposed Project Area would be accessed by Alderpoint Road, off of Highway 36, approximately 3 miles north of the community of Blocksburg. The site may also be accessed from the south, off of Alderpoint Road accessed from the community of Alderpoint.

Construction traffic for the Proposed Project would result in a short-term increase in construction-related vehicle trips on Alderpoint Road and, subsequently, Highway 36. A maximum of 34 trips per day would be anticipated during the construction period of 18 weeks. Construction would result in vehicle trips by construction personnel and haul-truck trips for delivery and disposal of construction materials. Due to their

short-term nature and consistency with other agricultural and cannabis projects in the area, construction activities would not result in substantial impacts to Alderpoint Road or State Highway 36.

Vehicle/truck traffic generated by long-term operation of the Proposed Project is estimated to generate up to 37 vehicle/truck trips per day during peak operations. These numbers take into consideration cannabis material and supplies being imported to the site and cannabis material being exported from the site. The proposed 37 daily operational trips are less than 2% of the 1,950 average daily traffic trips on State Highway 36 at the intersection of Alderpoint Road, representing a minor increase in traffic. In addition, the maximum of 37 daily operational trips during peak operations would only occur 4 months out of the year during peak seasonal events.

Alderpoint Road is a county-maintained, Category 4 road. Category 4 and Category 4 equivalent roads have been designated as roads that can support new agricultural cannabis projects (CCLUO, 2018). The applicant would maintain the intersection of Alderpoint Road and the private driveway, as required by the Humboldt County Department of Public Works.

Many of the programs, plans, ordinances, and policies addressing the circulation system in Humboldt County are tailored more toward urbanized centers (e.g., Eureka, Arcata, McKinleyville, etc.) rather than rural areas. Applicable plans include the Humboldt County General Plan and the Circulation Element, the HCAOG Regional Transportation Plan, also known as VROOM 2022-2042, and the RCAP. The Proposed Project is not in conflict with the Humboldt County General Plan, the CMMLUO, or the Regional Transportation Plan. In addition, as described above in Section 3.2.8 Greenhouse Gas Emissions, the RCAP, which includes guidance for rural VMT, has not yet been finalized nor adopted.

There are no pedestrian, bicycle, or transit facilities located within 0.25 miles of the Proposed Project site, which is consistent with the rural location and acceptable for the type of Proposed Project. Therefore, the Proposed Project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit. Impacts would be less than significant.

b) Finding: The project would not conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b). *Less than significant impact.*

Discussion: There is no public transportation available near the Proposed Project, so the majority of employees would need to commute to the site from more central locations.

CEQA Guidelines section 15064.3, subdivision (b), involves Vehicle Miles Traveled (VMT), which represents the total number of daily miles driven by persons traveling to and from a defined geographic area. VMT can vary broadly, depending on the type of project and the number of people commuting to the site from a variety of differences. CEQA Guidelines Section 15064.3, subdivision (b) ("CEQA Guidelines", for the purposes of this section) indicates that land use projects would have a significant impact if the project resulted in VMT exceeding an applicable threshold of significance.

The Draft RCAP was released in August 2024 for public review. Per the RCAP, the County is currently developing VMT thresholds for the region that would establish what amount of VMT change from development would be considered a significant impact, and what amount of VMT would require mitigations. Humboldt County has not yet adopted VMT thresholds of significance, nor are any draft thresholds available at the time of this writing.

According to the 2018 Technical Advisory on Evaluating Transportation Impacts in CEQA from the Governor's Office of Planning and Research, "projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than significant transportation impact", barring inconsistency with a Sustainable Communities Strategy or General Plan, or if VMT exceeds an applicable local threshold of significance (OPR, 2018).

Maximum daily trips during full operation would be 37, including employee and delivery traffic. The proposed 37 trips per day represent less than 2% of the traffic on State Highway 36, which does not represent a substantial increase in traffic compared to existing traffic volumes. As the maximum daily trips represent a minimal increase in traffic, and the maximum daily trips associated with the Proposed Project are significantly less than 110 trips per day, it is not expected for the Proposed Project to have a potentially significant level of vehicle miles traveled (VMT) and impacts related to CEQA Guidelines section 15064.3 subdivision (b) would be less than significant.

c) Finding: The project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). *Less than significant impact.*

Discussion: The Proposed Project would be accessed off of Alderpoint Road via a private driveway. The private driveway apron is greater than 60 feet in width, narrowing to approximately 13 feet in width at the gate, and has excellent visibility from both north and southbound lanes. No hazardous geometric designs, such as sharp curves, are present on the access driveway.

The private driveway is not used to access any other properties and would not increase danger to surrounding residents. Therefore, the Proposed Project would not result in hazards due to incompatible uses and would not substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersection) or incompatible uses (e.g. farm equipment). A less than significant impact would occur.

d) Finding: The project would not result in inadequate emergency access. *Less than significant impact.*

Discussion: The Proposed Project would use Alderpoint Road to access the project site. Alderpoint Road is a two-laned, paved, Rural Major Collector Road that is maintained by the County and meets Category 4 Road Standards.

The private driveway is wide enough to allow for adequate emergency vehicle access from both the northbound and southbound lanes on Alderpoint Road. In addition, the Proposed Project design incorporates a hammerhead turnaround for emergency vehicles (Appendix 1A – Site Maps). As an operating standard, the applicant would be required to provide local emergency services with the gate code or would install a lockbox for emergency access only.

The Proposed Project would not generate enough traffic during construction or operation (maximum of 34 or 37 trips per day, respectively) to indirectly impact emergency vehicle access on Alderpoint Road or State Highway 36 due to excess traffic.

The Proposed Project would be required to comply with the "State Minimum Fire Safe Regulations", also known as Subchapter 2, which establish the minimum Wildfire protection standards of the California Board of Forestry and Fire Protection (CAL FIRE) (14 C.C.R. §1270-1276.05) (2023). The State Minimum Fire Safe Regulations provides specific standards for roads providing ingress and egress, signing of streets and buildings, minimum water supply requirements, and set- back distances for maintaining defensible space. The improvement plans for the Proposed Project would be reviewed by the County to verify compliance with the State's Minimum Fire Safe Regulations, which would ensure that adequate access for emergency vehicles is

provided. Therefore, the Proposed Project would not result in inadequate emergency access. Impacts would be less than significant.

Mitigation Measures

None.

3.2.18. TRIBAL CULTURAL RESOURCES

Would the Project:	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) 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 Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1. In applying the criteria set forth in subdivision c) of Public Resource Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

Setting

As detailed in Section 3.2.5, a Cultural Resources Inventory Report (CRIR) was prepared for the property, including the Original Project Scope of 12 acres of cultivation. The CRIR was prepared by DZC Archaeology & Cultural Resource Management in March of 2020. Since the original publication of the CRIR, the project has been reduced significantly (from 12 acres to 3.1 acres) and is outside of areas of cultural significance or concern. See Section 3.2.5 for additional details.

The CRIR included an examination of archaeological site records and survey reports in the area as identified by Northwest Information Center (NWIC), included consultation with Tribal governments, and included six (6) field survey days of onsite investigations surveys by qualified archaeologists. No resources were identified in the Proposed Project Area.

The field surveys also identified two (2) new resources located on the property, greater than 1.4 miles from the Proposed Project Area, which were identified as historical resources under CEQA. One of the resources was

also classified as a unique archaeological resource. Neither of the resources were explicitly identified in the CRIR as Tribal Cultural Resources, but both are eligible for listing in the California Register of Historic Resources (DZC, 2020).

Analysis

a i-ii) Finding: The project will not cause a substantial adverse change in the significance of a tribal cultural resource listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code §5020.1(k). *Less than significant impact with mitigation incorporated.*

Discussion: See analysis in Section 3.2.5, Cultural Resources. During report preparation, on January 25, 2019, the Tribal Historic Preservation Officers (THPOs) and/or applicable Chairpersons from the following Tribal Governments were contacted about the Project: Big Lagoon Rancheria, Hoopa Valley Tribe, the Bear River Band of the Rohnerville Rancherias, the Cher-Ae-Heights Indian Community of the Trinidad Rancheria, and the Round Valley Indian Tribes of the Round Valley Reservation. By request, a site visit was conducted with the Bear River Band of Rohnerville Rancheria, in 2019. The recommendations in the CRIR reflect the discussions and recommendations, including the presence of a monitor, were developed after this site visit, in consultation with the Bear River Band of Rohnerville Rancheria.

The County sent out requests for official inter-governmental consultation, often called "AB 52" consultation, in August/September of 2021. Requests were sent to the Big Lagoon Rancheria, the Bear River Band of the Rohnerville Rancheria, the Karuk Tribe, the Round Valley Reservation / Covelo Indian Community, the Tsnungwe Council, and the Yurok Tribe. No responses were received, and on March 11, 2022, Notice of Closure of AB 52 Consultation letters were sent to all previously referred Tribal governments. On March 18, 2022, the Tribal Historic Preservation Officer (THPO) of the Bear River Band of Rohnerville Rancheria responded requesting additional details. After reviewing the proposed recommendations for the Proposed Project in the CRIR, the Bear River Band of Rohnerville Rancheria THPO responded to the County concurring with the recommendations and providing no further comment on the Proposed Project, provided that the recommendations were included as Mitigation Measures in the CEQA analysis (incorporated as **Mitigation Measure CUL-2**).

The Cultural Resources Investigation Report identified two historical resources as defined by Section 15064.5, one of which was also identified as an archaeological resource, within the 1,887-acre ranch but not within areas proposed for development. As described above, both resources are eligible for listing in the California Register of Historic Resources. Both are greater than 1.4 air miles from the Proposed Project Area. However, as the resources span an existing onsite road, used to access irrigation wells, the recommendations for resource protection in the CRIR have been included in this report as **Mitigation Measure CUL-2.**

Mitigation Measures

See Mitigation Measures CUL-1 and CUL-2 in Section 3.2.5 – Cultural Resources.

3.2.19. UTILITIES AND SERVICE SYSTEMS

Would the Project:	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electrical power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒	☐
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?	☐	☐	☐	☒
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?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Setting

The Proposed Project is for 3.1 acres of commercial cannabis cultivation, 6,000 sq. ft. of ancillary nursery, drying, storage, and curing, 1,280 sq. ft. of commercial processing building with an ADA-compliant employee restroom, and associated development of an onsite wastewater treatment system (OWTS). Existing onsite development includes a ±1400 sq. ft. residence and associated permitted septic and leach field system, four (4) permitted wells, a 5,000-gallon hard-sided water tank, two (2) agricultural barns, 200-amp residential power drop from PG&E, and gravel and natural-surfaced roads. The existing septic and leach field system serves the existing residence and would not be part of the Proposed Project.

Portable toilets and handwashing facilities will be provided onsite and serviced by a contracted provider until the proposed processing facility is constructed and the associated OWTS is installed. The OWTS would include an appropriately sized leach field and septic tank designed by a professional engineer. A Septic Suitability Survey was prepared by NorthPoint Consulting Group, Inc. in August of 2024 identifying a suitable area for the OWTS (Appendix 2Z). The proposed leach field and septic tank would be located outside of riparian setbacks and outside of the FEMA 1% Annual Chance Flood Hazard Area (Appendix 1A – Site Plans). The restroom within the proposed facility would be designed to meet ADA standards of accessibility and would include a flushable toilet and a sink with cold and hot running water.

The Proposed Project would use photovoltaic panels and existing and proposed electrical service from Pacific Gas & Electric (PG&E) to power the facilities. Roof-mounted solar power would be installed on the proposed buildings. Existing electrical service includes a 200-amp residential service, and a 1600-amp 3-phase PG&E upgrade is proposed for the mixed-light cultivation (exact load calculations to be designed by an electrical engineer). Prior to build-out of the full mixed-light greenhouses, light deprivation or outdoor cultivation techniques would be used, which would not require lighting for cultivation. Use of an on-site generator would be limited to backup and power outage events and would follow all guidelines set by Humboldt County and the State of California.

In Fall of 2022, it was widely reported by local news outlets that PG&E was close to reaching the limits of electrical transmission line capacity to southern Humboldt County, including to unincorporated areas outside of Blocksburg and the location of the Proposed Project (Lost Coast Outpost, September 19, 2022). Improvements to existing PG&E infrastructure to increase capacity are expected to cost millions of dollars and will take several years, if not decades (Lost Coast Outpost, 2022). The Proposed Project is located in the impacted area.

Water for the Proposed Project would be provided by three (3) existing, non-diversionary wells and proposed water storage comprised of 250,000 gallons in hard sided tanks (Appendix 1A – Site Plan). The Cow Knoll, Honey, and Jelly Bean wells would be used for irrigation, drinking, plumbing, and processing (e.g., handwashing, surface and tool cleaning, and toilet flushing) (Appendix 1C – Cultivation and Operations Plan). A total of 1,720,250 gallons of water would be sourced from the well annually for irrigation (1,575,000 gallons) and employee water use (145,250 gallons). Drinking water may also be imported as needed. An additional well is proposed to be used for cultivation if the well is deemed non-diversionary. Water use does not include the existing residential structure since all employees would commute to the site.

Waste generated from the Proposed Project would either be composted onsite or properly disposed of at licensed waste management authorities. Refuse containers are proposed to be located near the cannabis facilities in wildlife-proof enclosed bins. The Proposed Project would generate solid waste in the form of cannabis plant material (e.g., stems, leaves, rootballs) and agricultural refuse (e.g., pots, fertilizer bags, empty containers, packaging, etc.), similar to other agricultural operations. Organic cultivation-related waste, including rootballs, branches, and leaves would be hauled off site to a green waste management facility as needed. Trash and recycling from cannabis operations, including empty soil or fertilizer bags, liquid fertilizer bottles, cultivation supplies, etc., would be taken to Redway Transfer Station or Recology Eel River once every two weeks or as needed.

Analysis

a) Finding: The project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. *Less than significant impact.*

Discussion: The Proposed Project site is located within an unincorporated area of Humboldt County which does not have a public wastewater treatment system. Properties in this area function off of private systems. The existing residence on the Proposed Project parcel has an OWTS, including a septic tank and leach field. No changes, including relocation, are proposed to occur to the existing septic system.

The Proposed Project includes construction of a 1,280 sq. ft. commercial facility to serve as an employee break room and processing area. This building would include an ADA-compliant restroom and associated new OWTS used by employees, including a working flushable toilet, sink with hot and cold running water, and an engineered septic tank and leach fields. The location and soils associated with the proposed OWTS have been determined to be suitable for up to 20 employees, which is more than the maximum of 18 employees onsite during peak seasonal periods (Appendix 2Z, 2024).

The Proposed Project leach field and septic tank would be located outside of the Meadow Well, wetland, and riparian setbacks (*Figure 34*). These impacts are considered to be part of the Proposed Project's construction phase and are evaluated throughout this document. Therefore, the Proposed Project would not result in significant environmental effects due to the construction of new wastewater treatment facilities or the expansion of existing facilities.

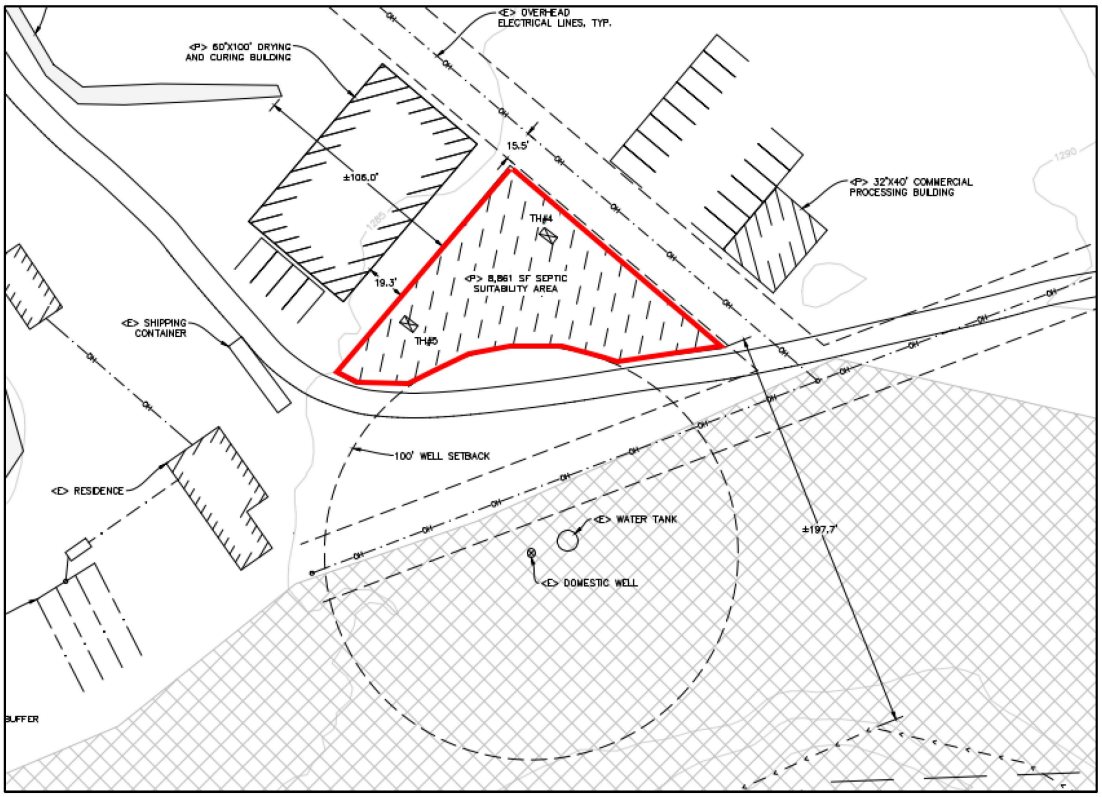


Figure 34: Septic Suitability Area (Source: Septic Suitability Survey, NorthPoint Consulting, 2024 - Appendix 2Z)

The Original Project Scope was referred to the Humboldt County Division of Environmental Health (DEH) in 2018. The DEH responded recommending that, prior to commencement of processing operations, structures in use by cultivation and processing personnel should be connected to a permitted OWTS. This has been incorporated as a Condition of Approval**.** No other adverse comments were received from DEH.

Prior to construction of the proposed processing building, a building permit, with an OWTS design would be submitted. The final septic system design would be reviewed for compliance with the requirements of the

NCRWQCB and the Humboldt County (DEH). Therefore, the Proposed Project would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.

Stormwater would be collected from new impervious surfaces to capture, treat, and infiltrate through a proposed bio-filtration swale (Appendix 1A – Site Maps). A grading permit would be obtained from the Humboldt County Building Department prior to construction. A Preliminary Site Grading and Drainage Plan has been designed for the Proposed Project by NorthPoint Consulting in 2024 (Appendix 1B). Any surface or stormwater runoff from the site is addressed in Section 3.2.10 (Hydrology and Water Quality) under subsections a) through c). Irrigation of plants would consist of hand watering and drip irrigation and conservation and containment measures to prevent excess water use.

At full buildout of the Proposed Project, the site would use the Cow Knoll, Jelly Bean, and Honey wells and storage tank(s) from well water for irrigation of cannabis and domestic needs. An additional well is proposed to be used for cultivation if the well is deemed non-diversionary of surface waters.

The Proposed Project would increase the amount of impermeable surface within the Proposed Project site by approximately 3.4 acres, through construction of greenhouses, a drying and curing building, a processing building, and water storage tanks. The Proposed Project site is located within the Upper Larabee Creek Watershed HUC-12 watershed at a contributing acreage of 30,568 acres. The approximate 3.4 acres of impermeable surface created by the Proposed Project represents less than 0.2% of the total parcel size (1,887 acres) and approximately 0.01% of the Upper Larabee Creek Watershed.

The Proposed Project includes a PG&E upgrade to be able to operate mixed-light cultivation techniques. As described above, southern Humboldt County is currently experiencing difficulty obtaining PG&E upgrades due to capacity issues in the transmission lines. If this power upgrade is unable to be obtained and sufficient power does not become available onsite, the mixed-light cultivation would not commence, per **Mitigation Measure EN-1**. The Proposed Project site has an existing 200-amp PG&E service. While on-site improvements may be required, large-scale new off-site infrastructure would not be required as to upgrade the PG&E service.

Therefore, the Proposed Project would not require or result in the relocation or construction of new or expanded utilities or service systems, the construction or relocation of which could cause significant environmental effects. Impacts would be less than significant.

b) Finding: The project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. *Less than significant impact.*

Discussion: Water for irrigation for the proposed commercial cannabis activities, including cultivation and nursery activities, would be provided by three existing permitted wells, associated storage, and an additional proposed well if deemed non-diversionary of surface waters. Projected total water demand for the Proposed Project irrigation is 1,720,250 gallons per year (Appendix 1C – Cultivation and Operations Plan). The estimated yield of the wells are 43,200 gallons per day at Jelly Bean well, 43,200 gallons per day at Cow Knoll well, and 14,400 gallons per day at Honey well – totaling 100,800 gallons per day. Approximately 250,000 gallons of storage is proposed. Water would be pumped to the 250,000-gallon water storage tank(s) from the wells via an onsite, above ground irrigation system.

Drinking water would be sourced from the three existing wells on the property and available from the sink in the employee break room, restroom, and external taps/spigots. Using the standard 35 gallons per person per shift (Humboldt County Local Agency Management Program, 2017), the estimated total employee water use would be 145,250 gallons per year.

The annual average precipitation for the Proposed Project Area in the past 30 years is 63 inches (PRISM, 2024). Lindberg Geologic Consulting assessed the potential for hydrologic connectivity for the Cow Knoll, Jelly Bean, and Honey wells (Appendix 2V-2X, 2023). All three resulted in a low likelihood of being diversionary in a way that would affect adjacent wells, wetlands, or surface waters in the vicinity. The aquifer tapped by the three wells is recharged by water infiltrating through the soil and mélange bedrock from source areas proximal to the well site. Ephemeral streams in the vicinity of the well likely also contribute recharge when they flow during runoff generating storm events during winter wet season.

Mean annual precipitation listed by the NRCS is between 49 to 90 inches per year. Cow Knoll, Jelly Bean, and Honey well are set within well-drained soils with a depth to the water table greater than 80 inches (Burgsblock-Coolyork-Tannin complex). If during the wet season, ten percent (10%) of the low end of mean annual precipitation, 49 inches, is absorbed by the soils/bedrock and does not run off or be lost to evapotranspiration, then approximately 162 to 235 acre-feet, or 52 to 76 million gallons of water per year (MGPY), may be expected to recharge the local aquifers below the three wells. Recharge can also be estimated to more than 29 acre-feet, or 9.5 MGPY within the 1000-foot radius of each well. Estimated annual irrigation water demand for the Proposed Project is 1.575 MGPY. According to the Lindberg Well analyses (Appendix 2V-2X), during the low end of the average annual precipitation (49 inches), there would be sufficient recharge to meet the proposed demand.

The Proposed Project is not within any basin subject to the Sustainable Groundwater Management Act, and there has been no Groundwater Sustainability Agency established with authority over the area where the three permitted wells for the proposed cultivation (Cow Knoll, Honey, and Jelly Bean) are sited (Lindberg Geologic Consulting, 2023).

Therefore, the Proposed Project would have sufficient water supplies available and reasonably foreseeable future development during normal, dry and multiple dry years, and a less than significant impact would occur.

c) Finding: The project would not result in a determination by the wastewater treatment provider, which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments. *No impact.*

Discussion: The Proposed Project parcel is located in an unincorporated area of Humboldt County near the community of Blocksburg, which does not have a municipal wastewater treatment system. A private OWTS would be constructed for a proposed 18 employees. Sufficient treatment would be provided for up to 20 employees based on a Septic Suitability Survey conducted by NorthPoint Consulting Group, Inc in April 2024 (Appendix 2Z – Septic Suitability Survey). The Septic Suitability Survey analyzed the soils and found a suitable leach field location with soils adequate to support a safe and effective OWTS. The proposed OWTS design would obtain final approval from the Humboldt County Division of Environmental Health. As the site is not connected to a wastewater treatment provider, no impact would occur.

d-e) Finding: The project would not 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, and the project would comply with federal, state, and local management and reduction statuses and regulations related to solid waste. *Less than significant impact.*

Discussion: The California Integrated Waste Management Act of 1989 (Public Resources Code Division 30), enacted through Assembly Bill (AB) 939 and modified by subsequent legislation, required all California cities and counties to implement programs to divert waste from landfills (Public Resources Code Section 41780). Compliance with AB 939 is determined by the Department of Resources, Recycling, and Recovery (Cal Recycle), formerly known as the California Integrated Waste Management Board (CIWMB). Each county is

required to prepare and submit an Integrated Waste Management Plan for expected solid waste generation within the county to the CIWMB. In 2010, the State legislature passed AB 341 (Chesbro) which set a statewide recycling goal of 75% by 2020 which is anticipated to be achieved through source reduction, recycling, and continued diversion of materials such as organic wastes. According to the Humboldt County General Plan Update Revised Draft EIR, the 2017 waste diversion rate for the unincorporated area of the county was 74% (Humboldt County General Plan, 2017).

The Proposed Project would comply with all federal, state, and local statutes related to solid waste, including AB 939. This would include compliance with the Humboldt Waste Management Authority's recycling, hazardous waste, and composting programs in the county to comply with AB 939. Solid waste generated by the Proposed Project would include the following: 1) plant material, nutrient supplement and soil containers, etc. generated from the cultivation, nursery, and breeding activities; 2) plant material generated from the processing activities; and 3) typical office and domestic solid waste generated by the employees.

Trash and recycling containers would be located near the cultivation facilities in a safe and enclosed location to prevent animal intrusion. Garbage and recycling would be hauled offsite two times per month or as needed to nearest waste management authority. Items that can be recycled would be separated and recycled. Stalks would be chipped for ground cover and composted. Spent potting soil would be stored in a contained area with environmental measures in place and would be covered during winter months and then amended in pots before further use.

The Humboldt County General Plan Waste Management Section of the Conservation and Open Space Element (2017) includes waste diversion goals. According to the General Plan, in 2012 the County as a whole disposed of 84,145 tons of solid waste in landfills, with approximately 43% or 36,182 tons emanating from the unincorporated areas of Humboldt County. The General Plan encourages implementation of waste reduction programs, including recycling.

According to the Humboldt County General Plan Update Revised Draft EIR, Eel River Disposal manages the transport of self-hauled and non-HWMA member waste, as well as waste received at the Redway Transfer Station. Solid waste is transported for disposal to the Anderson Landfill for disposal by Eel River Disposal, and Alves Inc. also hauls residual waste from its operation to Anderson, California. This landfill is not expected to close until 2036 (Humboldt County, 2021). The Proposed Project would generate waste comprising a miniscule percentage of waste generated by the County. Additionally, the Proposed Project intends to divert waste from landfills where possible by reusing usable products and recycling. Therefore, the Proposed Project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs, would not produce waste in excess of state or local standards or impair attainment of solid waste goals, and would not violate any federal, state, or local statuses and regulations related to solid waste. Impacts would be less than significant.

Mitigation Measures

None

3.2.20. WILDFIRE

If location near state responsibility areas or lands classified as very high hazard severity zones, would the Project:	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c) Require the installation or maintenance of associated infra-structure (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?	☐	☐	☒	☐
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?	☐	☐	☒	☐

Setting:

The Proposed Project site is located near the community of Blocksburg, in rural Humboldt County. Fire protection in Humboldt County is provided by local districts, cities, and CAL FIRE. The Project site is within the CAL FIRE State Responsibility Area (SRA), and, locally, is within the Alderpoint Volunteer Fire Company (VFC) Response Area. It is not located within a Fire Protection District or a Firewise Community.

In the event of a fire, the Proposed Project would be serviced by the Alderpoint VFC and CAL FIRE. According to the Humboldt County General Plan, in general, local agencies (e.g., the Alderpoint VFC) would be responsible for structural fire protection onsite, and state and/or federal agencies (e.g., CAL FIRE) would be responsible for wildland fire protection onsite. The Alderpoint VFC is a small, local volunteer fire response team, with a service area of approximately 128 square miles across Southern Humboldt (2022 Humboldt County Fire Chiefs Association Annual Report. Alderpoint VFC has approximately 17 volunteers, including nine (9) first responders and three (3) Emergency Medical Technicians, and the nearest fire station to the site is the Alderpoint VFC Station, located at 19545 Alderpoint Road in the community of Alderpoint. This station is located 11.6 driving miles south of the site, or 23 minutes, per Google Maps. In addition, a CAL FIRE Fire

Station is located 17.1 miles north of the site, in Bridgeville, approximately 33 driving miles from the site, per Google Maps.

CAL FIRE identifies fire hazard severity zones in SRAs throughout California. The Proposed Project parcel designations of High and Very High Fire Hazard Severity (CAL FIRE, 2024). The Proposed Project Area has a designation of Very High Fire Hazard Severity (*Figure 35*).

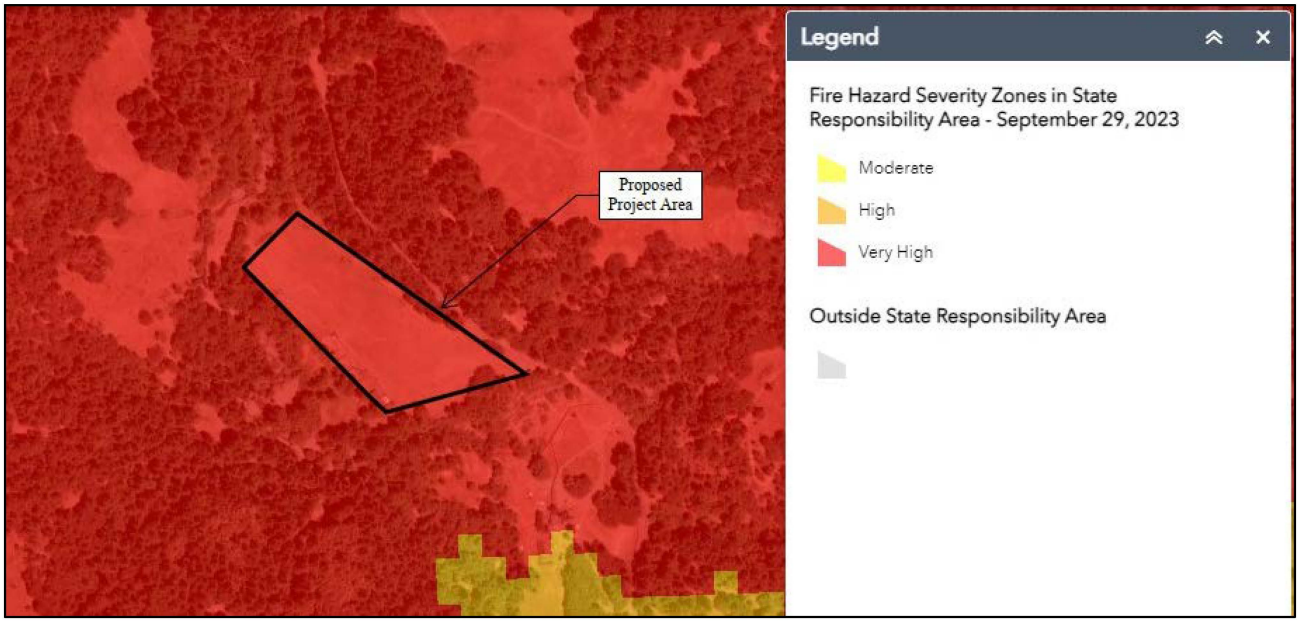


Figure 35: Fire Hazard Severity Zone of the Proposed Project Area (Source: CAL FIRE, 2024)

There are no historical records of fires on the subject parcel, or within the Proposed Project Area. The nearest mapped historical fire is the Charles Fire, in 1988, which burned approximately 1,188 acres and is located approximately 1.2 miles northeast of the Proposed Project Area (Humboldt County Web GIS, 2024).

The County of Humboldt Office of Emergency Services (OES) coordinates emergency response in Humboldt County through the Humboldt Operational Area. The Proposed Project Area lies within Evacuation Zone HUM-E167, per the OES website (Zonehaven, 2024). The Humboldt Operational Area is composed of the County of Humboldt, serving as the lead agency, and all political subdivisions (cities and Special Districts) within the county.

Policies, ordinances, and regulations that oversee wildfire-related preparedness and response include the California Governor's Office of Emergency Services State of California Emergency Response Plan (2024), California Public Resources Code, California Board of Forestry and Fire Protection State Minimum Fire Safe Regulations (2023), Humboldt County General Plan, Humboldt County Community Wildfire Protection Plan, and the Humboldt County Emergency Operations Plan.

Analysis

a-d) Finding: The project would not substantially impair an adopted emergency response plan or emergency evacuation plan; would not, 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; would not require the installation or maintenance of associated infrastructure (e.g., roads, fuel breaks, emergency water sources) that may exacerbate fire risk or that may result in temporary or ongoing impacts to

the environment; and would not 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. *Less than significant impact.*

Discussion: The Proposed Project Area is located within a Very High Fire Hazard Severity Zone (CAL FIRE, 2024), meaning that the site is extremely prone to wildfire hazard. This is common throughout Humboldt County, especially in the drier, eastern areas of the County.

The Proposed Project would use Alderpoint Road to access the Proposed Project Area. Alderpoint Road is a two-laned, paved, Rural Major Collector Road that is maintained by the County and meets Category 4 Road Standards. The Proposed Project would not generate enough traffic during construction or operation (maximum of 34 or 37 trips per day, respectively) to indirectly impact emergency vehicle access on Alderpoint Road or State Highway 36 due to excess traffic, or to substantially impair an adopted emergency response plan or emergency evacuation plan. CAL FIRE reviewed the application, and in an email dated October 4, 2017 had no adverse comments.

The risk of causing a wildfire would not be significant during construction and operation because the Proposed Project activities would comply with state and local requirements. Per CAL FIRE requirements, equipment would be "fire-safe", i.e. operating under a fire safety plan and equipped with spark arrestors. The access road would be maintained in a state such that it is free of vegetation during times of activity. PG&E power is already in existence onsite, and no offsite improvements are proposed.

Fueling of vehicles/equipment during construction activities would occur off-site or be transported and dispensed from pick-up trucks equipped for such a purpose. During long-term operation of the project, fuel would be stored on-site for equipment use in containers designed for fuel storage that includes secondary containment.

As required by fire code, all of the proposed buildings, except the greenhouse structures and the drying barn, would be developed with fire suppression systems. SRA improvements include a designated SRA tank, an SRA turnaround, management of trees and vegetation around existing structures to maintain the required 100-foot defensible space and all structures on the property meeting the 30-foot SRA setback requirement from property lines. In addition, the Proposed Project includes one (1) 5,000-gallon water tank and associated fire riser dedicated to fire suppression.

Slopes in the Proposed Project Area are relatively flat, ranging from 0% to 8%, and relatively flat slopes surrounding the development. No development is located within a 100-year flood zone, and no recent historic fires are located nearby. Therefore, it is not anticipated that the Proposed Project would expose people or structures to post-wildfire risks such as slope instability or runoff.

The Proposed Project would be required to comply with the "State Minimum Fire Safe Regulations", also known as Subchapter 2, which establish the minimum Wildfire protection standards of the California Board of Forestry and Fire Protection (CAL FIRE) (14 C.C.R. §1270-1276.05) (2023). The State Minimum Fire Safe Regulations provides specific standards for roads providing ingress and egress, signing of streets and buildings, minimum water supply requirements, and setback distances for maintaining defensible space. The Proposed Project site is accessed by Alderpoint Road, which is developed to Category 4 standards. Improvement plans for the Proposed Project would be subject to approval by the Humboldt County Building Department to verify compliance with the State's Minimum Fire Safe Regulations, which would ensure that adequate access for emergency response and evacuation is provided. Therefore, a less than significant impact would occur.

Mitigation Measures

None.

3.2.21. MANDATORY FINDINGS OF SIGNIFICANCE

Would the Project:	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) 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.)	☐	☒	☐	☐
c) Have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Setting:

The project information provided for each of the topics above has been reviewed for all actions associated with the it, during both temporary construction and long-term operation. Based on the project description and its location, the Proposed Project would not result in any significant impacts with the incorporated operating restrictions, mitigation measures, as well as those standards and requirements of other regulating resource agencies.

Analysis

a) Finding: The Proposed Project will not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. *Less than significant impact with mitigation incorporated.*

Discussion: All impacts to the environment, including impacts to habitat for fish and wildlife species, fish and wildlife populations, plant and animal communities, rare and endangered plants and animal species, and historical and prehistorical resources were evaluated as part of the analysis in this document. Where impacts were determined to be potentially significant, mitigation measures have been imposed to reduce those impacts to less-than-significant levels. Work associated with riparian and wetland creation and enhancement within the SWRCB General Order watercourse setbacks and the SMAO watercourse buffers would be temporary in nature. Mitigation Measures BIO-1, BIO-3, BIO-5, and BIO-6 have been incorporated to include pre-construction surveys to review the site for sensitive or special-status plant, bird, amphibian, reptile, and mammals. Mitigation

Measure BIO-2 has been incorporated to prevent anticoagulant rodenticide poisoning and bioaccumulation in birds, amphibians, and reptiles. Mitigation Measure BIO-4 has incorporated noise monitoring and reporting during the NSO nesting season once noise generating fans have been implemented. Mitigation Measure BIO-7 has implemented wetland mitigation for unavoidable impacts to low quality wetlands to create and enhance high functioning wetlands. BIO-8 has incorporated a mitigation memorandum for unavoidable impacts to California oat grass (*Festuca idahoensis – Danthonia californica).* Accordingly, with incorporation of the mitigation measures imposed throughout this document, the Proposed Project would not substantially degrade the quality of the environment and impacts would be less than significant.

b) Finding: The Proposed Project will not have impacts that are individually limited, but cumulatively considerable. ("Cumulatively considerable" means that the incremental effects of a Proposed 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) (CEQA Guidelines §§ 15064(h)(1), 15355). *Less than significant impact with mitigation incorporated.*

Discussion: This mitigated negative declaration documents the Proposed Project's design features and clear, specific mitigation measures that eliminate the Proposed Project's potential, project-specific impacts on the environment or mitigates its potential impacts to a less-than-significant level. A "lead agency may determine in an initial study that a project's contribution to a significant cumulative impact would be rendered less than cumulatively considerable and thus is not significant." (CEQA Guidelines, § 15064(h)(2)).

When making this determination, the lead agency may conclude that the effects of a project under review would not be cumulatively considerable where "there is no evidence of any individual potentially significant effect." *(Sierra Club v. West Side Irrigation District* (2005) 128 Cal.App.4th 690, 701-702 (*Sierra Club*), citing *Leonoff v. Monterey County Board of Supervisors* (1990) 222 Cal.App.3d 1337, 1358 (*Leonoff*). Importantly, the "mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the Proposed Project's incremental effects are cumulatively considerable." (CEQA Guidelines § 15064(h)(4)).

A lead agency's analysis of cumulative impacts in a mitigated negative declaration is not the same as the analysis required in an EIR. In the mitigated negative declaration context, the lead agency's obligation is to determine whether the incremental effects of the project under review are "considerable". (*San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1996) 42 Cal.App.4th 608, 624-635 (*San Joaquin Raptor*)). A lead agency's investigation of this question, further, does not require "some sort of grand statistical analysis" or other detailed inquiry of the type that could be appropriate in an EIR. (*San Joaquin Raptor*, p. 625). A lead agency, as noted, can correctly conclude that the impacts of a project under review are not cumulatively considerable when there is no substantial evidence that any incremental impacts of the project are potentially significant. (*San Joaquin Raptor*, p. 624, citing *Leonoff*, at p. 1358).

As discussed throughout this document, implementation of the Proposed Project has the potential to result in impacts to the environment that are individually limited, however, mitigation has been incorporated to reduce any potentially significant impacts that are individually limited to a less than significant level.

The Proposed Project Area is located in the Lower Eel Planning Watershed, which under Resolution 18-43 by the Humboldt County Board of Supervisors is limited to 336 total permits and 116 total acres of commercial cannabis cultivation (Humboldt County Board of Supervisors, 2018). As of October 10, 2024, total approved permits were approximately 79 permits, and total approved acres were approximately 36 acres (Humboldt County Planning Department Staff Review, October 2024). Using the "theoretical maximum future" for the current cultivation permits and applications and with approval of the HumSun 3, LLC Cannabis Project, total approved permits in the Lower Eel River planning watershed would likely be approximately 97 individual

permits, well below the total 336 cultivation permit cap under Resolution 18-43. In addition, total cultivation acreage, with approval of this Proposed Project, would likely range from 60 to 61 acres, which is just over half of the 116-acre cultivation cap considered and adopted by the County Board of Supervisors (2018).

The Proposed Project would occur in a contiguous area in the eastern area of the parcel, on grassland, out of any riparian setbacks or riparian habitat. With all improvements included, the Proposed Project would create approximately 3.4 acres of new, impervious surface, and would create approximately 6 acres of land disturbance in the Agriculture Exclusive zone. As previously mentioned in Section 3.2.4 Biological Resources, the Proposed Project could provide habitat for sensitive and special-status species, including thirteen (13) birds, four (4) fish, one (1) reptile, four (4) amphibians, five (5) terrestrial mammals, ten (10) bats, and 1 (one) invertebrate. Within the 1,887-acre Project Parcel, about 1,881 acres would remain undeveloped and undisturbed by the Proposed Project.

The remaining 1,881 acres undisturbed by the project would leave similar grassland habitat and suitable wildlife habitat. There would also be open space to maintain essential ecological connectivity between natural habitat blocks that support native biodiversity as described in Section 3.2.4 Biological Resources (d) regarding California Essential Habitat Connectivity map. Within a one-mile radius, excluding existing and proposed cannabis projects, there is approximately 278 acres of similar grassland habitat to the Proposed Project Area, per Google Earth Imagery. Therefore, the 6 acres of disturbed area associated with the Proposed Project represents approximately 2.1% of the available habitat in a 1-mile radius. Under the court's holding in *Sierra Club*, the absence of any individual potentially significant effect is a strong indicator that a project would not have considerable cumulative effects (*Sierra Club*, pp. 701-702.) Therefore, impacts to mammal, bird, and invertebrate species would be considered not cumulatively significant.

This document includes specific, effective mitigation measures that reduce the Proposed Project's potential environmental impacts to a less-than-significant level. With regard to biological resources impacts in particular, the Proposed Project's impacts were analyzed through parcel-wide biological studies, botanical studies, wetlands delineation, and database searches. This document incorporates mitigation measures that require preconstruction surveys, a wetland mitigation plan, a sensitive plant species mitigation and monitoring plan, prohibiting anticoagulant rodenticides, a noise monitoring plan, and light performance standards, among other measures and Proposed Project design features. These measures reduce the Proposed Project's individual impacts to a less-than-significant level.

With regard to other resource categories, the Proposed Project would not have any impacts that are considered cumulatively considerable. Aesthetically, the Proposed Project would not be visible from any designated scenic vistas and would conform to International Dark Sky Standards. The Proposed Project aligns with the Humboldt County Zoning and General Plan land use designations and would follow all requirements in the County's CMMLUO and would therefore have a less than significant impact on Land Use and Agricultural/Forestry resources. The Project is located within the North Coast Air Basin, which is currently in non-attainment for PM_{10}, and would follow all requirements surrounding fugitive dust prevention. The Proposed Project would operate entirely off of renewable energy, would not utilize generators as a primary power source, and would not significantly contribute to increased levels of PM_{10} or other pollutants, including Greenhouse Gas Emissions. The Proposed Project would not require an excessive amount of grading and would not significantly contribute to geologic instability in the area. All proposed buildings would be constructed in conformance with the most recent California Building Code. No hazardous waste would be generated onsite, and the Proposed Project would follow all regulations surrounding hazardous materials. No mineral resources would be extracted, and significant noise levels would not be generated or would be mitigated for in the Proposed Project. Groundwater would both be utilized at less than significant levels. For analysis of impacts to additional resource categories, see discussion in sections 3.2.1-3.2.20, above.

Current practices surrounding the Proposed Project include grazing, rural residential, and commercial cannabis cultivation (two permitted operations within one mile of the Proposed Project). The Proposed Project is allowed by the Humboldt County Zoning Code. The Project would not increase the number of permits or acres of cultivation in the Lower Eel Planning Watershed above established limits (per Resolution 18-43). The Proposed Project is consistent with the character of the surrounding neighborhood and would individually or cumulatively significantly contribute to any impact, with mitigation measures incorporated.

The Proposed Project, further, is consistent with the CMMLUO, that Humboldt County adopted in connection with the adoption of the Final Mitigated Negative Declaration (MND) for commercial cultivation of cannabis for medical use. The County has already analyzed the cumulative impacts of commercial cannabis activities for medical use within the Proposed Project Area and determined that projects which are consistent with the CMMLUO and MND would not result in significant impacts.

The Proposed Project's consistency with the CMMLUO and the MND, and its incorporation of required mitigation measures and conditions of approval, provide another basis for the County to determine that the Proposed Project would not result in cumulatively considerable impacts. In all instances where the Proposed Project has the potential to contribute cumulatively considerable impacts to the environment (including the resource categories of Air Quality, Biological Resources, Energy, Geology/Soils, Hydrology/Water Quality, , Cultural Resources, and Tribal Cultural Resources), mitigation measures have been imposed to reduce the potential effects to less than significant levels. As such, with incorporation of the mitigation measures imposed throughout this document, the Proposed Project would not contribute to environmental effects that are individually limited, but cumulatively considerable, and impacts would be less than significant with mitigation.

c) Finding: The Proposed Project will not have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly. *Less than significant impact with mitigation incorporated.*

Discussion: The Proposed Project's potential to result in environmental effects that could adversely affect human beings, either directly or indirectly, has been discussed throughout this document. In instances where the Proposed Project has the potential to result in direct or indirect adverse effects to human beings, including impacts to Air Quality, Biological Resources, Energy, Geology/Soils, Hydrology/Water Quality, Cultural Resources, and Tribal Cultural Resources, mitigation measures have been applied to reduce the impact to below a level of significance. With required implementation of mitigation measures identified in this document, construction and operation of the Proposed Project would not involve any activities that would result in environmental effects which would cause substantial adverse effects on human beings.

Mitigation Measures

Implement Mitigation Measures AQ-1, BIO-1 through BIO-8, CUL-1, CUL-2, EN-1, and GEO-1.

3.2.22. MITIGATION MEASURES, MONITORING, AND REPORTING PROGRAM

The Department found that the project could result in potentially significant adverse impacts unless mitigation measures are required. A list of mitigation that addresses and mitigates potentially significant adverse impacts to a level of non-significance follows.

Mitigation measures were incorporated into conditions of project approval for the project. The following is a list of these measures and a verification form to ensure measures shall be met.

Mitigation Measures

AQ-1. During construction and operation, the following dust control measures shall be implemented:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, active graded areas, excavations, and unpaved access roads) shall be watered two times per day in areas of active construction.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All vehicle speeds on unpaved roads shall be limited to 15 mph, unless the unpaved road surface has been treated for dust suppression with water, rock, wood chip mulch, or other dust prevention measures.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes. Clear signage shall be provided for construction workers at all access points.
- All construction and operation equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications.

Implementation Time Frame	Party Responsible for Implementation	Party Responsible for Verification	Form of Verification	Date of Verification	Verified/ Comments
During construction activity and project operations (ongoing)	Applicant	Humboldt County Planning and Building Department in consultation with North Coast Air Resources Control Board	Inspection Report		

BIO-1. Prior to the commencement of construction activities for stormwater treatment, wetland enhancement, and wetland mitigation, a qualified botanist shall survey the northern/northwestern area of the Proposed Project Area for the locally-rare Howell's yampah *(Perideridia howellii).* Any identified species shall be flagged and either not disturbed during land-disturbing activities, or if they cannot be avoided, the Howell's yampah shall be relocated or replanted at a 1:1 ratio. A relocation/replanting/monitoring plan shall be developed by a qualified botanist and submitted to the Humboldt County Planning and Building Department prior to disturbance.

Implementation Time Frame	Party Responsible for Implementation	Party Responsible for Verification	Form of Verification	Date of Verification	Verified/ Comments
No more than one week prior to ground disturbing activities	Qualified Biologist	Humboldt County Planning and Building Department in consultation with the California Department of Fish and Wildlife	Qualified Biologist will prepare report		

BIO-2. The use of anticoagulant rodenticides shall be prohibited.

Implementation Time Frame	Party Responsible for Implementation	Party Responsible for Verification	Form of Verification	Date of Verification	Verified/ Comments
Life of the Proposed Project	Applicant	Humboldt County Planning and Building Department	Inspection Report		

BIO-3. For construction related and land disturbance activities that take place within the nesting season, accepted as March 15th – August 15th, a pre-construction special status nesting bird survey shall be conducted by a qualified biologist for a minimum of one day within the 7-day period prior to vegetation removal and ground disturbing activities and a buffer zone determined by the qualified biologist, depending on the species nesting. This Mitigation Measure applies to construction / land disturbance within in the Proposed Project Area, and to water tank installation/placement on the ridge. If ground disturbance and vegetation removal work lapses for seven days or longer during the breeding season, a supplemental avian pre-construction survey shall be conducted by a qualified biologist before project work is reinitiated. If active nests are found within the construction footprint or within 500-feet of construction activities, the biologist shall flag a buffer around each nest. If nests are documented outside of the disturbance footprint and within 500-feet of the construction area, the biologist will determine the buffer size. Buffer size for common species would be determined with CDFW. Within this buffer zone, no construction shall take place until the qualified biologist determines that the young have fledged, or nesting activity has ceased.

If active nests are detected during the survey, the qualified biologist shall monitor all nests at least once per week to determine whether birds are being disturbed and which activities might disturb nesting activities, which shall be prohibited within the buffer zone until a determination is made. If signs of disturbance or distress are observed, the qualified biologist shall immediately implement adaptive measures to reduce disturbance.

Implementation Time Frame	Party Responsible for Implementation	Party Responsible for Verification	Form of Verification	Date of Verification	Verified/ Comments

No more than one week prior to ground disturbing activities, if occurring between March 15th and August 15th	Qualified Biologist	Humboldt County Planning and Building Department in consultation with the California Department of Fish and Wildlife	Qualified Biologist will prepare report		

BIO-4. Once cultivation operations that use fans commence, noise monitoring shall occur monthly during the NSO nesting season (once per month from April - August). Monitoring shall be conducted for eight (8) hours, once per month, to capture the noise produced on a typical operational day. The average of the 8-hour noise measurements shall be calculated and recorded. Noise readings shall be taken using an accurate decibel reader that has the capacity to store and output recorded data. Data outputs shall include the sound pressure measurements, the average of the minimum 8-hour measurement, and the date, time, and duration of monitoring. Readings shall occur at the edge of tree line, located at 40.310680°, -123.660347° and shown in Figure 21. Copies of the readings from the monitor shall be kept on file and delivered to the Humboldt County Planning and Building Department at the end of the operational season, prior to December 31st of the operational year.

Noise readings shall be required during the first year of operation with fans. If data demonstrates that noise pressure from the operation is below 50 dB, noise monitoring shall not be required for subsequent years of operation with the same equipment. If equipment or cultivation techniques are changed, noise monitoring shall again resume for the first year of operation with the new equipment.

If noise readings indicate an average daily sound pressure of greater than 50 decibels at the monitoring location, measures shall immediately be taken to reduce noise levels. Measures shall include reducing the power output on fans within greenhouses, reducing the number of fans, installing noise-dampening barriers (e.g., greenhouse covers), or other applicable sound-reducing actions. Follow-up monitoring shall occur the day after measures have been implemented. The initial noise level readings exceeding 50 decibels, implemented correction measures, and resulting sound pressure shall be documented, and submitted to the Planning and Building Department within ten days of acknowledgement of the noise issue.

Implementation Time Frame	**Party Responsible for Implementation**	**Party Responsible for Verification**	**Form of Verification**	**Date of Verification**	**Verified/ Comments**
Once a month, or as needed from May – August, for a minimum period of 8 hours	Qualified Biologist or Engineer	Humboldt County Planning and Building Department in consultation with the California Department of Fish and Wildlife	Qualified Biologist or Engineer will prepare report		

BIO-5. Pre-construction surveys for amphibians and reptile species shall be conducted within one week prior to ground disturbance within the Proposed Project Area, with a qualified biologist familiar with Northern Red-legged Frog and Western Pond Turtle identification. Any identified individuals shall be relocated to suitable habitat, away from construction activities. If, during construction a Northern Red-legged Frog or Western Pond Turtle is observed in an active construction zone, construction activities shall halt in the observation area and the frog(s) shall be moved to a safe location in a similar habitat outside of the construction zone.

Implementation Time Frame	Party Responsible for Implementation	Party Responsible for Verification	Form of Verification	Date of Verification	Verified/ Comments
No more than one week prior to ground disturbing activities	Qualified Biologist	Humboldt County Planning and Building Department in consultation with the California Department of Fish and Wildlife	Qualified Biologist will prepare report		

BIO-6. Bat surveys, Sonoma Tree Vole, and West Coast DPS Fisher surveys shall be conducted by a qualified biologist within seven (7) days prior to the start of construction in areas where potential roosts or foraging habitat may be disturbed/removed. Surveys shall be conducted by a qualified biologist. Surveys shall include a visual inspection of the trees surrounding the Proposed Project Areas, with particular interest in large trees/snags with cavities or loose bark. If the presence of a bat roost or Sonoma tree vole nest is identified, tree removal shall be prohibited and no activity generating significant noise shall occur within 300 feet of the roost.

Implementation Time Frame	Party Responsible for Implementation	Party Responsible for Verification	Form of Verification	Date of Verification	Verified/ Comments
No more than one week prior to ground disturbing activities	Qualified Biologist	Humboldt County Planning and Building Department in consultation with the California Department of Fish and Wildlife	Qualified Biologist will prepare report		

BIO-7. Wetland mitigation shall follow the guidelines and site-specific recommendations in the Wetland Mitigation Summary (J. Regan Consulting, 2024). In total, 2.63 acres (114,562.8 sq. ft.) of wetland mitigation shall be provided for the 0.87 acres of unavoidable wetland impacts from the Proposed Project. The 3:1 mitigation ratio will create 0.88 acres (38,753 sq. ft.) of new wetlands, an additional 0.20 acres (8,778 sq. ft.) of wetland enhancement, 0.45 acres (19,602 sq. ft.) of riparian enhancement and approximately 1.1 acres (46,354 sq. ft.) of new stream riparian enhancement.

Implementation Time Frame	Party Responsible for Implementation	Party Responsible for Verification	Form of Verification	Date of Verification	Verified/ Comments
Within 3 years of Project Approval	Qualified Biologist	Humboldt County Planning and Building Department in consultation with the California Department of Fish and Wildlife	Qualified Biologist will prepare report		

BIO-8. California oat grass (*Festuca idahoensis – Danthonia californica)* shall be mitigated as described in the "Update to *Festuca idahoensis-Danthonia californica* Herbaceous Alliance" Memorandum prepared by NorthPoint Consulting Group, 2024. Any impacted California oat grass stand shall be mitigated at a 2:1 ratio. A minimum of 0.42 acres, or a higher area, adjusted for additional unforeseen impacts, of the existing stand of low-quality *Danthonia sp.* located on the Mid-Ridge Site shall be enhanced through (1) removal of invasive species with a Cal-IPC rank of High or Moderate, and (2) installation of wildlife-proof fencing to prevent additional cattle and feral pig impacts. Enhancement shall occur until the success criteria of establishment of a 0.42-acre "high quality" *Festuca idahoensis-Danthonia californica* stand with a minimum of 30% *Danthonia californica* cover and no greater than 10% invasive species cover.

A qualified botanist or restoration specialist shall perform annual monitoring to ensure progress toward the success criteria is being made. Monitoring visits and invasive species maintenance shall be conducted within the same three-week period at the end of May or beginning of June. A minimum of three (3) years of monitoring shall occur, or until the target area reaches the success criteria described above.

A Monitoring Report shall be submitted annually to the Planning Department by December 31st of each monitoring year. The Annual Monitoring Report shall include:

1. A summary of maintenance and enhancement done that year
2. Description of site conditions
3. Monitoring methods used
4. Photos and photo points
5. Discussion of any needed corrective actions or proposed method changes
6. Results of Annual Monitoring, including total absolute cover estimates for vegetative cover plots, total absolute cover estimates for native herbaceous cover where applicable, absolute cover of target invasive species within the target area, analysis and discussion of progress towards meeting Success Criteria.

Implementation Time Frame	Party Responsible for Implementation	Party Responsible for Verification	Form of Verification	Date of Verification	Verified/ Comments
Five years	Qualified Biologist	Humboldt County Planning and Building Department in consultation with the California Department of Fish and Wildlife	Qualified Biologist will prepare report		

CUL-1. If cultural materials for example: chipped or ground stone, historic debris, building foundations, or bone are discovered during ground-disturbance activities, work shall be stopped within 50-foot buffer of the discovery location, per the Cultural Resources Investigation Report. Work near the archaeological find(s) shall not resume until a professional archaeologist, who meets the Secretary of the Interior's Standards and Guidelines, has evaluated the materials and offered recommendation for further action.

If human remains are discovered during project construction, work would be stopped at the discovery location, within 20 meters (66 feet), and any nearby area reasonably suspected to overlie adjacent to human remains (Public Resources Code, Section 7050.5). The Humboldt County coroner would be contacted to determine if the cause of death must be investigated. If the coroner determines that the re- mains are of Native American origin, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (Public Resources Code, Section 5097). The coroner would contact the NAHC. The descendants or most likely descendants of the deceased would be contacted, and work would not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98.

Implementation Time Frame	Party Responsible for Implementation	Party Responsible for Verification	Form of Verification	Date of Verification	Verified/ Comments
During construction activity and project operations	Applicant and, if necessary, a qualified professional archaeologist	Humboldt County Planning and Building Department in consultation Tribal governments, if necessary	If needed, the qualified professional archaeologist will prepare a Compliance Report.		

CUL-2. The applicant shall follow all applicable conditions listed for Resource HS-S1 (Windy Ridge) and Resource HS -S2 (Secret Knoll), as outlined in the Cultural Resource Inventory Report (CRIR) prepared by DZC Archaeology & Cultural Resource Consulting, LLC, developed in March 2020, as adjusted to the currently Proposed Project. The specific applicable conditions are as follows:

- All surface and subsurface cannabis cultivation and related activities are prohibited within 100 feet of the recorded boundaries of HS-S1 and HS-S2. The resource site boundary and 100-ft. resource buffer are identified in Appendix H of the **confidential** CRIR.
- Survey whiskers shall be placed across and within the roadbed at the 100 ft. resource buffer to denote entrance to the resource protective buffer. These shall be replaced as needed to maintain boundary identification. Annual replacement is recommended.
- The road-bed bisecting HS-S1 and HS-S2 shall be capped using No. 2 base rock to a depth of 4 inches within the resource site boundary, the 100-ft. site buffer, and for an additional 100 ft. outside of the site buffer, on both the east and west road approaches to the site. The mitigated road segments are identified in Appendix H of the **confidential** CRIR.

- No blading or road maintenance shall occur outside of the existing road prism within the identified site boundary or mitigated road extent of HS-S1 and HS-S2.
- Should major road repairs be required within the site boundary or 100 ft. buffer, an archaeological monitor shall be present.

Implementation Time Frame	Party Responsible for Implementation	Party Responsible for Verification	Form of Verification	Date of Verification	Verified/ Comments
During construction activity and project operations	Applicant and, if necessary, a qualified professional archaeologist	Humboldt County Planning and Building Department in consultation Tribal governments, if necessary	If needed, the qualified professional archaeologist will prepare a Compliance Report.		

EN-1. Power supply shall be developed to support the scale of the Proposed Project during phased build out. Mixed-light cultivation shall not occur until required power sourced from a renewable source is brought to the site (e.g., installation of solar power or completion of a PG&E upgrade). Prior to the onset of power, proposed cultivation shall be outdoor cultivation cultivated using light-deprivation techniques in greenhouses. At no point in time shall onsite activities exceed existing site power capacity.

Implementation Time Frame	Party Responsible for Implementation	Party Responsible for Verification	Form of Verification	Date of Verification	Verified/ Comments
During construction activity and project operations	Applicant	Humboldt County Planning and Building Department in consultation	Inspection report		

GEO-1. If paleontological resources are encountered during implementation of the Project, ground disturbing activities will be temporarily redirected from the vicinity of the find. A qualified paleontologist shall be retained by the developer to make an evaluation of the find. If a significant paleontological resource(s) is discovered on the property, the qualified paleontologist shall develop a plan of mitigation which shall include salvage excavation and removal of the find, removal of sediment from around the specimen (in the laboratory), research to identify and categorize the find, curation in the find a local qualified repository, and preparation of a report summarizing the find.

Implementation Time Frame	Party Responsible for Implementation	Party Responsible for Verification	Form of Verification	Date of Verification	Verified/ Comments

During construction activity and project operations	Applicant and, if necessary, a qualified paleontologist	Humboldt County Planning and Building Department in consultation Tribal governments, if necessary	If needed, the qualified paleontologist will prepare a Compliance Report		

4.List of Preparers

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Cultivation and Operation Manual (August 2024)
Site Map (August 2024)
Preliminary Site Grading and Drainage Plan (August 2024)
HumSun 3, LLC – Air Quality Analysis (August 2023)
Noise Source Assessment and Mitigation Plan for HumSun 3 LLC (August 2024)
Septic Suitability Survey for HumSun 3, LLC (August 2024)

J. Regan Consulting
Wetland Mitigation Summary – HumSun (2024)

NRM (Natural Resources Management) Corporation
Supplemental Botanical Survey Report (2021)
Impacts Botanical Resources Sensitive Natural Communities: *Festuca idahoensis- Danthonia californica Herbaceous Alliance*, Dense sedge marshes (*Carex densa*) (1st revision 2021, 2nd revision 2022)
Supplemental Botanical Survey Report: Sensitive Natural Communities (September 2022)
Golden Eagle Survey Report 1 (February 2021)
Golden Eagle Survey Report 2 (March 2022)
2022 Northern Spotted Owl Report (September 2022)
Supplemental Waters Investigation Report (February 2021)
Proposal and Justification for the Development of a Compensatory Mitigation and Monitoring Plan (2022)

GHD Group
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Phase I Cultural Resource Inventory Report for Hum Sun Ranch, LLC - DZC Archaeology & Cultural Resource Management (March 2020)

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Appendix 1

1A. Site Plans (NorthPoint Consulting Group, August 2024, Updated September 2024)

- Sheet C0: Plot Plan, Vicinity Map, & Project Notes
- Sheet C1: Existing Site Plan – Proposed Project Area
- Sheet C2: Proposed Site Plan – Proposed Project Area
- Sheet C3: Stream Buffer Typical Detail

1B. Preliminary Site Grading and Drainage Plan (NorthPoint Consulting Group, August 2024, Updated September 2024)

- Sheet G0: Plot Plan, Vicinity Map, & Project Notes
- Sheet G1: Proposed Grading Plan
- Sheet G2-G3: Section Views
- Sheet G4: Project Details
- Sheet G5: Erosion Control Notes

1C. Cultivation and Operation Manual (NorthPoint Consulting Group, August 2024, Updated September 2024)

Appendix 2

File	Document Title
2A.	Notice of Merger and Certificate of Subdivision Compliance (Humboldt County, 2018)
2B.	Prime Soil Location and Distribution at 30740 Alderpoint Road, Blocksburg, CA (Pacific Watershed Associates Inc, 2016).
2C.	Williamson Act Committee Meeting Letter and Supplemental Documents (June 14, 2018)
2D.	Air Quality Analysis – HumSun 3, LLC (NorthPoint Consulting Group, August 2023)
2E.	Botanical Resources Report (GHD, 2020)
2F.	ICF Review of Final 2019 Botanical Resources Survey Report. (ICF, 2021)
2G.	Supplemental Botanical Survey Report (Natural Resources Management Corporation, 2021)
2H.	Impacts Botanical Resources Sensitive Natural Communities: *Festuca idahoensis- Danthonia californica Herbaceous Alliance*, Dense sedge marshes (*Carex densa*) (Natural Resources Management Corporation, 2020, 1st revision 2021, 2nd revision 2022)
2I.	Supplemental Botanical Survey Report: Sensitive Natural Communities (Natural Resources Management Corporation, 2022)
2J.	Update to *Festuca idahoensis- Danthonia californica* Herbaceous Alliance – HumSun 3, LLC Memo (NorthPoint Consulting Group, 2024)
2K.	Wildlife Resources Report (GHD, 2020)
2L.	Golden Eagle Survey Report 1 (Natural Resources Management Corporation, 2021)
2M.	Golden Eagle Survey Report 2 (Natural Resources Management Corporation, 2022)
2N.	2022 Northern Spotted Owl Report (Natural Resources Management Corporation, 2022)
2O.	Aquatic Resources Report (GHD, 2019)
2P.	Supplemental Waters Investigation Report (Natural Resources Management Corporation, 2021)
2Q.	Proposal and Justification for the Development of a Compensatory Mitigation and Monitoring Plan (Natural Resources Management Corporation, 2022)
2R.	California Department of Fish and Wildlife (CDFW) Recommendations for HumSun 3, LLC Cannabis Cultivation APN 217-253-001 (May 29, 2024)
2S.	Wetland Mitigation Summary – HumSun 2024 (J. Regan Consulting, August 2024)
2T.	CONFIDENTIAL - Phase I Cultural Resource Inventory Report for Hum Sun Ranch, LLC - DZC Archaeology & Cultural Resource Management (March, 2020) *for referenced purpose only, document is on file with Humboldt County Planning & Building Department*
2U.	StreamStats Report – Larabee Creek at HumSun (USGS, 2024)
2V.	Hydrologic Isolation from Surface Waters, Well WCR2017-001709 APN: 217-052-001, 30885 Alderpoint Road, Blocksburg, California (Lindberg Geologic Consulting, August 10, 2023)
2W.	Hydrologic Isolation from Surface Waters, Well WCR2017-001697 APN: 217-055-002, Alderpoint Road, Blocksburg, California (Lindberg Geologic Consulting, August 12, 2023)
2X.	Hydrologic Isolation from Surface Waters, Well WCR2017-001712 APN: 217-055-002, Alderpoint Road, Blocksburg, California (Lindberg Geologic Consulting, August 14, 2023)

2Y. Noise Source Study for HumSun 3 LLC (NorthPoint Consulting Group, 2024)

2Z. Septic Suitability Survey for HumSun 3, LLC (NorthPoint Consulting Group, August 26, 2024)