INITIAL STUDY/MITIGATED NEGATIVE DECLARATION
CENTRAL VALLEY GROWERS

Prepared for: **CALIFORNIA DEPARTMENT OF CANNABIS CONTROL**

Prepared by: **MONTROSE ENVIRONMENTAL SOLUTIONS, INC.**

July 2025

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ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
AFVs	alternative fuel vehicles
Applicant	Central Valley Growers, LLC
ATCM	Airborne Toxic Control Measures
BMPs	best management practices
CalARP	California Accidental Release Prevention
CalEEMod	California Emissions Estimator Model
California Energy Code	Title 24, Part 6, Building Energy Efficiency Standards
CAFE	Corporate Average Fuel Economy
CAL FIRE	California Department of Forestry and Fire Protection
CALGreen	California Green Building Standards Code
CALTRANS	California Department of Transportation
Cal/OSHA	California Occupational Safety and Health
CARB	California Air Resources Board
CBC	California Building Code
CCA	Commercial Cannabis Activity Permit
CCR	California Code of Regulations
CDFA	California Department of Food and Agriculture
CDFW	California Department of Fish and Wildlife
CDPR	California Department of Pesticide Regulation
CEC	California Energy Commission
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act
CEQA	California Environmental Quality Act
CFC	California Fire Code
CNEL	Community noise equivalent level
CNDDB	California Natural Diversity Database
CUPAs	Certified Unified Program Agencies
CRHR	California Register of Historical Resources
CWA	Clean Water Act
CO	carbon monoxide
dB	Decibel
dBA	A-weighted decibel
DCC	Department of Cannabis Control
DOC	Department of Conservation
DTSC	Department of Toxic Substances Control

DWR	Department of Water Resources
EIR	Environmental Impact Report
EPAct	Energy Policy Act
EO	Executive Order
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FHSZ	Fire Hazard Severity Zones
FIFRA	Federal Insecticide, Fungicide, and Rodenticide Act
FMMP	Farmland Mapping and Monitoring Program
GHG	greenhouse gas
GSA	groundwater sustainability agencies
GSP	groundwater sustainability plan
HCP	Habitat Conservation Plan
HMBP	Hazardous Materials Business Plan
HMIS	Hazardous Materials Inventory Statement
HMMP	Hazardous Materials Management Plan
IS/MND	Initial Study/Mitigated Negative Declaration
IEPR	Integrated Energy Policy Report
kWh	kilowatt per hour
Ldn	Day-night sound level
Leq	Equivalent sound level
MAUCRSA	Medicinal and Adult-Use Cannabis Regulation and Safety Act
MBTA	Migratory Bird Treaty Act
MCRSA	Medical Cannabis Regulation and Safety Act
MS4	municipal separate storm sewer systems
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NEHRP	National Earthquake Hazards Reduction Program
NO_2	nitrogen dioxide
NO_X	nitrous oxides
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
OPR	Office of Planning and Research
OSHA	Occupational Safety and Health Administration
PG&E	Pacific Gas and Electric Company
$PM_{2.5}$	2.5 micrometers or less
PM_{10}	10 micrometers or less
PPV	Peak Particle Velocity
Proposed Project	Central Valley Growers

RCRA	Resource Conservation and Recovery Act
RMP	risk management plan
ROG	reactive organic gases
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCSD	Stanislaus County Sheriff's Department
SDS	Safety Data Sheets
SGMA	Sustainable Groundwater Management Act
SJVAB	San Joaquin Valley Air Basin
SJVAPCD	San Joaquin Valley Air Pollution Control District
SMARA	Surface Mining and Reclamation Act
StanCOG	Stanislaus Council of Governments
SRA	State Responsibility Area
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TCPs	Traditional Cultural Properties
TCRs	tribal cultural resources
TPZs	timber protection zones
USACE	U.S. Army Corps of Engineers
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
VMT	Vehicle Miles Traveled
WDR	waste discharge requirements
VHFHSZ	Very High Hazard Severity Zones

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1 INTRODUCTION AND PURPOSE

The California Department of Cannabis Control (DCC) has prepared this initial study/mitigated negative declaration (IS/MND) to provide the public, responsible agencies, and trustee agencies with information about the potential environmental impacts of the proposed All Season Organics project (Proposed Project). This document has been prepared in accordance with the requirements of the California Environmental Quality Act of 1970, as amended (CEQA) (Pub. Resources Code, § 21000 et seq.) and the CEQA Guidelines (Cal. Code Regs., tit. 14 [CEQA Guidelines], § 15000 et seq.).

Central Valley Growers, LLC (Applicant) proposes to construct and operate a mixed-light commercial cannabis cultivation facility on a 53-acre parcel at 2789 Howard Road,[1] Patterson, CA 95363 in unincorporated Stanislaus County. The Board of Supervisors of Stanislaus County previously filed a Notice of Determination under CEQA for the Proposed Project. The County also approved a development agreement and use permit for the Proposed Project, a commercial mixed-light cultivation operation to allow a 22,000 square-foot canopy within 29,880 square feet of greenhouses; and office, storage, and processing activities within a 7,470 square-foot warehouse.

The Applicant has applied to DCC for an annual commercial cannabis cultivation license – Medium Mixed-Light Tier 2 – to conduct operations at the project site. DCC is the lead agency under CEQA with respect to the project activity because it has discretionary authority over the approval of the Applicant's state commercial cannabis cultivation license.

This chapter describes the intent and scope of this IS/MND, the public involvement process, the organization and scope of the document, and specific impact-related terminology used in the document.

1.1 Intent and Scope of this Document

1.1.1 Scope of the Analysis

This IS/MND has been prepared in accordance with CEQA, under which the Proposed Project is evaluated at a project level (CEQA Guidelines, § 15378). DCC, as the lead agency under CEQA, will consider the Proposed Project's potential environmental impacts when considering whether to approve the project. This IS/MND is an informational document to be used in the planning and decision-making process for the Proposed Project and does not recommend approval or denial of the Proposed Project.

[1] The original application was submitted for the address 3501 Howard Road; however, Stanislaus County has since assigned a new address to the property, creating a revised address of 2789 Howard Road.

This IS/MND describes the Proposed Project; its environmental setting, including existing conditions and regulatory setting, as necessary; and the potential environmental impacts of the Proposed Project on or with regard to the following topics:

- Aesthetics
- Agriculture/Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology, Soils, and Seismicity
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Tribal Cultural Resources
- Transportation
- Utilities and Service Systems
- Wildfire

1.1.2 Public Comment Period

Public disclosure and dialogue are priorities under CEQA. CEQA Guidelines sections 15073 and 15105, subdivision (b) require that the lead agency designate a period during the IS/MND process when agencies and the public can provide comments on the potential impacts of the Proposed Project. Accordingly, DCC is circulating this document for a 30-day public and agency review period. The beginning and ending dates of the comment period are identified in the Notice of Intent to Adopt a Mitigated Negative Declaration.

Comments on this IS/ND can be submitted by mail or email to the following contact:

Kevin Ponce, Senior Environmental Scientist Supervisor
California Department of Cannabis Control
2920 Kilgore Rd. Rancho Cordova, CA 95670-6157
kevin.ponce@cannabis.ca.gov

All comments received before 5:00 p.m. on the date identified for closure of the public comment period in the Notice of Availability will be considered by DCC during its deliberations on whether to approve the Proposed Project.

1.2 Organization of This Document

This IS/MND contains the following components:

Chapter 1, *Introduction*, provides a brief description of the intent and scope of this IS/MND, the public involvement process under CEQA, the organization of the document, and terminology used in this IS/MND.

Chapter 2, *Project Description*, describes the Proposed Project, including its purpose and goals, the project site where the Proposed Project would be constructed and operated, construction methods, operation-related activities, and related permits and approvals.

Chapter 3, *Environmental Checklist*, presents the environmental checklist used to assess the Proposed Project's potential environmental effects, which is based on the model provided in Appendix G of the CEQA Guidelines. This chapter includes brief regulatory environmental setting descriptions for each

resource topic, evaluates the Proposed Project's anticipated environmental impacts, and identifies mitigation measures that would be required to reduce potentially significant impacts to a less-than-significant level.

Chapter 4, *Report Preparers*, identifies the individuals who prepared portions of this document.

Chapter 5, *References*, provides a bibliography of printed references, websites, and personal communications used in preparing this IS/MND.

Appendices

Appendix A. Air Quality and Greenhouse Gas Calculations

Appendix B. Special-Status Species Desktop Review Memo (Mesa Biological 2024)

Appendix C. Biological Resources Field Visit Report (Montrose Environmental 2025)

Appendix D. Cultural Resources Assessment Report (Montrose Environmental 2025)

1.3 Impact Terminology

This IS/MND uses the following terminology to describe the environmental effects of the Proposed Project:

- A finding of *no impact* is made when the analysis concludes that the Proposed Project would not affect the particular environmental resource or issue.
- An impact is considered *less than significant* if the analysis concludes that no substantial adverse change in the environment would result and that no mitigation is needed.
- An impact is considered *less than significant with mitigation* if the analysis concludes that no substantial adverse change in the environment would result with the implementation of the mitigation measures described.
- An impact is considered *potentially significant* if the analysis concludes that a substantial effect on the environment could result.
- Mitigation refers to specific measures or activities that would be adopted by the lead agency to avoid, minimize, rectify, reduce, eliminate, or compensate for an otherwise significant impact.
- A cumulative impact refers to one that can result when a change in the environment would result from the incremental impacts of a project along with other related past, present, or reasonably foreseeable future projects. Significant cumulative impacts might result from impacts that are individually minor but collectively significant. The cumulative impact analysis in this IS/MND focuses on whether the Proposed Project's incremental contribution to significant cumulative impacts caused by the project in combination with past, present, or probable future projects is cumulatively considerable.
- Because the term "significant" has a specific usage in evaluating the impacts under CEQA, it is used to describe only the significance of impacts and is not used in other contexts within this document. Synonyms such as "substantial" are used when not discussing the significance of an environmental impact.

1.4 Regulatory Background

Until 1996, the cultivation, use, and sale of cannabis for any purpose was illegal in the State of California. In 1996, California voters approved Proposition 215, the Compassionate Use Act of 1996, which allowed seriously ill Californians the right to obtain and use cannabis for medical purposes when recommended by a physician. The passage of Senate Bill (SB) 420 (Statutes of 2003) enacted the Medical Marijuana Program Act, which clarified the scope and application of the Compassionate Use Act and established a voluntary program for the issuance of identification cards to qualified patients and established procedures under which a qualified patient with an identification card may use cannabis for medical purposes to protect patients and their caregivers from arrest.

In 2015, the State Legislature enacted the Medical Cannabis Regulation and Safety Act (MCRSA) through a series of three separate bills (Assembly Bill (AB) 266, AB 243, and Senate Bill (SB) 643; former Bus. & Prof. Code, § 19300 et seq.), which established a comprehensive State licensure and regulatory framework for commercial cannabis cultivation, manufacturing, distribution, transportation, testing, and retail sale. As the State was developing regulations in compliance with MCRSA, California voters in 2016 approved Proposition 64 (Adult Use of Marijuana Act [AUMA]), which legalized the use and possession of non-medicinal cannabis within California by adults 21 years and older. In June 2017, the State Legislature passed a budget trailer bill, SB 94, which integrated MCRSA with AUMA to create the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA). (Bus. & Prof Code, § 26000 et. seq.) MAUCRSA provides the regulatory structure for commercial cannabis activities in California. In December 2017, the licensing authorities began accepting applications for temporary commercial cannabis licensure and on January 1, 2018, the first temporary licenses for medicinal and adult-use cannabis became effective.

On July 12, 2021, the governor signed AB 141 (Chapter 70, statutes of 2021), which consolidated the three former cannabis licensing authorities – the Department of Consumer Affairs' Bureau of Cannabis Control, which was charged with the licensing, regulation, and enforcement of commercial cannabis distribution, retail, microbusinesses, testing laboratories, and temporary cannabis events; the Department of Food and Agriculture's CalCannabis Cultivation Licensing Division, which was responsible for the licensing regulation, and enforcement of commercial cannabis cultivation; and the Department of Public Health's Manufactured Cannabis Safety Branch, which was responsible for the regulation of commercial cannabis manufacturing. DCC inherited all the powers, duties, purposes, functions, responsibility, and jurisdiction of the legacy licensing authorities and serves as the single regulatory and enforcement entity for all licensed and commercial cannabis in California.

Notably, MAUCRSA also recognizes the authority of local governments to regulate cannabis businesses located in their jurisdictions. (See Bus. & Prof Code, § 26032.) Local governments have the authority to impose restrictions and/or requirements on commercial cannabis businesses, or to ban them entirely.

DCC's regulations pertaining to State-licensed cannabis businesses are codified in the California Code of Regulations, title 4, Division 19. These regulations establish a licensing and regulatory program for licensed commercial cannabis cultivation, manufacturing, retail sale, distribution, transport, and laboratory testing of medicinal and adult-use cannabis. The regulations specify a tiered system of license types, and requirements related to the qualifications for state commercial cannabis licensure and conducting cannabis business activities, including environmental protection requirements.

1.5 Environmental Baseline of Analysis

Some of the activities that are described in the Project Description (Chapter 2) are currently ongoing. MAUCRSA authorized DCC to issue "provisional" licenses to applicants that allow for the conduct of commercial cannabis activities prior to the completion of CEQA analysis, provided that applicants submitted a completed application to the DCC and met certain application milestones. MAUCRSA specifies that CEQA "does not apply to the issuance of a [provisional] license pursuant to [Bus. & Prof. Code, § 26050.2] by the department, except as otherwise provided in [Bus & Prof. Code, § 26050.2]." (Bus. & Prof. Code, § 26050.2, subd. (l).)

Consistent with the legislature's establishment of provisional licensing under MAUCRSA, there are some projects for which state provisional licensure of legal cannabis activities proceeded prior to the DCC becoming the lead agency. Upon issuance of a provisional license from DCC and any additional local approvals, cannabis businesses were able to begin operations, which sometimes included construction of permanent facilities. For the purposes of fully analyzing the impacts of the Proposed Project, this document presents an analysis of all impacts that would result from the development and operation of the legal cannabis activity if DCC approves issuance of an annual license, while recognizing that some impacts may have already occurred or may be impossible to analyze due to construction, development, and operational activities already undertaken by Applicant pursuant to local approvals and a provisional license.

For the Proposed Project, the site was previously used for almond orchards. As such, the previous activities or operations would have resulted in certain environmental impacts. These activities would be considered to represent existing conditions as the environmental baseline. The impact analysis in this document, therefore, focuses on the increment of change that would result from the development and operation of the commercial cannabis operation since the time of the application for an annual license, and therefore will analyze impacts of both current and future cannabis business development and operations.

The Proposed Project received local approval to begin development and operation of the Proposed Project in July 2019, upon issuance of a Use Permit and Development Agreement. The Proposed Project received a provisional Specialty Mixed-Light Tier 2 license from the State of California in June 2020. Based on these approvals, the Applicant constructed three greenhouses, a water tank, parking, security fencing, and other small structures on the project site and began licensed commercial cannabis business operations using these structures. Although it is possible that the construction of these structures may have resulted in impacts to the environment, there is no way to complete an analysis of every potential impact to the environment that could have occurred as a result of the site development.

Among the basic purposes of CEQA are to identify potential significant environmental effects of proposed decisions and identify ways to avoid or significantly reduce environmental damage (Cal. Code Regs., tit.14, § 15002). If an activity has already occurred in compliance with law (and without any intent to circumvent CEQA) and damage cannot be avoided or mitigated, the analysis is mooted. (See, e.g., *Hixon v. Cnty. of Los Angeles* (1974) 38 Cal.App.3d 370, 378; *Santa Monica Baykeeper v. City of Malibu* (2011) 193 Cal.App.4th 1538, 1549-51). Further, to the extent certain types of activities were conducted in accordance with law (and without any intent to circumvent CEQA) but may have had an impact on the environment, it may be the case that it is currently impossible to do a CEQA analysis of those impacts that already occurred. As an example, if grading of soils or surfaces for the construction of a building that has already been built caused impacts to subsurface resources

(such as unknown archeological resources), there will sometimes be no way to analyze those impacts or to undo or mitigate those impacts following the building's construction, and therefore there is no reason under CEQA to attempt to analyze those impacts. However, if the building that was constructed may have ongoing aesthetics impacts (such as creating glare), there may be opportunities to mitigate such impacts, and those ongoing impacts should be examined.

This document, therefore, will analyze the impacts of the construction (including already completed construction) and operation of the Proposed Project that could potentially be avoided or mitigated. If there are impacts that cannot be analyzed, those impacts and the reasons they cannot be analyzed will be discussed in the individual resource sections.

2 PROJECT DESCRIPTION

2.1 Overview

Department of Cannabis Control (DCC) is evaluating the proposed development of a mixed-light cannabis cultivation facility on a 53-acre parcel at 2789 Howard Road,[2] Patterson, CA 95363 (the Proposed Project). Although the Proposed Project has a Patterson mailing address, it is located outside Patterson city limits, in unincorporated Stanislaus County, California, between Interstate 5 and CA Highway 33, in the Westley area. **Figure 2-1.1** presents the project location in the region.

On April 30, 2020, Central Valley Growers, LLC (Applicant or CVG) applied to the California Department of Food and Agriculture (CDFA)[3] for a Specialty Mixed-Light Tier 2 license. CDFA issued a State provisional license for these activities on June 13, 2020. The Proposed Project was approved by Stanislaus County on July 16, 2019, and was issued a Use Permit and Development Agreement. On the basis of those state and local approvals, the facility began legal operations. As discussed in Section 1.5, the California Environmental Quality Act (CEQA) baseline for this environmental analysis is the date the Proposed Project applied for an annual cultivation license with the State of California, in April 2020. Therefore, facilities and settings described as "existing" in this chapter are intended to refer to items that existed as of that date.

This chapter describes the Proposed Project and discusses its purpose, objectives, location, proposed actions, and necessary permits and approvals.

2.2 Proposed Project Purpose and Objectives

The Proposed Project is a commercial mixed-light cultivation operation to allow a 22,000 square-foot canopy within 36 greenhouses totalling 29,880 square-feet; and office, storage, and processing activities within a 7,470 square-foot warehouse. The Proposed Project also includes accessory facilities, including driveways, parking areas, fencing, landscaping, and water tanks. The Proposed Project would cover approximately 12.1 acres.

Specific project objectives are as follows:

- Develop the Proposed Project area into a commercial cannabis cultivation facility;
- Construct a facility that meets all state and local requirements for commercial cannabis cultivation and business activities, including security and environmental standards required by the State of California;
- Construct a facility that meets all local laws, regulations, and ordinances that may apply to site development and building standards (e.g., building codes, local ordinances); and
- Build a facility that provides employment to up to 16 full-time employees.

[2] The original application was submitted for the address 3501 Howard Road; however, Stanislaus County has since assigned a new address to the property, creating a revised address of 2789 Howard Road.

[3] CDFA was the predecessor licensing agency to DCC in California for state commercial cannabis cultivation licenses. In 2021, commercial cannabis regulation and licensing previously under the California Department of Food and Agriculture's CalCannabis Cultivation Licensing Division, the California Department of Public Health's Manufactured Cannabis Safety Branch, and the California Department of Consumer Affairs' Bureau of Cannabis Control, were consolidated into a new agency, the California Department of Cannabis Control

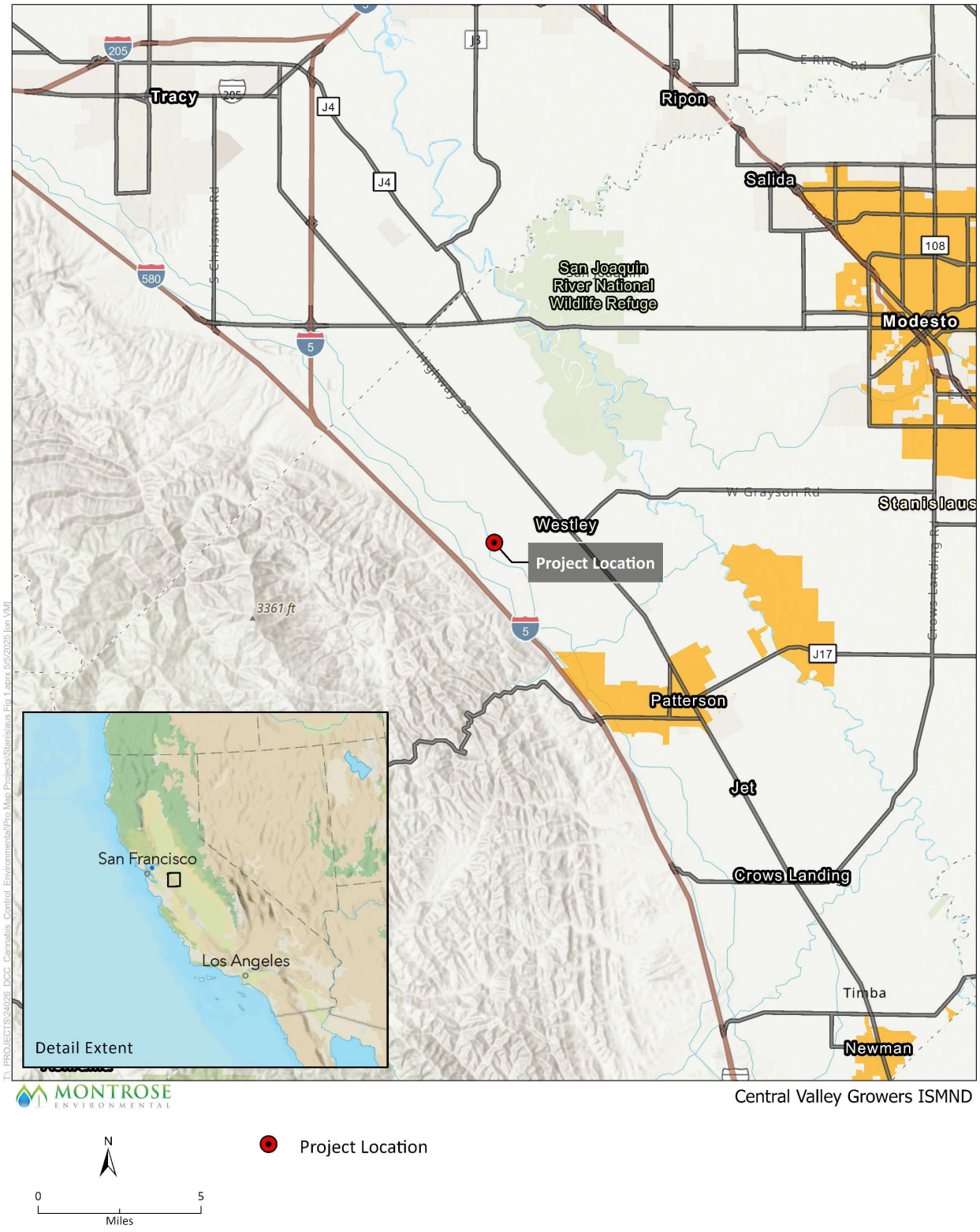


Figure 2.2-1. Regional Location

2.3 Proposed Project Location and Setting

The 53-acre project parcel is located at 2789 Howard Road, Stanislaus County, California between CA Interstate 5 and CA Highway 33, in the Westley area. The project site would occupy approximately 12.1 acres of the northwest corner of the 53-acre parcel (**Figure 2.3-1)**. The parcel is bounded by the Delta-Mendota Canal to the west, an agricultural parcel to the south and north, and the Westside Irrigation District Canal Lateral 6S on the east. The Proposed Project is entirely within one parcel: Assessor's Parcel No. 016-019-036. The City of Patterson is approximately 3.8 miles to the south of the site.

The area is zoned A-2-40 (General Agriculture) and the General Plan designation is Agriculture. The Proposed Project is of a use consistent with the General Plan and Zoning Ordinance and complies with all A-2 zoning requirements. Commercial cannabis cultivation, nursery, and distribution activities may be allowed in the A-2 zoning district upon approval of Use Permit when conducted within a greenhouse or accessory agricultural building.

The land use at the time of the April 2020 baseline was an almond orchard. Surrounding land uses included orchard and turkey farm to the west; vineyard to the east; orchard to the north and south; and scattered single-family dwellings in all directions. **Figure 2.3-2** illustrates the April 2020 baseline conditions and the 2023 conditions after construction of Phase I. The Proposed Project is adjacent on all sides to property zoned A-2 (General Agriculture). The topography of the site is relatively flat.



Figure 2.3-1. Proposed Project Location



Google Earth 2020



Google Earth 2023

Source: Earth Explorer NAIP, 6/22/2020 Airbus, 2024

Figure 2.3-2. Aerial Photography

2.4 General Description of Regulated Commercial Cannabis Cultivation Processes and Cannabis Business Activities

This section provides an overview of the types of activities typically associated with commercial cannabis cultivation processes and business activities. DCC issues licenses to outdoor, indoor, and mixed-light cannabis cultivators; cannabis nurseries; and cannabis processing, manufacturing, and distribution facilities, where the local jurisdiction authorizes these activities. (Bus. & Prof. Code, § 26012, subd. (a).) The applicant would be required to obtain one or more licenses from DCC to operate the Proposed Project, as identified below.

The environmental impact evaluation in Chapter 3, *Environmental Analysis*, of this IS/MND addresses these activities as they apply to the Proposed Project, unless otherwise indicated.

2.4.1 Overview of Cultivation Operations

Commercial cannabis cultivation begins with the selection and planting of cannabis cuttings or seeds. The cuttings or seeds are typically planted in pots with either a growing medium, soil, or an inert material used in hydroponic cultivation methods. Cuttings are preferred over seeds when the cultivator wishes to guarantee the genetics of a plant and ensure the consistency of the cannabis product.

After the plants have developed their first leaves and a root system that extends through the bottom of the growth medium, the cannabis plants are transplanted or repotted to larger pots, where they continue to grow in a vegetative stage (i.e., the period of growth between germination and flowering during which the plant has no observable flowers or buds). During this stage, the plants are given water and nutrients (through compost teas, which are created by steeping compost material in water, or other amendments) and exposed to natural and/or artificial light to maintain the vegetative stage (18 hours of daylight and 6 hours of darkness). Other climate conditions (e.g., temperature, humidity, airflow) are often controlled to meet the plant's growth needs. In addition, once the plants have a healthy root system, older leaves (identified by their pale green or yellow coloring) can be selectively removed (pruned) from the plants to improve airflow, decrease shading, increase light penetration, and allow plants to focus valuable energy on new leaves (rather than on the removed older leaves).

Pest monitoring and, if necessary, pest management activities occur throughout the cultivation period. DCC regulates the types of pesticides, rodenticides, and herbicides that may be applied to cannabis plants in the cultivation process and regulates the methods by which these chemicals are used.

Once plants reach a desirable size, they are transitioned to the flowering phase, either as a result of natural changes in the period of light (photoperiod) for outdoor cultivation or by altering the light pattern so that the plants are exposed to 12 hours of light and 12 hours of darkness for indoor or mixed-light cultivation. In approximately 6-14 weeks, the flowers will ripen and be ready for harvesting.

Harvesting is the next step in producing the raw cannabis material and occurs when most of the plant's trichomes[4] have changed from clear to either a light amber or cloudy white color. The primary portion of the plant that is harvested is the cannabis flowers, which are generally located at the top of the plant. Flowers are removed using

[4] Trichomes are small resin glands protruding from the buds, leaves, and other areas on the plant. This is the only part of the plant that produces the cannabinoids (i.e., the chemical compounds in cannabis that affect neurotransmitters in the brain). There are multiple types of trichomes on a cannabis plant.

a sharp pair of pruners. Since flowers at the top of the plant may be riper than those lower on the plant, harvesting of the top flowers may precede harvesting of the lower flowers.

Once cannabis plants are harvested, they go through a series of processing steps to become cannabis products. Processing operations may consist of trimming, drying, curing, labeling, and packaging of cannabis, as described in Section 2.4.2 below.

More information is provided below about the various types of cultivation processes.

2.4.1.1 Mixed-Light Cultivation

Mixed-light cultivation is typically conducted within greenhouses. The photoperiod in the greenhouse is manipulated (in a similar fashion as indoor cultivation) using a variety of lighting and shading techniques, including a combination of natural and artificial light, to accomplish multiple harvests per year.

Instead of relying solely on artificial light for photosynthesis, however, the primary light source is the sun, supplemented by artificial light. The photoperiod is altered by using tarps or other material to block out sunlight and shorten the photoperiod, and/or by using artificial light to extend the photoperiod. Low-intensity lighting is used to extend the photoperiod of a plant to keep it in the vegetative state and prevent flowering. High-intensity lighting can be used to supplement sunlight in promoting photosynthesis and flower growth. Mixed-light operations typically use greenhouses with shading equipment. Like other cultivation methods, mixed-light cultivation activities may include on-site propagation from seeds or cuttings to generate their crops.

2.4.1.2 Nursery Cultivation (Propagation)

Nurseries produce only clones, immature plants, seeds, and other agricultural products used specifically for the propagation and cultivation of cannabis. Nurseries maintain plants in their vegetative stage, the period of growth between germination and flowering during which the plant has no observable flowers or buds. During this stage, plants focus on photosynthesis and accumulating resources that will be needed for flowering and reproduction. While some nurseries propagate from seed, most create clones by taking cuttings from “mother plants.” Nurseries may also produce seeds from mature plants. Nursery operations may be entirely indoors or may use a combination of outdoor, indoor, and mixed-light techniques.

The nursery cultivation process generally involves the following steps:

1. **Preparing cutting materials and growth medium** includes sterilizing the tools that are used to remove the cuttings (e.g., razor or sharp scissors) to reduce the possibility of fungi, viruses, or diseases affecting the cuttings, and presoaking the growing medium in pH-balanced water.
2. **Taking cuttings from the mother plant** involves selecting branch tips that have at least three nodes (areas where the leaves come out of an individual stem), cutting off one or two leaves at the nodes (farthest from the branch tip), and making a cut at an approximately 45-degree angle (approximately 0.25 inch below the last node). Branch tips selected typically range from 2 to 6 inches in length.
3. **Treating and planting the cuttings** may involve applying a rooting product (gel or powder) to the tip of the cutting to stimulate root growth. The cutting is then placed in the growth medium (typically rockwool cubes, but possibly other media such as a mix of perlite and peat moss), and multiple cuttings are placed in a plastic tray. Some cultivators may use a layer of perlite between the tray and the growth medium to

allow space for roots to grow once they emerge from the growth medium. Metal shelving units can be used to hold multiple trays at one time.

4. **Growing the cuttings until roots are well established** involves daily adjustments to lighting, temperature, and moisture. Once all cuttings and their growth medium have been placed on a tray, the cuttings and (when used) the inside of a humidity dome are misted with water and the humidity dome is placed over the tray. To ensure ideal climate conditions for the cuttings, they are kept at a temperature range of approximately 72-80 degrees Fahrenheit (°F) and remain covered, apart from removing the humidity dome two to three times each day to mist the cuttings and allow fresh air under the dome. The cuttings are watered to prevent the growth medium from drying out. For faster root development, heating pads can be placed underneath the trays, if the temperatures are maintained in the ideal range. The cuttings are typically exposed to bright, but not intense, light for 18-24 hours per day. Fluorescent lighting can be placed within a few inches of the cannabis plants, or more intense lighting can be placed 2-6 feet away from the plants, depending on bulb wattage.
5. **Preparing the rooted cuttings for transport and distribution** is the final step in the cultivation process. Once the cuttings have established roots, a quality assurance/ quality control check is completed to verify the health of the plants, check for the presence of established roots, and inspect for pests. The checked final cuttings are then placed in transport containers for distribution. Nurseries typically distribute plants within two to three days of roots becoming established, although some facilities have reported holding plants for several weeks to meet client needs. Once plants are available for distribution, they are generally provided to retail dispensaries or directly to cannabis cultivators.

The total length of time between planting a cutting and distribution of a rooted cannabis plant is approximately 10 days to 3 weeks. Seed production would require a similar length of time to cultivation of flowers, which varies based on the technique (as discussed above).

In addition to the plant propagation activities described above, nurseries may conduct research on cannabis plants. As an example, researchers may conduct projects and tests related to developing plant types with specific genetic properties.

2.4.2 Processing

Once cannabis plants are harvested, they then go through a series of processing steps to become cannabis products. Processing operations consist of trimming, drying, curing, labeling, and packaging of cannabis. Under DCC's regulations, licensees may conduct processing on the premises of the licensed cultivation site or obtain a separate processing license to perform the activities at a separate facility. A processor may collate harvested cannabis from multiple farms to perform post-harvest processing activities.

Processing techniques also vary based on the end users of the plant. Because cannabinoids are produced only in the trichomes and most cannabinoids are found in these tiny resin-filled glands, these are the core material in many types of cannabis extracts and concentrates. "Kief" is the resin from glandular trichomes from a cannabis plant. Mature buds ("calyx") also have high cannabinoid content and are the other main parts to be used in cannabis products. Sugar leaves, which are smaller leaves on the flower, are typically used to make edible cannabis products after they are trimmed, dried, and cured. Pistils on the plant are the female reproductive organs and are not used for any products because they do not contain cannabinoids. Except for the fibers in cannabis plant stalks

and the corresponding uses as hemp for fabric, rope, and oil, cannabis plant stalks are not considered a usable part of the plant. Fan leaves (the larger, well-known cannabis leaves) have low cannabinoid content and are typically disposed of during plant trimming (VivoSun 2024). However, some growers distribute the remaining plant material after flower removal for manufacturing.

2.4.2.1 Trimming

Trimming involves removal of plant parts that are not useful to prepare the plants for the next step in the production process. The trimming process occurs either immediately after the harvest (wet trim) or during/after the drying process (dry trim) to remove all or most of the sugar leaves that sit between the cannabis buds, along with any other unwanted leaf matter. Trimmers use small scissors appropriate for the delicate process. Trimming machines may also be used. Buds are handled gently and touched as little as possible during the final production processes to avoid removal of cannabinoids from the plant onto anything that may touch them. Sugar leaves may be kept for use in manufactured products. Trimming techniques vary based on whether the flower is intended to be sold as is (in which case the trimming is conducted to maximize the aesthetic quality of the flower) or processed into another product (in which case the trimming is focused on other aspects of the flower, such as odor and chemical composition).

2.4.2.2 Drying

Following harvesting or trimming, flower buds and other cannabis products are dried and then cured. Drying methods may include hanging the flowers or branches from wire or rope lines; hanging them from mobile, self-supporting wire cages; or spreading flower buds onto screens. Screen drying is used for small buds that cannot be hung to dry; it is more labor intensive than the other methods and therefore not preferred. Drying takes place in a dark, well-ventilated environment. Removing extra leaf matter during the trimming stage allows for increased airflow around the flowers and decreased humidity in the drying rooms. Dehumidifiers can be used to lower the drying room's humidity to an optimal humidity level (below 30 percent). Drying can take approximately 5-10 days, depending on the thickness of the plant and length of the stem. At the end of the drying process, buds are clipped from the stems to a preferred size, no more than approximately 3 inches long. The removed stems are discarded and disposed of (Marijuana Growers Headquarters 2011) or used for manufacturing.

2.4.2.3 Curing

Curing is a slow, controlled drying of the cannabis product to allow chlorophyll in the plant to naturally degrade, enhancing the cannabinoid content and flavor of the end product. Curing involves placing the buds into uncovered plastic tubs in the drying room, rotating the buds into new uncovered tubs twice a day, covering the bins at night, and repeating this process for about 1 week until the buds are sufficiently dry.

2.4.2.4 Packaging and Labeling

Following curing, the cannabis buds are packaged in an airtight container or plastic bag and stored in a dark area to prevent exposure to air, light, and especially high heat, which can cause the buds to become dry and brittle. Other packaging activities may include producing pre-rolled cannabis. DCC's regulations establish packaging and labeling requirements for the distribution and transport of all nonmanufactured products produced by cultivation licensees. These packaging requirements are designed to protect the cannabis consumer by preventing contamination, as well as to protect children from accidental ingestion of the cannabis products. Both packages

and labels are prohibited from imitating any product commonly marketed to children. Other labeling requirements include identifying the product and the product's weight, providing the Universal Identification assigned to the product through the track-and-trace system, and complying with all label size and text requirements (some of which are specified in Business and Professions Code section 26120).

2.4.3 Distribution

Commercial cannabis distribution includes storing, labeling, transporting, and arranging for the testing of cannabis and manufactured cannabis products. Under MAUCRSA, licensed cannabis cultivators and manufacturers are required to send cannabis and cannabis products to a licensed distributor prior to retail sale. The commercial cannabis distributor is responsible for arranging for the testing of representative samples of the products by a licensed, third-party testing laboratory. Commercial cannabis distributors must store batches of cannabis or cannabis products while samples from those batches are being tested. Commercial cannabis distributors may also package cannabis and nonmanufactured cannabis products; store, destroy, and label/relabel cannabis and cannabis products at their licensed facilities; act as product wholesalers; and transport cannabis and cannabis products to and/or from other licensed commercial cannabis businesses.

2.4.4 State Cannabis Regulations

DCC is responsible for the licensing, regulation, and enforcement of commercial cannabis business activities, as defined in the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) and DCC's implementing regulations. (Bus. & Prof. Code, § 26012, subd. (a).) DCC has jurisdiction over the issuance of licenses to cultivate, propagate, and process commercial cannabis in California. DCC issues licenses to outdoor, indoor, and mixed-light commercial cannabis cultivators; nurseries; processing; manufacturing; and distribution facilities, where the local jurisdiction authorizes these activities. (Bus. & Prof. Code, § 26012, subd. (a).) All commercial cannabis businesses within California require a license from DCC for each associated type of business activity.[5]

The State Water Resources Control Board (SWRCB) Order WQ 2023-0102-DWQ, General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (Attachment A, Section 1, General Requirements and Prohibitions), includes a number of requirements for state-licensed cultivation sites. These provisions include best management practices (BMPs) for cultivation businesses related to the protection of water quality.

The California Department of Pesticide Regulation (CDPR) oversees state pesticide laws, including pesticide labeling, and is vested by EPA to enforce federal pesticide laws in California. CDPR also oversees the activities of the county agricultural commissioners related to enforcement of pesticide regulations and related environmental laws and regulations locally. These regulations include permitting requirements and limitations on the use of "restricted" pesticides (pesticides considered to be dangerous to human health or the environment if not used correctly) and non-restricted pesticides that may require permitting or must be handled consistent with the pesticide's specifications. Pesticides legal for use on commercial cannabis must have active ingredients that are

[5] For more information pertaining to commercial cannabis business license requirements, including DCC regulations, please visit: https://cannabis.ca.gov/cannabis-laws/dcc-regulations/.

exempt from residue tolerance requirements and are either exempt from registration requirements or registered for a use that is broad enough to include use on cannabis (CDPR 2021).

2.4.5 Local Cannabis Ordinances and Regulations

Commercial cannabis activities were added to the Stanislaus County Code on December 5, 2017. The County adopted two separate ordinance amendments addressing commercial cannabis activities: Title 21, the Stanislaus County Zoning Ordinance, which specifies the zoning districts where each commercial cannabis activity may be permitted, subject to the discretionary review process; and Chapter 6.78 of the County Code, which regulates the cultivation, manufacturing, processing, storing, laboratory testing, labeling, transportation, destruction, delivery, and sale of medicinal and adult-use cannabis and cannabis products. All cannabis businesses in Stanislaus County must obtain and renew annually a Commercial Cannabis Activity Permit (CCA) permit in order to operate.

Refer to Section 3, "Environmental Checklist," for "Local Laws, Regulations, and Policies" pertaining to specific environmental resources.

2.4.6 Site Specific Approval

The site is zoned A-2-40 (General Agriculture). Pursuant to Section 21.20.030(H) of the Stanislaus County Zoning Ordinance, commercial cannabis distribution and cultivation activities (mixed-light or indoor) are permitted when conducted within a greenhouse or accessory agricultural storage building in the A-2 zoning district, subject to the approval of a use permit. The Stanislaus County Board of Supervisors approved the Use Permit and Development Agreement Application Number PLN2018-0114 on July 16, 2019 (Stanislaus County 2019).

Conditions of Approval

The Stanislaus County Board of Supervisors found that the Proposed Project is consistent with both the Title 21, Zoning and Title 22, Development Agreement Ordinances and conforms to the requirements of Chapter 6.78 of the County Code. In addition, the Proposed Project would be required to comply with a number of Conditions of Approval. These conditions include the preparation and submittal of a security plan, the installation of shielded light fixtures, the installation of a seven-foot-tall opaque fence, the preparation and submittal of a grading and drainage plan, the preparation and submittal of a landscaping plan, and compliance with all state and local laws and regulations.

2.5 Proposed Project Characteristics

This section describes the facilities and construction activities that would be part of the Proposed Project. Detailed information about facilities and operations at the project site is provided in *Appendix A*, *Applicant Design and Planning Materials*.

2.5.1 Proposed Project Facilities

The Proposed Project would involve construction of up to approximately 29,880 square feet of greenhouse facilities for mixed light cultivation and processing facilities, warehouse, parking, utility improvements and office space. Each element of the facility is described below. There would be no demolition of existing structures on the project site. However, development of the site would include the removal of mature almond trees from the existing almond orchard. The maximum height of all buildings would be approximately 24 feet.

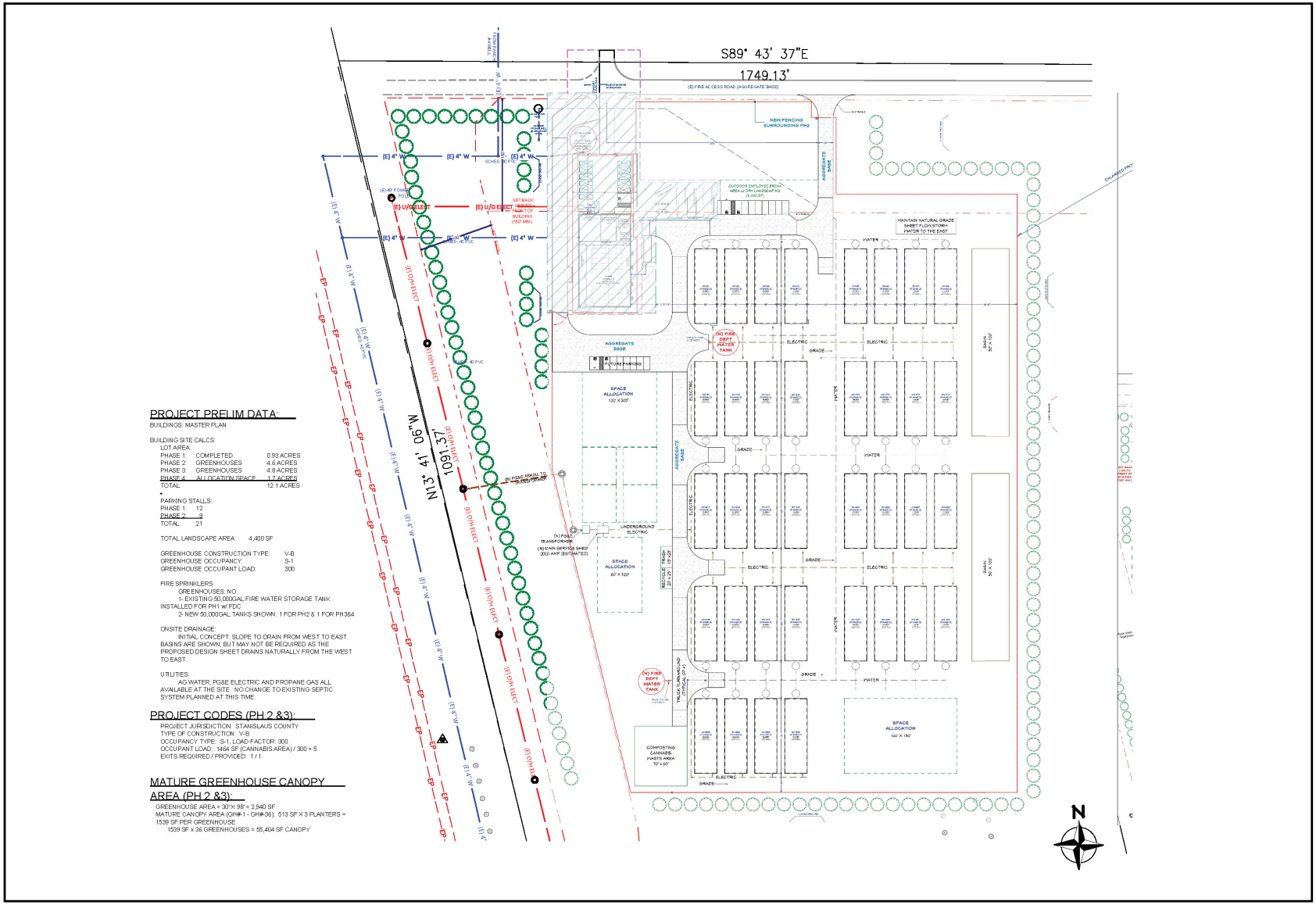
The project structures and improvements would be constructed in four phases over three to five years. More information about construction activities and project phasing is provided in Section 2.6, "Construction Activities." **Figure 2.5-1** is a site plan showing the locations of project facilities for all phases of the Proposed Project. **Figure 2.5-2** illustrates the buildout of Phases 1 through 4.

Table 2.5-1 presents the facilities and operations that would occur during each phase of the Proposed Project.

Table 2.5-1. Facilities and Operations by Phase

Phase	New Structures Added	Total Structures (cumulative)	Activities	Time Period
Existing as of April 2020 (Project Baseline)	N/A	Private agricultural well	N/A	Prior to April 2020 (Date of application to CDFA)
Phase 1	1 greenhouse 5,500 ft^2 greenhouse space, flowering canopy 5,000 ft^2 800 ft^2 warehouse 400 ft^2 office trailer Septic field Stormwater detention area Utility lines Perimeter security fencing (7' tall steel panel fence) 12 parking spaces Landscaping One 50,000-gallon fire water tank	1 greenhouse 5,500 ft^2 greenhouse space, flowering canopy 5,000 ft^2 800 ft^2 warehouse 400 ft^2 office trailer Septic field Stormwater detention area Utility lines Perimeter security fencing (7' tall steel panel fence) 12 parking spaces Landscaping One 50,000-gallon fire water tank	Mixed-light cultivation	Complete
Phase 2	16 greenhouses (Phase 1 greenhouse converted to flower room) 5,000 ft^2 greenhouse space 800 ft^2 warehouse Extended perimeter security fence (7' tall steel panel fence) 9 parking spaces Landscaping 720 ft^2 Water storage building One 50,000-gallon fire water tank	18 greenhouses 10,500 ft^2 greenhouse space, flowering canopy 20,000 ft^2 1,600 ft^2 warehouse 400 ft^2 office trailer Septic field Stormwater detention area Utility lines Extended perimeter security fence (7' tall steel panel fence) 21 parking spaces Landscaping Two 50,000-gallon fire water tanks 720 ft^2 Water storage building	Mixed-light cultivation, distribution	3 to 5 Years
Phase 3	20 greenhouses 19,380 ft^2 greenhouse space, flowering canopy 12,000 ft^2 5,870 ft^2 warehouse Extended perimeter security fence (7' tall steel panel fence) Landscaping One 50,000-gallon fire water tank	36 greenhouses 29,880 ft^2 greenhouse space, flowering canopy 22,000 ft^2 7,470 ft^2 warehouse 400 ft^2 office trailer Septic field Stormwater detention area Utility lines	Mixed-light cultivation, distribution	3 to 5 Years

Phase	New Structures Added	Total Structures (cumulative)	Activities	Time Period
		Extended perimeter security fence (7’ tall steel panel fence) 21 parking spaces Landscaping Three 50,000-gallon fire water tanks 720 ft^2 Water storage building		
Phase 4	Allocation space for supporting operations, support building, and future growing capabilities.	36 greenhouses 29,880 ft^2 greenhouse space, flowering canopy 22,000 ft^2 7,470 ft^2 warehouse 400 ft^2 office trailer Septic field Stormwater detention area Utility lines Extended perimeter security fence (7’ tall steel panel fence) 21 parking spaces Landscaping Three 50,000-gallon fire water tanks 720 ft^2 Water storage building	Mixed-light cultivation, distribution	3 to 5 Years



Source: M8Builders, 12/9/2024

Figure 2.5-1. Proposed Project Site Plan



Source: M8Builders, 12/9/2024

Figure 2.5-2. Proposed Project Phase Buildout

2.5.2 Project Site Development

2.5.2.1 Utilities

The project site has existing access to utilities. There is an existing agricultural water well; and a septic leach field sewer system, and onsite electrical connections were constructed as part of the first phase of the Proposed Project. **Table 2.5-2** lists anticipated utility service agencies that would serve the Proposed Project.

Table 2.5-2. Local Utility Agencies Serving the Project Area

Utility Service	Utility Agency
Water Supply	Pre-existing on-site well
Sanitary Sewer	On-site septic leach field system
Electrical Service	Pacific Gas and Electric Company (PG&E)
Natural Gas Service	Van Unen Miersma Propane
Fire Protection Service	West Stanislaus County Fire Protection District
Police Protection Service	Stanislaus County Sheriff's Department

Electrical Power

Each cultivation greenhouse/processing building would be powered with electric power via a connection to overhead power lines operated by PG&E. Overhead electricity lines bring the electricity service to the property at the west side of the parcel, along the Delta-Mendota Canal. The electrical infrastructure is run underground across the property to the northeast corner of the project site, continued underground to the northeast corner of the Phase 1 building which provides 600-amp service for project operations. There is currently enough infrastructure to meet electrical demands for Phase 1 operations.

Future Phases 2, 3, and 4 would include added electrical infrastructure to connect each of the newly constructed individual greenhouses (see Figure 2.5-1). Phase 2 through Phase 4 would require an additional 1,600 to 2,000 amps for the full buildout of the Proposed Project. The Applicant anticipates the installation of a new transformer and service panel to provide power distribution to the site within three to five years. Based on the 2023 electrical usage for Phase 1 the daily average usage for the period was 675 kilowatt per hour (kWh), and the annual usage of 246,297 kWh (DWCS Ag Management 2024). In determining the estimated electrical usage, the Applicant used a 5.3 multiplier to estimate Phases 2 though Phase 4 future electrical usage based on allowable canopy space. The Proposed Project's estimated average daily use at full build out is 3,577 kWh with an estimated annual usage of 1,305,374 kWh (DWCS Ag Management 2024).

The Applicant intends to install energy efficiency measures including motion sensing light control, photocells for 60-watt LED lights in the future. The Proposed Project does not plan to use emergency backup generators.

Water

The Proposed Project would rely on the site's existing private agricultural well for agricultural cannabis cultivation water supply. The existing well has a capacity of 100 gallons per minute (DWCS Ag Management 2024). The well will supply the facility's needs for irrigation, filling of water tanks, fire suppression, landscaping, domestic uses, cleaning, and lavatory. The well has sufficient capacity to serve the Proposed Project at full buildout. No municipal or public source of water would be used.

The facility currently uses approximately 24 gallons per day during the winter months and 47 gallons per day during the summer months for Phase 1 operations (DWCS Ag Management 2024). Based on these estimates, the estimated annual water use for Phase 1 is approximately 13,000 gallons. Using the 5.3 multiplier based on the increased size for Phases 2 through 4, the facility is anticipated to use approximately 68,900 gallons of water annually at full buildout.

The almond trees that will be removed for the full buildout currently utilize approximately 8,000 to 9,000 gallons of water for each tree annually (DWCS Ag Management 2024). The Proposed Project would remove approximately 1,200 almond trees. As a result, removing the trees and replacing them with the Proposed Project would result in a significant decrease in water usage at the facility.

Sewer System

The Proposed Project would be served by a septic leach field system constructed during Phase 1. The septic system would serve the Proposed Project's domestic uses.

Agricultural runoff would not require treatment, nor will it be reclaimed since the irrigation water delivered to each plant will be completely absorbed by the plant and therefore there will be no excess discharge (DWCS Ag Management 2024). No agricultural runoff would be discharged from the facilities.

Telecommunications

No communication lines (i.e., for telephone, cable, and Internet) would need to be installed. The facility would conduct all required communications using mobile radio, cell phones, computers, tablets, and other Wi-Fi-based technologies. The Wi-Fi antenna and infrastructure are located on-site on the west of the main building. The Wi-Fi also provides the service for security cameras, burglar alarms, sirens, and other security-based services.

2.5.2.2 Stormwater Drainage

The site plan includes approximately 12 acres of new impervious surfaces. The Proposed Project would install storm basins to better control surface drainage. A comprehensive storm drainage plan prepared by a registered civil engineer would be submitted to the County Engineer for approval, describing the ultimate buildout of the development and any interim drainage plan serving the entire project area or any portion of the project area associated with phasing of the development improvements. The drainage plan would identify specific storm drainage design features to control increased runoff from the project site. The drainage plan would demonstrate the effectiveness of the proposed storm drainage system to prevent adverse impacts on existing downstream facilities and prevent flooding at off-site downstream locations. The design features for the Proposed Project would be consistent with the most recent version of the County's Storm Water Resource Plan[6] criteria and County Public Improvement Standards.

The remaining area would remain pervious, including graveled parking areas, landscaping, and remaining portion of the parcel that would continue to have almond trees.

[6] https://www.stancounty.com/publicworks/pdf/improvement-standards.pdf

2.5.2.3 Site Access and Circulation

There is an existing access easement running from Howard Road, along the west side of the West Stanislaus Irrigation District Lateral 6S, the east side of the project site, which allows for legal access to the site. An existing dirt road provides site access. The road is graded and maintained by West Stanislaus Irrigation District, on a clay soil that gets soft and wet in the winter and dry and dusty in the summer. The main entrance and exit would use this road. The Proposed Project would include two new private site entrance driveways that would connect to the existing road. The Proposed Project does not include any changes to the access roads.

Two gravel parking areas would be located along the northern property boundary, accessible to the access road via two driveways. The parking area would be all-weather, graveled, and permeable. The parking areas would be of sufficient space to provide approximately 21 standard parking spaces. Phase 1 includes thirteen parking stalls dedicated to being shared with future phases. An additional nine parking stalls are planned to be added during Phase 2. The Proposed Project would provide sufficient parking to accommodate the buildout total of 16 employees plus visitors.

2.5.2.4 Other Site Elements

The following site elements of the Proposed Project would support its operations.

Staffing

The operation would require a maximum of 16 employees on-site per shift, including two to three employees for Phase 1, and 10 additional employees at full project build out. The estimated occupancy during operating hours would be a maximum of 16 employees during peak periods. The facility's hours of operation would be Monday through Sunday, between the hours of 7:00 a.m. and 7:00 p.m. The Proposed Project would generate a maximum 32 one-way employee trips per day during operations. On-site security staff are utilized as needed to supplement on-site safety staff. Operations staff are not normally on-site during off hours. A security company has been contracted to provide after-hours monitoring of the property.

Deliveries

Operation of the Proposed Project would require regular deliveries of cultivation and maintenance equipment and materials (e.g., soil and soil amendments, equipment, fertilizers, chemicals), fuel, deliveries of office supplies and other equipment, and disposal of hazardous materials generated on-site. The facility would dispatch regular deliveries of products from the facility. Hazardous materials stored on-site (e.g., used oils and fuels, pesticides, chemicals used for testing and research) would be transported approximately quarterly to an appropriate local hazardous waste facility for disposal or recycling.

All cannabis products resulting from the operation will be picked up by State licensed commercial cannabis distributors. Interactions with commercial cannabis distributors would occur in the shipping and receiving section of the warehouse. A roll-up door would provide vehicle access to the secure transport area within the warehouse building.

The Proposed Project is expected to generate 15 delivery truck trips per month on average.

Solid Waste

Waste generated from cultivation activities (e.g., plant matter, soils, containers) would be processed and stored on site, in accordance with state law. The waste storage area would be located inside the Phase 1 warehouse. Waste recycling is not included as part of this Proposed Project. Waste would be hauled off site using a private contractor (currently Bertolotti Disposal) approximately once per month.

Hazardous Materials Storage

Hazardous materials, including fertilizers, pesticides, insecticides, fungicides, cleaning supplies, and fuels, would be stored in dedicated hazardous materials storage rooms within each greenhouse/processing building. The Applicant has prepared a Hazardous Materials Plan that describes the management and disposal of hazardous materials.

Loading Bays

The site plan designates an area for loading and unloading of materials at the steel rollup door at the front of the main building. The location is depicted at Figure 2-4. The loading areas would be all-weather gravel, unpaved and permeable.

Landscaping and Irrigation

The Proposed Project would include landscaping that requires minimal maintenance and an automatic irrigation system. The landscaping will include low-water plants, shrubs and bushes, with a timed water drip irrigation system. The landscape plan for the Proposed Project would be approved by Stanislaus County. Landscaping would meet the state's definition of water efficient landscaping (Cal. Code Regs., tit. 23, §§ 490 et seq.). Existing and proposed landscaping will be irrigated with water from the site's agricultural well.

2.5.2.5 Ancillary Improvements

Fencing

The perimeter of the project site would be surrounded with seven-foot-tall steel panel security fencing. Secure passcode-protected steel sliding gates would be installed at vehicle and pedestrian entrances to the site to prevent unauthorized entry into the facility.

Security Lighting

Exterior lighting would be installed throughout the site for safety and security purposes. Lighting would be located around the project site and along the site perimeter in accordance with state and local security protocols and would be directed downward to minimize off-site glare. All exterior lighting would be designed to provide adequate illumination without a glare effect. This would include, but not be limited to, the use of shielded light fixtures to prevent skyglow (light spilling into the night sky) and the installation of shielded fixtures to prevent light trespass (glare and spill light that shines onto neighboring properties). The height of the lighting fixtures would not exceed 15 feet above grade.

Security Cameras

Security cameras would be mounted around the perimeter of the facility to monitor all activity in and around the facility, prevent unauthorized entry into the facility, and deter potential criminal activity. Security cameras are

located along the perimeter of the fence line, all operational areas in the front building areas, and each greenhouse has a dedicated camera. The Proposed Project has internal and external security personnel that provide safety and security duties during the facility's hours of operation.

2.6 Construction Activities

2.6.1 Site Preparation and Earthwork

There would be no demolition of existing structures on the project site. However, the Proposed Project would remove approximately 1,200 almond trees. Site preparation would include clearing and grubbing; removal of almond trees; grading, excavation, and placement of fill; and compaction. Clearing and grubbing, including removal of most trees on the site, would be conducted with standard excavators, scrapers, graders, bulldozers, and hand labor.

To the extent feasible, excavated soil would be reused on site. The site would be designed to balance cut and fill, and the Proposed Project would not import soil for fill. The majority of the initial sitework for all phases would occur in Phase 1, including all mass grading and utilities along with the initial road improvements and paving. All the building pads and roads would be cut and compacted throughout the entire site during this phase, which would include the most extensive use of heavy equipment, including scrapers; graders; compactors; water trucks; excavators; and transfer trucks for sand, gravel, and asphalt. The maximum depth of excavation for utility lines would be 4 feet; and the maximum depth for grading and drainage would be 12 inches.

2.6.2 Construction Process

The greenhouse structures would be premanufactured off site, delivered, and assembled on site. Construction of buildings and structures would include the installation of new premanufactured greenhouse structures, and the extension of electric and water service to each individual greenhouse. Within each greenhouse, the Applicant would install fans, lighting, humidifiers, storage water tanks, security cameras, Wi-Fi service, and other growing equipment. Premanufactured material will be received and moved by vehicle and built by hand at the individual greenhouse site earth pad. The greenhouses would require installation of concrete footings. The greenhouses do not require concrete foundations, so no large-scale excavation would be required.

All methods for installation of mechanical equipment and piping will be performed by a licensed mechanical contractor per California Building Code. New electric and water utility locations would be installed per the National Electric Code and the California Building Code. A design professional will design and specify all material types and sizes to be approved by the Stanislaus County Building Department. Design and construction methods will conform to an approved set of grading and drainage instruction documents, designed by a licensed civil engineer. Applicant would install all facilities in accordance with approved plans.

Construction of the Proposed Project is anticipated to take place in four phases lasting over approximately three to five years, once all necessary approvals and permits have been secured. Construction activities would occur Monday through Friday between 7:00 a.m. and 7:00 p.m. Work on Saturdays, Sundays, and state holidays may be permitted at the discretion of the County. No nighttime construction would occur. The Proposed Project would employ approximately two to four persons during construction.

2.7 Permits and Approvals

CEQA defines a responsible agency as "a public agency, other than the lead agency, which has responsibility for carrying out or approving a project". (Pub. Resources Code, § 21069.) A trustee agency is "a state agency that has jurisdiction by law over natural resources affected by a project, that are held in trust for the people of the State of California." (Pub. Resources Code, § 21070.) For the Proposed Project, the California Department of Fish and Wildlife, Central Region, is considered a trustee agency. Responsible agencies for the Proposed Project are the Central Valley Regional Water Quality Control Board, San Joaquin Valley Air Pollution Control District, and Stanislaus County.

The Proposed Project would require permits and/or approvals from various state and local regulatory agencies. The permits and regulatory compliance requirements for the Proposed Project are described in **Table 2.7-1**.

Table 2.7-1. Applicable Permit and Regulatory Requirements

Regulatory Agency	Law/Regulation	Purpose	Permit/Authorization Type
California Department of Cannabis Control	Medical and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA)	State licensing of commercial cannabis cultivation, distribution, transportation, and manufacturing	State Cannabis License(s)
Central Valley Regional Water Quality Control Board	Clean Water Act Section 402	National Pollutant Discharge Elimination System (NPDES) program regulates discharges of pollutants	NPDES General Permit Construction Permit
California Department of Fish and Wildlife –Central Region	California Endangered Species Act (CESA) (Fish & G. Code, § 2081(b))	Regulates "take" of species listed under CESA as threatened or endangered	Incidental Take Permit, if necessary
Stanislaus County	General Plan, zoning ordinance, development requirements	Establish requirements related to building, landscaping, and other construction- and design-related activities; establish sewer connections and drainage plans; establish water supply	Use Permit; Development Agreement; Building (includes grading), Electrical, Plumbing, and Mechanical Permits; Landscaping and Erosion Control Requirements; construction permits

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3 ENVIRONMENTAL CHECKLIST

This chapter of the Initial Study/Mitigated Negative Declaration (IS/MND) assesses the environmental impacts of the Proposed Project based on the environmental checklist provided in Appendix G of the California Environmental Quality Act (CEQA) Guidelines. The environmental resources and potential environmental impacts of the Proposed Project are described in the individual subsections below. Each section includes a discussion of the rationale used to determine the significance level of the Proposed Project's environmental impact for each checklist question. For environmental impacts that have the potential to be significant, mitigation measures are identified that would reduce the severity of the impact to a less-than-significant level.

1.	Project Title	Central Valley Growers
2.	Lead Agency Name and Address	Department of Cannabis Control
3.	Contact Person, Phone Number and Email	Kevin Ponce, Senior Environmental Scientist Supervisor, (916) 247-1659, kevin.ponce@cannabis.ca.gov
4.	Project Location and Assessor's parcel number	2789 Howard Road, Patterson, CA 95363 016-019-036
5.	Property Owner(s)	Sarbjit Athwal
6.	General Plan Designation	Agriculture
7.	Zoning	A-2-40 (General Agriculture)
8.	Description of Project	The Proposed Project is a commercial mixed-light cultivation operation to allow a 22,000 square-foot canopy within 36 greenhouses totaling 29,880 square-feet; and office, storage, and processing activities within a 7,470 square-foot warehouse. The Proposed Project also includes accessory facilities, including driveways, parking areas, fencing, landscaping, and water tanks. It would cover approximately 12.1 acres in total.
9.	Surrounding Land Uses and Setting	The land use at the time of the April 2020 baseline was an almond orchard. Surrounding land uses included orchard and turkey farm to the west; vineyard to the east; orchard to the north and south; and scattered single-family dwellings in all directions. The Proposed Project is adjacent on all sides to property zoned A-2 (General Agriculture). The topography of the site is relatively flat.
10.	Other Public Agencies whose Approval or Input May Be Needed	Stanislaus County Central Valley Regional Water Quality Control Board

11. Native American Consultation

An email request was made to the Native American Heritage Commission (NAHC) on November 25, 2024, to review its files for the presence of recorded sacred sites on the project area. The NAHC responded on December 3, 2024. The results of the Sacred Lands database review were negative for any sacred sites within the project area.

On January 9, 2025, letters were sent to the 12 tribal contacts provided by the NAHC. The letters requested any additional information regarding tribal resources and to notify the Department of Cannabis Control (DCC) if they wished to initiate consultation regarding the project actions. To date, no responses have been received. As planning proceeds, DCC will continue to consult with interested tribal representatives regarding the Proposed Project and incorporate their concerns into project planning and mitigation as warranted.

Environmental Factors Potentially Affected

The environmental factors checked below would potentially be affected by the Proposed Project, 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 and Hazardous Materials
- ☐ Hydrology/Water Quality
- ☐ Land Use/Planning
- ☐ Mineral Resources
- ☐ Noise
- ☐ Population/Housing
- ☐ Public Services
- ☐ Recreation
- ☐ Transportation
- ☒ Tribal Cultural Resources
- ☐ Utilities/Service Systems
- ☐ Wildfire
- ☐ Mandatory Findings of Significance

Determination

The conclusions and recommendations contained herein are professional opinions derived in accordance with current standards of professional practice. They are based on a review of sources of information cited in this document, and the comments received, conversations with knowledgeable individuals; the preparer's personal knowledge of the area; and, where necessary, a visit to the site.

On the basis of this initial evaluation:

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

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

☐ I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) is required.

☐ I find that the Proposed 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 EIR is required, but it must analyze only the effects that remain to be addressed.

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

Signature Kevin Ponce Digitally signed by Kevin Ponce Date: 2025.07.16 14:42:15 -07'00' Date 7/16/2025

Kevin Ponce
Environmental Program Manager
Department of Cannabis Control

3.1 Aesthetics

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
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 non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

3.1.1 Regulatory Setting

3.1.1.1 Federal Laws, Regulations, and Policies

The Wild and Scenic Rivers Act

The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic, and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System. The National Wild and Scenic Rivers System was created by Congress in 1968 (Public Law 90-542; 16 U.S.C. Section 1271 et seq., as amended) to preserve certain rivers with outstanding natural, cultural, and recreational values in a free-flowing condition for the enjoyment of present and future generations. The Act is notable for safeguarding the special character of these rivers, while also recognizing the potential for their appropriate use and development. It encourages river management that crosses political boundaries and promotes public participation in developing goals for river protection.

Each river or river segment in the National Wild and Scenic Rivers System is administered with the goal of protecting and enhancing the values that caused it to be eligible for inclusion in the system. Designated rivers need not include the entire river and may include tributaries.

3.1.1.2 State Laws, Regulations, and Policies

California Scenic Highway Program

The California Department of Transportation (Caltrans) manages the State Scenic Highway Program. California's Scenic Highway Program was created by the Legislature in 1963. Its purpose is to protect and enhance the natural scenic beauty of California highways and adjacent corridors, through special conservation treatment (Caltrans 2024a). The State laws governing the Scenic Highway Program are found in the Streets and Highways Code, sections 260 through 263.

A highway may be designated as scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. Caltrans manages and maintains a listing of officially designated State Scenic Highways.

DCC Commercial Cannabis Business Regulations

DCC regulations implementing Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) include environmental protection measures requiring that all outdoor lighting be downward facing and shielded to minimize the visual effects of the presence of lighting (Cal Code Regs., tit. 4, § 16304, subd. (a)(6)), and that lighting for mixed-light operations must be shielded between sunset and sunrise to minimize nighttime glare (Cal Code Regs., tit. 4, § 16304, subd. (a)(7)).

3.1.1.3 Local Laws, Regulations, and Policies

Stanislaus County Zoning Ordinance

Chapter 6.78.080 Commercial Cannabis Cultivation

D. **Visibility.** In no case, shall cannabis plants be visible from off site, including transfer. No visual markers indicating that cannabis is cultivated on the site shall be visible from off site. All greenhouse cultivation activities shall be fully enclosed by an opaque fence, made of uniform material, at least seven feet in height. The fence must be adequately secured by a locked gate to prevent unauthorized entry. The fence design and construction material shall be approved by the county.

E. **Enclosure.** All commercial cannabis cultivation operations shall occur within a greenhouse or fully enclosed building. If conducted within a greenhouse, supplemental lighting shall not exceed twenty-five watts per square foot to be used up to one hour before sunrise or after sunset, unless the greenhouse or facility is equipped with light-blocking measures to ensure that no light escapes.

F. Outdoor Cultivation. No outdoor commercial cannabis cultivation is allowed within the unincorporated areas of the county of Stanislaus.

3.1.2 Environmental Setting

3.1.2.1 Visual Character and Quality of the Site

The Proposed Project is located within unincorporated Stanislaus County, in an agricultural area. The project site is visually defined by the largely flat open space with mountains visible to the west, the surrounding agricultural development and low-density residential buildings and the nearby Delta-Mendota Canal.

3.1.2.2 Light and Glare

Existing sources of light and glare within the project area include safety lighting, light spillage from windows and open doors, and light from vehicles. Sources of glare include reflections from glass and metal surfaces on buildings and vehicles in the area.

3.1.2.3 Scenic Highways and Corridors

State Highway 5, approximately 1.2 miles to the southwest of the project site is officially designated as a California State Scenic Highway (Caltrans 2024b).

3.1.2.4 Viewer Groups and Viewer Sensitivity

The primary viewers of the site would be passing motorists, employees of neighboring agricultural developments, and local residents.

Due to proximity and duration of time spent in the area, it is expected that local residents would be most sensitive to changes to the viewshed; employees of neighboring businesses would be somewhat less sensitive; and when taking into consideration the speed of travel for passing motorists, it is expected that they would be least sensitive to changes to the viewshed.

3.1.3 Discussion of Checklist Responses

a. Have an Adverse Effect on a Scenic Vista (Less than Significant Impact)

A scenic vista is generally considered a view of an area that has remarkable scenery or a natural or cultural resource that is indigenous to the area. Presently, there are no designated scenic vistas on or near the project site, however, the project site is approximately 1.2 miles from the closest designated highway (Interstate 5). The project site may be distantly visible from the highway given the topography of the area; however, existing vegetation would help to screen the project site. In addition, the project activities would be conducted primarily within greenhouses. The area surrounding the project site is largely agricultural and greenhouse cultivation is a common land use in the region. Further, the commercial Stanislaus County cannabis ordinance requires that no cannabis plants shall be visible from offsite, including during transfer and all greenhouse cultivation activity shall be screened by the establishment of an opaque fence at least 7 feet tall (Stanislaus County Code § 6.78.080.) Finally, the distance of the Proposed Project in conjunction with the speed of travel for passing motorists would reduce the visual impact. Overall, the impact would be **less than significant**.

b. Substantially Damage Scenic Resources, Including, but not Limited to, Trees, Rock Outcroppings, and Historic Buildings within a State Scenic Highway (No Impact)

As discussed above, there is an officially designated California Scenic Highway approximately 1.2 miles away from the project site, and therefore the project site could be distantly visible from the highway. However, because the project site was formerly used for agricultural purposes as an almond orchard, there are no significant scenic resources on site. Therefore, the Proposed Project would have **no impact** on scenic resources within a state scenic highway.

c. In Non-urbanized areas Substantially Degrade the Existing Visual Character or Quality of Public Views of the Site and its Surroundings? (Less than Significant Impact)

The site is located in a rural area, approximately 6 miles northwest of the City of Patterson. While the project site could be distantly visible from the designated scenic highway (Highway 5) at full build out, the distance, existing agricultural vegetation and existing buildings in conjunction with the speed of travel would reduce potential visual impacts.

The project site, including existing and proposed greenhouses, are set back from public roads and rights of way, separated by almond orchards. Therefore, the project buildings and operations would only be visible from public views at a distance. In addition, the project activities would be conducted primarily within greenhouses. The area surrounding the project site is largely agricultural and greenhouse cultivation is a common land use in the region. Further, the commercial Stanislaus County cannabis ordinance requires that no cannabis plants shall be visible from offsite, including during transfer. (Stanislaus County Code, § 6.78.080.) The project buildings are generally in keeping with the scale and general appearance of the existing development in the wider surrounding area. Therefore, the impact would be **less than significant**.

d. Create a New Source of Substantial Light or Glare (Less than Significant Impact)

As discussed in Section 2.5, construction associated with the Proposed Project is ongoing. However, the majority of construction has not yet been completed. Construction required as part of the Proposed Project could be a source of light and glare. However, construction activities would take place during daylight hours and any effects in this regard would be temporary. In addition, construction activities would be screened from view by existing buildings and agricultural trees. Impacts resulting from construction activities would be less than significant.

During operation, security lights would be utilized, which would be downward facing to prevent light spillage and minimize the impacts of the lighting. DCC regulations require that all outdoor lighting be downward facing and shielded to minimize the visual effects of the presence of lighting. (Cal. Code Regs., tit. 4, § 16304, subd. (a)(6).)

The greenhouses would utilize supplemental lighting sources to maximize grow time. Section 6.78.080(E) of the Stanislaus County Code of Ordinances requires that supplemental lighting in the greenhouse shall either not exceed twenty-five watts per square foot and only be used up to one hour before sunrise or after sunset, or each greenhouse shall be equipped so that no light is visible from within when viewed from outside the greenhouse. Additionally, DCC regulations require that lighting for mixed-light operations must be fully shielded between sunset and sunrise such that no light escapes the facility, in order to minimize nighttime glare (Cal. Code Regs., tit. 4, § 16304, subd. (a)(7)).

The Proposed Project's compliance with local and state regulations would ensure that the impact would be **less than significant**.

3.2 Agriculture and Forestry Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non- agricultural use?	☐	☐	☐	☒
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?	☐	☐	☐	☒

3.2.1 Regulatory Setting

3.2.1.1 Federal Laws, Regulations, and Policies

No federal regulations are applicable to agricultural or forestry resources in relation to the Proposed Project.

3.2.1.2 State Laws, Regulations, and Policies

Farmland Mapping and Monitoring Program

The California Department of Conservation (DOC) established the Farmland Mapping and Monitoring Program (FMMP) in 1982 as a nonregulatory program to provide a consistent and impartial analysis of agricultural land use and land use changes throughout California. Creation of the FMMP was supported by the California State Legislature and a broad coalition of building, business, government, and conservation interests. The first Important Farmland maps, produced in 1984, covered 30.3 million acres in 38 counties. This is an ongoing data set; DOC collects data every two years to assist in understanding changes in agricultural land in the state. Data

now span more than 32 years and have expanded to 49.1 million acres as modern soil surveys have been completed by the U.S. Department of Agriculture. The FMMP now maps agricultural and urban land use for nearly 98 percent of California's privately held land (DOC 2025a).

The FMMP has developed categorical definitions of Important Farmland that incorporate the land's suitability for agricultural production rather than solely relying on the physical and chemical characteristics of the soil. The FMMP includes data on the location of agricultural land, land use changes from agriculture to urban development, and soil quality. Land that is identified as Important Farmland is mapped as one of the following four categories (DOC 2025b):

- **Prime Farmland.** Farmland with the best combination of physical and chemical features able to sustain long-term agricultural production. These lands have the soil quality, growing season, and moisture supply needed to produce sustained high yields. Prime Farmland must have been used for irrigated agricultural production at some time during the 4 years before the FMMP's mapping date.
- **Farmland of Statewide Importance.** Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Farmland of Statewide Importance must have been used for irrigated agricultural production at some time during the 4 years before the FMMP's mapping date.
- **Unique Farmland.** Farmland of lesser quality soils used for the production of the state's leading agricultural crops. These lands usually are irrigated but may include non-irrigated orchards or vineyards as found in some climatic zones. Unique Farmland must have been cropped at some time during the 4 years before the FMMP's mapping date.
- **Farmland of Local Importance.** Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.

California Land Conservation Act of 1965 (Williamson Act)

The California Land Conservation Act of 1965, better known as the Williamson Act, is California's primary program to protect agricultural land. The Williamson Act discourages premature and unnecessary conversion of agricultural land to urban uses. The legislation benefits landowners by allowing them to enter into long-term contracts (10 or 20 years) with the State of California to keep agricultural land in production. In return, the State reduces property taxes based on a complex calculation tied to agricultural income. The State implements the Williamson Act when a city or county creates an agricultural preserve. The purpose of an agricultural preserve is the long-term conservation of agricultural and open space lands; the lands are restricted to agricultural, open space, or recreational uses in exchange for reduced property tax assessments. After a preserve is established, the landowner enters into a contract with a city or county. The landowner and any successors-in-interest are obligated to adhere to the contract's enforceable restrictions unless the contract is rescinded or cancelled.

Forest Land, Timberland, and the Taxation Reform Act

Forest land is defined as native tree cover greater than 10 percent that allows for the management of timber, aesthetics, fish and wildlife, recreation, and other public benefits. (Pub. Resources Code, § 12220, subd. (g).) A subset of forest land, timberland, is defined under the Forest Practice Act as all non-federal land that is available for, and capable of, growing a crop of trees of commercial species, as designated by the Board of Forestry. (Pub.

Resources Code, § 4526; Cal. Code Regs., tit. 14, § 895.1.) A "crop of trees" includes any number of trees that may be harvested commercially. (Cal. Code Regs., tit. 14, § 895.1.)

The Forest Taxation Reform Act, enacted in 1976, provides guidelines that allow cities and counties with qualifying timberland to adopt timber protection zones (TPZs). Government Code section 51104, subdivision (g) defines TPZs as areas zoned in accordance with Sections 51112 and 51113 for the purposes of growing and harvesting timber, or for growing and harvesting timber and compatible uses. TPZs are privately owned land or land acquired for State Forest purposes. When a TPZ is established, a private landowner agrees to commit the land to forest production for at least 10 years. In return, the approving jurisdiction grants the landowner a property tax reduction. The California Department of Forestry and Fire Protection (CAL FIRE) has regulatory authority over timber harvest and timberland conversion decisions in TPZs.

California Department of Forestry and Fire Protection

The California Forest Practice Act, adopted in 1973, requires owners of non-federal timberland to apply for a Timberland Conversion Permit from the Director of the California Department of Forestry and Fire Protection for the conversion of timberland to another use. CAL FIRE may grant exemptions for conversions of less than three acres. To qualify for an exemption from CAL FIRE, applicants must comply with applicable provisions of the Forest Practice Act and regulations, county general plans, zoning ordinances, and other implementing ordinances of the local jurisdiction. The Forest Practice Act and implementing regulations also govern the removal of "commercial" timber species from areas of pending new construction (CAL FIRE 2020).

3.2.1.3 Local Laws, Regulations, and Policies

Stanislaus County Zoning Ordinance

21.20.45 Uses on Lands Subject to Williamson Contract

A. As required by Government Code Section 51238.1, the planning commission and/or board of supervisors shall find that uses requiring use permits that are approved on lands under California Land Conservation Contracts (Williamson Act Contracts) shall be consistent with all of the following principles of compatibility:

1. The use will not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels or on other contracted lands in the A-2 zoning district.

2. The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in the A-2 zoning district. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping.

3. The use will not result in the significant removal of adjacent contracted land from agricultural or open-space use.

6.78.080 Commercial Cannabis Cultivation

C. Commercial cannabis cultivation operations shall be conducted in accordance with state and local laws related to land conversion, grading, electricity, water usage, water quality, woodland and riparian habitat protection, agricultural discharges, and similar matters.

G. Commercial cannabis cultivation activities in the A-2 zoning district shall be limited to cultivation, nursery, or distribution (limited to permitted commercial cannabis product grown on-site) within the following type of structure:

1. Greenhouse.

2. Accessory storage buildings may be utilized provided the following criteria is met:

   a. The building must meet the requirements of Section 6.78.120(B).

   b. No more than ten thousand square feet of cultivation or nursery canopy shall be allowed.

H. The cumulative total canopy size of cannabis cultivated at the cultivation site shall not exceed the canopy size authorized under the county's Commercial Cannabis Activity (CCA) permit or state permit, whichever is least.

I. Commercial cannabis cultivation activities shall not be considered agriculture for the purpose of the county's right-to-farm policy or sphere of influence policy.

3.2.2 Environmental Setting

The Proposed Project is located in a rural area. The project site is located on land classified by the California DOC as “Prime Farmland” (DOC 2022a). The Proposed Project is not identified as being under a Williamson Act contract (DOC 2022b).

3.2.3 Discussion of Checklist Responses

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), to Non-agricultural Use (No Impact)

According to the California DOC, the project site is situated on lands designated as Prime Farmland (DOC 2022a) and completely on land which has been used for agricultural, and agricultural residential purposes since at least 1998. The purpose of the Proposed Project is to use the land for agricultural purposes and any non-greenhouse development would be to support cannabis growing on-site. Therefore, the Proposed Project would not convert the site to non-agricultural use or result in a loss of agricultural lands. There would be **no impact**.

b. Conflict with Existing Zoning for Agricultural Use, or a Williamson Act contract (No Impact)

The project site has an agricultural zoning classification. The Proposed Project, as it involves growing cannabis, would be consistent with this zoning designation, which is supported by the issuance of a use permit by Stanislaus County (as discussed above in Chapter 2.0, “Project Description”). Therefore, the Proposed Project would not conflict with existing agricultural zoning.

Furthermore, as discussed above, the project site is not enrolled under a Williamson Act Contract. Therefore, there would be no conflict with a Williamson Act Contract. There would be **no impact**.

c. Conflict with Existing Zoning for, or Cause Rezoning of, Forest Land, Timberland, or Timberland Zoned Timberland Production (No Impact)

There is no timberland or forest zoning designation which applies to the project site. Almond trees have previously been grown on-site where the greenhouse is located and where the future proposed greenhouses would be located. However, the almond trees at the project site are not native cover, agricultural in nature, and not grown for the purpose of harvesting to supply lumber or forest products. Therefore, there would be no conflict with forest or timberland zoned land. There would be **no impact**.

d. Result in the Loss of Forest Land or Conversion of Forest Land to Non-forest Use (No Impact)

There is no timberland or forest land on the project site. The Proposed Project would not affect forest land or convert forest land to non-forest use. Therefore, there would be **no impact**.

e. Convert Farmland to Non-agriculture use, or Result in Conflicts with or Loss of Agricultural or Forest Lands (No Impact)

There are no forests on the site of the Proposed Project. The purpose of the Proposed Project is to use the land for agricultural purposes and any non-greenhouse development would be to support cannabis growing on-site. Therefore, the Proposed Project would not convert the site to non-agricultural use or result in a loss of agricultural or forest lands. There would be **no impact**.

3.3 Air Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
When available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
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?	☐	☐	☒	☐

3.3.1 Regulatory Setting

3.3.1.1 Federal and State Laws, Regulations, and Policies

The Clean Air Act is implemented by the U.S. Environmental Protection Agency (USEPA) and sets ambient air limits, the National Ambient Air Quality Standards (NAAQS), for six criteria pollutants: particulate matter of aerodynamic radius of 10 micrometers or less (PM_{10}), particulate matter of aerodynamic radius of 2.5 micrometers or less ($PM_{2.5}$), carbon monoxide (CO), nitrogen dioxide (NO_2), ground-level ozone, and lead. Of these criteria pollutants, particulate matter and ground-level ozone pose the greatest threats to human health. Ground level ozone is caused by emissions of ozone precursor, nitrous oxides (NO_X) and reactive organic gases (ROG).

The California Air Resources Board (CARB) sets the California Ambient Air Quality Standards (CAAQS), standards for criteria pollutants in California that are more stringent than the NAAQS and include the following additional contaminants: visibility-reducing particles, hydrogen sulfide, sulfates, and vinyl chloride. The Proposed Project is located within the San Joaquin Valley Air Basin (SJVAB), which is comprised of the San Joaquin Valley Air Pollution Control District (SJVAPCD) and includes San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare Counties and the San Joaquin Valley Air Basin portion of KernCounty. The SJVAPCD manages air quality within Stainslaus County portion of the SJVAB for attainment and permitting purposes.

Table 3.3-1 shows the current attainment status in Stanislaus County for the state and federal ambient air quality standards. The area is designated as nonattainment for the state PM_{10} standard.

Table 3.3-1. Attainment Status of the State and Federal Ambient Air Quality Standards

Contaminant	Averaging Time	Concentration	State Standards Attainment Status1	Federal Standards Attainment Status2
Ozone (O_3)	1-hour	0.09 ppm	N (Severe)	See footnote 3
Ozone (O_3)	8-hour	0.070 ppm	N	
Ozone (O_3)	8-hour	0.070 ppm		N (Extreme)
Carbon Monoxide (CO)	1-hour	20 ppm	U/A	
Carbon Monoxide (CO)	1-hour	35 ppm		U/A
Carbon Monoxide (CO)	8-hour	9.0 ppm	U/A	U/A
Nitrogen Dioxide (NO_2)	1-hour	0.18 ppm	A	
Nitrogen Dioxide (NO_2)	1-hour	0.100 ppm[5]		U/A
Nitrogen Dioxide (NO_2)	Annual arithmetic mean	0.030 ppm	A	
Nitrogen Dioxide (NO_2)		0.053 ppm		U/A
Sulfur Dioxide (SO_2)	1-hour	0.25 ppm	A	
Sulfur Dioxide (SO_2)	1-hour	0.075 ppm		U/A
Sulfur Dioxide (SO_2)	24-hour	0.04 ppm	A	
Sulfur Dioxide (SO_2)	24-hour	0.14 ppm		U/A
Sulfur Dioxide (SO_2)	Annual arithmetic mean	0.030 ppm		U/A
Particulate Matter (PM10)	24-hour	50 µg/m^3	N	
Particulate Matter (PM10)	24-hour	150 µg/m^3		A
Particulate Matter (PM10)	Annual arithmetic mean	20 µg/m^3	N	
Fine Particulate Matter (PM2.5)	24-hour	35 µg/m^3		N (Moderate)
Fine Particulate Matter (PM2.5)	Annual arithmetic mean[7]	12 µg/m^3	N	
		9 µg/m^3		N (Moderate)
Sulfates	24-hour	25 µg/m^3	A	
Lead (Pb)[6]	30-day average	1.5 µg/m^3	A	
Hydrogen Sulfide (H2S)	1-hour	0.03 ppm	U	
Vinyl Chloride[6] (chloroethene)	24-hour	0.010 ppm	A	

Contaminant	Averaging Time	Concentration	State Standards Attainment Status1	Federal Standards Attainment Status2
Visibility-Reducing Particles	8-hour (10:00 to 18:00 PST)	See footnote 4	U	

A – attainment
N – non-attainment
U – unclassified

ppm – parts per million
µg/m^3 – micrograms per cubic meter
PST – Pacific Standard Time

Notes:

1. California standards for ozone, carbon monoxide, sulfur dioxide (1-hour and 24-hour), nitrogen dioxide, suspended particulate matter - PM_{10}, and visibility-reducing particles are values that are not to be exceeded. The standards for sulfates, lead, hydrogen sulfide, and vinyl chloride are not to be equaled or exceeded. If the standard is for a 1-hour, 8-hour, or 24-hour average (i.e., all standards except for lead and the PM_{10} annual standard), then some measurements may be excluded. In particular, measurements that are excluded include those that the CARB determines would occur less than once per year on average.
2. National standards shown are the "primary standards" designed to protect public health. National air quality standards are set by USEPA at levels determined to be protective of public health with an adequate margin of safety. National standards other than for ozone, particulates, and those based on annual averages are not to be exceeded more than once per year. The 1-hour ozone standard is attained if, during the most recent 3-year period, the average number of days per year with maximum hourly concentrations above the standard is equal to or less than one. The 8-hour ozone standard is attained when the 3-year average of the 4th highest daily concentrations is 0.075 ppm (75 parts per billion) or less. The 24-hour PM_{10} standard is attained when the 3-year average of the 99th percentile of monitored concentrations is less than 150 µg/m^3. The 24-hour $PM_{2.5}$ standard is attained when the 3-year average of 98th percentiles is less than 35 µg/m^3. Except for the national particulate standards, annual standards are met if the annual average falls below the standard at every site. The national annual particulate standard for PM_{10} is met if the 3-year average falls below the standard at every site. The annual $PM_{2.5}$ standard is met by spatially averaging annual averages across officially designated clusters of sites and then determining if the 3-year average of these annual averages falls below the standard.
3. The national 1-hour ozone standard was revoked by USEPA on June 15, 2005. On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 ppm to 0.070 ppm. An area meets the standard if the fourth-highest maximum daily 8-hour ozone concentration per year, averaged over three years, is equal to or less than 0.070 ppm. This table provides the attainment statuses for the 2015 standard of 0.070 ppm.
4. Statewide Visibility-Reducing Particle Standard (except Lake Tahoe Air Basin): Particles in sufficient amount to produce an extinction coefficient of 0.23 per kilometer when the relative humidity is less than 70 percent. This standard is intended to limit the frequency and severity of visibility impairment due to regional haze and is equivalent to a 10-mile nominal visual range.
5. To attain this standard, the 3-year average of the 98th percentile of the daily maximum 1-hour average of nitrogen dioxide at each monitoring station within an area must not exceed 0.100 ppm (effective January 22, 2010).
6. CARB has identified lead and vinyl chloride as toxic air contaminants with no threshold level of exposure below which there are no adverse health effects determined.
7. On February 7, 2024 the USEPA strengthened the NAAQS for the annual PM2.5 to 9.0 micrograms per cubic meter. New designations for this standard will be available within two years of issuing the revised NAAQS. It is anticipated that Stanislaus County would not meet the new standard.

Source: SJVAPCD 2025, USEPA 2024.

USEPA and CARB regulate various stationary sources, area sources, and mobile sources. USEPA has regulations involving performance standards for specific sources that may release toxic air contaminants (TACs), known at the federal level as hazardous air pollutants (HAPs). In addition, USEPA has regulations involving emission criteria for off-road sources such as emergency generators, construction equipment, and vehicles. CARB is responsible for setting emission standards for vehicles sold in California and for other emission sources, such as consumer products and certain off-road equipment. CARB also establishes passenger vehicle fuel specifications. Airborne Toxic Control Measures (ATCMs), including the following relevant measures, are implemented to address sources of TACs:

- ATCM for Diesel Particulate Matter from Portable Engines Rated at 50 Horsepower and Greater
- ATCM to Limit Diesel-Fueled Commercial Motor Vehicle Idling
- ATCM to Reduce Particulate Emissions from Diesel-Fueled Engines – Standards for Non-vehicular Diesel Fuel
- ATCM for Stationary Compression Ignition Engines

CARB has several vehicle fleet regulations that cover fossil-fueled equipment operated at a facility. These regulations require owners of equipment and vehicle fleets to meet fleet-wide specified engine emission levels over time. Obligations include equipment registration, equipment labeling, and reporting requirements. These regulations include the following fleet rules:

- In-Use Off-Road Disel-Fueled Fleets Regulation,
- Portable Equipment Registration Program (PERP),
- Large Spark-Ignition Engine Fleet Requirements Regulation, and
- Small Off-Road Engines Regulation
- Advanced Clean Truck Regulation
- Advanced Clean Fleet Regulation
- Advanced Clean Cars Program

The Clean Air Act allows California to seek a waiver of the preemption which prohibits states from enacting emission standards for new motor vehicles. EPA must grant a waiver, however, before California's rules may be enforced. At this time, California has withdrawn its request for a waiver for the Advance Clean Fleet Regulation. CARB is not enforcing the existing portions of the Advanced Clean Fleets Regulation that require a federal waiver or authorization, such as the portions of the Advanced Clean Fleets Regulation that apply to high priority and drayage fleets. However, not all elements of the Advanced Clean Fleets Regulation require a federal waiver or authorization. The state and local government fleets portion of the Advanced Clean Fleets Regulation remains unaffected.

3.3.1.2 Local Laws, Regulations, and Policies

San Joaquin Valley Air Pollution Control District

Stanislaus County is located within in the San Joaquin Valley Air Basin (SJVAB) and is subject to the San Joaquin Valley Air Pollution Control District (SJVAPCD) requirements and regulations. SJVAPCD is responsible for

establishing and enforcing local air quality rules and regulations that address the requirements of federal and state air quality laws and for ensuring that NAAQS and CAAQS are met. SJVAPCD has developed several air quality plans to address pollutants and improve air quality in the region. The SJVAPCD's most recent air quality plans are listed below. These plans establish a comprehensive air pollution control program leading to the attainment of state and federal air quality standards in the SJVAB.

2024 Plan for the 2012 Annual $PM_{2.5}$ Standard: The District adopted the 2024 Plan for the 2012 Annual $PM_{2.5}$ Standard on June 20, 2024. This Plan addresses the EPA federal 2012 annual $PM_{2.5}$ standard of 12 µg/m³ (SJVAPCD 2024).

2006 PM_{10} Plan: The District adopted the 2006 PM_{10} Plan in February 2006. This plan addresses the PM_{10} NAAQS (SJVAPCD 2006).

2022 Plan for the 2015 8-Hour Ozone Standard: The District adopted the 2022 Plan for the 2015 8-Hour Ozone Standard on December 15, 2022. This Plan satisfies Clean Air Act requirements and ensures expeditious attainment of the 70 parts per billion 8-hour ozone standard (SJVAPCD 2022).

Regulation VIII (Fugitive Dust Prohibitions). Regulation VIII (Rules 8011-8081). This regulation is a series of rules designed to reduce particulate emissions generated by human activity, including construction and demolition activities, carryout and trackout, paved and unpaved roads, bulk material handling and storage, unpaved vehicle/traffic areas, open space areas, etc.

Rule 4102 (Nuisance). Applies to any source operation that emits or may emit air contaminants or other materials.

Rule 4601 (Architectural Coatings). Limits volatile organic compounds from architectural coatings.

Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). This rule applies to the manufacture and use of cutback, slow cure, and emulsified asphalt during paving and maintenance operations.

Rule 9510 (Indirect Source Review - ISR). Requires developers of larger residential, commercial, recreational, and industrial projects to reduce smog-forming and particulate emissions from their projects' baselines. If project emissions still exceed the minimum baseline reductions, a project's developer will be required to mitigate the difference by paying an off-site fee to the District, which would then be used to fund clean-air projects. For projects subject to this rule, the ISR rule requires developers to mitigate and/or offset emissions sufficient to achieve: (1) 20-percent reduction of construction equipment exhaust NOx; (2) 45-percent reduction of construction equipment exhaust PM_{10}; (3) 33-percent reduction of operational NOx over 10 years; and (4) 50-percent reduction of operational PM_{10} over 10 years. SJVAPCD ISR applications must be filed "no later than applying for a final discretionary approval with a public agency."

The SJVAPCD has outlined CEQA thresholds of significance in its Guidance for Assessing and Mitigating Air Quality Impacts (GAQMAQI) (SJVPACD 2015). **Table 3.3-2** outlines the thresholds of significance established for air quality impacts for both construction and operation. Projects with emissions below these thresholds would be considered less than significant.

Table 3.3-2. SJVAPCD Air Quality CEQA Significance Thresholds

Pollutant/Precursor	Construction Emissions (tons/year)	Operational Emissions – Permitted Equipment and Activities (tons/year)	Operational Emissions – Non-Permitted Equipment and Activities (tons/year)
CO	100	100	100
NOx	10	10	10
ROG	10	10	10
SOx	27	27	27
PM 10	15	15	15
PM 2.5	15	15	15

Stanislaus County Ordinances

Title 6.78 Commercial Cannabis Activities

6.78.120 General Operational Standards

D. **Odor Control.** Odor Control devices and techniques shall be incorporated into all commercial cannabis activities to ensure that odors from cannabis are not detectable off-site. Commercial cannabis activities shall provide a sufficient odor absorbing ventilation and exhaust system so that cannabis odors are not detected outside of the facility, anywhere on adjacent property or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or the visiting public, or within any other unit located inside the same building as a commercial cannabis activity. As such, the permittees shall install and maintain an exhaust air filtration system or other similar equipment with odor control that prevents internal odors from being emitted externally.

1. In no case shall untreated air be vented outside of any building used to conduct a commercial cannabis activity.

2. The devices and techniques to be used to control odor shall be reviewed and approved by a certified professional approved by the county and an audit of the devices and techniques to be used shall be conducted within thirty days of the commercial cannabis activity being conducted upon issuance of a CCA permit.

6.78.110 Commercial Cannabis Distribution

D. **Air Quality.** Distributors shall to the extent practicable use zero emissions vehicles in their transportation fleet.

3.3.2 Environmental Setting

Air pollution in the SJVAB can be attributed to both human-related (anthropogenic) and natural (non-anthropogenic) activities that produce emissions. Air pollution from significant anthropogenic activities in the SJVAB includes a variety of industrial-based sources as well as on- and off-road mobile sources. Activities that tend to increase mobile activity include increases in population, increases in general traffic activity (including automobiles, trucks, aircraft, and rail), urban sprawl (which will increase commuter driving distances), and general

local land management practices as they pertain to modes of commuter transportation. These sources, coupled with geographical and meteorological conditions unique to the area, stimulate the formation of unhealthy air.

The San Joaquin Valley's (SJV) topography and meteorology provide ideal conditions for trapping air pollution for long periods of time and producing harmful levels of air pollutants, including ozone and particulate matter. Low precipitation levels, cloudless days, high temperatures, and light winds during the summer in the SJV are conducive to high ozone levels resulting from the photochemical reaction of nitrogen oxides (NOx) and volatile organic compounds (VOC). Inversion layers in the atmosphere during the winter can trap emissions of directly emitted $PM_{2.5}$ (particulate matter that is 2.5 microns or less in diameter) and $PM_{2.5}$ precursors (such as NOx and sulfur dioxide (SO2)) within the SJV for several days, accumulating to unhealthy levels.

As shown in Table 3.3-1, the SJVAB is in non-attainment of the federal (extreme) and state ozone standards as well as the federal (moderate) and state $PM_{2.5}$ standars as well as the state PM_{10} standards.

The project site is located in a rural agricultural area near Hickman, California. The project site is surrounded by existing agriculture operations and farmland. There are residences located on the adjacent parcels with the closest residence being about 200 feet away. The nearest school is Hickman Elementary School and Charter School located about 3,550 feet to the east in the town of Hickman. There are no other types of sensitive receptors are located within a mile of the project site.

3.3.2.1 Air Pollutants

Several air pollutants of concern would be associated with Proposed Project activities. These air pollutants are discussed briefly below. Two main categories of air pollutants are described: criteria air pollutants and toxic air contaminants (TACs). Criteria air pollutants are air pollutants with national and/or state air quality standards that define allowable concentrations of these substances in the ambient (or background) air. TACs are air pollutants that may lead to serious illness or increased mortality, even when present in relatively low concentrations.

3.3.2.2 Carbon Monoxide

Carbon monoxide (CO) is an odorless, colorless gas that is highly toxic. CO is formed by the incomplete combustion of fuels and is emitted directly into the air. Ambient CO concentrations normally are considered a local effect and typically correspond closely to the spatial and temporal distribution of vehicular traffic. CO concentrations are also influenced by wind speed and atmospheric mixing. Under inversion conditions (when a low layer of warm air, along with its pollutants, is held in place by a higher layer of cool air), CO concentrations may be distributed more uniformly over an area to some distance from vehicular sources. CO binds with hemoglobin, the oxygen-carrying protein in blood, and thereby reduces the blood's capacity to carry oxygen to the heart, brain, and other parts of the body. At high concentrations, CO can cause heart difficulties in people with chronic diseases, impair mental abilities, and cause death.

3.3.2.3 Ozone

Ozone (O3) is a reactive gas that, in the troposphere (the lowest region of the atmosphere), is a product of the photochemical process involving the sun's energy. It is a secondary pollutant that is formed when nitrogen oxides and reactive organic gases react in the presence of sunlight. Ozone at the Earth's surface causes numerous adverse health effects and is a criteria pollutant. It is a major component of smog. In the stratosphere, ozone exists naturally and shields the Earth from harmful incoming ultraviolet radiation. High concentrations of ground-level

ozone can adversely affect the human respiratory system and aggravate cardiovascular disease and many respiratory ailments. Ozone also damages natural ecosystems such as forests and foothill natural communities, agricultural crops, and some human-made materials (e.g., rubber, paint, and plastics).

3.3.2.4 Nitrogen Oxides

Nitrogen oxides (NOX) are a family of gaseous nitrogen compounds that are precursors to the formation of ozone and particulate matter. The major component of NOX, nitrogen dioxide (NO2), is a reddish-brown gas that is toxic at high concentrations. NOX results primarily from the combustion of fossil fuels under high temperature and pressure. On-road and off-road motor vehicles and fuel combustion (use of natural gas for heating, cooking, and industrial use) are the major sources of this air pollutant.

3.3.2.5 Reactive Organic Gases

Reactive organic gases (ROG) consist of hydrocarbon compounds that exist in the ambient air. ROG contributes to the formation of smog and/or may itself be toxic. ROG emissions are a primary precursor to the formation of ozone. Sources of ROG include consumer products, paints, trees that emit ROGs, and the combustion of fossil fuels.

3.3.2.6 Particulate Matter

Particulate matter (PM) is a complex mixture of extremely small particles and liquid droplets. PM is made up of various components, including acids, organic chemicals, metals, and soil or dust particles. The size of particles is directly linked to the potential for causing health problems. PM particles that are smaller than 10 micrometers in diameter, called PM10, are of most concern because these particles pass through the throat and nose and enter the lungs. Once inhaled, these particles can affect the heart and lungs and cause serious health effects. PM_{10} particles are typically found near roadways and industrial operations that generate dust. PM_{10} particles are deposited in the thoracic region of the lungs. Fine particles, called $PM_{2.5}$, are particles less than 2.5 micrometers in diameter and are found in smoke and haze. $PM_{2.5}$ particles penetrate deeply into the thoracic and alveolar regions of the lungs.

3.3.2.7 Sulfur Dioxide

Sulfur dioxide (SO2) is a colorless, irritating gas with a “rotten egg” smell formed primarily by the combustion of sulfur-containing fossil fuels. Suspended SO2 particles contribute to poor visibility in the SFBAAB and are a component of PM10.

3.3.2.8 Lead

Lead is a metal that is a natural constituent of air, water, and the biosphere. Lead is neither created nor destroyed in the environment, so it essentially persists forever. There is no known safe exposure level to lead. The health effects of lead poisoning include loss of appetite, weakness, apathy, and miscarriage. Lead poisoning can also cause lesions of the neuromuscular system, circulatory system, brain, and gastrointestinal tract and can reduce mental capacity.

Gasoline-powered automobile engines were a major source of airborne lead due to the use of leaded fuels. The use of leaded fuel has been mostly phased out since 1996, which has resulted in dramatic reductions in ambient concentrations of lead. Because lead persists in the environment forever, however, areas near busy highways continue to have high levels of lead in dust and soil.

3.3.2.9 Hydrogen Sulfide

Hydrogen sulfide (H2S) is associated with geothermal activity, oil and gas production, refining, sewage treatment plant operations, and confined animal feeding operations. H2S is extremely hazardous in high concentrations and can cause death.

3.3.2.10 Sulfates

Sulfates are the fully oxidized, ionic form of sulfur. Sulfates occur in combination with metal and/or hydrogen ions. In California, emissions of sulfur compounds result primarily from the combustion of petroleum-derived fuels (e.g., gasoline and diesel fuel) that contain sulfur. This sulfur is oxidized to SO2 during the combustion process and subsequently converted to sulfate compounds in the atmosphere. The conversion of SO2 to sulfates takes place comparatively rapidly and completely in urban areas of California due to regional meteorological features. CARB's sulfate standard is designed to prevent aggravation of respiratory symptoms. Effects of sulfate exposure at levels above the standard include a decrease in ventilatory function, aggravation of asthmatic symptoms, and an increased risk of cardiopulmonary disease. Sulfates are particularly effective in degrading visibility, and because they are usually acidic, can harm ecosystems and damage materials and property.

3.3.2.11 Vinyl Chloride

Vinyl chloride is a colorless gas that does not occur naturally. It is formed when other substances, such as trichloroethane, trichloroethylene, and tetrachloroethylene, are broken down. Vinyl chloride is used to make polyvinyl chloride for a variety of plastic products, including pipes, wire and cable coatings, and packaging materials.

3.3.2.12 Toxic Air Contaminants

Hundreds of different types of toxic air contaminants exist, with varying degrees of toxicity. Many TACs are confirmed or suspected carcinogens or are known or suspected to cause birth defects or neurological damage. For some chemicals, such as carcinogens, no thresholds exist below which exposure can be considered risk-free. Examples of TAC sources in the Proposed Project area include fossil fuel combustion sources, industrial processes, and gas stations.

Sources of TACs include stationary sources, area-wide sources, and mobile sources. The United States Environmental Protection Agency (USEPA) maintains a list of 187 TACs, also known as hazardous air pollutants. These hazardous air pollutants are also included on CARB's list of TACs. According to the California Almanac of Emissions and Air Quality (CARB 2013), many researchers consider diesel particulate matter (DPM) to be a primary contributor to health risk from TACs because particles in diesel exhaust carry a mixture of many harmful organic compounds and metals, rather than being a single substance as are other TACs. Unlike many TACs, outdoor DPM is not monitored by CARB because no routine measurement method has been identified. However, using the CARB emission inventory's PM_{10} database, ambient PM_{10} monitoring data, and results from several studies, CARB has made preliminary estimates of DPM concentrations throughout the state (CARB 2013).

Valley Fever

Coccidioidomycosis, often referred to as San Joaquin Valley Fever or Valley Fever, is one of the most studied and oldest known fungal infections. Valley Fever varies with the season and most commonly affects people who live in hot dry areas with alkaline soil. This disease affects both humans and animals and is caused by inhalation of

arthroconidia (spores) of the fungus *Coccidioides immitis* (CI). CI spores are found in the top few inches of soil and the existence of the fungus in most soil areas is temporary. The cocci fungus lives as a saprophyte (an organism, especially a fungus or bacterium, which grows on and derives its nourishment from dead or decaying organic matter) in dry, alkaline soil. When weather and moisture conditions are favorable, the fungus "blooms" and forms many tiny spores that lie dormant in the soil until they are stirred up by wind, vehicles, excavation, or other ground-disturbing activities and become airborne. Agricultural workers, construction workers, and other people who are outdoors and are exposed to wind, dust, and disturbed topsoil are at an elevated risk of contracting Valley Fever (CDPH 2025a).

Most people exposed to the CI spores will not develop the disease. Of 100 people who are infected with Valley Fever, approximately 40 will exhibit some symptoms and two to four will have the more serious disseminated forms of the disease. After recovery, nearly all, including the asymptomatic, develop a life-long immunity to the disease.

The Proposed Project is located in an area designated as "suspected endemic" for Valley Fever. In 2023 the number of new cases were reported in Stanislaus County for a total of 120 cases or a case rate of 21.9 cases per 100,000 people (CDPH 2025b). Given the fact that fugitive dust-causing activities associated with the Project would occur, the potential for the Project construction activities to encounter and disperse CI spores and create the potential for additional Valley Fever infections is high. Mitigation measures that reduce fugitive dust will also reduce the chances of dispersing CI spores.

3.3.2.13 Odors

Odors are generally regarded as an annoyance rather than a health hazard. Manifestations of a person's reaction to odors can range from psychological (e.g., irritation, anger, anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, headache). The ability to detect odors varies considerably among the population and overall is subjective. People may have different reactions to the same odor. An odor that is offensive to one person may be acceptable to another (e.g., roasting coffee). An unfamiliar odor is more easily detected and is more likely to cause complaints than a familiar one. This is known as odor fatigue; a person can become desensitized to almost any odor, after which recognition occurs only with an alteration in the intensity.

Quality and intensity are two properties present in any odor. The quality of an odor indicates the nature of the smell experience. For instance, if a person describes an odor as flowery or sweet, then the person is describing the quality of the odor. Intensity refers to the strength of the odor. For example, a person may use the word "strong" to describe the intensity of an odor. Odor intensity depends on the concentration in the air. When an odor sample is progressively diluted, the odor concentration decreases. As this occurs, the odor intensity weakens and eventually becomes so low that the detection or recognition of the odor is quite difficult. At some point during dilution, the concentration of the odor reaches a level that is no longer detectable.

3.3.3 Discussion of Checklist Responses

a. Conflict with or obstruct implementation of the applicable air quality plan (Less than Significant Impact)

A project is deemed inconsistent with air quality plans if it would result in population and/or employment growth that exceeds growth estimates included in the applicable air quality plan, which, in turn, would generate emissions

not accounted for in the applicable air quality plan emissions budget. Therefore, projects need to be evaluated to determine whether they would generate population and employment growth and, if so, whether that growth would exceed the growth rates included in the relevant air quality plans. SJVAPCD's ozone, PM_{10} and $PM_{2.5}$ plans demonstrate how the SJVAB will achieve attainment with the ambient air quality standards. These plans focus on protecting public health and outlines strategies it will implement to reduce pollution levels for these criteria pollutants. The Proposed Project would not lead to a substantial increase in jobs; therefore, the Proposed Project is consistent with air quality plans. SJVAPCD also considers if a project would exceed any of its CEQA thresholds of significance as being inconsistent with their air quality plans. As discussed in part b. below, the Proposed Project does not exceed any of the thresholds of significance for emissions or health impacts.

The Proposed Project would follow all federal, state, and local regulations related to stationary and area sources of air pollutants. In addition, construction will follow local air district regulations and best management practices described above for fugitive dust. Therefore, because the Proposed Project would be consistent with the applicable general plan policies and would comply with all applicable regulations for sources of air pollutants, the Proposed Project would have a **less-than-significant impact** and would not obstruct or conflict with applicable air quality plans.

b. Cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment area (Less than Significant Impact)

As shown in Table 3.3-1, the project site is in a region that is designated in non-attainment for ozone, PM_{10}, and $PM_{2.5}$. It is assumed that projects that conform to the General Plan and do not have mass emissions exceeding the screening level significance thresholds would not create a cumulatively considerable net increase in emissions. During construction of the Proposed Project, the combustion of fossil fuels for operation of fossil fueled construction equipment, material hauling, and worker trips would result in construction-related criteria air pollutant emissions. During project operations there would be some worker trips and other vehicle trips for waste removal and product delivery. Other operation emissions would be for maintaining the landscaping and fugitive dust from driving on unpaved surfaces. These emissions were estimated using the California Emissions Estimator Model (CalEEMod) version 2022.1.1.29 using information from the Project Description along with default assumptions for the project site acreage being developed, which is the area that would be impacted during construction. The Proposed Project's criteria air pollutant emissions during construction are shown in **Table 3.3-3**. CalEEMod modeling results for the Proposed Project are provided in **Appendix A**. Implementation of BMPs to control fugitive dust will be implemented.

Table 3.3-3. Criteria Pollutant Emissions during Construction and Operation

Year	ROG	NOx	CO	SO_2	PM_{10}	$PM_{2.5}$
Total Construction Emissions (tons)						
2025	0.34	1.27	1.67	<0.005	0.20	0.11
Threshold	10	10	100	27	15	15
Above Threshold?	No	No	No	No	No	No

Year	ROG	NOx	CO	SO_2	PM_{10}	$PM_{2.5}$
Operation Emissions (tons/year)						
Annual	0.56	0.02	0..50	<0.005	0. 005	<0.005
Threshold	10	10	100	27	15	15
Above Threshold?	No	No	No	No	No	No

Notes: ROG = reactive organic gases; CO = carbon monoxide; NO_X = oxides of nitrogen; PM10 = particulate matter 10 microns or less in diameter; PM2.5 = fine particulate matter 2.5 microns or less in diameter; SO_2 = sulfur dioxide

Source: CalEEMod modeling results are provided in Appendix A.

Operational criteria air pollutant emissions would be generated by fossil-fueled equipment and motor vehicles. These will be minimal trips by workers to conduct routine operation and maintenance activities. It is anticipated that these worker and operation trips would result in an insignificant amount of criteria air pollutants and would be substantially below the threshold of significance.

Mass emissions from both construction and operations are lower than the mass emission level significance thresholds. Therefore, the impact of emissions during construction and operations would be considered **less than significant** and the proposed project would not contribute substantially to an air quality violation.

c. Expose sensitive receptors to substantial pollutant concentrations (Less than Significant Impact)

During project construction, diesel particulate matter (DPM) and gasoline fuel combustion emissions that are classified as TACs could be emitted from construction equipment. Due to the variable nature of construction activity, the generation of TAC emissions in most cases would be temporary, especially considering the short amount of time such equipment is typically operating within an influential distance that would result in the exposure of sensitive receptors to substantial concentrations. Similarly, during project operation there will be only a few vehicle trips and use of equipment that combusts fossil fuel. The primary operations of the commercial cannabis operations are enclosed and would not release any substantial amounts of criteria or toxic air pollutants into the ambient air. Chronic and cancer-related health effects estimated over short periods are uncertain. Cancer potency factors are based on animal lifetime studies or worker studies with long-term exposure to the carcinogenic agent. There is considerable uncertainty in trying to evaluate the cancer risk from exposure that would last only a small fraction of a lifetime. Some studies indicate that the dose rate may change the potency of a given dose of a carcinogenic chemical. In other words, a dose delivered over a short period may have a different potency than the same dose delivered over a lifetime (California Office of Environmental Health Hazard Assessment [OEHHA] 2015). Furthermore, construction impacts are most severe adjacent to the construction area and decrease rapidly with increasing distance. Concentrations of mobile-source DPM emissions are typically reduced by 70 percent at a distance of approximately 500 feet (CARB 2005).

Given the short duration of construction and minimal use of fossil fueled equipment during operations, the fact that TAC concentrations would quickly be reduced away from the active construction and operation site, the relatively large distances to sensitive receptors, and the uncertainties in modeling such emissions, the Proposed

Project's effect on nearby sensitive receptors due to construction-related air pollutant emissions would be **less than significant**.

The potential for Valley Fever cases associated with Proposed Project construction is high given that Stanislaus County has some of the highest incidence rates in the state. Cal/OSHA regulations address worker health and safety issues related to Valley Fever. The Proposed Project's exposure to Coccidioidomycosis spores could potentially expose sensitive receptors to substantial pollutant concentrations. With implementation of best available control measures for reducing the potential exposure to Coccidioidomycosis spores, this impact would be **less than significant.**

d. Result in other emissions affecting a substantial number of people (Less than Significant Impact)

Diesel exhaust from construction activities and oxidation/decomposition of organic material in newly exposed sediment may temporarily generate odors while construction of the Proposed Project is underway. Once construction activities have been completed and exposed sediment has dried out or become vegetated, these odors would cease. Operational activities would also generate odors, mainly associated with vehicle exhaust these odors would be short-lived and would occur intermittently. Vehicle idling at the site would be minimized to the extent feasible and so would not be likely to cause odor issues for nearby sensitive receptors. Odor control devices are required for all commercial cannabis operations which will ensure that there are no significant impacts of odors from the commercial cannabis activities. Impacts related to potential generation of objectionable odors are thus expected to be **less than significant**.

3.4 Biological Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS?	☐	☒	☐	☐
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 DFG or USFWS?	☐	☐	☐	☒
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
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 HCP?	☐	☐	☐	☒

3.4.1 Regulatory Setting

3.4.1.1 Federal Laws, Regulations, and Policies

Endangered Species Act

The Endangered Species Act (ESA) (16 U.S.C. Section 1531 et seq.; 50 C.F.R. Parts 17 and 222) provides for conservation of species that are endangered or threatened throughout all or a substantial portion of their range, as well as protection of the habitats on which they depend. The U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service share responsibility for implementing the ESA. In general, USFWS manages

terrestrial and freshwater species, whereas the National Marine Fisheries Service manages marine and anadromous species.

Section 9 of the ESA and its implementing regulations prohibit the "take" of any fish or wildlife species listed under the ESA as endangered or threatened, unless otherwise authorized by federal regulations. The ESA defines the term "take" to mean "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct". (16 U.S.C. § 1532.) Section 7 of the ESA (16 U.S.C. § 1531 et seq.) outlines the procedures for federal interagency cooperation to conserve federally listed species and designated critical habitats. Section 10(a)(1)(B) of the ESA provides a process by which non-federal entities may obtain an incidental take permit from USFWS or National Marine Fisheries Service for otherwise lawful activities that incidentally may result in "take" of endangered or threatened species, subject to specific conditions. A habitat conservation plan (HCP) must accompany an application for an incidental take permit.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) (16 U.S.C., Chapter 7, Subchapter II) protects migratory birds. Most actions that result in take, or the permanent or temporary possession of, a migratory bird constitute violations of the MBTA. The MBTA also prohibits destruction of occupied nests. USFWS is responsible for overseeing compliance with the MBTA.

Bald and Golden Eagle Protection Act

The Bald and Golden Eagle Protection Act (16 U.S.C. § 668; 50 C.F.R. Part 22) prohibits take of bald and golden eagles and their occupied and unoccupied nests. USFWS administers the Bald and Golden Eagle Protection Act.

Clean Water Act

Clean Water Act (CWA) Section 404 regulates the discharge of dredged and fill materials into waters of the U.S., which include all navigable waters, their tributaries, and some isolated waters, as well as some wetlands adjacent to the aforementioned waters. (33 C.F.R. § 328.3.) Areas typically not considered to be jurisdictional waters include non-tidal drainage and irrigation ditches excavated on dry land, artificially irrigated areas, artificial lakes or ponds used for irrigation or stock watering, small artificial waterbodies such as swimming pools, vernal pools, and water-filled depressions. (33 C.F.R. Part 328.) Areas meeting the regulatory definition of waters of the U.S. are subject to the jurisdiction of U.S. Army Corps of Engineers (USACE) under the provisions of CWA Section 404. Construction activities involving placement of fill into jurisdictional waters of the U.S. are regulated by USACE through permit requirements. No USACE permit is effective in the absence of state water quality certification pursuant to Section 401 of CWA.

Section 401 of the CWA requires an evaluation of water quality when a proposed activity requiring a federal license or permit could result in a discharge to waters of the U.S. In California, the State Water Resources Control Board (SWRCB) and its nine Regional Water Quality Control Boards (RWQCBs) issue water quality certifications. Each RWQCB is responsible for implementing Section 401 in compliance with the CWA and its water quality control plan (also known as a Basin Plan). Applicants for a federal license or permit to conduct activities that may result in the discharge to waters of the U.S. (including wetlands or vernal pools) must also obtain a Section 401 water quality certification to ensure that any such discharge will comply with the applicable provisions of the CWA.

3.4.1.2 State Laws, Regulations, and Policies

California Fish and Game Code

The California Fish and Game Code (Fish & Game Code) includes various statutes that protect biological resources, including the Native Plant Protection Act of 1977 (NPPA) and the California Endangered Species Act (CESA). The Native Plant Protection Act (Fish & G. Code, §§ 1900-1913) authorizes the Fish and Game Commission to designate plants as endangered or rare and prohibits take of any such plants, except as authorized in limited circumstances.

CESA (Fish & G. Code, §§ 2050–2098) prohibits state agencies from approving a project that would jeopardize the continued existence of a species listed under CESA as endangered or threatened. Section 2080 of the Fish & Game Code prohibits the take of any species that is state listed as endangered or threatened or designated as a candidate for such listing. California Department of Fish and Wildlife (CDFW) may issue an incidental take permit authorizing the take of listed and candidate species if that take is incidental to an otherwise lawful activity, subject to specified conditions.

Fish and Game Code sections 3503 and 3513 protect native and migratory birds, including their active or inactive nests and eggs, from all forms of take. In addition, sections 3511, 4700, 5050, and 5515 identify species that are fully protected from all forms of take. Section 3511 lists fully protected birds, section 5515 lists fully protected fish, section 4700 lists fully protected mammals, and section 5050 lists fully protected amphibians.

DCC Commercial Cannabis Business Regulations

The following DCC commercial cannabis regulations are applicable to the Proposed Project:

- California Business and Professions Code section 26060.1, subdivision (b)(3) requires all cultivators to comply with section 1602 of the Fish & Game Code or receive written verification from CDFW that a streambed alteration agreement is not required.
- DCC regulations implementing MAUCRSA include environmental protection measures requiring that all outdoor lighting be downward facing and shielded to minimize the visual effects of the presence of lighting (Cal Code Regs., tit. 4, § 16304, subd. (a)(6)), and that lighting for mixed-light operations must be shielded between sunset and sunrise to minimize nighttime glare (Cal Code Regs., tit. 4, § 16304, subd. (a)(7)).
- California Code of Regulations, title 4, section 16307, subdivision (a) requires all cultivators to comply with all California Department of Pesticide Regulation (CDPR) laws and regulations.
- California Code of Regulations, title 4, section 16307, subdivision (b) contains protocols to reduce potential effects from pesticide use including: comply with all label requirements, store chemicals in a secure building, contain leaks and spills, apply the minimum amount necessary to control the target pest, and prevent off-site drift.

3.4.1.3 Local Laws, Regulations, and Policies

Stanislaus County Zoning Ordinance

6.78.080 Commercial Cannabis Cultivation

B. Documentation of all pesticides used by the permittee shall be presented to the Stanislaus County Agricultural Commissioner, and all pesticides and fertilizers shall be properly labeled and stored to avoid contamination through erosion, leakage, or inadvertent damage from rodents, pests, or wildlife.

C. Commercial cannabis cultivation operations shall be conducted in accordance with state and local laws related to land conversion, grading, electricity, water usage, water quality, woodland and riparian habitat protection, agricultural discharges, and similar matters.

E. Enclosure. All commercial cannabis cultivation operations shall occur within a greenhouse or fully enclosed building. If conducted within a greenhouse, supplemental lighting shall not exceed twenty-five watts per square foot to be used up to one hour before sunrise or after sunset, unless the greenhouse or facility is equipped with light-blocking measures to ensure that no light escapes.

3.4.2 Environmental Setting

The project site is located on an approximately 53-acre parcel comprised primarily of mature almond orchards. The project site portion of the parcel is 12.1 acres. The 12.1-acre project site includes existing facilities in the northwest corner (existing greenhouse, warehouse and office). The Proposed Project would involve construction of up to approximately 29,880 square feet of greenhouse facilities for mixed light cultivation and processing facilities, warehouse, parking, utility improvements and office space. There would be no demolition of existing structures on the site. The portion of the parcel that would not be used for the Proposed Project contains an existing almond orchard; and would continue to be used for that purpose. However, development of the site would include the removal of approximately 1,200 mature almond trees from the existing almond orchard within the 12.1-acre project site.

The larger portion of the project site that would not be used for project activities is unfenced and is entirely comprised of a mature almond orchard. Within the almond orchard there are rows (22 ft wide), some of which are planted with row crops and routinely maintained and mowed; and some of which are left unkept with ruderal grassland cover. Non-native grasses and forbs common in the orchard and row crop area include White mustard (*Brassicaceae alba*), chickweed (*Stellaria media*), common groundsel (*Senecio vulgaris*), shepherd's purse (*Capsella bursa-pastoris*), wall barely (*Hordeum murinum*), musk stork's bill (*Erodium moschatum*), fiddleneck (*Amsinckia spp.),* sow thistle *(Sonchus spp.),* annual bluegrass (*Poa annua*), and other annual grasses (*Poa spp.).* The almond orchard and adjacent agricultural properties provide foraging habitat for raptors and other bird species. Active pocket gopher and vole burrows were detected along the rows of orchards and rows during site during the reconnaissance-level survey conducted by Montrose Environmental (Montrose) on February 18, 2025 (Montrose 2025). No California ground squirrel (*Otospermophilus beecheyi*) burrows were detected within the 12.1-acre project site during the reconnaissance-level survey. The project site is in a rural area surrounded by agriculturally zoned parcels. Adjacent land uses include orchard and turkey farm to the west; vineyard to the east; orchard to the north and south; and scattered single-family dwellings in all directions; Delta-Mendota Canal to the west, an agricultural parcel to the south and north, and the Westside Irrigation District Canal Lateral 6S on the east.

3.4.2.1 Special-status Species

Definitions and Methods of Assessment

For the purposes of this assessment, special-status plant and wildlife species refers to those species that meet one or more of the following criteria:

- Species that are listed as threatened or endangered under the ESA (50 C.F.R. Part 17.12 for listed plants, 50 C.F.R. Part 17.11 for listed animals);
- Species that are candidates for possible future listing as threatened or endangered under the ESA (76 Federal Register [Fed. Reg.] 66370);
- Species that are listed or proposed for listing by the State of California as threatened or endangered under CESA (Cal. Code Regs., tit. 14, § 670.5);
- Plants listed as rare under the California Native Plant Protection Act of 1977 (Fish & G. Code, § 1900 et seq.); California Rare Plant Rank (CRPR) List 1 and 2 species;
- Species that meet the definitions of rare or endangered under CEQA (CEQA Guidelines, § 15380); or
- Animals fully protected in California (Fish & G. Code, §§ 3511 [birds], 4700 [mammals], and 5050 [reptiles and amphibians]).

A Special-Status Species Desktop Review Memo (Desktop Review) (Mesa Biological 2024) prepared for the Proposed Project generated a list of 21 special-status plant species and 45 special-status wildlife species as known or having the potential to occur within the vicinity of the Proposed Project. (**Appendix B**.) Each of these species were assessed to determine the potential to occur on the Project site. Special-status plant and animal species with the potential to occur in the project area were identified through a review of the following resources:

- USFWS list of federally listed endangered and threatened species that occur within the vicinity of the Proposed Project (USFWS 2024);
- California Natural Diversity Database (CNDDB) queries for the U.S. Geological Survey (USGS) 7.5-minute quadrangle containing the project area and the quadrangles immediately adjacent to it: Colusa, Moulton Weir, Sanborn Slough, Pennington, Meridian, Sutter Buttes, Arbuckle, Grimes, and Tisdale Weir (CDFW 2024); and
- California Native Plant Society's Inventory of Rare and Endangered Plants of California (CNPS 2024) and CRPR listing.

The potential for special-status species to occur in areas affected by the Proposed Project was evaluated according to the following criteria:

None: indicates that the area contains a complete lack of suitable habitat, the local range for the species is restricted, and/or the species is extirpated in this region.

Not Expected: indicates situations where suitable habitat or key habitat elements may be present but may be of poor quality or isolated from the nearest extant occurrences. Habitat suitability refers to factors such as elevation, soil chemistry and type, vegetation communities, microhabitats, and degraded/substantially altered habitats.

Possible: indicates the presence of suitable habitat or key habitat elements that potentially support the species.

Present: indicates that either the target species was observed directly, or its presence was confirmed by field investigations or in previous studies in the area.

A biological resources field visit for the Proposed Project by Montrose Environmental (Montrose 2025) (**Appendix C**) was conducted on February 18, 2025, to assess the potential impacts to special status species at the project site. The study area was limited to the 12.1-acre project area portion of the 53-acre parcel at 2789 Howard Road. The biological resources site survey effort consisted of a visual assessment of the anthropogenic features, land cover types and biological conditions of the project site. A biological resources site visit and review memorandum was completed (Montrose 2025) that provided the results of the site assessment, recommendations and biological Avoidance and Minimization Measures to avoid or reduce the risk to potentially occurring special-status wildlife species in the project site.

Threatened, Endangered, and Special-status Species

Based on the review, site characteristics of the project site, and the biological resources field visit (Montrose 2025), no special-status plant species are anticipated to occur within the project site as it has previously had significant historical alteration of the natural landscape, and the Proposed Project would take place on land which has been used for agricultural purposes. Similarly, no special-status reptiles, amphibians, or mammals are anticipated to occur at the project site.

Table 3.4-1 lists the special-status wildlife species known to occur in or near the project area. **Figure 3.4-1** shows the CNDDB occurrences of special-status wildlife species within a 5-mile radius of the project site. Species that are possible or known to be present are discussed further below; species with no suitable habitat or that are not expected are not discussed further. No critical habitat is present within the footprint of the Proposed Project. (Mesa Biological 2024.)

Table 3.4-1. Special-status Wildlife Species Known to Occur in or near the Project Area

Scientific name	Listing status* (Federal/ State)	Habitat	Potential to Occur in the Project Area
Birds			
Athene cunicularia burrowing owl	- / SC, SSC	The burrowing owl inhabits open areas with sparse vegetation, such as grasslands, deserts, agricultural fields, and urban landscapes. It relies on burrows, often abandoned by mammals, for nesting and shelter, and it can adapt to disturbed environments like golf courses, airports, and road embankments if suitable prey and burrow availability exist.	Possible. The burrowing owl may occur in previously disturbed lands if suitable conditions, such as open areas with sparse vegetation, abandoned mammal burrows for nesting, and sufficient prey availability, are present. However, extensive disturbances that remove burrows or significantly alter the landscape reduce the likelihood of their presence. CNDDB records occur within 5-miles of the site.

Scientific name	Listing status* (Federal/ State)	Habitat	Potential to Occur in the Project Area
Buteo swainsoni Swainson's hawk	- / ST	Swainson's hawk inhabits open grasslands, agricultural fields, and desert scrublands, often near riparian corridors or scattered trees for nesting. It relies on open landscapes for foraging, primarily preying on small mammals, birds, and insects, and prefers areas with minimal human disturbance during the breeding season.	Possible. Swainson's hawks may occur in previously disturbed lands surrounded by agricultural fields if suitable nesting trees, tall structures and open areas for foraging on small mammals and insects are present. However, significant disturbances that eliminate nesting sites or reduce prey availability can limit their presence. CNDDB observations of Swainson's hawk have been recorded within 5-miles.
Lanius ludovicianus loggerhead shrike	- / SSC	The loggerhead shrike inhabits open habitats such as grasslands, shrublands, agricultural fields, and deserts with scattered trees, shrubs, or fence lines for perching. It prefers areas with a mix of open ground for hunting and dense vegetation or structures for impaling prey and nesting.	Possible. The loggerhead shrike may occur in previously disturbed lands if scattered trees, shrubs, or perching structures remain for nesting and hunting. CNDDB records within five miles of the project site have been observed.

* Abbreviations for federal and state species listing status:

Federal	**State**
DL = Federal delisted	SE = State endangered
FE = Federal endangered	ST = State threatened
FT = Federal threatened	SSC = Species of special concern
	SFP = State fully protected

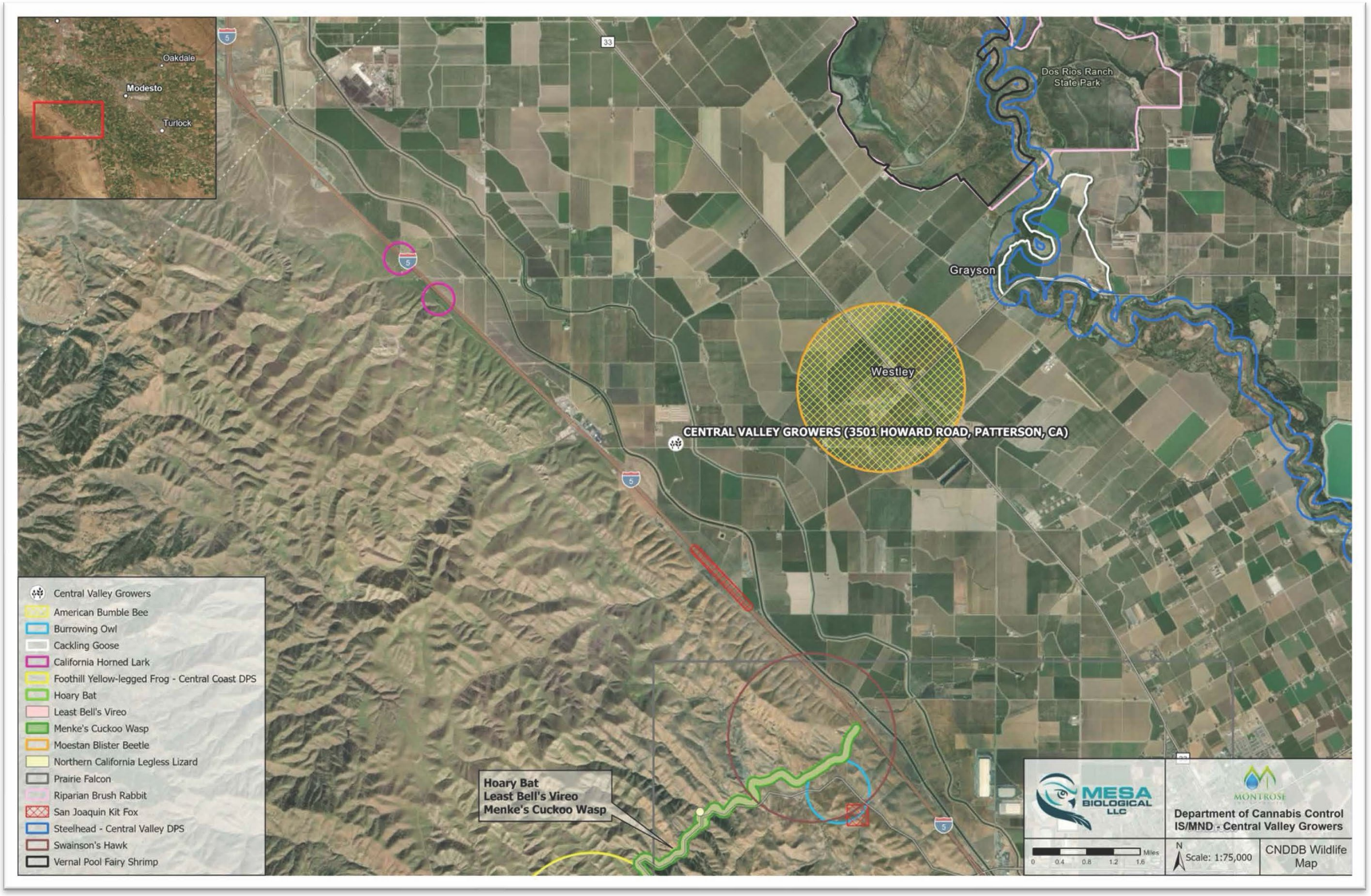


Figure 3.4-1. CNDDB Occurrences of Special-status Wildlife Species

3.4.2.2 Wetlands and Other Waters

The 12.1-acre project site does not contain any streams, rivers, or other water features. The parcel is bounded by the Delta-Mendota Canal to the west, and the Westside Irrigation District Canal Lateral 6S on the east but is outside of the project site.

3.4.3 Discussion of Checklist Responses

a. Have a Substantial Adverse Effect, Either Directly or through Habitat Modifications, on any Species Identified as a Candidate, Sensitive, or Special-Status Species (Less than Significant with Mitigation)

Construction and ground-disturbing activities could have the potential to result in direct removal of special-status plant species if present within the proposed area of disturbance during construction. In addition, construction activities could have the potential to result in direct (i.e., take) or indirect (i.e., noise, dust, light pollution) disturbance to special-status wildlife species if present within the project area during project construction.

Operational activities could have the potential to impact species, due to increased lighting and noise.

Based on the results of the Desktop Review that was completed for the Proposed Project, no special-status plants are anticipated to occur within the project site. The Desktop Review also found that no special status mammals, amphibians, reptiles, or insects are anticipated to occur at the site. The Desktop Review determined that three special-status bird species had the potential to occur at the project site.

Special-status Birds

Western burrowing owl

Western burrowing owl has the potential to den, nest and forage at the project site and vicinity of it as open areas with sparse vegetation, abandoned mammal burrows for nesting, and with sufficient prey availability, are present within and surrounding the project site. CNDDB records for the western burrowing owl have been observed within five miles of the project site

Swainson's hawk

Swainson's hawk has the potential to nest within the vicinity of the project site as it is surrounded by agricultural fields with suitable nesting trees, tall structures and open areas for foraging on small mammals and insects are present. Multiple CNDDB records for the Swainson's hawk have been observed within five miles of the project site.

Loggerhead shrike

Loggerhead shrike has the potential to nest within the vicinity of the project site as it is surrounded by agricultural fields with suitable nesting trees, perching structures and open areas for foraging on small mammals and insects. CNDDB records for the loggerhead shrike have been observed within five miles of the project site.

Analysis

A Desktop Review and a biological resources field visit by Montrose Environmental were completed for the Proposed Project to assess the likelihood of impacts to special status species. Based on these assessments, no special-status plants, amphibians, reptiles, or mammals are anticipated to occur within the project site as the the project site has been on land that has been used for agricultural purposes. The special-status raptor species (Western burrowing owl, Swainson's hawk and loggerhead shrike) have the potential to occur on the project site as it is surrounded by suitable nesting and foraging habitat within agricultural parcels, specifically orchards, row crops, and non-agricultural trees and shrubs surrounding the project site. Implementation of Mitigation Measures **BIO-1 (Conduct Worker Environmental Training) and BIO-2 (Minimize and Delineate Work Limits)** would minimize potential impacts to special-status raptor species by conducting environmental awareness training and minimizing and delineating work limits.

In addition, the Proposed Project would remove approximately 1,200 almond trees from the existing almond orchard on the 12.1-acre project site to construct the Proposed Project's 36 greenhouse buildings and accessory facilities, including driveways, parking areas, fencing, landscaping, and water tanks.

Based on site characteristics of the project site and observations from the reconnaissance-level survey (Montrose 2025) the project site contains suitable nesting habitat near and within the almond orchard for many avian species protected by the MBTA. Ground disturbance and clearing of vegetation and trees as a result of the Proposed Project could destroy (e.g., crush, remove) active nest sites, if present on the site during construction. Additionally, noise and disturbance associated with construction of the Proposed Project could adversely affect nesting birds in adjacent areas to the point of nest abandonment and/or failure. Because the potential loss of an active bird nest during construction would potentially violate protections under the MBTA and California Fish and Game Code, such an impact would be considered significant. To avoid and minimize potential impacts on special-status raptors and other bird species protected by the MBTA and Fish and Game Code, Implementation of **Mitigation Measure BIO-3 (Conduct Pre-construction Surveys for Nesting Birds**) would minimize impacts to nesting birds protected by the MBTA by requiring pre-construction surveys and establishment of non-disturbance buffers around active nests.

Based on site characteristics of the project site and observations from the reconnaissance-level survey (Montrose 2025), the Western burrowing owl has potential to forage at the project site but is unlikely to den or nest due to the anthropogenic disturbance within the project site and significant habitat modifications from agricultural activities. While the burrowing owl is not expected to occur on the project site, it cannot be entirely ruled out. If burrowing owls occur in the project site or within 150 meters of the project site, significant impacts could occur during construction. Implementation of **Mitigation Measure BIO-4 (Conduct Pre-construction Survey(s) for Burrowing Owls)** would minimize potential impacts to western burrowing owl by conducting pre-construction surveys for burrowing owls.

Based on site characteristics of the project site and observations from the reconnaissance-level survey (Montrose 2025) Swainson's hawks have potential to forage at the project site but are unlikely to den or nest due to the anthropogenic disturbance within the project site and significant habitat modifications from agricultural activities. While the Swainson's hawk is not expected to occur on the project site, it cannot be entirely ruled out. However, because the Swainson's hawk is a mobile species and could nest within a zone of influence of the Proposed Project, preconstruction surveys are necessary to ensure that project construction would not impact this species. A

preconstruction survey for Swainson's hawk within the project site and the vicinity (0.5-mile survey distance from the limits of disturbance) of the project site would ensure no individuals or nests would be impacted. Implementation of **Mitigation Measure BIO-5 (Conduct Pre-construction Survey(s) for Nesting Swainson's Hawks)** would minimize potential impacts to nesting Swainson's hawk by conducting pre-construction surveys.

Project operations could have impacts to special-status birds as a result of increased noise or lighting. The project operations would not result in a substantial increase in noise impacts, as project operations would occur primarily within greenhouses. Additionally, the baseline condition of the Proposed Project included operation of almond orchards, so any incremental changes in noise levels would be minor.

DCC regulations implementing MAUCRSA include environmental protection measures requiring that all outdoor lighting be downward facing and shielded to minimize the visual effects of the presence of lighting (Cal. Code Regs., tit. 4, § 16304, subd. (a)(6)), and that lighting for mixed-light operations must be shielded between sunset and sunrise to minimize nighttime glare (Cal. Code Regs., tit. 4, § 16304, subd. (a)(7)). Because there would be no substantial increase in noise levels, and because the project would comply with DCC regulations related to lighting, operational impacts would be **less than significant**.

Conclusion

Because there would be no substantial increase in noise levels, and because the Proposed Project would comply with DCC regulations related to lighting, the operational impact would be **less than significant**.

Although special status raptor species are unlikely to occur on the project site, construction activities could potentially result in impacts to species that may be present onsite. Mitigation Measures BIO-1, BIO-2, BIO-3, BIO-4, and BIO-5 would require the Applicant to conduct environmental awareness training, minimize and delineate work limits, and conduct pre-construction surveys for special-status raptor species and nesting birds. With these mitigation measures in place, the impact on candidate, sensitive or special-status species is anticipated to be **less than significant with mitigation.**

Mitigation Measure BIO-1: Conduct Worker Environmental Training

Prior to the start of construction activities, all personal working on the site shall receive an environmental training by a qualified biologist. The training will include information on the special-status species that may occur in the work area, including identification, legal status, and project-required protective measures.

Mitigation Measure BIO-2: Minimize and Delineate Work Limits

Temporary impact areas shall be kept to the minimum size necessary and, to the extent feasible, staging and laydown areas shall utilize existing paved areas. Prior to commencing construction activities, a qualified biologist will clearly delineate the work limits in the field with highly visible flagging or fencing.

Mitigation Measure BIO-3: Conduct Pre-construction Surveys for Nesting Birds

To avoid and minimize potential impacts to bird species protected by the MBTA and Fish and Game Code, construction activities should be scheduled, to the extent feasible, to avoid the nesting bird season. The

typical nesting season extends from February 1 through August 31. If project activities are scheduled to take place during the nesting season, the following measures shall be implemented:

A qualified biologist shall conduct pre-construction surveys for nesting birds. These surveys shall be conducted no more than 7 days prior to the initiation of ground-disturbing or vegetation-disturbing activities. During these surveys, the biologist shall inspect all potential nesting habitats (e.g., shrubs, trees, and structures) in and immediately adjacent to the construction areas for nests.

If an active nest is found sufficiently close to work areas to be disturbed by project activities, a non-disturbance buffer zone shall be established around the nest. The size and location of the non-disturbance buffer shall be at the biologist's discretion based on the species, sensitivity to disturbance, and nest placement. Buffer zones shall remain in place until the birds have fledged or the nest is no longer active, as determined by a qualified biologist. Active bird nests cannot be relocated, disturbed, or destroyed under MBTA and Fish and Game Code regulations.

If construction activities are halted or paused for more than 7 days, the pre-activity survey shall be repeated to check for new nests that may have become established.

Mitigation Measure BIO-4: Conduct Pre-construction Survey(s) for Burrowing Owls

Prior to initiating ground-disturbing activities, surveys for burrowing owls shall be conducted in accordance with protocols established in the Staff Report on Burrowing Owl Mitigation (CDFG 2012 or current version). If ground-disturbing activities are delayed or suspended for more than 30 days after the pre-construction survey, the site shall be resurveyed. If burrowing owls are detected, disturbance to burrows shall be avoided during the nesting season (February 1 through August 31). Buffers shall be established around occupied burrows in accordance with guidance provided in the Staff Report on Burrowing Owl Mitigation, and at the discretion of a qualified wildlife biologist. Buffers around occupied burrows shall be a minimum of 656 feet (200 meters) during the breeding season, and 160 feet (100 meters) during the non-breeding season. Buffer distances shall be subject to approval of the CDFW.

If occupied burrows cannot be avoided, passive owl relocation techniques may be implemented outside of the nesting season. Owls would be excluded from burrows within 160 feet of construction by installing one-way doors in burrow entrances. The work area shall be monitored daily for 1 week to confirm owl departure from burrows prior to any ground-disturbing activities. Where possible, burrows shall be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible plastic pipe shall be inserted into the tunnels during excavation to maintain an escape route for any animals inside the burrow. Burrowing owl artificial burrow and exclusion plans shall be conducted in accordance with the Staff Report on Burrowing Owl Mitigation (CDFG 2012 or current version), with a qualified biologist, and consultation with CDFW to further develop passive owl relocation techniques.

If occupied burrows are relocated, the project proponent with a qualified biologist shall enhance or create burrows in adjacent habitat at a 1:1 ratio (burrows destroyed to burrows enhanced or created) one week prior to implementation of passive relocation techniques. If burrowing owl habitat enhancement or creation takes place, the project proponent shall develop and implement a monitoring and management plan to assess the effectiveness of the mitigation through a qualified biologist. The plan shall be subject to approval of the CDFW.

Mitigation Measure BIO-5: Conduct Pre-construction Survey(s) for Nesting Swainson's Hawks

If construction occurs between February 1 and August 31, a qualified wildlife biologist will conduct surveys for nesting Swainson's hawks in accordance with the recommended timing and methodology developed by the Swainson's Hawks Technical Advisory Committee (2000 or most recent) prior to project implementation. The Swainson's Hawk Swainson's recommends a 0.5-mile survey distance from the limits of disturbance. The survey protocol includes early season surveys to assist the applicant in identifying active nest sites prior to initiating ground-disturbing activities and implementing necessary mitigation measures.

In the event that an active Swainson's hawk nest is detected during surveys, CDFW recommends a 0.5-mile non-disturbance buffer around active nests. If a 0.5-mile non-disturbance buffer is not feasible, consultation with CDFW is warranted to discuss the likelihood for take and determine approaches to implement the Proposed Project that will avoid take. If impacts to Swainson's hawk cannot be avoided through the implementation of BIO-5, an Incidental Take Permit would be required, pursuant to Fish and Game Code section 2081 (b), to comply with CESA.

b. Have a Substantial Adverse Effect on any Riparian Habitat or Other Sensitive Natural Community (No Impact)

The Desktop Review and the biological resources field visit by Montrose Environmental found that the Proposed Project is in a rural area surrounded by agriculturally zoned parcels and the Proposed Project would take place on land which has been used historically for agricultural purposes. The habitat onsite is limited to developed agricultural areas and adjacent surrounding areas are of orchards and row crops, which is not considered a sensitive natural community, and no riparian habitat is present within the project site. The Proposed Project would not have substantial adverse effect to riparian habitat or sensitive natural communities. Therefore, there would be **no impact** on these resources.

c. Have a Substantial Adverse Effect on State or Federally Protected Wetlands (No Impact)

No state or federally protected wetlands are present on the project site; Both the Delta-Mendota Canal to the west, and the Westside Irrigation District Canal Lateral 6S on the east are not within the Proposed Project footprint or parcel and the Proposed Project does not include modifications to either canal; there would be **no impact** on these resources.

d. Interfere Substantially with Wildlife Movement, Established Wildlife Corridors, or the Use of Native Wildlife Nursery Sites (Less Than Significant with Mitigation)

The project site is not located within an established wildlife corridor or a native wildlife nursery site. The project site is in a rural area surrounded by agriculturally zoned parcels in the Westley area of unincorporated Stanislaus County.

The project site is in land surrounded by agricultural areas and adjacent land uses include orchards, vineyard, row crops, and scattered single-family dwellings in all directions, the project site is between Interstate 5 and CA Highway 33; due to its developed nature, the site limits native habitat with terrestrial habitat to support and provide a significant wildlife corridor for terrestrial wildlife species and special-status species in the vicinity of the

Proposed Project. Additionally, the project site lacks aquatic habitat to support and provide potential breeding sites for special-status aquatic species.

As previously discussed, the project site and vicinity could provide suitable nesting habitat near and within the project site and vicinity for avian species. A number of resident and migratory wildlife species, notably birds, can utilize adjacent and nearby agricultural areas. Implementation of Mitigation Measure BIO-3, BIO-4, and BIO-5 for nesting bird surveys and special-status bird species surveys, would avoid potential impacts on nesting birds protected by the MBTA and California Fish and Game Code by conducting nesting bird surveys and establishing buffer zones around active nests.

Impacts associated with the movement of native resident or migratory wildlife species, or wildlife corridors would be **less than significant with mitigation**.

e. Conflict with Local Policies or Ordinances Protecting Biological Resources (No Impact)

The Proposed Project does not involve the removal protected or heritage trees, nor are there any substantial conflicts with the County's local policies and ordinances pertaining to biological resources. Therefore, there would be **no impact**.

f. Conflict with the provisions of an adopted HCP, Natural Community Conservation Plan, or other approved local, regional, or state HCP (No Impact)

The project site is not within the covered plan area of any adopted HCP or natural community conservation plan. There would be **no impact** related to conflicts with an adopted HCP or natural community conservation plan.

3.5 Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to 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?	☐	☒	☐	☐

3.5.1 Regulatory Setting

3.5.1.1 Federal Laws, Regulations, and Policies

The Proposed Project does not require any federal permits, and it is not located on federal lands; therefore, federal laws do not apply to the Proposed Project. The following laws are provided for context only.

National Historic Preservation Act

Projects that require federal permits, receive federal funding, or are located on federal lands must comply with 54 U.S. Code section 306108, formally and more commonly known as Section 106 of the National Historic Preservation Act. To comply with Section 106, a federal agency must "take into account the effect of the undertaking on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register of Historic Places [NRHP]." The implementing regulations for Section 106 are found in 36 C.F.R. Part 800, as amended (2004).

The implementing regulations of the National Historic Preservation Act requires that cultural resources be evaluated for NRHP eligibility if they cannot be avoided by an undertaking or project. To determine if a site, district, structure, object, and/or building is significant, the NRHP Criteria for Evaluation are applied. A resource is significant and considered a historic property when it:

A. Is associated with events that have made a significant contribution to the broad patterns of our history; or

B. Is associated with the lives of persons significant in our past; or

C. Embodies the distinctive characteristics of a type, period, or method of construction, or that represents the work of a master, or that possesses high artistic values, or that represents a significant and distinguishable entity whose components may lack individual distinction; or

D. Yields, or may be likely to yield, information important in prehistory or history.

In addition, 36 C.F.R. section 60.4 requires that, to be considered significant and historic, resources must also exhibit the quality of significance in American history, architecture, archaeology, engineering, or culture and must possess integrity of location, design, setting, materials, workmanship, feeling, and association.

Other "criteria considerations" need to be applied to religious properties, properties that are less than 50 years old, a resource no longer situated in its original location, a birthplace or grave of a historical figure, a cemetery, a reconstructed building, and commemorative properties. These types of properties are typically not eligible for NRHP inclusion unless the criteria for evaluation and criteria considerations are met.

For archaeological sites evaluated under criterion D, "integrity" requires that the site remain sufficiently intact to convey the expected information to address specific important research questions.

Traditional cultural properties (TCPs) are locations of cultural value that are historic properties. A place of cultural value is eligible as a TCP "because of its association with cultural practices or beliefs of a living community that (a) are rooted in that community's history, and (b) are important in maintaining the continuing cultural identity of the community" (Parker and King 1990, rev. 1998). A TCP must be a tangible property, meaning that it must be a place with a referenced location, and it must have been continually a part of the community's cultural practices and beliefs for the past 50 years or more.

3.5.1.2 State Laws, Regulations, and Policies

CEQA and CEQA Guidelines

Section 21083.2 of CEQA requires that the lead agency determine whether a project may have a significant effect on unique archaeological resources. A unique archaeological resource is defined in CEQA as an archaeological artifact, object, or site about which it can be clearly demonstrated that there is a high probability that it:

- Contains information needed to answer important scientific research questions, and there is demonstrable public interest in that information;
- Has a special or particular quality, such as being the oldest of its type or the best available example of its type; or
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Although not specifically inclusive of paleontological resources, these criteria may also help to define "a unique paleontological resource or site." (Pub. Resources Code, § 21083.2.)

Measures to avoid, conserve, preserve, or mitigate significant effects on these resources are also provided under CEQA section 21083.2. (Pub. Resources Code, § 21083.2.)

Section 15064.5 of the CEQA Guidelines notes that "a project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment." Substantial adverse changes include physical changes to the historic resource or to its immediate surroundings, such that the significance of the historic resource would be materially impaired. Lead agencies are expected to identify potentially feasible measures to mitigate significant adverse changes in the significance of a historic resource before they approve such projects. Historical resources are those that are:

- listed in, or determined to be eligible for listing in, the California Register of Historical Resources (CRHR) (Pub. Resources Code, § 5024.1, subd. (e));
- included in a local register of historic resources (Pub. Resources Code, § 5020.1, subd. (k)) or identified as significant in an historic resource survey meeting the requirements of Public Resources Code, § 5024.1, subd. (g); or
- determined by a lead agency to be historically significant.

CEQA Guidelines section 15064.5 also prescribes the processes and procedures found under Health and Safety Code section 7050.5 and Public Resources Code section 5097.95 for addressing the existence of, or probable likelihood of, Native American human remains, as well as the unexpected discovery of any human remains within the project site. This includes consultation with the appropriate Native American tribes.

CEQA Guidelines section 15126.4 provides further guidance about minimizing effects to historical resources through the application of mitigation measures. Mitigation measures must be legally binding and fully enforceable.

The lead agency having jurisdiction over a project is also responsible to ensure that paleontological resources are protected in compliance with CEQA and other applicable statutes. Paleontological and historical resource management is also addressed in Public Resources Code section 5097.5, "Archaeological, Paleontological, and Historical Sites." This statute defines as a misdemeanor any unauthorized disturbance or removal of a fossil site or remains on public land and specifies that state agencies may undertake surveys, excavations, or other operations as necessary on state lands to preserve or record paleontological resources. This statute would apply to any construction or other related project impacts that would occur on state-owned or state-managed lands.

California Register of Historical Resources

Public Resources Code section 5024.1 establishes the CRHR. The register lists all California properties considered to be significant historical resources. The CRHR includes all properties listed as or determined to be eligible for listing in the NRHP, including properties evaluated under section 106 of the National Historic Preservation Act. The criteria for listing are similar to those of the NRHP. Criteria for listing in the CRHR include resources that:

1. Are associated with the events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Are associated with the lives of persons important in our past;
3. Embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of an important creative individual, or possess high artistic values; or
4. Have yielded, or may be likely to yield, information important in prehistory or history.

The regulations set forth the criteria for eligibility as well as guidelines for assessing historical integrity and resources that have special considerations.

3.5.1.3 Local Laws, Regulations, and Policies

No local laws, regulations, or policies apply to the Proposed Project.

3.5.2 Environmental Setting

3.5.2.1 Pre-Contact

Like many parts of California, archaeologists are still in the process of building a basic archaeological record for the Central Valley. Much of the record is unknown, and evidence of the early occupations dating more than 3,000 years ago is especially lacking. However, broad outlines of California prehistory are best captured by an integrative scheme that proposes three basic prehistoric periods: Paleoindian, Archaic, and Emergent. The Archaic is further subdivided into the Lower, Middle, and Upper periods, and the Emergent into Lower and Upper (sometimes referred to as Phase 1 and Phase 2) divisions. Each period is characterized by a generally prevailing economic, cultural, and environmental condition. However, each geographical region is expected to have a different pattern of prehistoric culture and culture change. The dating of these various periods continues to be refined; those presented below are largely derived from *The Central Valley: A View from the Catbird's Seat* (Rosenthal, et al. 2010). The pre-contact Native American archaeological periods are listed in **Table 3.5-1**.

Table 3.5-1. Pre-Contact Native American Archaeological Periods of the Central Valley

Archaeological Period	Age (Years Before Present)	Characteristics
Paleoindian Period: Western Clovis Tradition	> 10,550 years	Opportunistic hunters and foragers; possibly hunted Pleistocene megafauna. Low population. Fluted projectile points (darts), flaked stone crescents.
Lower Archaic Period: Borax Lake Pattern	10,550 – 7550 years	Hunters and foragers. Low population. Wide-stemmed projectile points; hand stones and milling stones; use of obsidian.
Middle Archaic Period: Windmiller	7550 – 2550 years	Introduction of dietary specializations focused on acorns, deer, and freshwater and anadromous fisheries. Establishment of villages with cemeteries. Expanded material culture, including basketry, use of marine shell for beads and ornaments; continued use of hand stones and milling stones; a variety of dart forms such as notched, stemmed, thick leaf or lozenge, and narrow concave.
Upper Archaic Period: Berkeley Pattern	2550 – 1000 years	Increased cultural diversity represented by distinct regional specializations; increased populations; more complex social structure. Introduction of mortars and pestles for acorn processing; expanded bone tool industry; diamond-shaped and stemmed projectile points.
Emergent Period: Augustine Pattern – Phase 1	1000 – 600 years	Increased sedentism and populations. Coalescence of long-distance, integrative trade spheres, and the introduction of the bow and arrow that replaced the dart as the favored hunting implement. Increased use of fishing and acorns.

Archaeological Period	Age (Years Before Present)	Characteristics
Emergent Period: Augustine Pattern – Phase 2	600 – 200 years	Continuation and intensification of Phase 1 traits; considered representative of Native American cultures encountered by the first non-native colonists. Small corner-notched and triangular points, clam disc beads, magnesite cylinders, bedrock mortars,

The Paleo-Indian Period was a time when the Central Valley was sparsely populated by groups who were highly mobile, hunted large game, and frequented the shores of late Pleistocene lakes and sloughs. By the Lower Archaic Period, seasonal plants had become more important for subsistence, and populations tended to settle in places for longer periods of time and in larger groups. As time progressed, populations grew denser and more sedentary, tools became more diverse and complex, and social structure became more stratified. The people living in the Project area during the Emergent Period represent the tribes encountered by the first colonists who arrived in the early to mid-1800s.

3.5.2.2 Ethnography

"Yokuts" is a term applied to a large and diverse number of people inhabiting the San Joaquin Valley and Sierra Nevada foothills of central California. The Northern Valley Yokuts inhabited a 40- to 60-mile-wide area straddling the San Joaquin River, south of the Mokelumne River, east of the Diablo Range, and north of the sharp bend that the San Joaquin River takes to the northeast; the Project area is within the territory of the Northern Valley Yokuts. The Southern Valley Yokuts inhabited the San Joaquin Valley south of the bend in the river. Although they were divided geographically and ecologically, they have a common linguistic heritage (Wallace 1978:462).

The Northern Valley tribes closely resembled the Yokuts groups to the south, although there were some cultural differences. The northerners had greater access to salmon and acorns, two important dietary resources, than the Southern Yokuts, and some of their religious practices reflected the influences of groups to their north, such as the Miwok. While inhumation was the usual practice in the southern valley, the Northern Valley Yokuts either cremated their dead or buried them in a flexed position (Wallace 1978:464, 468). A chief headed the tribal villages, which averaged around 300 people. Family houses were round or oval, sunken, with a conically shaped pole frame, and covered with tule mats. Each village also had a lodge for dances and other community functions, as well as a sweathouse (Wallace 1978:462-464).

The Northern Valley Yokuts built their riverside villages on mounds along the water's edge to avoid the spring floods, which were a result of heavy Sierra Nevada snow melts. Living beside rivers and streams provided plentiful river perch, Sacramento pike, salmon, and sturgeon. Hunting provided waterfowl such as geese and ducks as well as terrestrial animals such as antelope, elk, and brown bear, although by all indications, fish constituted a majority of the diet. The surrounding woodland, grasslands, and marshes provided acorns, tule root, and seeds.

Tools used by the Northern Valley Yokuts included bone harpoon tips for fishing, stone sinkers for nets, chert projectile points for hunting, mortars and pestles, scrapers, knives, and bone awl tools to procure and process food. Marine shells, procured from coastal tribes, were manufactured into necklaces and other adornments, and marine shell beads sometimes accompanied the deceased. Tule reed rafts were used to navigate the waterways

for fishing and fowling. The Yokuts also constructed a range of intricate baskets for a variety of purposes, including storing, cooking, eating, winnowing, hopper mortars, the transport of food materials, and ritual. Very little is known of the Northern Valley Yokuts' clothing, but drawings of their tattoos show that they served not only as a decoration but also as a form of identity (Wallace 1978:464).

The Diablo Range served as a natural barrier against heavy recruitment by the Spanish missions during the first decades of their arrival. However, by the early 19th century, Spanish, and later, Mexican missionaries began to explore the inner valleys in search of potential neophytes. The Yokuts initially resisted recruitment and California Indians from a variety of tribes sought refuge among the Yokuts after fleeing the missions. Still, their presence is documented at Mission Santa Clara, with entries of Northern Valley Yokuts beginning in 1811 and lasting until 1834 and the secularization of the missions. Although Mission Santa Clara housed the largest number of Northern Yokuts, missions San Juan Baptista and San Jose also had significant populations (Milliken et al. 2009).

In 1828, a Northern Yokuts man from Mission San Jose, Estanislao Cucunuchi, led a revolt with other mission Indians after failing to return back to the mission after a winter visit to their home on the lower Stanislaus River. According to Milliken et al. (2009:149-150), the group included "Christian Indian people from a number of other Stanislaus, Tuolumne, and San Joaquin River Delta Yokuts groups, fugitives from both Mission San Jose and Mission Santa Clara. Quickly branded rebels, they repulsed initial attempts of the Mexican military to force them back to the missions. The revolt ended in June of 1829 with a significant Mexican military victory on the Stanislaus River by Mariano Guadalupe Vallejo." Significantly, Estanislao Cucunuchi has been memorialized by having a river and county named after him.

In addition to missionization, introduced diseases, genocide, destruction of traditional resources from cattle grazing and forced relocation took a heavy toll on the Northern Yokuts. Despite decades of hardship, many individuals who can trace their ancestry to the Northern Valley Yokuts continue to live and thrive in the Central Valley and throughout California and the United States.

3.5.2.3 History

The first Spanish expedition entered the San Joaquin Valley in 1806 under the leadership of Gabriel Moraga, to identify new prospective locations for establishing missions. Traveling north through the region, Moraga's party toiled through a treeless plain. Coming suddenly upon a clear stream, they named the area El Río de Nuestra Senora Guadalupe. Moraga explored the region again in the fall of 1808 (Kyle et al. 2002). He made a third excursion into area in 1810, this time to capture Native Americans who had been conscripted to work in the Spanish missions and who had run away.

After Mexico gained its independence from Spain in 1822, two additional expedition forces entered the area; however, the purposes of their campaigns were no longer exploratory. Soldiers were sent into the Central Valley to recover stolen animals and capture Indians who had escaped the missions.

American explorers also began to enter the region during the Mexican period. In both 1827 and 1828, Jedediah Smith entered the San Joaquin Valley via the Tejon Pass and trapped beavers along the San Joaquin, Kings, and other rivers and streams that flowed from the Sierra. Smith was followed by fellow trappers such as Peter Ogden, Ewing Young, Kit Carson, and Joseph Walker.

The first permanent European settlement in Stanislaus County occurred when five land grants were issued by the Mexican government in 1843-44. Ranchers grazed cattle in the rich grasslands of the San Joaquin valley and

engaged in the hide and tallow trade. Three of the land grants, Rancho Orestimba y Las Garzas, Rancho Pescadero and Rancho Del Puerto were located on the west side of the San Joaquin River, and Rancho Del Rio Estanislao and Rancho Thompson on the north side of the Stanislaus River (ereferencedesk 2024). The Project area is located within the Rancho Del Puerto land grant, which was granted to Mariano and Pedro Hernandez in 1844 by Governor Manuel Micheltoreno. Samuel G. Reed and Ruben S. Wade made claim to the Rancho Del Puerto land and received the title for 13,340 acres in 1864 (City of Patterson 2024).

The first Anglo-Americans to settle in territory that would become Stanislaus County was a small group of Mormons who established a small colony on the banks of the Stanislaus River near its confluence with the San Joaquin River in 1846. Called Stanislaus City, or New Hope, the group fenced about 80 acres to define their community and commenced to grow wheat and other vegetables. The community apparently dissolved shortly thereafter (ereferencedesk 2024; Tinkham 1921:41).

Americans started to arrive in large numbers during the Gold Rush, both as miners seeking gold and as agricultural entrepreneurs who recognized the opportunity to raise livestock or grow food for the gold seekers. As early as 1849, the town of Adamsville was founded on the south bank of the Tuolumne River just east of present-day Modesto. It became the first county seat of Stanislaus County in 1854, after the county was created out of a portion of Tuolumne County, but was replaced by Empire, a short distance upriver, soon thereafter. Later, the county seat changed to La Grange, then to Knight's Ferry, finally settling on Modesto in 1871 (Kyle et al. 2002:517).

Although gold was mined in Stanislaus County (Western Mining History 2022), the project region has always been primarily a ranching and farming region. Early on cattle and sheep were a major focus, but farmers began growing grain. The Rancho del Puerto lands were famous for their fertile soils and the grain they produced. The Rancho del Puerto title was eventually sold to John D. Patterson in 1866. He continued to purchase land and willed a total of 18,462 acres to his heirs, including Thomas W. Patterson and William W. Patterson, upon his death in 1902. His heirs formed the Patterson Ranch Company in 1908 to develop the land with irrigation and form a colony. Thomas W. Patterson began subdividing the land holdings in 1910 into ranches of various sizes. He also began to plot the design of the town of Patterson (City of Patterson 2024).

Thomas W. Patterson was determined to make his town different from other towns along the Southern Pacific Railroad track. He modeled Patterson after Washington D.C. and Paris by using a series of circles with radiating streets. Parks were laid out along the railroad, and major avenues were planted with trees and bushes. Patterson was incorporated in 1919 (City of Patterson 2024).

Today, the town of Patterson is a small, rural town surrounded by agricultural land. Agriculture continues to serve as the town's primary economic base, primarily orchards and row crops. The Patterson Chamber of Commerce decreed the town the Apricot Capital of the World in 1971, and the town welcomes visitors every June for its Apricot Fiesta (City of Patterson 2024, Swift 2022).

Identification Methods

Archival Research and Results

A record search was requested at the Central California Information Center to determine whether any portions of the Project area had been previously surveyed for cultural resources and to identify the presence of any previously recorded cultural resources within the Project area, as well as a 0.25-mile buffer (the search radius). The records search was received on November 25, 2024 (Central California Information Center, File No. 13121N).

Other sources of information reviewed included, but were not limited to, the current listings of properties on the National Register of Historic Places, California Historical Landmarks, California Register of Historical Resources, California Points of Historical Interest, as listed in the Office of Historic Preservation's Historic Property Directory, and the Built Environment Resource Directory for Stanislaus County (OHP 2024).

No resources have been previously recorded within the Project area, according to the Central California Information Center results. One historic-era resource, the Delta-Mendota Canal (P-50-001904) is located within the search radius and has been previously recommended as eligible for listing in the NRHP and is listed in the CRHR. A segment of the Delta-Mendota Canal is located approximately 150 feet west of the Project area and runs parallel to the western boundary of the Project area. The Canal was built as part of the Central Valley Project and plays a major role in the transfer of water from the Sacramento River Valley to the San Joaquin River Valley. The Canal is approximately 116.6 miles long and has a period of significance of 1946-1951. This resource would not be affected by the project activities.

According to the record search results, no previous studies have boundaries that intersect the project area. Two previous studies (ST-06972 and ST-07779) intersect the search radius. Both studies are surveys constrained to the Delta-Mendota Canal; ST-06972 encompassed 105 feet directly to the west of the project area and ST-07779 is a multi-county survey of the Canal.

Historic Map and Aerial Imagery Review

Archival research also included a review of Historic General Land Office maps from 1855 and 1870 and a 1906 map of Stanislaus County. A trail is depicted running through the project area on both the 1855 and 1870 maps. Rancho del Puerto is not shown on either map. The 1906 map of Stanislaus County shows the project area as part of J.D. Patterson's land holdings.

Research also included a review of historic USGS maps associated with the project area (USGS 2024). Maps examined included the 1915, 1952, 1969, 1991, 1999, 2012, 2015, 2018 and 2021 maps of Westley, CA and a 1941 map of Modesto West. The alignment of Howard Road appears to have remained the same since 1915, but the road is unlabeled on the 1915 and 1941 maps. Kern Creek is depicted on the 1915 and 1941 maps to the south of the Project area. A lateral canal first appears in the vicinity of the project area on the 1965 edition of the 1941 map, and the Delta-Mendota Canal is first depicted on the 1952 map. Kern Creek joins the Delta-Mendota Canal on the 1952 map and the creek is not observed on any map after 1952. Orchards are first observed in the project area on the 1969 map.

A review of historic aerial photographs (NETRonline 2024, Google Earth 2024) revealed similar levels of development as the USGS maps. The oldest available imagery (1957) shows agricultural lands in the project area, and orchards are first observed on imagery from 1967. Orchards appear in the project area from 1967 on. Aerials from September 2020 show orchard removal at the project site in the northwest corner of the parcel. Buildings and fencing associated with the Proposed Project appear in 2022.

Native American Outreach

An email request was made to the Native American Heritage Commission (NAHC) on November 25, 2024, to review its files for the presence of recorded sacred sites on the project area. The NAHC responded on December 3, 2024. The results of the Sacred Lands database review were negative for any sacred sites within the project area.

On January 9, 2025, letters were sent to the 12 tribal contacts provided by the NAHC. The letters requested any additional information regarding tribal resources and to notify DCC if they wished to initiate consultation regarding the Project actions. To date, no responses have been received. As planning proceeds, DCC will continue to consult with interested tribal representatives regarding the Project and incorporate their concerns into Project planning and mitigation as warranted. Coordination with tribes is described further in Section **Error! Reference source not found.**, "**Error! Reference source not found.**."

Archaeological Survey and Results

A cultural pedestrian survey of the project area was conducted by Montrose Environmental on February 18, 2025 (Montrose 2025) (**Appendix D**). The survey area measured approximately 20 acres and included the areas slated for development under Phase 2 through 4 of the Proposed Project. Areas of exposed native surface were further inspected with random shovel tests and trowel scrapes when necessary. The entirety of the survey area appears to have been previously graded and disturbed due to agricultural operations. No cultural resources or archaeological deposits were identified as a result of the survey.

3.5.3 Discussion of Checklist Responses

The following sections provide an analysis of the impacts of the resources discussed above that may result from project implementation, based on the CEQA checklist in Appendix G of the CEQA Guidelines. Where applicable, the text prescribes mitigation that would reduce an impact to less than significant with mitigation.

a. Cause a Substantial Adverse Change in the Significance of a Historical Resource (No Impact)

A cultural resource review was conducted to address the responsibilities of CEQA, as codified in Public Resource Code sections 5097 and its implementing guidelines 21082 and 21083.2. As stated above, no historical resources were identified within the project area. One historic-era resource, the Delta-Mendota Canal (P-50-001904), has been identified within the search radius and has been previously recommended as eligible for the NRHP and is currently listed on the CRHR. However, the project activities will not affect resource P-50-001904. Therefore, there would be **no impact** on historic resources (built environment).

However, historical resources that are archaeological in nature may be accidentally discovered during Project construction; archaeological resources are discussed further in Section 3.5.3(b) below.

b. Cause a Substantial Adverse Change in the Significance of an Archaeological Resource (Less Than Significant with Mitigation)

As discussed above, no archaeological resources, as defined in Section 15064.5 of the CEQA Guidelines, have been identified within the project areas. As such, no significant impacts to known archaeological resources are expected to result from project activities.

However, it is possible that archaeological remains may be buried with no surface manifestation within the project footprint. Given the nature of the proposed work, which includes tree removal, grading, excavation, and utility trenching, it is possible that excavation activities could uncover buried archaeological materials. If archaeological remains are accidentally discovered that are determined eligible for listing in the CRHR/NRHP or determined to be a tribal cultural resource (TCR), and proposed project activities would affect them in a way that would render

them ineligible for such listing, a significant impact would result. Should previously undiscovered archaeological resources be found, implementation of **Mitigation Measure CR-1 (Stop Work in the Event of Archaeological Discovery)** would ensure that impacts on CRHR/NRHP-eligible archaeological sites accidentally uncovered during construction are reduced to a less-than-significant level by immediately halting work if materials are found, evaluating the finds for CRHR/NRHP eligibility, and implementing appropriate mitigation measures, as necessary. Implementation of Mitigation Measure CR-1 would reduce impacts related to accidental discovery of CRHR/NRHP-eligible archaeological resources to a level that is **less than significant with mitigation** or meets the federal equivalent of resolving the adverse effect (36 CFR 800.6(b)).

Mitigation Measure CR-1: Stop Work in the Event of Archaeological Discovery

If evidence of any subsurface archaeological features or deposits is discovered during construction-related earth-moving activities (e.g., lithic scatters, midden soils, historic era farming, or construction materials), all ground-disturbing activity in the area of the discovery shall be halted within 100 feet of the find until a qualified archaeologist and Native American representative from a traditionally and culturally affiliated tribe, as appropriate, can assess the significance of the find and make recommendations for further evaluation and treatment as necessary. Culturally appropriate treatment may include, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, and returning objects to a location within the project area where they will not be subject to future impacts.

c. Disturb any Human Remains, Including Those Interred Outside of Dedicated Cemeteries (Less Than Significant with Mitigation)

While the discovery of human remains is not anticipated during the implementation of the Proposed Project, there is a possibility that human remains could be discovered during excavation activities. Should any such remains be discovered during the construction of the Proposed Project, **Mitigation Measure CR-2 (Protect Native American Human Remains)** shall be followed. Implementation of Mitigation Measures CR-2 would reduce any potential impact on human remains to **less than significant with mitigation**.

Mitigation Measure CR-2: Protect Native American Human Remains

If human remains are accidentally discovered during the project construction activities, the requirements of California Health and Safety Code section 7050.5 shall be followed. Potentially damaging excavation shall halt on the project site within a minimum radius of 100 feet of the remains, and the County coroner shall be notified. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (California Health and Safety Code section 7050.5(b)). If the coroner determines that the remains are those of a Native American, he or she must contact the NAHC by phone within 24 hours of making that determination (California Health and Safety Code section 7050(c))). Pursuant to California Public Resources Code section 5097.98, the NAHC, in turn, will immediately contact an individual who is most likely descended from the remains (the "Most Likely Descendant"). The Most Likely Descendant has 48 hours from the time access to the finds is granted to inspect the site and recommend treatment of the remains. The landowner is obligated to work with the Most Likely Descendant in good faith to find a respectful resolution to the situation and entertain all reasonable options regarding the Most Likely Descendant's preferences for treatment. The analysis and reporting were carried out by professionals who meet the U.S. Secretary of the Interior's Professional

Standards for Archaeology (per Title 48 of the CFR, Section 44716, as amended in 1983). Implementation of Mitigation Measures CR-2 would reduce any potential impact on human remains to less than significant with mitigation.

3.6 Energy

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

3.6.1 Regulatory Setting

3.6.1.1 Federal Laws, Regulations, and Policies

Energy Policy and Conservation Act

The Energy Policy and Conservation Act of 1975 established nationwide fuel economy standards to conserve oil. Pursuant to this act, the National Highway Traffic and Safety Administration, part of the U.S. Department of Transportation, is responsible for revising fuel economy standards and establishing new vehicle economy standards.

The Corporate Average Fuel Economy (CAFE) program was established to determine vehicle manufacturers' compliance with the government's fuel economy standards. Compliance with the CAFE standards is determined based on each manufacturer's average fuel economy for the portion of their vehicles produced for sale in the country. The US Environmental Protection Agency calculates a CAFE value for each manufacturer based on the city and highway fuel economy test results and vehicle sales. Based on information generated under the CAFE program, U.S. Department of Transportation is authorized to assess penalties for noncompliance.

Energy Policy Act of 1992 and 2005

The Energy Policy Act (EPAct) of 1992 was passed to reduce the country's dependence on foreign petroleum and improve air quality. EPAct includes several parts intended to build an inventory of alternative fuel vehicles (AFVs) in large, centrally fueled fleets in metropolitan areas1. EPAct requires certain federal, state, and local government and private fleets to purchase a percentage of light-duty AFVs capable of running on alternative fuels each year. In addition, financial incentives are also included in EPAct. Federal tax deductions are allowed for businesses and individuals to cover the incremental cost of AFVs. States are also required by the act to consider a variety of incentive programs to help promote AFVs. The EPAct of 2005 provides renewed and expanded tax credits for electricity generated by qualified energy sources, such as landfill gas; provides bond financing, tax incentives, grants, and loan guarantees for clean renewable energy and rural community electrification; and establishes a federal purchase requirement for renewable energy.

3.6.1.2 State Laws, Regulations, and Policies

Warren-Alquist Act

The 1975 Warren-Alquist Act (Pub. Resources Code, § 25000 et seq.), established the California Energy Resources Conservation and Development Commission, now known as the California Energy Commission (CEC). The act established state policy to reduce wasteful, uneconomical, and unnecessary uses of energy by employing a range of measures. The California Public Utilities Commission regulates privately owned utilities in the energy, rail, telecommunications, and water fields.

State of California Energy Action Plan

California Public Utilities Commission, CEC is responsible for preparing the state energy plan, which identifies emerging trends related to energy supply, demand, and conservation; public health and safety; and the maintenance of a healthy economy (CPUC and CEC 2008). The current plan is the 2003 California Energy Action Plan (2008 update). The plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies several strategies, including assistance to public agencies and fleet operators in implementing incentive programs for zero-emission vehicles and addressing their infrastructure needs, as well as the encouragement of urban design that reduces vehicle miles traveled (VMT) and accommodates pedestrian and bicycle access.

Assembly Bill 2076: Reducing Dependence on Petroleum

Pursuant to Assembly Bill (AB) 2076 (Chapter 936, Statutes of 2000), CEC and the CARB prepared and adopted a joint agency report in 2003, Reducing California's Petroleum Dependence. Included in this report are recommendations to increase the use of alternative fuels to 20 percent of on-road transportation fuel use by 2020 and 30 percent by 2030, significantly increase the efficiency of motor vehicles, and reduce per capita VMT (CEC and CARB 2003). A performance-based goal of AB 2076 was to reduce petroleum demand to 15 percent below 2003 demand by 2030.

Integrated Energy Policy Report

SB 1389 (Chapter 568, Statutes of 2002) required CEC to "conduct assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery and distribution, demand, and prices. The Energy Commission shall use these assessments and forecasts to develop energy policies that conserve resources, protect the environment, ensure energy reliability, enhance the state's economy, and protect public health and safety." (Pub. Resources Code, § 25301, subd. (a).) This work culminated in the Integrated Energy Policy Report (IEPR).

CEC adopts an IEPR every 2 years and an update every other year. The 2023 IEPR is the most recent IEPR. The 2023 IEPR provides a summary of priority energy issues currently facing the state, outlining strategies and recommendations to further the state's goal of ensuring reliable, affordable, and environmentally responsible energy sources. The report contains an assessment of major energy trends and issues in California's electricity, natural gas, and transportation fuel sectors. The report provides policy recommendations to conserve resources; protect the environment; ensure reliable, secure, and diverse energy supplies; enhance the state's economy; and protect public health and safety. Topics covered in the 2023 IEPR include building decarbonization, coordination between state energy agencies, decarbonizing the state's natural gas system, increasing transportation

efficiencies, and improving energy reliability. The IEPR also presents an assessment of the California Energy Demand Forecast (CEC 2023).

Renewables Portfolio Standard

The state passed legislation referred to as the Renewables Portfolio Standard, which requires increasing the use of renewable energy to produce electricity for consumers. California utilities are required to generate 33 percent of their electricity from renewables by 2020 (SB X1-2, Chapter 1, Statutes of 2011), 52 percent by 2027 (SB 100, Chapter 312, Statutes of 2018), 60 percent by 2030 (also SB 100, Chapter 312, Statutes of 2018), and 100 percent by 2045 (also SB 100, Chapter 312, Statutes of 2018). On September 16, 2022, SB 1020 (Chapter 361, Statutes of 2022) was signed into law. This bill supersedes the goals of SB 100 by requiring that eligible renewable energy resources and zero-carbon resources supply 90 percent of all retail sales of electricity to California end-use customers by December 31, 2035; 95 percent by December 31, 2040; and 100 percent by December 31, 2045, and supply 100 percent of electricity procured to serve all state agencies by December 31, 2035.

Senate Bill 350: Clean Energy and Pollution Reduction Act of 2015

The Clean Energy and Pollution Reduction Act of 2015 (SB 350, Chapter 547, Statutes of 2015) requires that the amount of electricity generated and sold to retail customers per year from eligible renewable energy resources be increased to 50 percent by December 31, 2030. It also establishes energy efficiency targets that achieve statewide, cumulative doubling of the energy efficiency savings in electricity and natural gas end uses by the end of 2030.

Assembly Bill 1007: State Alternative Fuels Plan

AB 1007 (Chapter 371, Statues of 2005) required CEC to prepare a state plan to increase the use of alternative fuels in California. CEC prepared the State Alternative Fuels Plan in partnership with CARB and in consultation with other state, federal, and local agencies. The plan presents strategies and actions California must take to increase the use of alternative nonpetroleum fuels in a manner that minimizes the costs to California and maximizes the economic benefits of in-state production. The plan assessed various alternative fuels and developed fuel portfolios to meet California's goals to reduce petroleum consumption, increase alternative fuel use, reduce greenhouse gas (GHG) emissions, and increase in-state production of biofuels without causing a significant degradation of public health and environmental quality.

California Building Energy Efficiency Standards (Title 24, Part 6 and Part 11)

The energy consumption of new residential and non-residential buildings in California is regulated by the state's Title 24, Part 6, Building Energy Efficiency Standards (California Energy Code). CEC updates the California Energy Code every three years with more stringent design requirements for reduced energy consumption, which results in the generation of fewer GHG emissions. The current California Energy Code will require builders to use more energy efficient building technologies for compliance with increased restrictions on allowable energy use. The core focus of the building standards has been efficiency, but the 2019 Energy Code ventured into on-site generation by requiring solar photovoltaic systems on new homes, providing significant GHG savings. The 2022 California Energy Code, the most recent version advances the on-site energy generation progress started in the 2019 California Energy Code by encouraging electric heat pump technology and use, establishing electric-ready requirements when natural gas is installed, expanding solar photovoltaic system and battery storage standards, and strengthening ventilation standards to improve indoor air quality. CEC estimates that the 2022 California

Energy Code will save consumers $1.5 billion and reduce GHG emissions by 10 million metric tons of carbon dioxide-equivalent emissions over the next 30 years.

The California Green Building Standards Code, known as CALGreen, was added to Title 24 as Part 11, first in 2009 as a voluntary code. It became mandatory effective January 1, 2011 (as part of the 2010 California Building Standards Code). The current version is the 2022 CALGreen Code, which took effect on January 1, 2023. As compared to the 2019 CALGreen Code, the 2022 CALGreen Code strengthened sections pertaining to electric vehicle and bicycle parking, water efficiency and conservation, and material conservation and resource efficiency, among other sections of the CALGreen Code. The CALGreen Code sets design requirements equivalent to or more stringent than those of the California Energy Code for energy efficiency, water efficiency, waste diversion, and indoor air quality. These codes are adopted by local agencies that enforce building codes and used as guidelines by state agencies for meeting the requirements of Executive Order (EO) B-18-12.

AB 1279 and 2022: Scoping Plan for Achieving Carbon Neutrality

On September 16, 2022, the state legislature passed AB 1279 (Chapter 337, Statutes of 2022), which codified the stringent emission targets for the state of achieving carbon neutrality and an 85 percent reduction in 1990 emissions level by 2045. CARB released the Final 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan) on November 16, 2022, as also directed by AB 1279 (CARB 2022). The 2022 Scoping Plan traces the pathway for the state to achieve its carbon neutrality goal and an 85-percent reduction in 1990 emissions goal by 2045. CARB adopted the 2022 Scoping Plan on December 16, 2022.

California Energy Efficiency Action Plan

The 2019 CEC Action Plan (CEC 2019) has three primary goals for the state: double energy efficiency savings by 2030 relative to a 2015 base year (per SB 350, Chapter 547, Statutes of 2015), expand energy efficiency in low-income and disadvantaged communities, and reduce GHG emissions from buildings. This plan provides guiding principles and recommendations related to how the state would achieve those goals. These recommendations include:

- Identifying funding sources that support energy efficiency programs,
- Identifying opportunities to improve energy efficiency through data analysis,
- Using program designs to encourage increased energy efficiency on the consumer end,
- Improving energy efficiency through workforce education and training, and
- Supporting rulemaking and programs that incorporate energy demand flexibility and building decarbonization.

The 2021 Energy Efficiency Action Plan, the most recent version, was covered in two documents, 1) The 2021 California Building Decarbonization Assessment, and 2) The final 2021 Integrated Energy Policy Report Volume I Building Decarbonization (CEC 2021a; CEC 2021b).

DCC Commercial Cannabis Business Regulations

DCC regulations include the following requirements regarding energy use for commercial cannabis businesses.

Section 16305: Renewable Energy Requirements

(a) Beginning January 1, 2023, all holders of indoor, tier 2 mixed-light license types of any size, and all holders of nursery licenses using indoor or tier 2 mixed-light techniques shall ensure that electrical power used for commercial cannabis activity meets the average electricity greenhouse gas emissions intensity required by their local utility provider pursuant to the California Renewables Portfolio Standard Program in division 1, part 1, chapter 2.3, article 16 (commencing with section 399.11) of the Public Utilities Code.

(b) If a licensed cultivator's average weighted greenhouse gas emission intensity, as calculated and reported upon license renewal pursuant to section 15020, is greater than the local utility provider's greenhouse gas emission intensity, the licensee shall obtain carbon offsets to cover the excess in carbon emissions from the previous annual licensed period. The carbon offsets shall be purchased from one or more of the following recognized voluntary carbon registries:

(1) American Carbon Registry;

(2) Climate Action Reserve; or

(3) Verified Carbon Standard.

Section 16306: Generator Requirements

(a) For the purposes of this section, “generator” means a stationary or portable compression ignition engine, also known as a diesel engine, as defined in Title 17, California Code of Regulations, section 93115.4.

(b) Licensed cultivators using generators rated at fifty (50) horsepower and greater shall demonstrate compliance with the Airborne Toxic Control Measure for stationary or portable engines, as applicable, established in title 17, California Code of Regulations, sections 93115-93116.5. Compliance shall be demonstrated by providing a copy of one of the following to the DCC upon request:

(1) For portable engines, a Portable Equipment Registration Certificate provided by the CARB; or

(2) For portable or stationary engines, a Permit to Operate or other proof of engine registration, obtained from the Local Air District with jurisdiction over the licensed premises.

(c) Licensed cultivators using generators rated below fifty (50) horsepower shall comply with the following by 2023:

(1) Either subsection (1)(A) or (1)(B):

(A) Meet the “emergency” definition for portable engines in title 17, California Code of Regulations, section 93116.2(a)(12), or the “emergency use” definition for stationary engines in title 17, California Code of Regulations, section 93115.4(a)(30); or

(B) Operate eighty (80) hours or less in a calendar year; and

(2) Either subsection (2)(A) or (2)(B):

(A) Meet Tier 3 with Level 3 diesel particulate filter requirements in title 13, California Code of Regulations, sections 2700-2711; or

(B) Meet Tier 4 requirements, or current engine requirements if more stringent, in title 40, Code of Federal Regulations, chapter I, subchapter U, part 1039, subpart B, section 1039.101.

(d) All generators used by licensed cultivators shall be equipped with non-resettable hour-meters. If a generator does not come equipped with a non-resettable hour-meter, an aftermarket non-resettable hour-meter shall be installed.

3.6.1.3 Local Laws, Regulations, and Policies

Stanislaus County Zoning Ordinance

6.78.080 Commercial Cannabis Cultivation

C. Commercial cannabis cultivation operations shall be conducted in accordance with state and local laws related to land conversion, grading, electricity, water usage, water quality, woodland and riparian habitat protection, agricultural discharges, and similar matters.

D Energy Conservation Measures. Commercial cannabis cultivation operations shall include adequate measures to address the projected energy demand for cannabis cultivation at the site.

E. Enclosure. All commercial cannabis cultivation operations shall occur within a greenhouse or fully enclosed building. If conducted within a greenhouse, supplemental lighting shall not exceed twenty-five watts per square foot to be used up to one hour before sunrise or after sunset, unless the greenhouse or facility is equipped with light-blocking measures to ensure that no light escapes.

16.65.010 California Energy Code and appendices adopted

The California Energy Code, as published by the International Code Council, 2022 Edition, and Appendices 1-A and 1-B is adopted by reference and incorporated in this chapter as if fully set forth herein and shall be referred to as the energy code of the county. A copy of said code shall be kept and maintained by the building official for use and examination by the public.

16.80.010 California Green Building Standards Code as adopted

Except as hereafter changed or modified, the 2022 California Green Building Standards Code is adopted by reference and incorporated in this chapter as if fully set forth herein and shall be referred to as the California Green Building Standards Code of the county. A copy of said code shall be kept and maintained by the building official for use and examination by the public.

3.6.2 Environmental Setting

The Proposed Project is connected to the existing electrical grid. The project site recevies power from the Pacific Gas and Electric Company (PG&E). PG&E is fully compliant with state renewable energy regulations. (CPUC 2024.) PG&E receives 38 percent of its power from renewables, and 8 percent from hydroelectric power. (PG&E 2025.)

3.6.3 Discussion of Checklist Responses

a. Result in Potentially Significant Environmental Impact due to Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources (Less than Significant Impact)

Project construction would require the use of fossil fuels, electricity, and natural gas for construction vehicles and equipment. Proposed energy use during construction would be short term and limited in scale and would not result in unnecessary, wasteful, or inefficient energy consumption. Further, the Proposed Project would be required to comply with state and local diesel-idling restrictions and the use of alternative fuels as applicable to

ensure avoidance of unnecessary, wasteful, and inefficient energy consumption during construction; therefore, energy consumed during construction would be temporary and would not represent a significant or wasteful demand on available resources, and construction-related impacts would be less than significant.

During operations, the Proposed Project would use electricity provided by PG&E. Operational energy use would include lighting for commercial cannabis cultivation, lighting for the processing and office area, irrigation, carbon scrubbers, heating and cooling, ventilation (e.g., fans, dehumidifiers), and security equipment. The greenhouse structures would provide natural sunlight for cultivation operations, and would contain light fixtures to add supplemental light in order to maximize the number of harvests per growing season. DCC regulations require cultivation operations that use indoor or tier 2 mixed-light techniques ensure that electrical power used for commercial cannabis activity meets the average electricity greenhouse gas emissions intensity required by their local utility provider pursuant to the California Renewables Portfolio Standard Program in division 1, part 1, chapter 2.3, article 16 (commencing with section 399.11) of the Public Utilities Code. The Applicant intends to install energy efficiency measures including motion sensing light control, and photocells for 60-watt LED lights. The Proposed Project would receive power from PG&E, which is fully compliant with the California Renewables Portfolio Standard Program. (CPUC 2024.)

Compliance with state requirements would ensure that the Proposed Project would not result in wasteful, inefficient, or unnecessary consumption of energy resources or conflict with applicable energy policies. Therefore, potential impacts would be **less than significant**.

b. Conflict with or Obstruct a State or Local Plan for Renewable Energy or Energy Efficiency (No Impact)

The Proposed Project would receive energy from PG&E, which is compliant with local and state energy efficiency regulations. (CPUC 2024.) In addition, the Proposed Project would comply with local and state energy efficiency regulations for commercial cannabis cultivation. The Proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, and there would be **no impact**.

3.7 Geology, Soils, and Seismicity

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
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 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?	☐	☐	☒	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
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?	☐	☐	☒	☐

3.7.1 Regulatory Setting

3.7.1.1 Federal Laws, Regulations, and Policies

National Earthquake Hazards Reduction Act

The National Earthquake Hazards Reduction Act of 1977 (Public Law 95-124) established the National Earthquake Hazards Reduction Program (NEHRP), which is a long-term earthquake risk reduction program to better understand, predict, and mitigate risks associated with seismic events. The following four federal agencies are responsible for coordinating activities under NEHRP:

- USGS;
- National Science Foundation;
- Federal Emergency Management Agency (FEMA); and
- National Institute of Standards and Technology.

Since its inception, NEHRP has shifted its focus from earthquake prediction to hazard reduction. Nevertheless, the four basic NEHRP goals remain unchanged (NEHRP 2021):

1. Develop effective practices and policies for earthquake loss reduction and accelerate their implementation;
2. Improve techniques for reducing earthquake vulnerabilities of facilities and systems;
3. Improve earthquake hazards identification and risk assessment methods, and their use; and
4. Improve the understanding of earthquakes and their effects.

Implementation of NEHRP objectives is accomplished primarily through original research, publications, and recommendations and guidelines for state, regional, and local agencies in the development of plans and policies to promote safety and emergency planning.

3.7.1.2 State Laws, Regulations, and Policies

Alquist–Priolo Earthquake Fault Zoning Act

The Alquist–Priolo Earthquake Fault Zoning Act (Alquist–Priolo Act) (Pub. Resources Code, § 2621 et seq.) was passed to reduce the risk to life and property from surface faulting in California. The Alquist–Priolo Act prohibits construction of most types of structures intended for human occupancy on the surface traces of active faults and strictly regulates construction in the corridors along active faults (earthquake fault zones). It also defines criteria for identifying active faults, giving legal weight to terms such as “active,” and establishes a process for reviewing building proposals situated in and adjacent to earthquake fault zones. Under the Alquist–Priolo Act, faults are zoned, and construction along or across them is strictly regulated if they are “sufficiently active” and “well defined.” Before a project can be permitted, cities and counties require completion of a geologic investigation to demonstrate that the proposed buildings would not be constructed across active faults.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act of 1990 (Pub. Resources Code, §§ 2690–2699.6) establishes statewide minimum public safety standards for mitigation of earthquake hazards. While the Alquist–Priolo Act addresses surface fault rupture, the Seismic Hazards Mapping Act addresses other earthquake-related hazards, including strong ground

shaking, liquefaction, and seismically induced landslides. Its provisions are similar in concept to those of the Alquist–Priolo Act. The state is charged with identifying and mapping areas at risk of strong ground shaking, liquefaction, landslides, and other seismic hazards; cities and counties are required to regulate development within mapped seismic hazard zones. In addition, the act addresses not only seismically induced hazards but also expansive soils, settlement, and slope stability. Under the Seismic Hazards Mapping Act, cities and counties may withhold the development permits for a site within seismic hazard zones until appropriate site-specific geologic and/or geotechnical investigations have been carried out and measures to reduce potential damage have been incorporated into the development plans.

California Building Standards Code

Title 24 of the California Code of Regulations (Cal. Code Regs., title 24), also known as the California Building Standards Code (CBC), specifies standards for geologic and seismic hazards other than surface faulting. These codes are administered and updated by the California Building Standards Commission. CBC specifies criteria for open excavation, seismic design, and load-bearing capacity directly related to construction in California.

Paleontological Resources

Paleontological resources are classified as non-renewable scientific resources and are protected by state statute. (Pub. Resources Code, § 5097.5.) No state or local agencies have specific jurisdiction over paleontological resources. No state or local agency requires a paleontological collecting permit to allow for the recovery of fossil remains discovered as a result of construction-related earthmoving on state or private land on a project site.

3.7.1.3 Local Laws, Regulations, and Policies

Stanislaus County Zoning Ordinance

Stanislaus County has adopted the CBC, Section 16.05.010 California Building Code and appendices adopted, as published by the International Code Council. The CBC is updated every three years in compliance with state law. The 2022 edition of the California Building Standards Code became effective on January 1, 2023.

Stanislaus County updates its building code every three years, when the CBC is updated. It may also update the code at other times when building code updates occur.

6.78.080 Commercial Cannabis Cultivation

C. Commercial cannabis cultivation operations shall be conducted in accordance with state and local laws related to land conversion, grading, electricity, water usage, water quality, woodland and riparian habitat protection, agricultural discharges, and similar matters.

3.7.2 Environmental Setting

3.7.2.1 Geology

The project site is located approximately two miles southwest of the Community of Westley and approximately 3.8 miles northwest of the City of Patterson in unincorporated Stanislaus County. The county spans three geomorphic provinces: the Great Valley, the Coast Ranges, and the Sierra Nevada. The largest area of the county is in the San Joaquin Valley portion of the Great Valley geomorphic province, which is in the flat, lowland center of the county; a narrow band on the eastern edge of the county is the Sierra Nevada foothills of the Sierra Nevada

geomorphic province; and a broad band on the west side of the county is the steeper Coast Ranges geomorphic province (Stanislaus County 2016a).

The project area is located in the San Joaquin Valley portion of the Great Valley geomorphic province. The San Joaquin Valley is made up largely of alluvial fans sourced from the Sierra Nevada Range to the east, the Coastal Range to the west, and to some degree the Tehachapi Mountains to the south. Weathering of these mountain ranges combined with surface water flows and flooding have resulted in accumulation of alluvial (river), lacustrine (lake), and marine (ocean) deposits throughout the San Joaquin Valley at extreme depths.

3.7.2.2 Soils

The San Joaquin Valley is made up largely of alluvial fans. Geologic units in the San Joaquin River basin include the Tulare Formation, terrace deposits, alluvium, and flood-basin deposits. The Tulare Formation consists of soil beds, lenses, and tongues of clay, sand, and gravel. Terrace deposits are composed of yellow, tan, and light-to-dark brown silt, sand.

3.7.2.3 Seismicity

According to the County's General Plan Safety Element, several known faults exist within Stanislaus County. They are located in the western portion of the county and in the Diablo Range located west of I-5. These faults could cause ground shaking of an intensity approaching "X" (ten) on the Modified Mercalli Scale, which could result in damage to most structures. The existence of unreinforced masonry buildings could cause severe loss of life and economic dislocation in an earthquake. However, with exception of the Diablo Grande community, most development in the unincorporated county is not located near the areas of greatest shaking potential (Stanislaus County 2016b).

The area west of I-5 (Diablo Range) is noted for unstable geologic formations that are susceptible to landslide. A portion of the southern part of this area includes the Ortigalita Fault, part of which is designated as an Alquist-Priolo Earthquake Fault Zone. This prohibits most construction without a geologic study (Stanislaus County 2016b).

The project site is not located within an Alquist-Priolo Earthquake Fault Zone. (Stanislaus County 2016a).

Ground Shaking

Unlike surface rupture, ground shaking is not confined to the trace of a fault, but rather propagates into the surrounding areas during an earthquake. The intensity of ground shaking typically diminishes with distance from the fault, but ground shaking may be locally amplified and/or prolonged by some types of substrate materials.

The ground-shaking hazard in the county ranges from moderate to low. The ground-shaking hazard is highest in the western portion of the county in the Diablo Range of the Coast Ranges and becomes progressively less eastward across the county (Stanislaus County 2016a).

Liquefaction and Differential Settlement

According to the County's General Plan Environmental Impact Report (EIR), there is potential for liquefaction in the county. The portion of the county most susceptible to liquefaction is the western margin of the valley because of the combination of young geologic units (Quaternary fan deposits and Dos Palos Alluvium) and potential for strong ground shaking. In addition, where groundwater is shallow liquefaction has the potential to occur. Other

parts of the valley also have young geologic units and shallow groundwater conditions, but the ground-shaking hazard is lower (Stanislaus County 2016a).

Liquefaction is most likely to occur in deposits of weak saturated alluvium or similar deposits of artificial fill. Liquefaction potential within Patterson exists in low-lying areas composed of unconsolidated, saturated, clay-free sands and silts.

The project area is theoretically subject to liquefaction resulting from earthquakes on several faults. The expected degree of earthquake-caused shaking however is relatively low to moderate, and it is unlikely that significant liquefaction would occur.

Landslide, Slope Failure, and Lateral Spreading

The potential for landslides in the county varies greatly. The greatest risk of landslides is in the western portion of the county in the steep Diablo Range. While the California Geological Survey has not designated any part of the county as a Zone of Required Investigation for landslide hazard, two factors make slope instability (both seismically and non-seismically induced) a concern in this area: 1). the steep topography and 2). the potential for moderate ground shaking (Stanislaus County 2016a).

Lateral spread is a pervasive type of liquefaction-induced ground failure that occurs on gentle slopes or near free-faces, such as river channels. Resulting horizontal displacements can reach up to several meters, and can be considerably damaging to foundations, bridges, roadways, pipelines, etc. (Stanislaus County 2016a).

The project site is situated mostly on dry, treeless alluvial fans. The project area is not located in the Diablo Range or near riverbanks, and is relatively level, therefore, the project site is not subject to landslides, slope failure, or lateral spreading.

3.7.2.4 Paleontological Resources

Many of the geologic units in the county are highly sensitive for paleontological resources. If fossils are present, they could be damaged by ground-disturbing activities during construction, such as excavation for foundations, placement of fills, trenching for utility systems, and grading for roads and staging areas. The more extensive and deeper the earth-disturbing activity, the greater the potential for damage to paleontological resources (Stanislaus County 2016a).

The area is zoned A-2-40 (General Agriculture) and the General Plan designation is Agriculture. The Proposed Project consists of commercial cannabis cultivation, nursery, and distribution activities conducted within a greenhouse or accessory agricultural building. The site was formerly used for agricultural purposes as an almond orchard. Due to the previous agricultural use at the site and the limited site excavation anticipated for the Proposed Project, the Proposed Project is not anticipated to encounter unique paleontological resources.

3.7.3 Discussion of Checklist Responses

a. Directly or Indirectly Cause Potential Substantial Adverse Effects, Including the Risk of Loss, Injury, or Death Involving:

i. Seismic-Related Rupture of a Known Earthquake Fault (Less than Significant Impact)

The Alquist-Priolo Earthquake Fault Zoning Act was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The Project site is not located within an Alquist-Priolo Earthquake Fault Zone and there are no known active faults underlying the Project site, nor are there any known active faults located adjacent to the Project site. The area west of I-5 (Diablo Range) is noted for unstable geologic formations, this area includes the Ortigalita Fault, part of which is designated as an Alquist-Priolo Earthquake Fault Zone. The Project site is located approximately 10 miles east of the Ortigalita Fault and is not anticipated to expose people or structures to potential substantial adverse effects, including risk of loss, injury, or death from the rupture of a know earthquake fault. According to Section 1613 of the 2019 CBC, all structures and portions of structures are required to be designed to resist the effects of seismic loadings caused by earthquake ground motions. Adherence to Section 1613 of the CBC and other engineering standards and practices would reduce risk of loss, injury, or death associated with development near designated faults. Therefore, the impact related to fault rupture would be **less than significant**.

ii. Strong Seismic Ground Shaking (Less than Significant Impact)

As with most of California, the project site is in a seismically active region. The Tesla-Ortigalita fault is the only active fault in Stanislaus County, located approximately 10 miles west of the project site. The project site, like much of California, could be subject to moderate to strong ground shaking in the event of a major earthquake.

The Proposed Project involves the operation of a cannabis cultivation operation on a 12-acre site consisting of 22,000 square-foot canopy within 36 greenhouse buildings totalling 29,880 square-feet: including office, storage, and processing activities within a 7,470 square-foot warehouse. Surrounding land uses are zoned A-2 (General Agriculture). The Proposed Project would not exacerbate conditions related to strong seismic ground shaking at the site. The potential for seismic ground shaking would not represent a significant new hazard to people.

The Proposed Project would be designed and constructed to meet current requirements of Stanislaus County Building codes and would comply with seismic safety provisions of the most recent the CBC. The CBC contains provisions for earthquake safety based on factors of occupancy type, the types of soil and rock on-site, and the strength of ground shaking with specified probability occurring at a site. Because the CBC ensures that projects are designed and constructed based on site-specific parameters and current engineering practices, impacts related to ground shaking would be reduced. With adherence to regulatory requirements and standard engineering practices, the impact related to seismic ground shaking would be **less than significant**.

iii. Seismic-Related Ground Failure, Including Liquefaction (Less than Significant Impact)

Liquefaction is the process in which soils and sediments lose shear strength and fail during seismic ground shaking. The vibration caused by an earthquake can increase pore pressure in saturated materials. If the pore pressure is raised to be equivalent to the load pressure, this causes a temporary loss of shear strength, allowing the material

to flow as a fluid. This temporary condition can result in severe settlement of foundations and slope failure. The susceptibility of an area to liquefaction is determined largely by the depth to groundwater and the properties (e.g., texture and density) of the soil and sediment within and above the groundwater. The sediments most susceptible to liquefaction are saturated, unconsolidated sand and silt soils (particularly Quaternary age units) with low plasticity within 50 feet of the ground surface (Stanislaus County 2016a).

According to the General Plan Draft EIR, there is potential for liquefaction in the county. The portion of the county most susceptible to liquefaction is located the western boundary of the valley due to the combination of young geologic units (Quaternary fan deposits and Dos Palos Alluvium) and potential for strong ground shaking; combined with areas where groundwater is shallow. Other parts of the valley also have young geologic units and shallow groundwater conditions, but the ground-shaking hazard is lower. The geologic units in the Coast Ranges and Sierra Nevada foothills are likely not susceptible to liquefaction because they are older and more consolidated or because they are igneous. In addition, shallow groundwater is not likely to be present in the steeper terrain.

Since the project area may be subject to moderate to strong seismic ground shaking during seismic events, there is a risk of seismically related ground failure, including liquefaction. However, according to the California Department of Conservation, Seismic Hazards Program: Liquefaction Zones, the Project site and area are not mapped as being within a liquefaction zone (DOC 2025); therefore, the potential for liquefaction is relatively low.

The Proposed Project would be designed and constructed to meet current requirements of Stanislaus County Building codes and would comply with seismic safety provisions of the most recent version of the CBC. The CBC contains provisions for earthquake safety based on factors of occupancy type, the types of soil and rock on-site, and the strength of ground shaking with specified probability occurring at a site. Because the CBC ensures that projects are designed and constructed based on site-specific parameters and current engineering practices, impacts related to ground shaking would be reduced. With adherence to regulatory requirements and standard engineering practices, the impact related to seismic related ground failure, including liquefaction would be **less than significant**.

iv. Landslides (No Impact)

The project site and surrounding areas are relatively flat and do not contain any steep slopes or other features that could result in landslide or mudflow hazards. As such, the project site is considered unlikely to be susceptible to landslides and would not expose people or structures to substantial adverse effects involving landslides. Therefore, there would be **no impacts** related to landslides.

b. Result in Substantial Soil Erosion or the Loss of Topsoil (Less than Significant Impact)

Construction activities would require ground-disturbing activities that could expose soil to wind and water erosion. Site preparation would include clearing and grubbing; removal of approximately 1,200 almond trees; grading, excavation, and placement of fill; and compaction. Clearing and grubbing, including removal of most trees on the site, would be conducted with standard excavators, scrapers, graders, bulldozers, and hand labor.

To the extent feasible, excavated soil would be reused on site and not soil for fill would be imported or exported. The majority of the initial sitework for all phases would occur in Phase 1, including all mass grading and utilities along with the initial road improvements and paving. All the building pads and roads would be cut and compacted throughout the entire site during this phase, which would include the most extensive use of heavy equipment,

including scrapers; graders; compactors; water trucks; excavators; and transfer trucks for sand, gravel, and asphalt. The maximum depth of excavation for utility lines would be 4 feet; and the maximum depth for grading and drainage would be 12 inches.

The greenhouse structures would be premanufactured off site, delivered, and assembled on site. Construction of buildings and structures would include the installation of new premanufactured greenhouse structures, and the extension of electric and water service to each individual greenhouse. Within each greenhouse, the applicant would install fans, lighting, humidifiers, storage water tanks, security cameras, Wi-Fi service, and other growing equipment. Premanufactured material will be received and moved by vehicle and built by hand at the individual greenhouse site earth pad. The greenhouses would require installation of concrete footings. The greenhouses do not require concrete foundations, so no large-scale excavation would be required.

As discussed in Section 3.10, "Hydrology and Water Quality," the Proposed Project would comply with National Pollutant Discharge Elimination System (NPDES) requirements for control of discharges of sediments and other pollutants during construction. A Stormwater Pollution and Prevention Plan (SWPPP) would be prepared and submitted to SWRCB. A SWPPP specifies BMPs to be implemented to manage erosion and the loss of topsoil during construction-related activities. Typical measures to prevent wind and water erosion may include, but are not limited to, application of water during earthwork activities, sandbags, straw waddles, and no work on high wind days. Preparation of a SWPPP in compliance with Construction General Permit conditions and dust control measures would ensure that potential erosion resulting from construction activities would be minimized.

In addition, adherence to SJVAPCD Regulation VIII (Fugitive Dust Control at Construction Sites), as detailed in Section 3.3, "Air Quality," would prohibit any emissions of fugitive dust from construction, demolition, or other operations that remain visible in the atmosphere beyond the property line of the site of the source. With adherence to SWPPP requirements and adherence to SJVAPCD Regulation VIII, the impact related to soil erosion would be **less than significant.**

c. 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 an On-site or Off-site Landslide, Lateral Spreading, Subsidence, Liquefaction, or Collapse (Less than Significant Impact)

The project site is not located in an area subject to on- or off-site landslides or liquefaction. The DOC has not mapped the project site as susceptible to liquefaction or lateral spreading. Because the project site is located in a seismically active area and has the potential to be subjected to strong to moderate ground shaking which could contribute to unstable soil conditions in the project area, the Proposed Project would be the designed and engineered in compliance with current County Codes and would comply with seismic safety provisions of the most recent the CBC. The CBC contains provisions for earthquake safety based on factors of occupancy type, the types of soil and rock on-site, and the strength of ground shaking with specified probability occurring at a site. Because the CBC ensures that projects are designed and constructed based on site-specific parameters and current engineering practices, and because the Proposed Project does not include construction-related or operational features that have the potential to result in unstable soil conditions, impacts related to unstable soils would be reduced, and therefore, the impact would be **less than significant**.

d. Be Located on Expansive Soil, Creating Substantial Direct or Indirect Risks to Life or Property (Less than Significant Impact)

Expansive soils are usually associated with a high clay content and are prone to large volume changes, they expand when there is a high-water content and shrink when the water evaporates or is dried out (swelling and shrinking). Expansive soil is generally a concern when designing building foundations and the installation of underground infrastructure. Expansive soils occur in the county; soils in the project area may contain sandy loam soils. These soils do not present a potential for expansion (NRCS 2025). Because the CBC ensures that projects are designed and constructed based on site-specific parameters and current engineering practices, and because the soils at the project site have a negligible potential for expansion, impacts related to expansive soils would be reduced, and therefore, the impact would be **less than significant**.

e. Have Soils Incapable of Adequately Supporting the Use of Septic Tanks or Alternative Wastewater Disposal Systems in Areas Where Sewers are not Available for the Disposal of Wastewater (Less than Significant Impact)

The Proposed Project would be served by a septic leach field system constructed during Phase 1. The septic system would serve the project's domestic uses. The septic leach field would be required to be designed in accordance with the Stanislaus County Onsite Wastewater Treatment Systems Local Agency Management Program, which develops minimum standards for the treatment and disposal of sewage through onsite wastewater treatment systems. In addition, the final design of the septic leach field would be subject to County approval. The septic leach field would be designed in accordance with requirements of the LAMP, consistent with soil conditions at the site; therefore, the impact would be **less than significant**.

f. Directly or Indirectly Destroy a Unique Paleontological Resource or Site or Unique Geological Feature (Less than Significant Impact)

Many of the geologic units in the county are highly sensitive for paleontological resources. If fossils are present where development is planned, they could be damaged by construction-related ground-disturbing activities, such as excavation for foundations, placement of fills, trenching for utility systems, and grading for roads and staging areas. The more extensive and deeper the ground-disturbing activity, the greater the potential for damage to paleontological resources.

Construction activities would include excavation for utility lines approximately 4 feet in depth, grading and drainage would be approximately 12 inches in depth. To the extent feasible, excavated soil would be reused on site and not soil for fill would be imported or exported. All the building pads and roads would be cut and compacted throughout the entire site during Phase I, which would include the most extensive use of heavy equipment, including scrapers; graders; compactors; water trucks; excavators; and transfer trucks for sand, gravel, and asphalt. The greenhouses would require installation of concrete footings but do not require concrete foundations, so no large-scale excavation would be required.

Due to the previous agricultural use at the site and the limited site excavation anticipated for the Proposed Project, the Proposed Project is not anticipated to encounter unique paleontological resources. The impacts on paleontological resources would be **less than significant**.

3.8 Greenhouse Gas Emissions

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:				
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?	☐	☐	☒	☐

3.8.1 Regulatory Setting

3.8.1.1 Federal Laws, Regulations, and Policies

In 1975, Congress enacted the Energy Policy and Conservation Act, which established the first fuel economy standards for on-road motor vehicles in the United States. Pursuant to the act, the USEPA and National Highway Traffic Safety Administration (NHTSA) are responsible for establishing additional vehicle standards. The Corporate Average Fuel Economy (CAFE) program was established to determine vehicle manufacturer compliance with the government's fuel economy standards. Compliance with the CAFE standards is determined based on each manufacturer's average fuel economy for the portion of their vehicles produced for sale in the country. The USEPA calculates a CAFE value for each manufacturer based on the city and highway fuel economy test results and vehicle sales. Based on information generated under the CAFE program, the Department of Transportation (DOT) is authorized to assess penalties for noncompliance.

In June 2024, the NHTSA announced the final rule for model years 2027 through 2031. The final rule established standards that require an industry-wide fleet wide average of approximately 50.4 miles per gallon (mpg) in 2031 for all passenger cars and light trucks, and an industry fleet-wide average of roughly 2.851 gallons per 100 miles in 2035 for heavy-duty pickup trucks and vans. The CAFE standards will increase at a rate of 2 percent per year for passenger cars in years 2027 through 2031 and 2 percent per year for light trucks in model years 2029 through 2031. The final heavy duty pickup trucks and vans fuel efficiency standards increase at a rate of 10 percent per year in years 2030-2032 and 8 percent per year in years 2033-2035 (NHTSA 2024).

3.8.1.2 State Laws, Regulations, and Policies

Assembly Bill 32 and Senate Bill 32 – California Global Warming Solutions Act

In September 2006, then-Governor Schwarzenegger signed the California Global Warming Solutions Act (Assembly Bill [AB] 32). AB 32 (Health & Saf. Code, Division 25.5) establishes regulatory, reporting, and market mechanisms to achieve quantifiable reductions in GHG emissions and establishes a cap on statewide GHG emissions. AB 32 required that statewide GHG emissions be reduced to 1990 levels by 2020. This re-duction was intended to be accomplished by enforcing a statewide cap on GHG emissions that was phased in starting in 2012. To effectively

implement the cap, AB 32 directed CARB to develop and implement regulations to reduce statewide GHG emissions from stationary sources.

In 2016, Senate Bill (SB) 32 and its companion bill AB 197 amended California Health and Safety Code section 38500 et seq. and established a new GHG reduction target of 40 percent below 1990 levels by 2030, and 85 percent below 1990 levels for anthropogenic emission by 2045, with an aspirational goal of carbon neutrality by 2045. The bills also include provisions to ensure the benefits of state climate policies reach into disadvantaged communities.

2022 Scoping Plan for Achieving Carbon Neutrality

A specific requirement of AB 32 was to prepare a Climate Change Scoping Plan for achieving the maximum technologically feasible and cost-effective GHG emission reduction by 2020. CARB developed and approved the initial Scoping Plan in 2008, outlining the regulations, market-based approaches, voluntary measures, policies, and other emission reduction programs that would be needed to meet the 2020 statewide GHG emission limit and initiate the transformations needed to achieve the state's long-range climate objectives (CARB 2008).

Most recently, CARB approved the 2022 *Scoping Plan for Achieving Carbon Neutrality* (2022 Scoping Plan) in December 2022. The 2022 Scoping Plan outlines the proposed framework of action for achieving the 2045 GHG target of an 85 percent reduction in anthropogenic GHG emissions relative to 1990 levels; the update also adds carbon neutrality as a science-based guide for California's climate work (CARB 2022). The 2022 Scoping Plan outlines how carbon neutrality can be achieved to reduce GHGs to meet the emission targets by reducing anthropogenic (human-caused) emissions and expanding actions to capture and store carbon. New to the 2022 Scoping Plan is a commitment to incorporate and quantify natural and working lands as a key component to GHG reductions and actions around capture and storage of carbon. The 2022 Scoping Plan strategy for meeting the state's 2030 GHG target incorporates the full range of legislative actions and state-developed plans that have relevance to the year 2030. The 2022 Scoping Plan is heading toward the 2045 anthropogenic target of 85 percent below 1990 levels and an aspirational goal of carbon neutrality, including the following reductions in key sectors:

> The transportation sector targets reductions based on the technology of vehicles and associated refueling infrastructure for those vehicles; the fuel used as the energy source to power vehicles and the facilities that produce them; and vehicle miles traveled (VMT), which relates to development patterns and available transportation options.
>
> The electricity grid sector has a target of 38 million metric tons of carbon dioxide equivalents ($MMTCO_2e$) in 2030 and 30 $MMTCO_2e$ in 2035, which includes a goal of generating 20 gigawatts of offshore wind by 2045 and specifies that the increased demand for electrification occurs without new fossil gas–fired resources.
>
> Natural and working lands sectors include targets to conserve natural working lands and coastal waters, and to implement actions to accelerate natural removal of carbon and improve resilience to climate change.

In the 2022 Scoping Plan, CARB recommends statewide targets of no more than 226 $MMTCO_2e$ from AB 32 GHG inventory sector emissions. For the 2045 scenario in the 2022 Scoping Plan, maximum GHG emissions from AB 32 inventory sector emissions are 65 $MMTCO_2e$.

Appendix D of the 2022 Scoping Plan provides guidance for GHG analyses in local agency CEQA documents. The guidance is focused on land use plans and projects, but some of it can also apply to water and infrastructure

projects. In particular, Section 3.2.2 generally endorses a net-zero threshold of significance, while noting that it may not be feasible or appropriate for every project. Also, Section 4.1 recommends a "mitigation hierarchy" not found in the CEQA Guidelines. CARB recommends prioritizing CEQA GHG mitigation according to a geographic hierarchy and includes carbon offsets as an option.

Renewables Portfolio Standard

The state of California adopted standards to increase the percentage of energy from renewable resources that retail sellers of electricity, including investor-owned utilities and community choice aggregators, and it must be provided in their portfolio. The Renewables Portfolio Standard (RPS) was established in 2002 under SB 1078, accelerated in 2006 under SB 107, and expanded in 2011 under SB 2. The standards are referred to as the RPS. Qualifying renewables under the RPS include bioenergy such as biogas and biomass, small hydroelectric facilities (30 megawatts [MW] or less), wind, solar, and geothermal energy. The California Public Utilities Commission (CPUC) and CEC jointly implement the RPS program.

In November 2008, then-Governor Schwarzenegger signed Executive Order S-14-08, which expanded the State's RPS to 33 percent renewable power by 2020. In September 2009, then-Governor Schwarzenegger continued California's commitment to the RPS by signing Executive Order S-21-09, which directed the California Air Resources Board (CARB) to enact regulations to help the state meet its RPS goal of 33 percent renewable energy by 2020.

Senate Bill 350 Clean Energy and Pollution Reduction Act (SB 350)

SB 350, also known as the Clean Energy and Pollution Reduction Act of 2015, was enacted on October 7, 2015, and provides a new set of objectives in clean energy, clean air, and pollution reduction by 2030. The objectives include the following:

- To increase the procurement of California's electricity from renewable sources from 33 percent to 50 percent by December 31, 2030.
- To double the energy efficiency savings in electricity and natural gas final end uses (e.g., to heat and cool spaces, power appliances, power lights, and heat water) of retail customers through energy efficiency and conservation.

100 Percent Clean Energy Act (SB 100)

On September 10, 2018, then-Governor Brown signed SB 100, establishing that 100 percent of all electricity in California must be obtained from renewable and zero-carbon energy resources by December 31, 2045. SB 100 also creates new standards for the RPS goals that were established by SB 350 in 2015. Specifically, SB 100 increases required energy from renewable sources for both Investor-Owned Utilities and Publicly Owned Utilities from 50 percent to 60 percent by 2030. Incrementally, these energy providers are also required to have a renewable energy supply 44 percent by 2024, and 52 percent by 2027. The updated RPS goals are considered achievable, since many California energy providers are already meeting or exceeding the RPS goals established by SB 350.

Clean Energy, Jobs, and Affordability Act (SB 1020)

SB 1020, also known as the Clean Energy, Jobs, and Affordability Act of 2022, establishes the requirement that eligible renewable resources and zero-carbon resources supply 90 percent of all retail sales of electricity to California end-use customers by December 31, 2035; 95 percent of all retail sales of electricity to California end-

use customers by December 31, 2040; 100 percent of all retail sales of electricity to California end-use customers by December 31, 2045; and 100 percent of electricity procured to serve all state agencies by December 31, 2035. It also contains provisions for cooperation between CPUC and Independent System Operators (ISOs) providing electricity for the purpose of transmission planning by allowing the exchange of confidential business information without risk of public disclosure requirements.

Low Carbon Fuel Standard (Executive Order S-1-07)

The Low Carbon Fuel Standard (LCFS), established in 2007 through Executive Order S-1-07 and administered by CARB, requires producers of petroleum-based fuels to reduce the carbon intensity of their products that started with a 0.25 percent reduction in 2011 and culminated in a 10 percent total reduction in 2020. In September 2018, CARB extended the LCFS program to 2030, making significant changes to the design and implementation of the program, including a doubling of the carbon intensity reduction to 20 percent by 2030.

Petroleum importers, refiners, and wholesalers can either develop their own low carbon fuel products or buy LCFS credits from other companies that develop and sell low carbon alternative fuels, such as biofuels, electricity, natural gas, and hydrogen.

DCC Commercial Cannabis Business Regulations

Cal. Code Regs., title 4, division 19 includes the following requirements regarding energy use for commercial cannabis uses.

Section 16305: Renewable Energy Requirements

(a) Beginning January 1, 2023, all holders of indoor, tier 2 mixed-light license types of any size, and all holders of nursery licenses using indoor or tier 2 mixed-light techniques shall ensure that electrical power used for commercial cannabis activity meets the average electricity greenhouse gas emissions intensity required by their local utility provider pursuant to the California Renewables Portfolio Standard Program in division 1, part 1, chapter 2.3, article 16 (commencing with Section 399.11) of the Public Utilities Code.

(b) If a licensed cultivator's average weighted greenhouse gas emission intensity, as calculated and reported upon license renewal pursuant to Section 15020, is greater than the local utility provider's greenhouse gas emission intensity, the licensee shall obtain carbon offsets to cover the excess in carbon emissions from the previous annual licensed period. The carbon offsets shall be purchased from one or more of the following recognized voluntary carbon registries:

(1) American Carbon Registry;

(2) Climate Action Reserve; or

(3) Verified Carbon Standard.

Section 16306: Generator Requirements

(a) For the purposes of this section, “generator” means a stationary or portable compression ignition engine, also known as a diesel engine, as defined in Title 17, California Code of Regulations, Section 93115.4.

(b) Licensed cultivators using generators rated at fifty (50) horsepower and greater shall demonstrate compliance with the Airborne Toxic Control Measure for stationary or portable engines, as applicable, established in Title 17,

California Code of Regulations, Sections 93115-93116.5. Compliance shall be demonstrated by providing a copy of one of the following to the Department upon request:

(1) For portable engines, a Portable Equipment Registration Certificate provided by the California Air Resources Board; or

(2) For portable or stationary engines, a Permit to Operate or other proof of engine registration, obtained from the Local Air District with jurisdiction over the licensed premises.

(c) Licensed cultivators using generators rated below fifty (50) horsepower shall comply with the following by 2023:

(1) Either subsection (1)(A) or (1)(B):

(A) Meet the "emergency" definition for portable engines in Title 17, California Code of Regulations, Section 93116.2(a)(12), or the "emergency use" definition for stationary engines in title 17, California Code of Regulations, Section 93115.4(a)(30); or

(B) Operate eighty (80) hours or less in a calendar year; and

(2) Either subsection (2)(A) or (2)(B):

(A) Meet Tier 3 with Level 3 diesel particulate filter requirements in title 13, California Code of Regulations, Sections 2700-2711; or

(B) Meet Tier 4 requirements, or current engine requirements if more stringent, in title 40, Code of Federal Regulations, chapter I, subchapter U, part 1039, subpart B, Section 1039.101.

(d) All generators used by licensed cultivators shall be equipped with non-resettable hour-meters. If a generator does not come equipped with a non-resettable hour-meter, an aftermarket non-resettable hour-meter shall be installed.

3.8.1.3 Local Laws, Regulations, and Policies

Stanislaus County Zoning Ordinance

6.78.080 Commercial Cannabis Cultivation

C. Commercial cannabis cultivation operations shall be conducted in accordance with state and local laws related to land conversion, grading, electricity, water usage, water quality, woodland and riparian habitat protection, agricultural discharges, and similar matters.

1. Water Conservation Measures. Commercial cannabis cultivation operations shall include adequate measures that minimize use of water for cannabis cultivation at the site. Water conservation measures, water capture systems, or grey water systems shall be incorporated into commercial cannabis cultivation operations in order to minimize use of water where feasible.

2. Energy Conservation Measures. Commercial cannabis cultivation operations shall include adequate measures to address the projected energy demand for cannabis cultivation at the site.

E. Enclosure. All commercial cannabis cultivation operations shall occur within a greenhouse or fully enclosed building. If conducted within a greenhouse, supplemental lighting shall not exceed twenty-five watts per square foot to be used up to one hour before sunrise or after sunset, unless the greenhouse or facility is equipped with light-blocking measures to ensure that no light escapes.

3.8.2 Environmental Setting

Climate change results from the accumulation in the atmosphere of GHGs, which are produced primarily by the burning of fossil fuels for energy. Because GHGs (carbon dioxide [CO_2], methane, and nitrous oxide) persist and mix in the atmosphere, emissions anywhere in the world affect the climate everywhere in the world. GHG emissions are typically reported in terms of carbon dioxide equivalents (CO_2e) which converts all GHGs to an equivalent basis taking into account their global warming potential compared to CO_2.

Anthropogenic (human-caused) emissions of GHGs are widely accepted in the scientific community as contributing to global warming. Temperature increases associated with climate change are expected to adversely affect plant and animal species, cause ocean acidification and sea level rise, affect water supplies, affect agriculture, and harm public health.

Global climate change is already affecting ecosystems and societies throughout the world. Climate change adaptation refers to the efforts undertaken by societies and ecosystems to adjust to and prepare for current and future climate change, thereby reducing vulnerability to those changes. Human adaptation has occurred naturally over history; people move to more suitable living locations, adjust food sources, and more recently, change energy sources. Similarly, plant and animal species also adapt over time to changing conditions; they migrate or alter behaviors in accordance with changing climates, food sources, and predators.

Many national, as well as local and regional, governments are implementing adaptive practices to address changes in climate, as well as planning for expected future impacts from climate change. Some examples of adaptations that are already in practice or under consideration include conserving water and minimizing runoff with climate-appropriate landscaping, capturing excess rainfall to minimize flooding and maintain a constant water supply through dry spells and droughts, protecting valuable resources and infrastructure from flood damage and sea level rise, and using water-efficient appliances.

CARB compiles GHG inventories for the State of California. Based on CARB's 2022 GHG inventory data, California emitted 371.1 $MMTCO_2e$, including emissions resulting from imported electrical power. (CARB 2024). Despite California's population and economic growth, CARB's 2022 statewide inventory indicates that California's net GHG emissions in 2022 were below 1990 levels of 431 MMTCO2e which was the 2020 GHG reduction target codified in California under AB 32 and heading toward the 2030 goal level of 260 MMTCO2e.

3.8.3 Discussion of Checklist Responses

a. Generate a net increase in greenhouse gas emissions which may have a significant impact on the environment (Less than Significant Impact)

The Proposed Project would generate GHG emissions during construction and operation. During construction of the Proposed Project, the combustion of fossil fuels for operation of fossil fueled construction equipment, material hauling, and worker trips would result in construction-related criteria air pollutant emissions. During project operations there would be some worker trips and other vehicle trips for waste removal and product delivery. Other operation emissions would be for maintaining the landscaping and fugitive dust from driving on unpaved surfaces. These emissions were estimated using the California Emissions Estimator Model (CalEEMod) version 2022.1.1.29 using information from the Project Description along with default assumptions for the project site

acreage being developed, which is the area that would be impacted during construction. The Proposed Project's construction-related GHG emissions are estimated at 314 metric tons of carbon dioxide equivalents ($MTCO_2e$).

Operational GHG emissions would result from fossil-fueled equipment and motor vehicles. The Proposed Project's operational emissions would be 467 MTCO2e.

SJVAPD has not prepared GHG thresholds; therefore, the SCAQMD thresholds are used in this analysis. On December 5, 2008, the SCAQMD Governing Board adopted the staff proposal for an interim GHG significance threshold for projects where the SCAQMD is lead. SCAQMD has not set specific thresholds for construction; rather SCAQMD recommends amortization of construction emissions over the life of the project, "defined as 30 years," and adding the amortized construction emissions to operational emissions to estimate yearly emissions from the project (SCAQMD 2008).

The net project emissions when amortized construction emissions are included would be less than 477 $MTCO_2e$/yr, which would not be anticipated to result in a significant impact to global climate change or impede the goals of AB 32 or SB 32 since the primary source of emissions is for the electricity use which given the renewable portfolio standards will be decreasing in intensity overtime. The project is consistent with the lighting restrictions for commercial cannabis cultivation and will be obtaining power from PG&E. Since the Proposed Project's emissions would be low and would decrease in the future given the RPS regulations, the impact would be **less than significant**.

b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases (Less than Significant Impact)

The State of California has implemented AB 32, SB 32, and multiple Executive Orders to reduce GHG emissions. The Proposed Project does not pose any conflict with the most recent list of CARB's early action strategies, nor is it one of the sectors at which measures are targeted. The 2022 Scoping Plan (CARB 2022) did not mention that for agriculture energy use to have 25 percent of its energy demand electrified by 2030 and 75 percent by 2045 as a specific target there were no other applicable additional strategies; however, emission reductions at the project site would be influenced by decisions relating to target sectors such as water, waste, natural resources, clean energy, transportation, and land use. The Proposed Project is using electricity in its commercial cannabis operations and not relying on any large amounts of fossil fuel equipment for energy generation on-site. Thus, the Proposed Project is consistent with this strategy. The Proposed Project would not be required to report emissions to CARB. Therefore, emissions generated by the Proposed Project would not be expected to have a substantial contribution to the ongoing impact on global climate change. The Proposed Project would not conflict or impede implementation of local General Plans. For these reasons, the Proposed Project would not conflict with AB 32 or SB 32, or the local general plans. Therefore, this impact would be **less than significant**.

3.9 Hazards and Hazardous Materials

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:				
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, create a significant hazard to the public or the environment?	☐	☐	☐	☒
e. Be within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport and result in a safety hazard or excessive noise 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?	☐	☐	☒	☐

3.9.1 Regulatory Setting

3.9.1.1 Federal Laws, Regulations, and Policies

Comprehensive Environmental Response, Compensation, and Liability Act – Superfund Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), also called the Superfund Act; 42 USC Section 9601 et seq.) is intended to protect the public and the environment from the effects of past

hazardous waste disposal activities and new hazardous material spills. Under CERCLA, USEPA has the authority to seek the parties responsible for hazardous materials releases and to ensure their cooperation in site remediation. CERCLA also provides federal funding (through the "Superfund") for the remediation of hazardous materials contamination. The Superfund Amendments and Reauthorization Act of 1986 (Public Law 99-499) amends some provisions of CERCLA and provides for a Community Right-to-Know program.

Resource Conservation and Recovery Act of 1976

The Resource Conservation and Recovery Act of 1976 ([RCRA]; 42 USC Section 6901 et seq.), as amended by the Hazardous and Solid Waste Amendments of 1984, is the primary federal law for the regulation of solid waste and hazardous waste in the United States. These laws provide for the "cradle-to-grave" regulation of hazardous wastes, including generation, transport, treatment, storage, and disposal. Any business, institution, or other entity that generates hazardous waste is required to identify and track its hazardous waste from the point of generation until it is recycled, reused, or disposed of.

USEPA has primary responsibility for implementing RCRA, but individual states are encouraged to seek authorization to implement some or all RCRA provisions. California was delegated authority to implement the RCRA program in August 1992. The California Department of Toxic Substances Control (DTSC) is responsible for implementing the RCRA program in California, in addition to California's own hazardous waste laws, which are collectively known as the Hazardous Waste Control Law.

Federal Insecticide, Fungicide, and Rodenticide Act

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. Section 136 et seq.) was enacted in 1947, but has since been amended by the Federal Environmental Pesticide Control Act of 1972 and the Food Quality Protection Act of 1996. In its current form, FIFRA mandates USEPA to regulate the use and sale of pesticides to protect human health and the environment. USEPA achieves this mandate by registering and labeling pesticides.

Currently, no pesticides are registered for use on cannabis. CDPR has published guidance that commercial cultivators can legally apply pesticides to cannabis that are exempt from residue-tolerance requirements and are either: (1) registered and labeled for a use that is broad enough to include use on cannabis (e.g., unspecified green plants), or (2) exempt from registration requirements as a minimum-risk pesticide under FIFRA Section 25(b). See additional discussion of CDPR's guidance with respect to cannabis under "State Laws, Regulations, and Policies" below.

Commercial cannabis cultivators using registered pesticides would be required to follow the label instructions developed pursuant to FIFRA. Under FIFRA, all new pesticides (with minor exceptions) must be registered by the Administrator of USEPA through a process in which appropriate crops and sites for use of the pesticide are identified and prescribed based on research data. Labeling requirements control when and under what conditions pesticides can be applied, mixed, stored, loaded, or used; when a site can be re-entered after application; and when crops can be harvested.

Spill Prevention, Control, and Countermeasure Rule

USEPA's Spill Prevention, Control, and Countermeasure Rule (40 C.F.R. Part 112) applies to facilities that contain a single aboveground storage tank with a storage capacity greater than 660 gallons, or multiple tanks with a combined capacity greater than 1,320 gallons. The rule includes requirements for oil spill prevention,

preparedness, and response to prevent oil discharges to navigable waters and adjoining shorelines. The rule requires specific types of facilities to prepare, amend, and implement Spill Prevention, Control, and Countermeasure plans.

Worker Safety Regulations

The Occupational Safety and Health Administration (OSHA) is responsible at the federal level for ensuring worker safety. The agency sets federal standards for implementation of workplace training, exposure limits, and safety procedures for the handling of hazardous substances (as well as other hazards). These standards, codified in 29 C.F.R. Part 1910, address issues that range in scope from walking and working surfaces, to exit routes and emergency planning, to hazardous materials and personal protective equipment. They include exposure limits for a wide range of hazardous materials, including pesticides, as well as requirements that employers provide personal protective equipment (i.e., protective equipment for eyes, face, or extremities; protective clothing; respiratory devices) to their employees wherever it is necessary (i.e., when required by the label instructions) (29 C.F.R. § 1910.132). OSHA also establishes criteria by which each state can implement its own health and safety program.

3.9.1.2 State Laws, Regulations, and Policies

The Unified Program

The Unified Program consolidates, coordinates, and makes consistent the administrative requirements, permits, inspections, and enforcement activities of six environmental and emergency response programs. Statewide, DTSC has primary regulatory responsibility for management of hazardous materials, and it works with other state agencies and delegates its authority to local jurisdictions that enter into agreements with the state. Local agencies administer these laws and regulations. DTSC, California Environmental Protection Agency, and other state agencies set the standards for their programs while local governments implement the standards. These local implementing agencies, the Certified Unified Program Agencies (CUPAs), regulate and oversee the following for each county:

- Hazardous materials business plans;
- California accidental release prevention plans or federal risk management plans (RMPs);
- The operation of underground storage tanks and Aboveground Storage Tanks;
- Universal waste and hazardous waste generators and handlers;
- On-site hazardous waste treatment;
- Inspections, permitting, and enforcement;
- Proposition 65 reporting (described below); and
- Emergency response.

California Health and Safety Code—Hazardous Waste and Hazardous Materials

Several sections of the California Health and Safety Code deal with hazardous waste and hazardous materials. Division 20, Chapter 6.5 addresses hazardous waste control and contains regulations on hazardous waste management plans, hazardous waste reduction, recycling and treatment, and hazardous waste transportation and

hauling. Under Chapter 6.5, Article 6, persons generating hazardous wastes that are to be transported for off-site handling, treatment, storage, or disposal must complete a hazardous waste manifest before transport, indicating the facility to which the waste is being shipped for treatment, disposal, or other purposes.

Under Chapter 6.95, Article 1, areas and businesses that have a threshold amount of hazardous materials on site (55 gallons of liquid; 500 pounds of solid for businesses) must have plans in place for emergency response to an accidental release of materials. These Hazardous Materials Business Plans (HMBPs) and Hazardous Materials Area Plans must include at least the following:

- A listing of the chemical name and common names of every hazardous substance or chemical product handled by the business;
- The category of waste, including the general chemical and mineral composition, of every hazardous waste handled by the business;
- The maximum amount of each hazardous material or mixture containing a hazardous material that is present on site;
- Sufficient information on how and where the hazardous materials are handled by the business to allow fire, safety, health, and other appropriate personnel to prepare adequate emergency responses to potential releases of the hazardous materials;
- Emergency response plans and procedures in the event of a reportable release or threatened release of a hazardous material; and
- Training for all new employees and annual training, including refresher courses, for all employees on safety procedures in the event of a release or threatened release of a hazardous material.

Under Chapter 6.95, Article 2, operators of stationary sources of hazardous materials are required (if they are deemed an accident risk) to prepare RMPs, detailing strategies to reduce the risk of accidental hazardous material release and submit them to the California Emergency Management Agency.

California Accidental Release Prevention Program

First implemented in 1997, the California Accidental Release Prevention (CalARP) program was designed to prevent accidental releases of hazardous substances, minimize damage if releases occur, and satisfy community right-to-know laws. Like the chemical accident prevention provisions of the federal Clean Air Act, the CalARP program and implementing regulations (Cal. Code Regs., tit. 19, § 5050.1 et seq.) require businesses that handle more than a threshold quantity of regulated substances to develop an RMP.

In most cases, the CUPA is the administering agency responsible for implementing the CalARP program. When no CUPA exists, the administering agency is designated by the Secretary for Environmental Protection or the Office of Emergency Services. The administering agency determines the level of detail in the RMPs, reviews the RMPs, conducts facility site inspections, and provides public access to most of the information provided by facilities.

California Fire Code—Hazardous Materials Management Plans and Hazardous Materials Inventory Statements

The California Fire Code (Cal. Code Regs., tit. 29, Part 9) requires businesses that handle more than a threshold quantity of hazardous materials to prepare a Hazardous Materials Management Plan (HMMP) and a Hazardous

Materials Inventory Statement (HMIS). HMMPs and HMISs are similar to the HMBPs and Hazardous Materials Area Plans required under Chapter 6.95 of the California Health and Safety Code. Like business and area plans, the HMMP/HMIS requirement is an element of the Unified Program; however, the CAL FIRE Office of the State Fire Marshall is responsible for implementing the HMMP and HMIS.

The HMMP must include a facility site plan containing information such as the location of emergency equipment, hazardous material storage tanks, and emergency exits. The HMIS must include information on the hazardous materials at the site, such as product name, chemical components, amount in storage, and hazard classification. As part of an application for a permit, owners or operators of facilities that handle hazardous materials also must submit an emergency response plan and an emergency response training plan.

California Emergency Services Act

The California Emergency Services Act (Gov. Code, Chapter 7) established the California Emergency Management Agency and created requirements for emergency response training and planning. Under this act, the State is required to develop a statewide toxic disaster contingency plan that can facilitate an effective, multi-agency response to a situation in which toxic substances are dispersed in the environment so as to cause, or potentially cause, injury or death to a substantial number of persons or substantial harm to the natural environment (Gov. Code, § 8574.18). The California Emergency Services Act also requires the agency to develop and manage the California Hazardous Substances Incident Response Training and Education Program, which provides classes in hazardous substance response (Gov. Code, § 8574.20). Under the California Emergency Services Act, the California Emergency Management Agency would have the ability to provide an effective response to a catastrophic hazardous materials release, such as from an accident at a chemical pesticide manufacturing plant.

Hazardous Waste Generator Program

The Hazardous Waste Generator Program is administered by CUPAs under the Unified Program with oversight and assistance from DTSC. Under the program, CUPAs conduct inspections at hazardous waste generator facilities. Inspectors check hazardous waste generators for compliance with such requirements as having a USEPA identification number, contingency plan information posted near a telephone, containers in good condition and properly labeled, and authorized waste transport vehicles. If generators fail to comply with regulations or permit requirements, CUPAs may assess penalties.

CUPAs also administer on-site, tiered permitting programs. Based on the type of waste they treat and the treatment processes they employ, businesses are required to obtain a permit for the appropriate tier. Permits may require businesses to clean equipment or alter processes to improve safety.

Pesticides and Pest Control Operations

Detailed implementing regulations for CDPR's pesticide regulatory program are codified in the California Code of Regulations, title 3, division 6. CDPR is the state agency with primary responsibility for regulating pesticide use in California. CDPR oversees state pesticide laws, including pesticide labeling, and is vested by USEPA to enforce federal pesticide laws in California. CDPR also oversees the activities of the county agricultural commissioners related to enforcement of pesticide regulations and related environmental laws and regulations locally.

As identified in California Code of Regulations, title 3, division 6, CDPR evaluates proposed pesticide products and registers those pesticides that it determines can be used safely. In addition, CDPR's oversight includes:

- Licensing of pesticide professionals;
- Site-specific permits required before restricted-use pesticides may be used in agriculture;
- Strict rules to protect workers and consumers;
- Mandatory reporting of pesticide use by agricultural and pest control businesses;
- Environmental monitoring of water and air; and
- Testing of fresh produce for pesticide residues.

The regulations require that employers of pesticide workers provide protective clothing, eyewear, gloves, respirators, and any other required protection, and also requires employers to ensure that protective wear is worn according to product labels during application. The regulations also require that employers provide workers with adequate training in pesticide application and safety; communicate pesticide-related hazards to workers; ensure that emergency medical services are available to workers; and ensure adherence to restricted-entry intervals between pesticide treatments. (Cal. Code Regs., tit. 3, § 6764.)

CDPR Guidance on Pesticide Use in Commercial Cannabis Cultivation

In accordance with MAUCRSA, CDPR is required to develop guidelines for the use of pesticides in the cultivation of cannabis and residue in harvested cannabis. (Bus. & Prof. Code, § 26060, subd. (d).) However, CDPR is pre-empted by federal law from registering a pesticide for sale and use that is not first registered by USEPA.

CDPR has advised county agricultural commissioners to issue a Unique Identifier (i.e., an operator identification data number) to any cannabis grower who submits a valid application, except in counties in which growing cannabis is prohibited by a local ordinance. The operator identification data would be used in the management of pesticide use data. CDPR has advised that the use of a pesticide for the cultivation of cannabis falls under the broad definition of "agricultural use" in the Food and Agricultural Code, even though the Food and Agricultural Code does not explicitly consider cannabis an agricultural commodity.

CDPR has also prepared guidance documents outlining the legal requirements for pesticide use on cannabis and providing guidance on legal pest management practices for California cannabis growers. Essentially, CDPR's guidance states that the only pesticide products allowable for use on cannabis are those that contain an active ingredient that is exempt from residue-tolerance requirements and are either (1) registered and labeled for a use that is broad enough to include use on cannabis (e.g., unspecified green plants), or (2) exempt from registration requirements as a minimum-risk pesticide under FIFRA section 25(b) and the California Code of Regulations, title 3, section 6147 (CDPR 2021).

Pesticide Contamination Prevention Act

The Pesticide Contamination Prevention Act (Food and Agr. Code, §§ 13145–13152) requires CDPR to:

- Obtain environmental fate and chemistry data for agricultural pesticides before they can be registered for use in California;
- Identify agricultural pesticides with the potential to pollute groundwater;
- Sample wells to determine the presence of agricultural pesticides in groundwater;
- Obtain, report, and analyze the results of well sampling for pesticides by public agencies;

- Formally review any detected pesticide to determine whether its use can be allowed; and
- Adopt use modifications to protect groundwater from pollution if formal review indicates that continued use can be allowed.

The act requires CDPR to develop numerical values for water solubility, soil adsorption coefficient, hydrolysis, aerobic and anaerobic soil metabolism, and field dissipation of pesticides to protect groundwater, based in part on data submitted by pesticide registrants.

The act also states that CDPR shall establish a list of pesticides that have the potential to pollute groundwater, called the Groundwater Protection List. Any person who uses a pesticide that is listed on the Groundwater Protection List is required to file a report with the county agricultural commissioner, and pesticide dealers are required to make quarterly reports to CDPR of all sales of pesticides on the list to persons not otherwise required to file a report. The Pesticide Contamination Prevention Act ensures that pesticides allowed for use in California, including those that may be used in commercial cannabis cultivation, will have been studied by CDPR for their potential to contaminate groundwater and the environment.

Safe Drinking Water and Toxic Enforcement Act (Proposition 65)

The Safe Drinking Water and Toxic Enforcement Act, or Proposition 65, requires the Governor to maintain and publish a list of chemicals known to the State of California to cause cancer, birth defects, or other reproductive harm. Once a chemical has been listed, businesses are responsible for providing a warning before knowingly or intentionally exposing their employees or the public to an amount of the chemical that poses a significant risk. The California Office of Environmental Health Hazard Assessment is the lead agency responsible for implementing Proposition 65, with input from CDPR and other agencies so that the best scientific information is used in listing chemicals. In its current state, the Proposition 65 list contains a wide variety of chemicals, including various pesticides and cannabis smoke (OEHHA 2025).

Hazardous Waste Control Law

The Hazardous Waste Control Law (Health and Saf. Code, tit. 22, § 25100 et seq.) authorizes the California Environmental Protection Agency and the DTSC to regulate the generation, transport, treatment, storage, and disposal of hazardous wastes. DTSC can also delegate enforcement responsibilities to local jurisdictions that enter into agreements with DTSC for the generation, transport, and disposal of hazardous materials under the authority of the Hazard Waste Control Law.

Porter-Cologne Water Quality Control Act

As discussed in more detail in Section 3.10, “Hydrology and Water Quality,” the Porter-Cologne Act (Wat. Code, Division 7) is the provision of the California Water Code that regulates water quality in California and authorizes the SWRCB and RWQCBs to implement and enforce the regulations.

RWQCBs regulate discharges under the Porter-Cologne Act primarily through the issuance of waste discharge requirements (WDRs). Anyone discharging or proposing to discharge materials that could affect water quality must file a report of waste discharge. The SWRCB and applicable RWQCBs can make their own investigations or may require dischargers to carry out water quality investigations and report on water quality issues. The project site is under the jurisdiction of the Central Valley RWQCB.

California Code of Regulations, Division 4.5 - Environmental Health Standards for the Management of Hazardous Waste

California Code of Regulations (CCR), title 22, division 4.5 outlines the State's hazardous waste management rules, aligning with and expanding upon federal RCRA regulations. It is administered by the DTSC and covers the generation, transportation, treatment, storage, and disposal of hazardous waste. The regulations establish strict waste classification criteria, permitting requirements for facilities, and enforcement provisions to ensure public health and environmental protection.

California Division of Occupational Safety and Health Regulations

The California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA) regulations contain requirements for agricultural operations related to pesticide application. The regulations require that a notice be attached to all tanks larger than 100 gallons in capacity that are used for pesticides, providing precautionary instructions; controls on the tanks must be placed to minimize exposure to employees from ruptured or breaking lines. (Cal. Code Regs., tit. 8, § 3453.) Machines, applicators, and other equipment used for pesticide application must be decontaminated before they are overhauled or placed in storage. (Cal. Code Regs., tit. 8, § 3451.)

In addition, the Cal/OSHA regulations contain various provisions that require safe operation of equipment, safety instructions provided in a language that employees understand, and access to first aid.

California Fire Code

The California Fire Code (Cal. Code Regs., tit. 24, Part 9) establishes minimum requirements to safeguard the public health, safety, and general welfare from the hazards of fire, explosion, or dangerous conditions in new and existing buildings. The California Fire Code also contains requirements related to emergency planning and preparedness, fire service features, building services and systems, fire resistance–rated construction, fire protection systems, and construction requirements for existing buildings, as well as specialized standards for specific types of facilities and materials.

DCC Commercial Cannabis Business Regulations

DCC is responsible for regulating the manufacturers of cannabis products for both medicinal and adult use. DCC regulations include measures related to fire protection. Applicants for indoor cultivation licenses must attest that the local fire department has been notified of the cultivation site. (Cal Code Regs., tit. 4, § 15011, subd. (b)(10).)

Section 17205 contains additional requirements for manufacturing operation that use ethanol. A licensed manufacturer that uses ethanol in manufacturing operations for extractions or post-extraction processing must receive approval for the facility and equipment from the local fire code official prior to commencing operations, if required by local ordinance. (Cal. Code Regs., tit. 4, § 17205.)

Sections 15714 through 15724 require all cannabis products to be tested by a licensed cannabis testing laboratory prior to sale. These regulations ensure that the cannabis product consistently meets the established specifications for cannabinoids, moisture content and water reactivity, residual pesticides, residual solvents and processing chemicals, microbial impurities, mycotoxins, foreign material, heavy metals, and if applicable, terpenoids. Products that do not meet regulatory specifications must not be sold. In addition, DCC regulations ensure that

cannabis products have been processed, manufactured, packaged, labeled, and held under conditions to prevent adulteration and misbranding as defined in Business and Professions Code sections 26039.5 and 26039.5.

3.9.1.3 Local Laws, Regulations, and Policies

Stanislaus County Certified Unified Program Agency

The Stanislaus County Hazardous Material Division of the Environmental Resources Department is the CUPA. The Hazardous Materials Division is responsible for many programs, including:

- Hazardous Materials Response Team: Assists police and fire departments during chemical spills and industrial accidents.
- Underground Storage Tank Program: Oversees the permitting, inspection, and monitoring of underground storage tanks.
- Aboveground Petroleum Storage Tank Program: Regulates facilities that store petroleum in aboveground tanks.
- Hazardous Waste Management Plan: Oversees the county's plan for managing hazardous waste.
- Household Hazardous Waste Collection Program: Collects hazardous waste from Stanislaus County residents for free.
- Medical Waste Program: Enforces laws and regulations related to medical waste.
- Hazardous Materials Disclosure Program: Inspects businesses to ensure compliance with laws and regulations, and to identify safety hazards.
- HMBP: Part of the Hazardous Materials Disclosure Program. Prepares for and mitigates emergencies like chemical releases.
- CalARP Program: Hazardous Materials Division administers the CalARP program.

Stanislaus County Zoning Ordinance

6.78.080 Commercial Cannabis Cultivation

B. Documentation of all pesticides used by the permittee shall be presented to the Stanislaus County Agricultural Commissioner, and all pesticides and fertilizers shall be properly labeled and stored to avoid contamination through erosion, leakage, or inadvertent damage from rodents, pests, or wildlife.

3.9.2 Environmental Setting

3.9.2.1 Existing Hazards and Hazardous Materials

There are no active hazardous materials cleanup sites listed on EnviroStor or Geotracker (DTSC 2025; SWRCB 2025) within 5000 feet of the Project site. The project area is not located on a site listed pursuant to Government Code section 65962.5 (also known as the Cortese List), and which is generally represented by the EnviroStor database (DTSC 2025).

Airports

The nearest airport to the Project site is the Valley Crop Dusters airport, which is located approximately 2.8 miles to the northeast. The NASA Crows Landing Airport and Test Facility is located approximately 15 miles southeast of the Project site and the Modesto City–County Airport is approximately 22 miles northeast of the site.

3.9.2.2 Wildfire Hazards

The Proposed Project is in an agricultural area within unincorporated Stanislaus County. Existing on-site vegetation primarily consists of agricultural almond trees. Vegetation in the wider neighboring area is similar, with some agricultural buildings and scattered single-family dwellings.

Fire Hazard Severity Zones (FHSZ) are developed by the Office of the State Fire Marshal and determined based on risk factors such as slope, winds, and fuel loading, and are classified based on the severity of the risk (moderate, high, and very high) (CAL FIRE 2024a). The project site is not classified as being located within a FHSZ, the closest FHSZ is a "high" classification approximately 1.1 miles to the southwest (CAL FIRE 2024b).

3.9.2.3 Sensitive Receptors

Sensitive receptors include facilities such as hospitals, schools, daycare facilities, elderly housing and convalescent facilities where the occupants are more susceptible to the adverse effects of exposure to toxic chemicals, pesticides, and other pollutants. Centro De Guadalupe is the nearest church to the Project site, located approximately 2.3 miles to the northwest. The nearest school, Grayson Elementary School, and medical center, Golden Valley Health Centers—Medical Clinic, are both located approximately 2.5 miles northeast of the Project site. The nearest community center is the United Community Center and Park, approximately 4.2 miles to the northeast of the site.

The parcel is bounded by the Delta-Mendota Canal to the west, an agricultural parcel to the south and north, and the Westside Irrigation District Canal Lateral 6S on the east. The area is zoned A-2-40 (General Agriculture) and the General Plan designation is Agriculture. Surrounding land uses included orchard and turkey farm to the west; vineyard to the east; orchard to the north and south; and scattered single- family dwellings in all directions.

3.9.3 Discussion of Checklist Responses

a. Create a Significant Hazard to the Public or the Environment through the Routine Transport, Use, or Disposal of Hazardous Materials (Less than Significant Impact)

Construction

The project structures and improvements are being constructed in four phases over three to five years. There would be no demolition of existing structures. After receiving the necessary approvals, the Applicant began Phase 1, constructing three greenhouses, a water tank, parking, security fencing, and other small structures on the project site and beginning legal cannabis business operations using these structures.

Site preparation includes clearing and grubbing; removal of approximately 1,200 almond trees; grading, excavation, and placement of fill; and compaction. Clearing and grubbing, including removal of most trees on the site, would be conducted with standard excavators, scrapers, graders, bulldozers, and hand labor. To the extent feasible, excavated soil would be reused on site. The majority of the initial sitework for all phases would be

completed during Phase 1, including all mass grading and utility installation, along with the initial road improvements and paving. This phase also included the most extensive use of heavy equipment.

Greenhouse structures are premanufactured off site, delivered, and assembled on site. Construction of buildings and structures includes the installation of new premanufactured greenhouse structures, and the extension of electric and water service to each individual greenhouse. Premanufactured material will be received and moved by vehicle and built by hand at the individual greenhouse site earth pad. The greenhouses require installation of concrete footings, not concrete foundations, so no large-scale excavation is required.

All methods for installation of mechanical equipment and piping will be performed by a licensed mechanical contractor per California Building Code. New electric and water utility locations would be installed per the National Electric Code and the California Building Code. A design professional will design and specify all material types and sizes to be approved by the Stanislaus County Building Department. Design and construction methods will conform to an approved set of grading and drainage instruction documents, designed by a licensed civil engineer. The applicant would install all facilities in accordance with approved plans.

Construction of the Proposed Project is anticipated to require limited quantities of hazardous substances (e.g., gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc.), which has the potential to result in an accidental spill or release. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws for the handling, transport, and storage of hazardous materials, including 22 CCR Division 4.5 to minimize the potential for accidental spill or release. Based on required compliance with applicable federal and state laws, project construction would not result in significant risk associated with the handling, transport, and storage of hazardous materials.

Operation

Commercial cannabis cultivation operations may involve the use of hazardous materials, such as fuel for power equipment and backup generators, and pesticides. DCC only allows certain low-risk pesticides for commercial cannabis cultivation. These must be exempt from federal registration or from residue tolerance and used according to their labeling. Additionally, indoor and mixed-light cultivation operations may use high-powered lights, which could contain hazardous components that could enter the environment during disposal. Routine transport, handling, use, and disposal of these types of materials could expose people to hazards if adequate precautions are not taken. Licensed commercial cannabis cultivation, such as the Project, must comply with local and state hazardous materials handling, use procedures and regulations, and are regularly inspected for compliance by both local and state departments. Regulations to reduce impacts to hazards and hazardous materials from cultivation operations that are enforced by DCC include Sections 15011(10), 15714-15724, 16307, and 16310 of the cannabis business regulations.

Hazardous materials, including fertilizers, pesticides, insecticides, fungicides, cleaning supplies, and fuels, are stored in dedicated hazardous materials storage rooms on metal storage racks within each greenhouse/processing building. The greenhouses have solid floors that would ensure that any accidental spills would not result in contamination of the environment. The Applicant has established an education and training program for employees who may be exposed to hazardous chemicals in the workplace, and believes that labels, Safety Data Sheets (SDS) and training all play an equally important part in their Hazard Communication Program. The Applicant has prepared a Hazardous Materials Plan that describes the management and disposal of hazardous materials. All

employees will be trained on the proper handling, use and storage of these chemicals. A SDS for each chemical will be available to employees. During application of pesticides, cultivation technicians will wear protective wear. All application will be done in a sealed building, allowing for protection of herbicide drift.

As the Proposed Project engages in business where chemicals and hazardous materials are either used or released, hazards are evaluated and information concerning their hazard is transmitted to all affected employees. The applicant has a Hazard Communication Program, which describes how these criteria will be met. The Applicant also has a clear Safety Communication Policy. Managers and supervisors (including those of subcontractors) meet with their employees on an individual or group basis, as frequently as necessary to discuss hazards associated with their jobs. Pre-planned employee safety training meetings are held every ten days. Other safety meetings also take place, as needed. Bi-weekly safety meetings are attended by all managers and supervisors, without exception.

The Applicant recognizes state and specific regulations as well as Federal OSHA Right to Know laws concerning chemical material hazards within the workplace. OSHA has established a minimum number of chemicals which are considered hazardous. These are chemicals listed by OSHA in 29 C.F.R. § 1910(z), Toxic and Hazardous Substances and chemicals listed by American Conference of Governmental Industrial Hygienists in Threshold Limit Values for Chemicals Substances in the Work Environment. The Proposed Project is required to comply with the provisions of this standard and designate a competent person as its Safety Officer. The Safety Officer or his/her designate has the primary responsibility for all aspects of his company's Hazard Communication Program. The Safety Officer is responsible for providing the hazard assessment based upon the chemicals SDS, obtaining and providing additional information on the hazardous chemical, and identifying and providing appropriate emergency procedures if necessary.

The SDSs are kept up to date by the Safety Officer. They are used to satisfy the requirements of 29 C.F.R. § 1910.1200(d) Hazard Determination. The Applicant relies, in good faith, on the SDS received with all hazardous chemical shipments, or soon thereafter in the case of missing or updated SDS's from the chemical manufacturer, importer, or distributor. If new and significant information concerning the potential health hazard chemical in the workplace is obtained from the supplying source or in the event such SDS is not available, that the new information is added to the appropriate section of the existing SDS as soon as possible after his being advised of the new information.

The Safety Officer must conduct inventory of all chemicals within the workplace by work area. From the appropriate SDS on each of these chemicals, the Safety Officer will make a hazard assessment and take the necessary steps to ensure that the hazard information is included on each container. The Safety Officer also determines whether there are any missing SDSs and if so, requests them from the appropriate supplier. The SDS is one of the mechanisms used to transmit required information on hazardous chemicals to employees. This is accomplished by placing copies of the SDS on each hazardous chemical in the workplace into a binder. The number of binders will vary; however, there should be one master binder which in the office of the Safety Officer, and at least one binder in every large work area where hazardous chemicals are used. The complete inventory of all hazardous chemicals in the workplace is a part of the master and all work area SDS binders.

The Hazardous Materials List included with the floorplan includes: (1) 500 gallon propane tank, storage shelf(s) for (6) 25 pound bags of Athena, Core 14-0-0, (2) 25 pound bags of Athena, Grow 2-8-20, (4) 25 pound bags of Athena, Bloom 0-12-24, (4) 5 gallon containers of Athena, Balance 0-0-2, (4) 2.6 gallon containers of Advanced

Nutrients, pH-Down, (2) 5 gallon containers of Athena, Cleanse, (5) 1 gallon containers of Athena, Stack 0-0-1, a secure steel storage cabinet for (2) 1 gallon containers of Athena, IMP, (2) 1 gallon bottles of Lost Coast Plant Therapy, and (2) 1 gallon containers of Pure Crop, a metal storage cabinet for cleaning supplies, and potting soil storage. Hazardous Materials stored in a metal storage rack include: 25 pounds of Grow More 30-10-10, 5 gallons of Super Thrive 0-0-3, 5 gallons of Cal Mag Plus 2-0-0, 6 gallons of Diamong Nectar 0-1-1, 15 pounds of Beastie Bloomz 0-50-30, 6 gallons of Floralicious Plus 2-0.8-0.5, 1.5 ounces of Rhizotonic 0-0-0.6, 1 gallon of Lost Coast Plant Therapy Plant Wash, and 16 ounces of Safer Brand Caterpillar Killer. Cleaning materials are stored in the office. Hazardous Materials Clean-up Kits are stored in the front office and in the corridor of the growing area.

Biological pest-management control methods include arthropods like *Amblyseius andersoni*, *Amblyseius californicus*, *Amblyseius fallacis*, and *Phytoseiulus persimilis*. Chemical pest-management control methods include: Wetable Sulphur (sulfur), Athena IPM (citric acid, peppermint oil, lemongrass oil, geranium oil), CalMag (calcium and magnesium), Silica, Root XL (nitrogen, soluble potash), Mykos (rhizophagus intraradices, hydrated silica, calcinated clay), Azos (azospirillum brasilense, amorphys silicate), Molasses, Bloom A (nitrate nitrogen, soluble potash, calcium, magnesium, molybdenum), Bug Igniter (monopotassium phosphate, potassium sulfate, kelp), Big Bud (sulfur, potassium, phosphorus, absorbic acid, citric acid), Overdrive (diflufenzopyr, dicamba), Bloom B (ammoniacal nitrogen, available phosphate, soluble potash, magnesium, sulfur, molybdenum), Bud Candy (magnesium), and B52 (vitamin B-1, humic acid, sea kelp).

Operation of the Proposed Project requires regular deliveries of cultivation and maintenance equipment and materials (e.g., soil and soil amendments, equipment, fertilizers, chemicals), fuel, deliveries of office supplies and other equipment, and disposal of hazardous materials generated on-site. The facility dispatches regular deliveries of products from the facility. Hazardous materials stored on-site (e.g., used oils and fuels, pesticides, chemicals used for testing and research) are transported approximately quarterly to an appropriate local hazardous waste facility for disposal or recycling. All cannabis products resulting from the operation will be picked up by State licensed distributors. Delivery trips are required to be transported according to regulatory requirements and existing procedures to significantly reduce the risk for upset.

Waste generated from cultivation activities (e.g., plant matter, soils, containers) are processed and stored on site, in accordance with state law. Most waste is dry waste. It will be dried on concrete and labeled and stored in a specific area and disposed of in a designated disposal site. The waste storage area is located inside the Phase 1 warehouse. Waste recycling is not included as part of the Proposed Project. Waste is hauled off site using a private contractor (currently Bertolotti Disposal) approximately once per month.

Conclusion

Based on required compliance with existing state and County requirements, the Proposed Project would not result in significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; thus, the impact would be **less than significant**.

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 (Less than Significant Impact)

The County's Department of Environmental Resources is responsible for overseeing hazardous materials in the Project area. As previously evaluated, construction of the Proposed Project is anticipated to require use of limited

quantities of hazardous substances and construction contractors would be required to comply with applicable state and local regulations, such as 22 CCR Division 4.5, to reduce the potential for accidental hazardous material release during construction. Further, the Proposed Project would be required to comply with existing state and county environmental safety and workplace regulations for cannabis waste disposal, storage, and transport to reduce the risk for upset.

The Proposed Project includes processing, which involves trimming and drying of cannabis product; however, no extraction or manufacturing of cannabis products would take place on-site. The Applicant has established an education and training program for employees who may be exposed to hazardous chemicals in the workplace, and believes that labels, Safety Data Sheets (SDS) and training all play an equally important part in their Hazard Communication Program. The applicant has prepared a Hazardous Materials Plan that describes the management and disposal of hazardous materials. Compliance with existing regulations and proposed safety measures would reduce the potential for reasonably foreseeable upset and accident conditions involving the release of hazardous materials.

The Applicant would also be required to use, store, and dispose of any hazardous materials in accordance with all applicable federal, state, and local regulations. The Proposed Project would include the storage and use of fertilizers and pesticides. Hazardous materials, including fertilizers, pesticides, insecticides, fungicides, cleaning supplies, and fuels, are stored in dedicated hazardous materials storage rooms within each greenhouse/processing building. However, state regulations limit the types of chemicals that could be allowed to be applied onto cannabis products. In addition, all cultivation activities would occur indoors with direct application of water, pesticides, and fertilizers to eliminate drift of chemicals to areas outside the project area. The Proposed Project would be required to comply with existing environmental safety and workplace regulations for cannabis waste disposal, storage, and transport to reduce the risk for upset. Compliance with existing regulations and proposed safety measures would reduce the potential for reasonably foreseeable upset and accident conditions involving the release of hazardous materials.

Based on required compliance with 22 CCR Division 4.5 to minimize the risk associated with the use of hazardous substances, 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, and the impact would be **less than significant**.

c. Emit Hazardous Emissions or Involve Handling Hazardous or Acutely Hazardous Materials, Substances, or Waste within One-quarter Mile of an Existing or Proposed School (No Impact)

There are no schools located within 0.25 mile (1,320 feet) of the project site. The nearest school facility is Grayson Elementary School, located approximately 2.5 miles northeast of the project site. Therefore, there would be **no impact**.

d. Be Located on a Site that is Included on a List of Hazardous Materials Sites Compiled Pursuant to Government Code Section 65962.5 and, as a Result, Create A Significant Hazard to the Public or the Environment (No Impact)

The Proposed Project is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5. Therefore, there would be **no impact**.

e. Be Located within an Airport Land Use Plan Area or, Where Such a Plan Has Not Been Adopted, Be within 2 Miles of a Private Airport or Public Airport and Result in a Safety Hazard or Excessive Noise for People Residing or Working in the Study Area (No Impact)

There are no airports located within two miles of the project site. The nearest airport to the project site is the Valley Crop Dusters airport, which is located approximately 2.8 miles to the northeast. The Proposed Project would not construct any structures that would create a safety hazard or result in an increased use of areas near airports that would result in excessive noise for people working in the area. There would be **no impact**.

f. Impair Implementation of or Physically Interfere with an Adopted Emergency Response Plan or Emergency Evacuation Plan (Less than Significant Impact)

The project site is accessed via Howard Road, a road with one lane in each direction. As discussed in more detail in Section 3.17, "Transportation," construction would not require lane closures and the increase in traffic would be very unlikely to create any delays or access issues. During operations, the limited amount of increased traffic generated by the Proposed Project would not significantly impact emergency access. Therefore, the impact would be **less than significant**.

g. Expose People or Structures, either Directly or Indirectly, to a Significant Risk of Loss, Injury or Death Involving Wildland Fires (Less than Significant Impact)

Construction

During construction, activities have the potential to spark a fire, particularly when conducted during the dry summer months when fire danger is the highest. However, construction would be subject to Public Resources Code Section 4442, 4427, 4428, and 4432 which require spark arrestors for equipment with internal combustion engines, require that appropriate fire suppression equipment is available during high danger periods for fires, and that additional precautions are undertaken if projects are undertaken on days when a burn permit is required. Further, the California Fire Code (CFC) requires fire safety measures be observed including that access be maintained for firefighting vehicles.

Preventative measures required under the California Public Resources Code and CFC, as discussed in Section 3.20, "Wildfire," would reduce potential impacts due to the installation or maintenance of associated infrastructure that may exacerbate fire risk.

Operation

During operation, the Proposed Project would largely take place within the new greenhouses and will be utilized consistent with local zoning. The new greenhouses would be connected to electricity via an underground connection to existing overhead power lines. As the line would be underground, and the site would have access

to water via the existing private agricultural well, the Proposed Project is not expected to significantly exacerbate existing risks of wildfire. Further, the Proposed Project would be in an area in the jurisdiction of West Stanislaus County Fire Protection District, approximately 3.5 miles from the closest fire station. The Proposed Project would comply with CAL FIRE's defensible space requirements for landscaping.

Conclusion

The Proposed Project is in an agricultural area within unincorporated Stanislaus County. Existing on-site vegetation primarily consists of agricultural almond trees. Vegetation in the wider neighboring area is similar, with some agricultural buildings and scattered single-family dwellings. Preventative measures during construction and operation would reduce any potential risks of fire. The Proposed Project is not expected to expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. Therefore, this impact would be **less than significant**.

3.10 Hydrology and Water Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Proposed Project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water 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?	☐	☐	☐	☒

3.10.1 Regulatory Setting

3.10.1.1 Federal Laws, Regulations, and Policies

Clean Water Act and Associated Programs

The Federal Water Pollution Control Act of 1972, also known as the CWA, is the primary federal law that protects the quality of the nation's surface waters, including lakes, rivers, and coastal wetlands (USEPA 2024a). The

objective of the CWA is "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters." States, territories, and authorized Tribes establish water quality standards that describe the desired condition of a waterbody or the level of protection, which are then approved by USEPA; these standards form a legal basis for controlling pollution that enters the waters of the United States. Water quality standards consist of the designated beneficial uses of the waterbody, criteria to protect those designated uses, antidegradation requirements to protect existing uses and high-quality waters, and general policies regarding implementation (USEPA 2024b).

USEPA is responsible for implementing the CWA, although some sections are implemented by other federal agencies under USEPA's oversight, such as Section 404 dealing with discharge of dredged and fill material into waters of the United States (which is implemented by USACE). USEPA also has the option to delegate implementation of certain programs to a State agency. In California, the SWRCB and its nine RWQCBs administer various sections of the CWA.

Section 401

CWA Section 401 requires an evaluation of water quality when a proposed activity requiring a federal license or permit could result in a discharge to waters of the United States. In California, USEPA has delegated to SWRCB and the RWQCBs the authority to issue water quality certifications. Each RWQCB is responsible for implementing Section 401 in compliance with the CWA and that region's water quality control plan (also known as a Basin Plan). Applicants for a federal license or permit to conduct activities that might result in the discharge to waters of the United States must also obtain a Section 401 water quality certification to ensure that any such discharge would comply with the applicable provisions of the CWA.

Section 402

Section 402 of the CWA establishes the NPDES. Under Section 402, a permit is required for point-source discharges of pollutants into navigable waters of the United States (other than dredge or fill material, which are addressed under Section 404). In California, the NPDES permit program is also administered by the SWRCB. Permits contain specific water quality–based limits and establish pollutant monitoring and reporting requirements. Discharge limits in NPDES permits may be based on water quality criteria designed to protect designated beneficial uses of surface waters, such as recreation or supporting aquatic life. The various NPDES permits that may apply to the Proposed Program are discussed below.

General Construction Stormwater Permit

Most construction projects that disturb one acre or more of land are required to obtain coverage under the SWRCB's *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities* (Order 2009-0009-DWQ as amended by 2010-0014-DWQ and 2012-0006-DWQ), in accordance with CWA Section 402. The general permit requires the applicant to file a public notice of intent to discharge stormwater and prepare and implement a SWPPP. The SWPPP must include a site map and a description of the proposed construction activities; demonstrate compliance with relevant local ordinances and regulations and present a list of best management practices (BMPs) that will be implemented to prevent soil erosion and protect against discharge of sediment and other construction-related pollutants to surface waters. Permittees are further required to conduct monitoring and reporting to ensure that BMPs are correctly implemented and are effective in controlling the discharge of construction-related pollutants.

Municipal Stormwater Permitting Program

The SWRCB regulates stormwater discharges from municipal separate storm sewer systems (MS4s), in accordance with Section 402 of the CWA, through its Municipal Storm Water Permitting Program. As described above, the MS4 permitting requirements were developed in two phases: Phase I and II. MS4 permits continue to be issued under Phase I or Phase II depending on the size of the MS4 seeking authorization. Phase I permits for medium and large MS4s require the discharger to develop and implement a Storm Water Management Plan/Program with the goal of reducing the discharge of pollutants to the maximum extent practicable, including identifying what BMPs will be used to address specific program areas.

Section 404

The CWA Section 404 regulates the discharge of dredged and fill materials into waters of the U.S., which include all navigable waters, their tributaries, and some isolated waters, as well as some wetlands adjacent to the aforementioned waters (33 C.F.R. § 328.3). Areas typically not considered to be jurisdictional waters include non-tidal drainage and irrigation ditches excavated on dry land, artificially irrigated areas, artificial lakes or ponds used for irrigation or stock watering, small artificial waterbodies such as swimming pools, vernal pools, and water-filled depressions (33 C.F.R. Part 328). Areas meeting the regulatory definition of waters of the U.S. are subject to the jurisdiction USACE under the provisions of CWA Section 404. Construction activities involving placement of fill into jurisdictional waters of the U.S. are regulated by USACE through permit requirements. No USACE permit is effective in the absence of state water quality certification pursuant to Section 401 of CWA.

National Toxics Rule and California Toxics Rule

USEPA issued the National Toxics Rule in 1992. The goal of the National Toxics Rule is to establish numeric criteria for specific priority toxic pollutants, to ensure that all states comply with the requirements in CWA Section 303. A total of 126 priority toxic pollutants currently are specified in the National Toxics Rule (USEPA 2024c).

In 2000, USEPA promulgated the California Toxics Rule, which contains additional numeric water quality criteria for priority toxic pollutants for waters in the state. The California Toxics Rule fills a gap in California water quality standards that was created in 1994 when a State court overturned the State's water quality control plans containing water quality criteria for priority toxic pollutants. These federal criteria are legally applicable in California for inland surface waters, enclosed bays, and estuaries for all purposes and programs under the CWA (USEPA 2024d).

The National Toxics Rule and California Toxics Rule include toxicity thresholds for freshwater and saltwater systems and human health for a number of chemicals which may be used for licensed or unlicensed commercial cannabis cultivation, including heavy metals (which may be found in fertilizers, irrigation water, soils, and other grow media), hydrocarbons (found in fuels and lubricants for powered equipment used in cultivation), and pesticides.

Safe Drinking Water Act

The Safe Drinking Water Act (SDWA) is intended to protect drinking water and its sources: rivers, lakes, reservoirs, springs, and groundwater wells that serve more than 25 individuals. The goal of the SDWA is to ensure that drinking water is safe for human consumption. Under the SDWA, USEPA has set drinking water standards for chemical, microbiological, radiological, and physical contaminants in its National Primary Drinking Water

Regulations (40 C.F.R. Part 141). Runoff from commercial cannabis cultivation sites has potential to contain water quality constituents that are regulated under the SDWA, such as nutrients and hydrocarbons.

3.10.1.2 State Laws, Regulations, and Policies

Porter-Cologne Water Quality Control Act

Effective in January 1970, the Porter-Cologne Act (Wat. Code, Division 7) created water quality regulation on the State level, establishing the SWRCB and dividing California into nine regions, each overseen by an RWQCB. The act establishes regulatory authority over waters of the State, defined as "any surface water or groundwater, including saline waters, within the boundaries of the state." More specifically, the SWRCB and RWQCBs have jurisdiction over any surface water or groundwater to which a beneficial use may be assigned. Following enactment of the federal CWA in 1972, the Porter-Cologne Act assigned responsibility for implementing CWA Sections 303, 401, and 402 to the SWRCB and RWQCBs.

The Porter-Cologne Act requires the RWQCBs to adopt Basin Plans for the protection of surface water and groundwater quality. The act also authorizes the RWQCBs to issue WDRs for discharges to waters of the state, including NPDES permits. Any activity, discharge, or proposed activity or discharge from a property or business that could affect California's surface water, coastal waters, or groundwater will (in most cases) be subject to a WDR. The California Water Code authorizes the SWRCB and RWQCBs to conditionally waive WDRs if this is in the public interest.

Sustainable Groundwater Management Act

The Sustainable Groundwater Management Act (SGMA), passed in 2014, became law in 2015, and created a legal and policy framework to manage groundwater sustainably at a local level. SGMA allows local agencies to customize groundwater sustainability plans to their regional economic and environmental conditions and needs and establish new governance structures, known as groundwater sustainability agencies (GSAs) (DWR 2023). SGMA requires that a groundwater sustainability plan (GSP) be adopted for groundwater basins designated as high and medium priority under the California Statewide Groundwater Elevation Monitoring program (described below) by 2020 for basins with critical overdraft of underground aquifers. GSPs are intended to facilitate the use of groundwater in a manner that can be maintained during the planning and implementation horizon without causing undesirable results. Undesirable results are defined as the following:

- Chronic lowering of groundwater levels (not including overdraft during a drought if a basin is otherwise managed);
- Significant and unreasonable reduction of groundwater storage;
- Significant and unreasonable seawater intrusion;
- Significant and unreasonable degraded water quality, including the migration of contaminant plumes that impair water supplies;
- Significant and unreasonable land subsidence that substantially interferes with surface land uses; and
- Depletions of interconnected surface water that have significant and unreasonable adverse impacts on beneficial uses of the surface water.

GSPs are required to include measurable objectives, as well as interim milestones in 5-year increments, to achieve the sustainability goal for the basin for the long-term beneficial uses of groundwater. The GSP may, but is not required to, address undesirable results that occurred before, or had not been corrected prior to the date that the SGMA went into effect. The GSA has the discretion to decide whether to set measurable objectives and the timeframes for achieving any objectives for undesirable results that occurred before 2015. Additionally, GSPs are required to include components related to the monitoring and management of groundwater levels within the basin, mitigation of overdraft, and a description of surface water supply used or available for use for groundwater recharge or in-lieu use.

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

State Water Resources Control Board Order WQ 2023-0102-DWQ – Cannabis General Order

The SWRCB Cannabis Cultivation Policy establishes principles and guidelines (requirements) for the diversion and use of water, land disturbances, and the activities related to cannabis cultivation to protect water quantity and quality. The requirements help to minimize the effects of cannabis cultivation on fisheries, wildlife, and water quality, maintain healthy riparian corridors, and protect springs, wetlands, and aquatic habitat. (SWRCB 2023a.)

The *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities* (WQ 2023-0102-DWQ) implements the Cannabis Policy requirements; specifically, those requirements that address waste discharges associated with commercial cannabis cultivation activities (SWRCB 2023b). Waste discharges regulated by the Order may be from irrigation runoff, over fertilization, pond failure, road construction, grading activities, or domestic and cultivation related waste. The Statewide Cannabis General Order classifies outdoor cannabis cultivation operations into two different tiers based on size, and three different Risk levels based upon site characteristics and threats to water resources. Cannabis cultivators are required to comply with a series of Best Management Practices designed to prevent impacts to water resources.

Under this order, indoor commercial cultivation activities are conditionally exempt. If a proposed project would rely solely on cultivation activities within greenhouses that would have permanent roofs and floors, and that would discharge industrial wastewater to a community sewer system, the Proposed Project would likely not be subject to the SWRCB General Order. (SWRCB 2023b.)

DCC Commercial Cannabis Business Regulations

The following requirements contained in the DCC regulations are applicable to the Proposed Project:

- California Code of Regulations, title 4, section 16307, subdivision (a) requires all cultivators to comply with all CDPR laws and regulations.
- California Code of Regulations, title 4, section 16307, subdivision (b) contains cultivator protocols to reduce potential effects from pesticide use including: comply with all label requirements, store chemicals in a secure building, contain leaks and spills, apply the minimum amount necessary to control the target pest, and prevent off-site drift.

- California Code of Regulations, title 4, section 15011, subdivision (a)(3) requires that cultivator applicants provide proof of enrollment in or exemption from the applicable SWRCB or RWQCB program for water quality protection.
- California Code of Regulations, title 4, section 16311 requires cultivator applicants to identify all applicable water sources used for cultivation activities and the applicable supplemental information for each source.

3.10.1.3 Local Laws, Regulations, and Policies

Stanislaus County General Plan

Agriculture Element

Goal 3: Protect the natural resources that sustain agricultural industry [in the county].

Objective 3.2: Water Resources

Policy 3.4: The County shall encourage the conservation of water for both agricultural, rural domestic, and urban uses.

Implementation Measure 1: The County shall encourage water conservation by farmers by providing information on irrigation methods and best management practices and coordinating with conservation efforts of the Farm Bureau, Resource Conservation Districts, Natural Resource Conservation Service, and irrigation districts.

Implementation Measure 2: The County shall encourage urban water conservation and coordinate with conservation efforts of cities, local water districts and irrigation districts that deliver domestic water.

Implementation Measure 3: The County shall continue to implement adopted landscape and irrigation standards designed to reduce water consumption in the landscape environment.

Implementation Measure 4: The County shall work with local irrigation districts to preserve water rights and ensure that water saved through conservation may be stored and used locally, rather than "appropriated" and moved to metropolitan areas outside of Stanislaus County.

Implementation Measure 5: The County shall encourage the development and use of appropriately treated water (reclaimed wastewater and stormwater) for both agricultural and urban irrigation.

Policy 3.5: The County will continue to protect the quality of water necessary for crop production and marketing.

Implementation Measure 1: The County shall continue to require analysis of groundwater impacts in Environmental Impact Reports for proposed developments.

Implementation Measure 2: The County shall investigate and adopt appropriate regulations to protect water quality.

Policy 3.6: The County will continue to protect local groundwater for agricultural, rural domestic, and urban use in Stanislaus County.

Implementation Measure 1: The County shall implement the existing groundwater ordinance to ensure the sustainable supply and quality of local groundwater.

Land Use Element

Goal 1: Provide for diverse land use needs by designating patterns which are responsive to the physical characteristics of the land as well as to environmental, economic and social concerns of the residents of Stanislaus County.

Policy 4: Urban development shall be discouraged in areas with growth-limiting factors such as high-water table or poor soil percolation, and prohibited in geological fault and hazard areas, flood plains, riparian areas, and airport hazard areas unless measures to mitigate the problems are included as part of the application.

Implementation Measure 1: All requests for development which require discretionary approval and include lands adjacent to or within riparian habitat shall include measures for protecting that habitat.

Implementation Measure 2: Applications for development in areas with growth-limiting factors such as high-water table, poor soil percolation, geological fault areas, flood plains, and airport hazard areas shall include measures to mitigate the problems.

Implementation Measure 3: Development within the 100-year flood boundary shall meet the requirements of Chapter 16.50 (Flood Damage Prevention) of the County Code, and within the designated floodway shall obtain Central Valley Flood Protection Board approval.

Conservation/Open Space Element

Goal 2: Conserve water resources and protect water quality in the County.

Policy 5: Protect groundwater aquifers and recharge areas, particularly those critical for the replenishment of reservoirs and aquifers.

Implementation Measure 1: Proposals for urbanization in groundwater recharge areas shall be reviewed to ensure that (1) as much water as possible is returned to the recharge area, (2) the development will not cause discharge of materials detrimental to the quality of the water, and (3) the development will not result in significant groundwater over drafting or deterioration in quality. The Department of Environmental Resources shall require:

A. In those areas where groundwaters are susceptible to over drafting, the project proponent shall perform a hydrogeological analysis and include appropriate mitigation measures in the proposal.

B. In those areas where groundwater quality is susceptible to deterioration or is already of reduced quality, the level of wastewater treatment shall be such that it will not cause further quality deterioration.

Implementation Measure 2: The Department of Environmental Resources shall identify and require control of point sources for pollutants stored, handled, or disposed of on the surface of the soil or in the vadose zone that is located in the zone or aeration immediately above the groundwater level. Potential sources of pollutants to the groundwater may also include high densities of individual on-site sewage treatment units and/or the use of community package treatment plants. The Department of Environmental Resources shall require the adoption of groundwater monitoring programs for projects where hydrogeological assessments indicate the potential for groundwater deterioration is likely.

Implementation Measure 3: Stanislaus County shall discourage the use of dry wells as a means of street drainage in urban areas. Dry wells collect and discharge toxic, hazardous and designated

contaminants into aquifers having beneficial uses. New projects shall have storm water disposal systems that: (1) are designed not to pollute receiving surface or groundwaters, and (2) which could be integrated into an area-wide groundwater recharge program whenever feasible.

Implementation Measure 4: Encourage new development to incorporate water conservation measures to minimize adverse impacts on water supplies.

Implementation Measure 5: Continue to implement the landscape provisions of the Zoning Ordinance, which encourage drought-tolerant landscaping and water-conserving irrigation methods.

Implementation Measure 6: During the project and environmental review process, encourage new urban development to be served by community wastewater treatment facilities and water systems rather than by package treatment plants or private septic tanks and wells.

Policy 6: Preserve vegetation to protect waterways from bank erosion and siltation.

Implementation Measure 1: Development proposals and mining activities including, or in the vicinity of, waterways and/or wetlands shall be closely reviewed to ensure that destruction of riparian habitat and vegetation is minimized. This shall include referral to the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, State Department of Fish and Wildlife, and the State Department of Conservation.

Implementation Measure 2: Continue to encourage BMPs for agriculture and coordinate with soil and water conservation efforts of Stanislaus County Farm Bureau, Resource Conservation Districts, the U.S. Soil Conservation Service, and local irrigation districts.

Policy 7: New development that does not derive domestic water from pre-existing domestic and public water supply systems shall be required to have a documented water supply that does not adversely impact Stanislaus County water resources.

Implementation Measure 1: Proposals for development to be served by new water supply systems shall be referred to appropriate water districts, irrigation districts, community services districts, the State Water Resources Board and any other appropriate agencies for review and comment.

Implementation Measure 2: Review all development requests to ensure that sufficient evidence has been provided to document the existence of a water supply sufficient to meet the short- and long-term water needs of the project without adversely impacting the quality and quantity of existing local water resources.

Safety Element

Goal 1: Prevent loss of life and reduce property damage as a result of natural disasters.

Policy 2: Development should not be allowed in areas that are within the designated floodway.

Implementation Measure 1: Development within the 100-year flood boundary shall meet the requirements of Chapter 16.50 (Flood Damage Prevention) of the County Code and within the designated floodway shall obtain Central Valley Flood Protection Board approval.

Implementation Measure 2: The County shall utilize the CEQA process to ensure that development does not occur that would be especially susceptible to flooding. Most discretionary projects require review for compliance with CEQA. As part of this review, potential impacts must be identified and mitigated.

Implementation Measure 3: The County shall amend its Zoning Ordinance, as needed, for compliance with the Central Valley Flood Protection Act of 2008 (and any subsequent amendments).

Stanislaus County Zoning Ordinance

6.78.080 Commercial Cannabis Cultivation

C. Commercial cannabis cultivation operations shall be conducted in accordance with state and local laws related to land conversion, grading, electricity, water usage, water quality, woodland and riparian habitat protection, agricultural discharges, and similar matters.

1. Water Conservation Measures. Commercial cannabis cultivation operations shall include adequate measures that minimize use of water for cannabis cultivation at the site. Water conservation measures, water capture systems, or grey water systems shall be incorporated into commercial cannabis cultivation operations in order to minimize use of water where feasible.

9.73 Groundwater

9.37.040 Prohibition

Except as otherwise provided in this chapter, the following actions are prohibited:

The unsustainable extraction of groundwater within the unincorporated areas of the county.

The export of water.

9.37.45 Application

B. Effective upon adoption of an applicable groundwater sustainability plan, the prohibition set forth in subsection A of Section 9.37.040 shall be applicable to the extraction from any groundwater well for which the county reasonably concludes that the extraction of groundwater constitutes unsustainable extraction of groundwater. In the event of such determination by the county, the affected holder or holders of a well construction permit issued pursuant to Chapter 9.36 for such well shall be notified and shall be required to demonstrate, based on substantial evidence, that continued extraction of groundwater will not result in an unsustainable extraction of groundwater as defined in subsection 6 of Section 9.37.030.

C. This section does not limit the application of subsection B of Section 9.37.040.

D. The regulations and prohibitions set forth in this chapter apply only to the unincorporated areas of Stanislaus County.

Delta-Mendota Subbasin Groundwater Sustainability Plan

The Delta-Mendota GSP was created to comply with the SGMA of 2014, which mandates that high and medium priority basins develop plans to prevent overdraft and achieve sustainable groundwater management. Because the California Department of Water Resources (DWR) designated this basin as a critically over drafted basin, DWR accelerated the timeline for SGMA compliance, including GSP development and achievement of sustainability by 2040. To comply with SGMA, the basin GSAs submitted six coordinated but separate GSPs to DWR in 2020 and 2022. The DWR deemed both submittals of the GSP as inadequate and placed the subbasin under the oversight of the SWRCB. In order to bring the GSP in compliance with DWR requirements, Delta-Mendota subbasin collaborated with all 23 GSAs within the basin to prepare one GSP. The Final GSP for the Delta-Mendota subbasin

aims to prevent negative impacts to the basin by managing groundwater levels through strategies like monitoring, overdraft mitigation, and water quality thresholds, thereby aiming to achieve sustainable groundwater management and prevent issues like land subsidence and declining water quality and will be evaluated by the SWRCB in 2025 (EKI Environment & Water 2024).

3.10.2 Environmental Setting

3.10.2.1 Topography and Climate

The topography of the project site and surrounding area is relatively level. The climate of the region is Mediterranean with hot, dry summers and cool, wet winters. The average annual precipitation in the county is 13 inches (Stanislaus County 2016a).

3.10.2.2 Surface Water Hydrology and Quality

The project area is located within the San Joaquin River Hydrologic Region. The San Joaquin River Hydrologic Region covers approximately 9.7 million acres (15,200 square miles) and includes all of Calaveras, Tuolumne, Mariposa, Madera, San Joaquin, and Stanislaus counties; most of Merced and Amador counties; and parts of Alpine, Fresno, Alameda, Contra Costa, Sacramento, El Dorado, and San Benito counties. The basin includes all watersheds tributary to the San Joaquin River and the Delta south of the Sacramento River and south of the American River watershed (Stanislaus County 2016a).

The San Joaquin River is the principal river of the region, and all other streams are tributary to it. Its larger tributaries include the Cosumnes, Mokelumne, Calaveras, Stanislaus, Tuolumne, Merced, Chowchilla, and Fresno rivers. Of these surface water features, major features that cross Stanislaus County include the San Joaquin, Stanislaus, and Tuolumne rivers, all of which originate in the Sierra Nevada Mountains. The Stanislaus and Tuolumne rivers eventually discharge into the San Joaquin River, which extends to the San Francisco Bay-Delta estuary (Stanislaus County 2016a).

Surface water quality for the three major Stanislaus County rivers (San Joaquin, Stanislaus, and Tuolumne) is good at their sources in the Sierra Nevada Mountains. However, as each river flows through the San Joaquin Valley water quality declines by each successive use. Agricultural and domestic use contribute to water quality degradation. Water quality in the Stanislaus and Tuolumne rivers declines significantly by the time they discharge into the San Joaquin River. Comparatively, water quality declines more in the Tuolumne River than the Stanislaus River from agricultural wastewater returns and gas well wastes (Stanislaus County 2016a).

The SWRCB and nine RWQCBs oversee the protection of water quality in California. The SWRCB sets statewide policy for the implementation of state and federal laws and regulations. The RWQCBs adopt and implement Water Quality Control Plans (Basin Plans) which recognize regional differences in natural water quality, actual and potential beneficial uses, and water quality problems associated with human activities. The project site is located within RWQCB Region 5 Central Valley Region, within the San Joaquin River Basin.

3.10.2.3 Stormwater

The Proposed Project would involve construction of up to approximately 29,880 square feet of greenhouse facilities for mixed light commercial cannabis cultivation and processing facilities, warehouse, parking, utility improvements and office space. No demolition of existing structures would occur; however, mature almond trees would be removed from the existing almond orchard. The site plan includes approximately 12 acres of new

impervious surfaces. The Proposed Project installed storm basins during Phase 1 to better control surface drainage in light of the tree removal and addition of impervious surfaces. The remaining area would remain pervious, including graveled parking areas, landscaping, and remaining portion of the property that would continue to have almond trees.

3.10.2.4 Groundwater Levels, Flows, and Quality

The Proposed Project is located within the San Joaquin Valley groundwater basin and the San Joaquin Valley Delta-Mendota subbasin. The Delta-Mendota subbasin encompasses approximately 747,000 acres at the northwestern end of the San Joaquin Valley groundwater basin within portions of San Joaquin, Stanislaus, Merced, Fresno, and San Benito Counties. According to DWR, the capacity of the subbasin is the total storage capacity of this subbasin is estimated to be 30,400,000-acre feet to a depth of 300 feet (DWR 2006). It is bordered on the west by the Coast Ranges, with its northern boundary near Tracy in San Joaquin County and its eastern boundary generally following the San Joaquin River and Fresno Slough. This subbasin is considered a high priority area due to its critical overdraft status (DWR 2006), meaning groundwater extraction significantly exceeds recharge, and is managed under the California DWR SGMA.

Groundwater flow was historically northwestward parallel to the San Joaquin River. However, recent data show flow to the north and eastward, toward the San Joaquin River. Based on current and historical groundwater elevation maps, groundwater barriers do not appear to exist in the subbasin (DWR 2006).

The groundwater quality in the Delta-Mendota subbasin is generally considered poor, characterized by high salinity levels, particularly in the southern portion. The groundwater in this subbasin is characterized by mixed sulfate to bicarbonate types in the northern and central portion while of sodium chloride and sodium sulfate are prevalent in the central and southern portion, resulting in high Total Dissolved Solids (TDS) values. TDS vary significantly across the subbasin, with higher concentrations in the south compared to the north. There are also localized areas of high iron, fluoride, nitrate, and boron in the subbasin (DWR 2006).

3.10.2.5 Floodplains and Tsunamis

The project site is in a FEMA Flood Zone X (FEMA 2025). FEMA's Flood Zone X is a designation on a flood map that indicates an area with moderate-to-low risk for flood.

According to the County's Safety Element, large portions of the county could be under 10 feet of water or more within a few hours of in the event of dam or levee failure. Seven dams present an inundation risk for Stanislaus County, including: Don Pedro, Exchequer, La Grange, New Melones, Pine Flat, San Luis, and Tulloch Reservoirs. The risks of inundation resulting from failure of a dam pose a threat to the entire valley floor, particularly from New Melones and Don Pedro dams within the area of greatest population density (Stanislaus County 2016b).

However, the project site is not located within a designated inundation area on the County's Dam Inundation Hazards map (Stanislaus County 2016b). The project site is not located near the ocean and not located within a tsunami hazard zone.

3.10.3 Discussion of Checklist Responses

a. Violate any Water Quality Standards, Waste Discharge Requirements or Otherwise Substantially Degrade Water Quality (Less than Significant Impact)

A majority of initial site preparation has occurred in Phase 1, including all mass grading and utilities along with the initial road improvements and paving. All the building pads and roads have been cut and compacted throughout the entire site during this phase, which included the most extensive use of heavy equipment. Construction of the remaining phases could result in ground disturbance that could impact surface water quality. The Proposed Project could also result in the degradation of water quality from runoff of petroleum-based products associated with vehicles and equipment used during construction. There are no streams or other water bodies within the commercial cannabis cultivation area. However, the Delta Mendota Canal is located to the west of the 53-acre parcel and the Westside Irrigation District Canal Lateral 6S is located to the east of the parcel.

The Proposed Project would adhere to the NPDES General Construction Permit requirements including preparation of a SWPPP that includes construction BMPs to control soil erosion (i.e., soil stabilization, silt fencing, straw bale and temporary catch basins), runoff, and waste discharges, including methods to clean up contaminants if they are released. The construction contractor would be required to implement BMPs during construction, and therefore, would minimize soil erosion and loss of topsoil to the extent feasible. Implementation of the SWPPP would reduce potential surface water quality impacts from construction activities to **less than significant**.

Operation and maintenance of the commercial cannabis cultivation facility has the potential to discharge fertilizers, pesticides, and other chemicals to surface waters or groundwater. The Proposed Project would be compliant with the applicable regulations set forth by the Central Valley Regional Water Quality Control Board and the SWRCB *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities*, Order WQ 2023-0102-DWQ and requirements of the *Cannabis Cultivation Policy – Principles and Guidelines for Cannabis Cultivation* (SWRCB 2023a, SWRCB 2023b). Waste discharges regulated by the Order may be from irrigation runoff, over fertilization, pond failure, road construction, grading activities, or domestic and cultivation related waste. The Statewide Cannabis General Order classifies outdoor cannabis cultivation operations into two different tiers based on size, and three different risk levels based upon site characteristics and threats to water resources. Commercial cannabis cultivators are required to comply with a series of BMPs designed to prevent impacts to water resources. Further, new storm basins were installed in Phase 1 to better control surface drainage across the cultivation area. Therefore, the Proposed Project is not expected to violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality during operations. The impact would be **less than significant**.

b. 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)

Groundwater supplies would come from the San Joaquin Valley Delta-Mendota subbasin, DWR has classified this subbasin as critically over drafted. Due to its critical overdraft status, the subbasin is required to develop and implement a GSP under the SGMA.

Stanislaus County has several plans and policies related to hydrology and water resources in the Agricultural Element, Goal 3, Objective 3.2, Policy 3.4 (the county shall encourage the conservation of water for both agricultural, rural domestic, and urban uses), Policy 3.5 (the county will continue to protect the quality of water necessary for crop production and marketing), and Policy 3.6 (the county will continue to protect local groundwater for agricultural, rural domestic, and urban use in Stanislaus County) and in the Conservation/Open Space Element, Goal 2, Policy 5 (protect groundwater aquifers and recharge areas, particularly those critical for the replenishment of reservoirs and aquifers).

Stanislaus County adopted a Groundwater Ordinance in November 2014 (Chapter 9.37 of the County Code) that codifies requirements, prohibitions, and exemptions intended to help promote sustainable groundwater extraction in unincorporated areas of the County. The ordinance prohibits the unsustainable extraction of groundwater and makes issuing permits for new wells, which are not exempt from this prohibition, discretionary. For unincorporated areas covered in an adopted GSP pursuant to SGMA, the County can require holders of permits for wells it reasonably concludes are withdrawing groundwater unsustainably to provide substantial evidence that continued operation of such wells does not constitute unsustainable extraction and has the authority to regulate future groundwater extraction.

As discussed in Section 2.5.2, “Site Development,” the commercial cannabis cultivation operation currently uses approximately 24 gallons per day during the winter months and 47 gallons per day during the summer months for Phase 1 operations. The estimated annual water use for Phase 1 is approximately 13,000 gallons. Using the 5.3 multiplier based on the increased size for full buildout for Phases 2 through 4, the facility is anticipated to use approximately 68,900 gallons of water, or 0.21-acre feet of water annually. As noted, the capacity of the Delta-Mendota subbasin is estimated to be 30,400,000-acre feet. Therefore, the project demand is less than 0.00001 percent of the groundwater basin’s capacity.

The almond trees that would be removed for the full buildout currently utilize approximately 8,000 to 9,000 gallons of water for each tree annually. (DWCS Ag Management 2024.) The Proposed Project would remove approximately 1,200 almond trees. This equates to a total of 9.6 to 10.8 million gallons annually. As a result, removing the trees and replacing them with the Proposed Project would result in a decrease in water usage at the facility.

The Proposed Project would rely on the site’s existing private agricultural well and water rights to the well for water supply to serve commercial cannabis and other onsite water uses. There are no additional wells proposed as part of the Proposed Project. The Proposed Project would not require relocation or construction of new or expanded water supply infrastructure. The onsite well operation would comply with Stanislaus County Groundwater Ordinance and the Delta-Mendota sustainability plan. The plan exempts wells that produce less than two acre-feet per year, and wells constructed before November 25, 2014 that pump less than 10 acre feet

annually. (EKI Environment and Water 2024.) Operators of non-exempt wells must pay a registration fee, install pumping meters, and submit monthly pumping reports to the California DWR. (EKI Environment and Water 2024.)

The Proposed Project would not result in a new demand for water, because the Proposed Project would convert the land from other agricultural uses to commercial cannabis. In addition, the Proposed Project's total demand represents a very small portion of the available groundwater. Finally, compliance with County ordinances and the GSP would ensure that impacts related to groundwater supplies would be **less than significant**.

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 (Less Than Significant Impact)

There are no streams or other water bodies within the cannabis cultivation area. However, the Delta-Mendota Canal is to the west of the 53-acre parcel and the Westside Irrigation District Canal Lateral 6S to the east of the parcel. A majority of initial site preparation occurred in Phase I, including all mass grading, installation of utilities, and initial road improvements and paving. Construction of the Proposed Project could result in ground disturbance that could impact surface water quality. The Proposed Project could also result in the degradation of water quality from runoff of petroleum-based products associated with vehicles and equipment used during construction. With implementation of the SWPPP described in Section 3.10.3(a), the impact on drainage patterns that could result in substantial erosion and siltation on-site or off-site would be **less than significant**.

ii. Substantially Increase the Rate or Amount of Surface Runoff in a Manner Which Would Result in Flooding On- or Offsite (Less Than Significant Impact)

iii. Create or Contribute Runoff Water Which Would Exceed the Capacity of Existing or Planned Stormwater Drainage Systems or Provide Substantial Additional Sources Of Polluted Runoff (Less Than Significant Impact)

iv. Impede or Redirect Flood Flows (Less than Significant Impact)

No streams, rivers, or other water features are located within the commercial cannabis cultivation area. Approximately 12 acres of new impervious surfaces would be constructed as part of the Proposed Project. The remaining area would continue to be pervious, including graveled parking areas, landscaping, and remaining almond orchard. Following local and state approvals, the Applicant constructed stormwater basins to control and manage surface drainage in light of the new impervious surfaces and the removal of trees.

Project construction and operation would not alter streams, rivers or other water features in a manner that would result in flooding or redirect flood flows. Stormwater runoff will be managed in compliance with the requirements of the SWRCB Cannabis Cultivation Waste Discharge Regulatory Program, which would ensure the Proposed Project does not result in substantial additional sources of polluted runoff. The Proposed Project would undergo minimal grading in the remaining phases and is not expected to increase runoff or alter drainage patterns, absorption rates, or the rate and volume of surface runoff. With implementation of the project SWPPP, which

would reduce on- or off-site erosion and siltation during construction and operation, impacts would be **less than significant**.

d. In Flood Hazard, Tsunami, or Seiche Zones, Risk Release of Pollutants Due to Project Inundation (No Impact)

The project site is designated Zone X on the recent FEMA Flood Insurance Rate Map, indicating an area of minimal flood hazard (FEMA 2025). In addition, according to the Stanislaus County Dam Inundation Hazards map, the project site is not located in a dam inundation area. The site is located inland and not near the Pacific Ocean or inland bodies of water. Therefore, there would be **no impact** related to a release of pollutants due to inundation by flood, tsunami, or seiche.

e. Conflict with or Obstruct Implementation of a Water Quality Control Plan or Sustainable Groundwater Management Plan (No Impact)

The project site is within the San Joaquin River Delta-Mendota Subbasin. The Water Quality Control Plan (Basin Plan) for the Central Valley Regional Water Quality Control Board, Region 5 is applicable to the San Joaquin River Basin. The State Water Resource Control Boards Cannabis General Order WQ 2023-0102-DWQ adheres to the water quality and management standards identified in the Basin Plan. Compliance with the Cannabis General Order will ensure that the Proposed Project would not conflict with or obstruct implementation of the Basin Plan. There would be **no impact**.

3.11 Land Use and Planning

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:				
a. Physically divide an established community?	☐	☐	☐	☒
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

3.11.1 Regulatory Setting

3.11.1.1 Federal Laws, Regulations, and Policies

No federal regulations are applicable to land use and planning in relation to the Proposed Project.

3.11.1.2 State Laws, Regulations, and Policies

DCC Commercial Cannabis Business Regulations

DCC regulations include requirements for annual license applications pertaining to minimum distance requirements between certain enumerated land uses in Business and Professions Code section 26054, subdivision (b). (Cal Code Regs., tit. 4, § 15002, subd. (c)(18).) Specifically, pursuant to Section 26054, subdivision (b) of the Business and Professions Code, a commercial cannabis business may not be located within a 600-foot radius of a school providing instruction in kindergarten or any grades 1 through 12, daycare center, or youth center that is in existence at the time the license is issued, unless DCC or a local jurisdiction specifies a different radius.

3.11.1.3 Local Laws, Regulations, and Policies

Stanislaus County Zoning Ordinance

6.78.080 Commercial Cannabis Cultivation

F. Outdoor Cultivation. No outdoor commercial cannabis cultivation is allowed within the unincorporated areas of the county of Stanislaus.

G. Commercial cannabis cultivation activities in the A-2 zoning district shall be limited to cultivation, nursery, or distribution (limited to permitted commercial cannabis product grown on-site) within the following type of structure:

1. Greenhouse.
2. Accessory storage buildings may be utilized provided the following criteria is met:
    a. The building must meet the requirements of Section 6.78.120(B).

b. No more than ten thousand square feet of cultivation or nursery canopy shall be allowed.

H. The cumulative total canopy size of cannabis cultivated at the cultivation site shall not exceed the canopy size authorized under the county's CCA permit or state permit, whichever is least.

I. Commercial cannabis cultivation activities shall not be considered agriculture for the purpose of the county's right-to-farm policy or sphere of influence policy.

3.11.2 Environmental Setting

The 53-acre site project site is located in unincorporated Stanislaus County at 2789 Howard Road, between CA Interstate 5 and CA Highway 33, in the Westley area. The Proposed Project would occupy approximately twelve acres of the northwest corner of the 53-acre parcel (**see Figure 2.3-2**). The parcel is bounded by the Delta-Mendota Canal to the west, an agricultural parcel to the south and north, and the Westside Irrigation District Canal Lateral 6S on the east. The city of Patterson is approximately 3.8 miles to the south of the site.

The project site is zoned A-2-40 (General Agriculture) and the General Plan designation is Agriculture. The land use at the time of the April 2020 baseline was an almond orchard. Surrounding land uses included orchard and turkey farm to the west; vineyard to the east; orchard to the north and south; and scattered single-family dwellings in all directions (**Figure 2.3-2**). Surrounding land uses are zoned A-2 (General Agriculture).

Access ingress and egress is via an existing access easement running from Howard Road, an existing dirt road, along the west side of the West Stanislaus Irrigation District Lateral 6S, the east side of the project site, which allows for legal access to the site. The Proposed Project would include two new private site entrance driveways that would connect to the existing dirt road.

3.11.3 Discussion of Checklist Responses

a. Physically Divide an Established Community (No Impact)

All project improvements would be located entirely within the approximate 12-acre portion of the 53-acre parcel which is zoned for agricultural uses. Land uses surrounding the site consist of properties zoned A-2 (General Agricultural). The Proposed Project would not alter or diminish access to adjacent properties. Construction and operation of the Proposed Project would not physically divide an established community. There would be **no impact** on land use related to division of an established community.

b. Cause a Significant Environmental Impact Due to a Conflict with Any Land Use Plan, Policy, or Regulation Adopted for the Purpose of Avoiding or Mitigating an Environmental Effect (No Impact)

According to the Stanislaus County General Plan Land Use and Zoning Map the Project site is designated as A-2-40 (General Agriculture). The proposed development of mixed-light commercial cannabis cultivation activities is consistent with the General Plan land use and zoning designation of Agricultural. Commercial cannabis cultivation, nursery, and distribution activities may be allowed in the A-2 zoning district upon approval of a Use Permit when conducted within a greenhouse or accessory agricultural building. The Proposed Project would not conflict with any land use plan, policy, or regulation. The Proposed Project would not create a significant adverse effect either

directly or indirectly to the physical environment. There would be **no impact** on land use related to conflicts with plans, policies, or regulations.

3.12 Mineral Resources

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

3.12.1 Regulatory Setting

3.12.1.1 Federal Laws, Regulations, and Policies

No federal regulations are applicable to mineral resources in relation to the Proposed Project.

3.12.1.2 State Laws, Regulations, and Policies

Surface Mining and Reclamation Act of 1975

The Surface Mining and Reclamation Act of 1975 (SMARA) provides comprehensive policies on surface mining and reclamation activities to ensure the minimization of adverse environmental impacts. Another responsibility of SMARA is to encourage the production, conservation, and protection of mineral resources of the state (DOC 2025). As part of SMARA, all mines in California are required to provide annual reports. The State Mining and Geology Board is required to identify, map, and classify any aggregate resources found throughout the state that contain significant mineral resources. Local jurisdictions are required to establish mineral resource management policies in their general plans that seek to enhance mineral conservation.

3.12.1.3 Local Laws, Regulations, and Policies

No local laws, regulations, and policies are applicable to mineral resources in relation to the Proposed Project.

3.12.2 Environmental Setting

SMARA identifies and protects California's mineral resources. The State Mining and Reclamation Act mandated the California Geological Survey to implement a classification-designation process. SMARA has developed mineral land classification maps and reports to assist in the protection and development of mineral resources. According to the SMARA, the following four mineral land use classifications are as follows:

- MRZ 1: Areas where adequate information indicates that no significant mineral deposits are present or likely to be present.
- MRZ 2: Areas where significant mineral deposits are present or likely to be present.

- MRZ 3: Areas with known mineral deposits that may qualify as mineral resources.
- MRZ 4: Areas of unknown or undetermined mineral resource potential.

The predominant mineral resources in the Stanislaus County are sand and gravel. Current mining activities within Stanislaus County occur primarily within fluvial deposits along river and stream drainages (Stanislaus County 2016).

Three mineral classification maps have been prepared for the county. In 1993, the California Division of Mines and Geology published the mineral land classification for the entire county. The report designated 22 areas as MRZ-2 resource zones, primarily for aggregate resources (Stanislaus County 2016). The areas along the Stanislaus and Tuolumne Rivers were considered to be of the highest grade. The project site has not been identified in the Stanislaus County General Plan as an area with mineral resources. In addition, the Project site is not located along waterways.

3.12.3 Discussion of Checklist Responses

a. Result in the Loss of Availability of a Known Mineral Resource That Would Be of Value to the Region and the Residents of the State (No Impact)

There are no known mineral resources on the project site or in the immediate vicinity (Stanislaus County 2016a). The Proposed Project does not involve any use that would result in impacts to mineral resources. The Project site is in the A-2-20 (General Agriculture) zoning district and would be developed with 36 greenhouses and several accessory structures. There would be **no impact** on mineral resources of values to the region or 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 (No Impact)

There are no mineral resource recovery sites identified on or adjacent to the project site. The Proposed Project would not result in the loss of availability of a locally important mineral resource recovery site. There would be **no impact** on a locally important mineral resource recovery site.

3.13 Noise

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c. For a project located within the vicinity of a private airstrip or an airport land use plan area, or, where such a plan has not been adopted, within 2 miles of a public airport or public-use airport, would the project expose people residing or working in the project site to excessive noise levels?	☐	☐	☐	☒

3.13.1 Overview of Noise and Vibration Concepts and Terminology

3.13.1.1 Noise

In the CEQA context, noise can be defined as unwanted sound. Sound is characterized by various parameters, including the rate of oscillation of sound waves (frequency), the speed of propagation, and the pressure level or energy content (amplitude). In particular, the sound pressure level is the most common descriptor used to characterize the loudness of an ambient sound level, or sound intensity. The decibel (dB) scale is used to quantify sound intensity. Because sound pressure can vary enormously within the range of human hearing, a logarithmic scale is used to keep sound intensity numbers at a convenient and manageable level. The human ear is not equally sensitive to all frequencies in the spectrum, so noise measurements are weighted more heavily for frequencies to which humans are sensitive, creating the A-weighted decibel (dBA) scale.

Different types of measurements are used to characterize the time-varying nature of sound. Below are brief definitions of these measurements and other terminology used in this chapter.

Decibel (dB) is a measure of sound on a logarithmic scale that indicates the squared ratio of sound pressure amplitude to a reference sound pressure amplitude. The reference pressure is 20 micro-pascals.

A-weighted decibel (dBA) is an overall frequency-weighted sound level in decibels that approximates the frequency response of the human ear.

Maximum sound level (Lmax) is the maximum sound level measured during a given measurement period.

Minimum sound level (Lmin) is the minimum sound level measured during a given measurement period.

Equivalent sound level (Leq) is the equivalent steady-state sound level that, in a given period, would contain the same acoustical energy as a time-varying sound level during that same period.

Percentile-exceeded sound level (Lxx) is the sound level exceeded during *x* percent of a given measurement period. For example, L_{10} is the sound level exceeded 10 percent of the measurement period.

Day-night sound level (Ldn) is the energy average of the A-weighted sound levels occurring during a 24-hour period, with 10 dB added to the A-weighted sound levels during the period from 10:00 p.m. to 7:00 a.m. (typical sleeping hours). This weighting adjustment reflects the elevated sensitivity of individuals to ambient sound during nighttime hours.

Community noise equivalent level (CNEL) is the energy average of the A-weighted sound levels during a 24-hour period, with 5 dB added to the A-weighted sound levels between 7:00 p.m. and 10:00 p.m. and 10 dB added to the A-weighted sound levels between 10:00 p.m. and 7:00 a.m.

In general, human sound perception is such that a change in sound level of 3 dB is barely noticeable, a change of 5 dB is clearly noticeable, and a change of 10 dB is perceived as doubling or halving the sound level. **Table 3.13-1** presents approximate noise levels for common noise sources, measured adjacent to the source.

Table 3.13-1. Examples of Common Noise Levels

Common Outdoor Activities	Noise Level (dBA)
Jet flyover at 1,000 feet	110
Gas lawnmower at 3 feet	100
Diesel truck at 50 feet traveling 50 miles per hour	90
Noisy urban area, daytime	80
Gas lawnmower at 100 feet, commercial area	70
Heavy traffic at 300 feet	60
Quiet urban area, daytime	50
Quiet urban area, nighttime	40
Quiet suburban area, nighttime	30
Quiet rural area, nighttime	20

Source: Caltrans 2013

3.13.1.2 Vibration

Groundborne vibration propagates from the source through the ground to adjacent buildings by surface waves. Vibration may be composed of a single pulse, a series of pulses, or a continuous oscillatory motion. The frequency of a vibrating object describes how rapidly it is oscillating, measured in Hertz. Most environmental vibrations consist of a composite, or "spectrum," of many frequencies. The normal frequency range of most ground-borne vibrations that can be felt generally starts from a low frequency of less than 1 Hertz to a high of about 200 Hertz. Vibration information for this analysis has been described in terms of the peak particle velocity (PPV), measured in inches per second, or of the vibration level measured with respect to root-mean-square vibration velocity in decibels, with a reference quantity of 1 micro-inch per second.

Vibration energy dissipates as it travels through the ground, causing the vibration amplitude to decrease with distance away from the source. High-frequency vibrations reduce much more rapidly than do those characterized

by low frequencies, so that in a far-field zone distant from a source, the vibrations with lower frequency amplitudes tend to dominate. Soil properties also affect the propagation of vibration. When groundborne vibration interacts with a building, a ground-to-foundation coupling loss usually results but the vibration also can be amplified by the structural resonances of the walls and floors. Vibration in buildings is typically perceived as rattling of windows, shaking of loose items, or the motion of building surfaces. In some cases, the vibration of building surfaces also can be radiated as sound and heard as a low-frequency rumbling noise, known as groundborne noise.

Groundborne vibration is generally limited to areas within a few hundred feet of certain types of industrial operations and construction/demolition activities, such as pile driving. Road vehicles rarely create enough groundborne vibration amplitude to be perceptible to humans unless the receiver is in immediate proximity to the source, or the road surface is poorly maintained and has potholes or bumps. Human sensitivity to vibration varies by frequency and by receiver. Generally, people are more sensitive to low-frequency vibration. Human annoyance also is related to the number and duration of events; the more events or the greater the duration, the more annoying it becomes.

3.13.2 Regulatory Setting

3.13.2.1 Federal Laws, Regulations, and Policies

No federal laws, regulations, or policies for construction-related noise and vibration apply to the Proposed Project. However, the Federal Transit Administration *Guidelines for Construction Vibration in Transit Noise and Vibration Impact Assessment* state that for evaluating daytime construction noise impacts in outdoor areas, noise thresholds of 90 dBA L_{eq} and 100 dBA L_{eq} should be used for residential and commercial/industrial areas, respectively (FTA 2018).

For construction vibration impacts, the Federal Transit Administration guidelines use an annoyance threshold of 80 velocity in decibels for infrequent events (fewer than 30 vibration events per day) and a damage threshold of 0.12 inch per second (in/sec) PPV for buildings susceptible to vibration damage (FTA 2018).

The USEPA) Office of Noise Abatement and Control was originally established to coordinate Federal noise control activities. In 1981, EPA administrators determined that subjective issues such as noise would be better addressed at more local levels of government. Consequently, in 1982 responsibilities for regulating noise control policies were transferred to state and local governments. However, documents and research completed by the USEPA Office of Noise Abatement and Control continue to provide value in the analysis of noise effects.

3.13.2.2 State Laws, Regulations, and Policies

California requires each local government entity to implement a noise element as part of its general plan. California Administrative Code, title 4, presents guidelines for evaluating the compatibility of various land uses as a function of community noise exposure. The state land use compatibility guidelines are listed in **Table 3.13-2**.

For the protection of fragile, historic, and residential structures, Caltrans recommends a more conservative threshold of 0.2 in/sec PPV for normal residential buildings and 0.08 in/sec PPV for old or historically significant structures (Caltrans 2020).

Table 3.13-2. State Land Use Compatibility Standards for Community Noise Environment

Land Use Category	Community Noise Exposure - Ldn or CNEL (dB)						
	55	60	65	70	75	80	
Residential – Low Density Single Family, Duplex, Mobile Homes							
Residential – Multi-Family							
Transient Lodging – Motels, Hotels							
Schools, Libraries, Churches, Hospitals, Nursing Homes							
Auditoriums, Concert Halls, Amphitheaters							
Sports Arenas, Outdoor Spectator Sports							
Playgrounds, Neighborhood Parks							
Golf Courses, Riding Stables, Water Recreation, Cemeteries							
Office Buildings, Business Commercial and Professional							
Industrial, Manufacturing, Utilities, Agriculture							

■	Normally Acceptable:	Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.
■	Conditionally Acceptable:	New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features are included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.
▨	Normally Unacceptable:	New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.
▩	Clearly Unacceptable:	New construction or development generally should not be undertaken.

Source: California Governor's Office of Planning and Research 2017

3.13.2.3 Local Laws, Regulations, and Policies

Stanislaus County General Plan

Noise Element

Goal 2: Protect the citizens of Stanislaus County from the harmful effects of exposure to excessive noise.

Policy 2: It is the policy of Stanislaus County to develop and implement effective measures to abate and avoid excessive noise exposure in the unincorporated areas of the County by requiring that effective noise mitigation measures be incorporated into the design of new noise generating and new noise sensitive land uses.

Implementation Measure 1: New development of noise-sensitive land uses will not be permitted in noise-impacted areas unless effective mitigation measures are incorporated into the project design to reduce noise levels to the following levels:

A. For transportation noise sources, such as traffic on public roadways, railroads, and airports, 60 Ldn (or CNEL) or less in outdoor activity areas of single-family residences, 65 Ldn (or CNEL) or less in community outdoor spaces for multi-family residences, and 45 Ldn (or CNEL) or less within noise sensitive interior spaces. Where it is not possible to reduce exterior noise due to these sources to the prescribed level using a practical application of the best available noise-reduction technology, an exterior noise level of up to 65 Ldn (or CNEL) will be allowed. Under no circumstances will interior noise levels be allowed to exceed 45 Ldn (or CNEL) with the windows and doors closed in residential uses.

B. For other noise sources such as local industries or other stationary noise sources, noise levels shall not exceed the performance standards contained within **Table 3.13-3**.

Implementation Measure 2: New development of industrial, commercial or other noise generating land uses will not be permitted if the resulting noise levels will exceed 60 Ldn (or CNEL) in noise-sensitive areas. Additionally, the development of new noise-generating land uses which are not pre-empted from local noise regulation will not be permitted if the resulting noise levels will exceed the performance standards contained in Table 3.13-3 in areas containing residential or other noise sensitive land uses.

Table 3.13-3. Maximum Allowable Noise Exposure – Stationary Noise Sources[7]

	Daytime 7:00 a.m. to 10:00 p.m.	Nighttime 10:00 p.m. to 7:00 a.m.
Hourly Leq dBA	55	45
Maximum level, dBA	75	65

Source: Stanislaus County Noise Element 2016a.

Each of the noise level standards specified in Table 3.13-3 shall be reduced by five (5) dBA for pure tone noises, noise consisting primarily of speech or music, or for recurring impulsive noises. The standards in **Table 3.13-4** should be applied at a residential or other noise-sensitive land use and not on the property of a noise-generating land use. Where measured ambient noise levels exceed the standards, the standards shall be increased to the ambient levels.

> **Policy 3:** It is the objective of Stanislaus County to protect areas of the County where noise-sensitive land uses are located.
>
> **Policy 4:** It is the objective of Stanislaus County to ensure that the Noise Element is consistent with and does not conflict with other elements of the Stanislaus County General Plan.

Stanislaus County Zoning Ordinance

Chapter 10.46-Noise Control Ordinance

Stanislaus County's noise control ordinance, Chapter 10.46 of the Stanislaus County Code, was established in 2010 with Ordinance CS 1070. 10.46.050 states that it is unlawful for any person at any location within the unincorporated area of the county to create any noise or to allow the creation of any noise which causes the exterior noise level when measured at any property situated in either the incorporated or unincorporated area of the county to exceed the noise level standards as set forth below:

1. Unless otherwise provided herein, the following exterior noise level standards presented in **Table 3.13-4** shall apply to all properties within the designated noise zone:

Table 3.13-4. Exterior Noise Level Standards*

Designated Noise Zone	7:00 a.m. to 9:59 p.m.	10:00 p.m. to 6:59 a.m.
Noise Sensitive	45	45
Residential	50	45
Commercial	60	55
Industrial	75	75

* Maximum A-Weighted Sound Level as Measured on a Sound Level Meter (Lmax)

Source: Stanislaus County Noise Control Ordinance 2010.

2. Exterior noise levels shall not exceed the following cumulative duration allowance standards (**Table 3.13-5**):

[7] As determined at the property line of the receiving land use. When determining the effectiveness of noise mitigation measures, the standards may be applied on the receptor side of noise barriers or other property line noise mitigation measures.

Table 3.13-5. Cumulative Duration Allowance Standards

Cumulative Duration	Cumulative Duration
Equal to or greater than 30 minutes per hour	Table 3.13 4 plus 0 dB
Equal to or greater than 15 minutes per hour	Table 3.13 4 plus 5 dB
Equal to or greater than 5 minutes per hour	Table 3.13 4 plus 10 dB
Equal to or greater than 1 minute per hour	Table 3.13 4 plus 15 dB
Less than 1 minute per hour	Table 3.13 4 plus 20 dB

Source: Stanislaus County Noise Control Ordinance 2010.

The Noise Control Ordinance limits construction noise to 75 dBA at any receiving property line between the hours of 7 p.m. and 7 a.m. With regard to vibration, ordinance 10.46.070 states that activity that creates vibration that is above the vibration perception threshold of any individual at or beyond the property boundary of the source if on private property, or at one hundred fifty feet from the source if on a public space or public right-of-way is prohibited. The ordinance defines "vibration perception threshold" as the minimum ground-borne or structure-borne vibration motion necessary to cause a reasonable person to be aware of the vibration by such direct means as, but not limited to, sensation by touch or visual observation of moving objects, or a measured motion velocity of 0.01 inch per second over the range of one to one hundred Hertz.

Stanislaus County Ordinances

Title 6 8.78 Commercial Cannabis Activities

6.78.120 General Operational Standards

D. **Odor Control.** Odor Control devices and techniques shall be incorporated into all commercial cannabis activities to ensure that odors from cannabis are not detectable off-site. Commercial cannabis activities shall provide a sufficient odor absorbing ventilation and exhaust system so that cannabis odors are not detected outside of the facility, anywhere on adjacent property or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or the visiting public, or within any other unit located inside the same building as a commercial cannabis activity. As such, the permittees shall install and maintain an exhaust air filtration system or other similar equipment with odor control that prevents internal odors from being emitted externally.

Stanislaus County Airport Land Use Compatibility Plan

The Stanislaus County Airport Land Use Compatibility Plan identifies noise compatibility standards for a wide variety of land uses. In summary, the plan states that all new residential development and children's schools are deemed incompatible within the projected CNEL 60 dB contour of each airport. New non-residential development is deemed incompatible in locations where the airport-related noise exposure would be highly disruptive to the specific land use. The plan provides specific applicable criteria for various land use types (Stanislaus County 2016b).

3.13.3 Environmental Setting

The Proposed Project is in a rural area surrounded by agriculturally zoned parcels. Adjacent land uses include orchards, row crops, and scattered single-family dwellings in all directions. The city of Patterson is approximately

3.8 miles to the south. The parcel is approximately 53 acres; however, cultivation activities would only occur within 12 acres of the parcel.

There is a residence approximately 1,800 feet west of the project site. This residence is the nearest sensitive receptor. Besides this residence, and a few residences further from the Proposed Project, there are no other sensitive receptors nearby, including schools, libraries, churches, hospitals, or nursing homes.

3.13.4 Discussion of Checklist Reponses

a. Result in Generation of a Substantial Temporary or Permanent Increase in Ambient Noise Levels in the Vicinity of the Project in Excess of Standards Established in the Local General Plan or Noise Ordinance, or Applicable Standards of Other Agencies (Less than Significant Impact)

The Proposed Project includes commercial cannabis cultivation and ancillary activities on land designated for agricultural uses. The nearest sensitive receptor is a residence approximately 1,800 feet from the project site.

Construction

The Proposed Project would include temporary construction activities to complete Phases 2, 3, and 4 of the Proposed Project. Construction would occur over the span of three to five years, but not continuously. All construction would occur between the hours of 7:00 a.m. and 7:00 p.m., as required by the County. In addition to the greenhouse and structures currently existing at the project site, the Proposed Project includes the delivery and assembly of 35 additional greenhouse structures for commercial cannabis cultivation and nursery operations, fencing, water tanks, utilities, and internal driveways.

Construction of buildings and structures would include the following activities:

- Grading and site preparation;
- Delivery and assembly of premanufactured structures;
- Installation of electrical/instrumentation equipment; and
- Installation of mechanical equipment and piping.

Construction noise would be temporary in nature. The nearest sensitive receptor is a residence 1,800 feet of the project site and could be adversely affected by temporary construction noise.

The Proposed Project would comply with the County's Noise Control Ordinance which ensures that noise limitations are imposed to minimize temporary noise impacts associated with construction by restricting construction activities to daytime hours. The project's construction noise impact would be **less than significant**.

Operation

The Proposed Project would be approximately 1,800 feet from the nearest sensitive receptor. The Proposed Project would operate between the hours of 7:00 a.m. and 7:00 p.m. seven days a week. Operational components include mixed-light commercial cannabis cultivation, nursery cultivation, and ancillary processing and transport of cannabis products off-site. Cultivation would require irrigation and would be equipped with odor-reduction technology that has the potential to increase the ambient noise levels in the area. Circulation fans and ventilation sidewall fans, as required by Stanislaus Code Section 6.78.120 General Operational Standards (D.) Odor Control,

would generate a maximum of 70 dBA at a distance of 5 feet from the source. Noise attenuates (diminishes) at a rate of 6 dB per doubling of distance. Therefore, assuming a distance of 1,800 feet to the nearest sensitive receptor, maximum noise levels generated from the odor control system during harvest periods would be perceived at approximately 19 dB. This would be below the maximum exterior noise level set forth by the Stanislaus County General Plan Noise Element and Noise Control Ordinance.

The Proposed Project would also genererate noise during operating hours as a result of added prioject-related employee and delivery vehicle traffic.

The Proposed Project is located in an existing agricultural area where the types of noises generated would be consistent with existing uses; which includes maintenance and harvesting activities in the almond orchards surrounding the project site. Noise generated by project operations would be generated primarily inside greenhouses. Compared to the baseline outdoor activities related to tending and harvesting almonds, there would not be a significant increase in noise outside of the project area.

Due to the project location and design features, operational noise is not expected to exceed daytime or nighttime exterior noise thresholds established in the Stanislaus County Noise Control Ordinance. The project operational noise impact would be **less than significant**.

b. Result in Generation of Excessive Groundborne Vibration or Groundborne Noise Levels (Less than Significant Impact)

According to the County's Noise Control Ordinance Section 10.46.060 (E), construction-related vibration is exempt from the County's vibration standards between the hours of 7:00 a.m. and 7:00 p.m. The project construction activities would be conducted within this timeframe. The Proposed Project would require vegetation removal, excavation, and other ground-disturbing activities; however, the Proposed Project would not include pile driving or other high-impact activities that could generate substantial groundborne noise or groundborne vibration during construction. Any groundborne noise or vibration generated by short-term construction activities would be intermittent and limited to the immediate work area and is not anticipated to disturb nearby residential land uses.

Operation of the Proposed Project does not include new features that could generate substantial groundborne noise. Therefore, impacts related to exposure of persons to or generation of excessive groundborne noise or vibration levels would be **less than significant**.

c. For a Project Located within the Vicinity of a Private Airstrip or an Airport Land Use Plan Area, or, within 2 Miles of a Public Airport or Public-Use Airport, Would the Project Expose People Residing or Working in the project Site to Excessive Noise Levels (No Impact)

There are no airports within two miles of the project site. The nearest airport is the Valley Crop Dusters airport, which is approximately 2.8 miles to the northeast. The Proposed Project is not in the vicinity of a private airstrip or airport land use plan area. It would not expose people at the project site to excessive noise as it does not fall within a designated Noise Impact Zone according to the Stanislaus County Airport Land Use Compatibility Plan (Stanislaus County 2016b). Therefore, there would be **no impact** with respect to airport noise.

3.14 Population and Housing

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

3.14.1 Regulatory Setting

There are no federal, state, or local laws, regulations or policies applicable to population and housing in relation to the Proposed Project.

3.14.1.1 Local Laws, Regulations, and Policies

Stanislaus County Housing Element

The Housing Element incorporated into the General Plan was adopted on April 5, 2016. The County has prepared a Draft 2023-2031 Housing Element, the 6th Cycle Regional Housing Needs Plan is currently being developed by the Stanislaus Council of Governments. The Regional Housing Needs Plan will cover the period from 2023 to 2031. The Housing Element is one of seven mandated elements of the General Plan. State requirements for the content of the Housing Element are more specific than other parts of the General Plan, and all parts of the General Plan must be internally consistent. County actions involving zoning and subdivision approval must be consistent with the Housing Element. The Housing Element provides goals, policies, and programs address the County's current and projected housing needs as well as state housing law.

3.14.2 Environmental Setting

The project site is located within unincorporated Stanislaus County. Stanislaus County's population is currently estimated as 551,430 as of July 1, 2023, a 0.3 percent decrease from the April 1, 2020, population of 552,878 (U.S. Census Bureau, 2023). According to the General Plan Housing Element, in 2020 there were estimated to be approximately 38,098 households and a population of 117,807 in unincorporated Stanislaus County (Stanislaus County, 2016). In contrast, the population was 110,236 in 2010, and most of the growth in the County was anticipated to take place within the incorporated cities (Stanislaus County 2016).

3.14.3 Discussion of Checklist Responses

a. Induce Unplanned Population Growth (Less than Significant Impact)

Full buildout of the Proposed Project would require construction of 36 greenhouses. The greenhouses would be fabricated off site and delivered to the project site. The Proposed Project would require an estimated 2-4 construction workers to prepare footings for the greenhouses and assemble the structures and required utility connections. The estimated 2-4 construction workers are likely to be local residents but could be from outside the local area. Construction would be temporary and would require minimal personnel and would therefore not result in long term population increases.

During operation the number of employees would be 16 at full project build out. While it is likely that most employees would already reside locally, it is possible that employment at the Proposed Project would draw people from outside the county to live in the area. However, the small business size and associated number of employes would not result in substantial unplanned population growth in the area. This impact would be **less than significant**.

b. Displace Substantial Numbers of Existing People or Housing (No Impact)

The Proposed Project does not involve demolition or relocation of existing facilities. Therefore, the Proposed Project would not displace a substantial number of people or housing. There would be **no impact**.

3.15 Public Services

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:				
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	☐	☐	☒	☐
ii. Police protection?	☐	☐	☒	☐
iii. Schools?	☐	☐	☐	☒
iv. Parks?	☐	☐	☐	☒
v. Other public facilities?	☐	☐	☒	☐

3.15.1 Regulatory Setting

3.15.1.1 Federal Laws, Regulations, and Policies

Several federal agencies have jurisdiction over law enforcement and fire protection related to unlicensed commercial cannabis cultivation operations on federal lands in California. Because cannabis use and cultivation remain illegal under federal law, several federal agencies investigate and prosecute cannabis use, cultivation, and distribution on federally managed lands. Federal agencies involved in law enforcement in California include the U.S. Forest Service, whose Law Enforcement and Investigations division conducts law enforcement operations on federal lands, including eradication of unlicensed cannabis cultivation on national forest lands. Both the U.S. Bureau of Land Management and the National Park Service law enforcement programs target cannabis cultivation on federally managed lands.

In addition to law enforcement on federal lands, there are federal agencies that investigate and prosecute cannabis business activities, which is currently illegal at the federal level. The Federal Bureau of Investigation, as the nation's foremost law enforcement agency, also works in California to investigate federal crimes and crimes that occur across state lines, including drug trafficking. The U.S. Drug Enforcement Administration enforces federal controlled substances laws and regulations, including enforcement activities related to cannabis.

3.15.1.2 State Laws, Regulations, and Policies

California Health and Safety Code

State fire regulations are set forth in section 13000 et seq. of the Health and Safety Code. The Health and Safety Code includes requirements related to fire protection and notification systems, fire protection devices, such as extinguishers and smoke alarms, and fire suppression training.

California Division of Occupational Safety and Health Regulations

In accordance with Cal. Code Regs., title 8, sections 1270 (Fire Prevention) and 6773 (Fire Protection and Fire Equipment), Cal/OSHA has established minimum standards for fire suppression and emergency medical service (EMS). The standards include guidelines on the handling of highly combustible materials; fire hose sizing requirements; restrictions on the use of compressed air; access roads; and the testing, maintenance, and use of all firefighting and emergency medical equipment.

California Building, Electrical, and Fire Codes

The California Building Standards Code (Cal. Code Regs., title 24) serves as the basis for the design and construction of buildings in California. The California Building Standards Code (Cal. Code Regs., title 24, Part 2) covers all aspects of building design and required safety features for all types of buildings, including fire protection systems, fire and smoke protection features, means of egress, and structural design and materials. Title 24, Part 3 is the Electrical Code, which contains standards for electrical systems, including safety features such as overcurrent protection, surge arresters, and proper wiring methods.

Title 24, Part 9 is the California Fire Code. This portion of the code contains requirements related to emergency planning and preparedness, fire service features, building services and systems, fire-resistance-rated construction, fire protection systems, and construction requirements for existing buildings, as well as specialized standards for specific types of facilities and materials.

DCC Commercial Cannabis Business Regulations

MAUCRSA and its implementing regulations contain several provisions designed to reduce impacts to public services.

Under MAUCRSA, all commercial cannabis licensees in California must record activities on the state track-and-trace system, which will require unique identifiers of cannabis and cannabis products. Licensees are required to report the movement of immature and mature cannabis or cannabis products on the licensed premises and any movement associated with commercial cannabis activity between licensees through the track-and-trace system. This system is the primary recordkeeping and inventory system for recording all applicable commercial cannabis activities. Licensees are required to establish a functioning account in the track-and-trace system and must maintain an active account while licensed. The track-and-trace system is intended to reduce and report diversion of cannabis and cannabis products and thus reduces burdens on law enforcement services. (Cal Code Regs., tit. 4, §§ 15047.1 - 15051.)

DCC regulations include minimum distance requirements between annual license holders and certain sensitive uses as enumerated in Business and Professions Code section 26054, subdivision (b). (Cal. Code Regs., tit. 4, § 15002, subd. (c)(18).) Specifically, section 26054, subdivision (b) of the Business and Professions Code specifies that a state-licensed cannabis business may not be located within a 600-foot radius of a school providing

instruction in kindergarten or any grades 1 through 12, daycare center, or youth center that is in existence at the time the license is issued, unless the DCC or a local jurisdiction specifies a different radius.

Chapter 1, Article 5 of the DCC regulations details a range of security measures applicable to licensed cannabis distributors. The regulations require employees to display identification badges at all times when engaged in commercial cannabis activities. (Cal. Code Regs., tit. 4, § 15043.) Cannabis distributors are subject to detailed rules regarding video surveillance. All areas where cannabis is being handled or sold, all entrances and exits, all security areas, and all storage areas must be recorded 24 hours per day. (Cal. Code Regs., tit. 4, § 15044.)

Cannabis business license applicants must submit a detailed premises diagram, including a diagram of where all cameras are located. The diagram must assign a number to each camera for identification purposes. (Cal. Code Regs., tit. 4, § 15006.)

3.15.1.3 Local Laws, Regulations, and Policies

Stanislaus County Ordinance

6.78.080 Commercial Cannabis Cultivation

A. All permittees conducting cultivation activities under this chapter shall comply with the state of California and Stanislaus County Agricultural Commissioner's requirements for unique identifiers and Track and Trace programs.

D. Visibility. In no case, shall cannabis plants be visible from off site, including transfer. No visual markers indicating that cannabis is cultivated on the site shall be visible from off site. All greenhouse cultivation activities shall be fully enclosed by an opaque fence, made of uniform material, at least seven feet in height. The fence must be adequately secured by a locked gate to prevent unauthorized entry. The fence design and construction material shall be approved by the county.

Stanislaus County Code, Title 23

In order to implement the goals and objectives of the county general plan and to mitigate impacts caused by new development within the county, public facilities fees are necessary. The fees are needed to finance public facilities and to assure that new development pays its fair share for these improvements. The public facility fees enacted pursuant to this title are to be collected before the issuance of building permits or at the earliest time permitted by law as determined by the chief building official.

Stanislaus County Code, Title 24

In order to protect and safeguard the public from the peril of fire, to implement the goals and objectives of the county general plan and to mitigate impacts caused by new development within the county, the county collects fire protection facilities impact fees. These fees are needed to finance fire protection facilities and to assure that new development pays its fair share for these improvements. Fire protection facility fees enacted pursuant to this title are to be paid to the fire protection district before the issuance of building permits. Proof of payment of the applicable fee shall be submitted prior to the issuance of a building permit.

Stanislaus County Public Facilities Fee Program

In 1987 California adopted the Mitigation Fee Act which allowed local governments to collect impact fees related to construction and provided the requirements for establishing, collecting, and reporting of impact fees (Govt

Code §§ 66000 through 66008). The County Public Facilities Fees were first approved in late 1989, becoming operative in March 1990. The use of this fee is limited to capital improvements or facilities, it does not replace, repair or maintain the existing level-of-service provided by the County.

This program was designed to ensure that the need for expanded County facilities directly attributable to increased population be paid for by those creating the need. Fees collected under this program pay for capital improvements related to emergency services, libraries, and police protection (County sheriff), among other things. The fees are adjusted on a regular basis to account for changes in cost or in development forecasts (Stanislaus County 2024).

Stanislaus County Parks Master Plan

The 2018 County Parks Master Plan was written as an update to the 1999 Stanislaus County Parks Master Plan (Stanislaus County 2018). The Parks Master Plan provides a comprehensive review of Stanislaus County's parks and recreation resources and provides inventory, assessment, and recommendations as to the County's current and future parks and recreation needs. The Master Plan also strives to grow the County's efforts toward increasing economic viability of its park facilities. Where appropriate, actionable timelines and budgets have been assigned to future planning efforts which focus on specific associated elements of this plan.

3.15.2 Environmental Setting

3.15.2.1 Fire Protection

The Proposed Project would be served by the West Stanislaus County Fire Protection District. The nearest fire station is approximately 3.5 miles from the Proposed Project.

Access to the Proposed Project would be provided via an approximately 0.85-mile-long dirt road connecting to Howard Road. It is graded and maintained by West Stanislaus Irrigation District, on a clay soil that gets soft and wet in the winter and dry and dusty in the summer.

3.15.2.2 Police Protection

The Proposed Project would be served by the Stanislaus County Sheriff's Department (SCSD). The SCSD is charged with law enforcement duties in Stanislaus County. Its Operations Division has principal jurisdiction in all unincorporated areas, covering an area of approximately 1,521 square miles with a population of more than 200,000. Of the nine cities in the county, SCSD provides law enforcement services to four contract cities: Patterson, Riverbank, Hughson, and Waterford. The cities of Ceres, Modesto, Newman, Oakdale, and Turlock maintain their own police departments. The Operations Division is divided into two units, Patrol and Investigations. Patrol Services is responsible for investigating crime, making arrests, providing preventative patrols, and rendering assistance or aid where necessary. The Investigations Unit follows up on cases that warrant further investigation (Stanislaus County 2016).

3.15.2.3 Schools

The school nearest to the Proposed Project is Grayson Elementary. It is approximately three miles to the east in the Westley community at 301 Howard Road.

3.15.2.4 Parks

The closest park to the Proposed Project is the San Joaquin River National Wildlife Refuge, approximately 3.8 miles away.

3.15.2.5 Other Public Facilities

There were no other public facilities of any type (libraries, social services, etc.) identified within one mile of the Proposed Project.

3.15.3 Discussion of Checklist Responses

a. Would the Project Result in Substantial Adverse Physical Impacts Associated with the Provision of New or Physically Altered Governmental Facilities or a Need for New or Physically Altered Governmental Facilities

i. Fire Protection (Less than Significant Impact)

Electrical equipment used in mixed-light commercial cannabis cultivation could create a fire risk. Mixed-light commercial cannabis cultivation involves use of grow lights, water pumps, humidity control and temperature control equipment), which could create a relatively large electrical load. If the load exceeds the system capacity (e.g., as may occur in a building without appropriate or updated wiring for use in cannabis cultivation), it could result in an electrical fire. Cannabis products and materials used in cultivation activities could be flammable if ignited.

The Proposed Project would include land development that would add structures and other facilities that could generate the possible need for fire protection services. It would consist of construction and operation of greenhouses and other buildings that would contain commercial cannabis cultivation and processing. These buildings would be constructed with electrical and fire prevention systems that are assembled and installed in compliance with building and electrical codes. Smoking would be prohibited at the premises, which would help lessen fire risk.

Fire protection may be required in the event of an accident, but such requirements would be short term and would not require increases in the level of public service offered. Considering the small size of the Proposed Project there would not be the need for the West Stanislaus County Fire Protection District to add fire stations, personnel, or fire fighting equipment. Adherence to the above listed laws, regulations, and policies, as applicable, would aid in avoiding and minimizing the Proposed Project's impact on fire protection services. The impact would be **less than significant**.

ii. Police Protection (Less than Significant Impact)

The Proposed Project would include land development that would add people, structures and other activities that could generate the possible need for police protection services. The facility would be constructed to comply with all state and local regulations pertaining to safety and security, including developing a security plan (review and approved by various County departments), installing security fencing; with 24-hour video surveillance and security lighting. Passcode-protected entry gates would be installed at vehicle and pedestrian entrances to the site to prevent unauthorized entry into the facility.

The California Department of Food and Agriculture (CDFA) Cannabis Cultivation Licensing Program PEIR[8] noted that an elevated risk of crime associated with cannabis cultivation operations was a concern noted in a review of available literature. However, the PEIR did not find any definitive evidence either that state-licensed cannabis operations were correlated with an increase in crime, or any evidence that licensed cannabis activity operations required construction of new or expanded police facilities. Rather, it concluded that demand may decrease due to a larger number of lawful cultivators and their coordination and cooperation with law enforcement authorities. (CDFA 2017.)

Considering the small size of the Proposed Project there would not be the need for the Stanislaus County Sheriff's Department to add new stations, personnel, or equipment. Adherence to the above listed laws, regulations and policies, as applicable, would aid in avoiding and minimizing the project impact on protection services. The impact would be **less than significant**.

iii. Schools (No Impact)

The Proposed Project would not generate new residents that would potentially use schools. It would place no demand on school services because it would not include the construction of facilities that require such services (i.e., residences) and would not involve the introduction of a temporary or permanent population into the area. There would be no adverse physical impacts associated with the provision of new or physically altered schools or a need for new or physically altered schools; the construction of which could cause significant environmental impacts, to maintain acceptable service ratios or other performance objectives. There would be **no impact** on schools.

Section 3.11, "Land Use and Planning," evaluates potential impacts to schools regarding consistency with land use plans, policies, and regulations pertaining to the proximity of cannabis facilities to schools.

iv. Parks (No Impact)

The Proposed Project would not generate new residents that would potentially use parks. It would place no demand on parks because it would not involve the construction of facilities that require such services (i.e., residences) and would not involve the introduction of a temporary or permanent population into the area. There would be **no impact** on parks.

i. Other Public Facilities (No Impact)

The Proposed Project would not involve the introduction of a temporary or permanent population into this area. Accordingly, the Proposed Project would not result in impacts to other public facilities. There would be **no impact** on other public facilities.

[8] The CDFA CalCannabis Cultivation Licensing PEIR examined the impacts of the statewide cannabis cultivation licensing program for CEQA purposes. It was certified by CDFA in 2017, following the passage of MAUCRSA and at the time of issuance of statewide commercial cultivation licensing regulations.

3.16 Recreation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:				
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?	☐	☐	☐	☒

3.16.1 Regulatory Setting

3.16.1.1 Federal Laws, Regulations, and Policies

No federal regulations are applicable to recreation resources in relation to the Proposed Project.

3.16.1.2 State Laws, Regulations, and Policies

No state laws, regulations or policies are applicable to recreation in relation to the Proposed Project.

3.16.1.3 Local Laws, Regulations, and Policies

Stanislaus County Public Facilities Fee Program

In 1987 California adopted the Mitigation Fee Act which allowed local governments to collect impact fees related to construction and provided the requirements for establishing, collecting, and reporting of impact fees Government Code sections 66000 through 66008). The County Public Facilities Fees (PFF) were first approved in late 1989, becoming operative in March 1990. The use of this fee is limited to capital improvements or facilities, it does not replace, repair or maintain the existing level-of-service provided by the County.

This program was designed to ensure that the need for expanded County facilities directly attributable to increased population be paid for by those creating the need. Fees collected under this program pay for capital improvements related to emergency services, libraries, and police protection (county sheriff), among other things. The fees are adjusted on a regular basis to account for changes in cost or in development forecasts (Stanislaus County 2024).

Stanislaus County Parks Master Plan

The 2018 County Parks Master Plan (Master Plan) was written as an update to the 1999 Stanislaus County Parks Master Plan (Stanislaus County 2018). The Master Plan provides a comprehensive review of Stanislaus County's parks and recreation resources and provides inventory, assessment, and recommendations as to the County's

current and future parks and recreation needs. The Master Plan also strives to grow the County's efforts toward increasing economic viability of its park facilities. Where appropriate, actionable timelines and budgets have been assigned to future planning efforts which focus on specific associated elements of this plan.

3.16.2 Environmental Setting

Stanislaus County Department of Parks and Recreation maintains five regional parks, 12 neighborhood parks, ten community parks, two off-highway vehicle parks, four cemeteries, two bridges, La Grange historical areas, five fishing access points along rivers and lakes, one swimming pool, one organized youth camp, and numerous acres of open space and river bottom (Stanislaus County 2025). The closest recreational areas to the Proposed Project are all approximately two miles to the northwest and in the city of Patterson. They are North Park, South Park, Felipe Garza Park and Wilding Park.

3.16.3 Discussion of Checklist Responses

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 (No Impact)

The Proposed Project would not generate new residents that would 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 or other recreational facilities. The Proposed Project would not be adjacent to, nor physically impact any recreational facility. Since there would be no increase in the number of recreational facility users, there would be **no impact** related to increased use of parks or recreational facilities leading to substantial physical deterioration.

b. Include Recreational Facilities or Require the Construction or Expansion of Recreational Facilities Which Might Have an Adverse Physical Effect on the Environment (No Impact)

The Proposed Project would not generate new residents that would potentially increase the use of parks or other recreational facilities. The Proposed Project does not include recreational facilities. Since there would be no increase in the number of recreational facility users, nor include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment, there would be **no impact** through the inclusion of new or altered recreational facilities.

3.17 Transportation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:				
a. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☒
b. Would the project conflict or be inconsistent with CEQA Guidelines section 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?	☐	☐	☒	☐

3.17.1 Regulatory Setting

3.17.1.1 Federal Laws, Regulations, and Policies

No federal regulations are applicable to transportation in relation to the Proposed Project.

3.17.1.2 State Laws, Regulations, and Policies

California Department of Transportation

Caltrans is the state agency responsible for design, construction, maintenance, and operation of the California State Highway System, as well as the segments of the Interstate Highway System within California. Caltrans requires a transportation permit for any transport of heavy construction equipment or materials that necessitates the use of oversized vehicles on state highways.

The Caltrans Transportation Impact Study Guide was prepared to provide guidance to Caltrans Districts, lead agencies, tribal governments, developers, and consultants regarding Caltrans review of a land use project or plan's transportation analysis using a VMT metric. This guidance is not binding on public agencies but is intended to be a reference and informational document. The Transportation Impact Study Guide replaces the Guide for the Preparation of Traffic Impact Studies and is for use with local land use projects, not for transportation projects on the State Highway System (Caltrans 2020).

California Manual on Uniform Traffic Control Devices, Part 6: Temporary Traffic Control

The California Manual on Uniform Traffic Control Devices, Part 6: Temporary Traffic Control provides principles and guidance for the implementation of temporary traffic control (TTC) to ensure the provision of reasonably safe and effective movement of all roadway users (e.g., motorists, bicyclists, pedestrians) through or around temporary

traffic control zones while reasonably protecting road users, workers, responders to traffic incidents, and equipment. Additionally, this document notes that temporary traffic control plans and devices shall be the responsibility of the authority of a public body or official having jurisdiction for guiding road users (i.e., County of Stanislaus for this project).

California Fire Code

The 2022 California Fire Code, which is found in title 24 of the California Code of Regulations, incorporates by adoption the 2021 International Fire Code and contains regulations related to construction, maintenance, access, and use of buildings. Topics addressed in the CFC include design standards for fire apparatus access (e.g., turning radii, minimum widths), standards for emergency access during construction, provisions intended to protect and assist fire responders, and several other general and specialized fire-safety requirements for new and existing buildings and the surrounding premises. The CFC contains specialized technical regulations related to fire and life safety. The California Building Standards Code, which includes the CFC, contains general building design and construction requirements relating to fire and life safety, structural safety, and access compliance. It is revised and published every three years by the California Building Standards Commission.

Senate Bill 743

SB 743 (Chapter 386, Statutes of 2023) requires the California Governor's Office of Planning and Research (OPR) to develop new State CEQA guidelines that address traffic metrics under CEQA. As stated in the legislation, upon adoption of the new guidelines, "automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment pursuant to this division, except in locations specifically identified in the guidelines, if any."

OPR published its proposal for the comprehensive updates to the State CEQA Guidelines in November 2017 which included proposed updates related to analyzing transportation impacts pursuant to SB 743. These updates indicated that VMT would be the primary metric used to identify transportation impacts. In December of 2018, OPR and the State Natural Resources Agency submitted the updated State CEQA Guidelines to the Office of Administrative Law for final approval to implement SB 743. The Office of Administrative Law subsequently approved the updated State CEQA Guidelines and, as of July 1, 2020, implementation of updated State CEQA Guidelines, section 15064.3.

In December 2018, OPR published the most recent version of the Technical Advisory on Evaluating Transportation Impacts in CEQA (OPR 2018), which provides guidance for VMT analysis. The Office of Administrative Law approved the updated State CEQA Guidelines and lead agencies had an opt-in period until July 1, 2020, to implement the updated guidelines regarding VMT. Per the Governor's Office of Planning Research's *Technical Advisory on Evaluating Transportation Impacts in CEQA*, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than significant transportation impact.

3.17.1.3 Local Laws, Regulations, and Policies

Stanislaus County Public Facilities Fees

The County collects Public Facilities Fees from new development to pay for a variety of capital facilities needed to serve the demands of new development. These include facilities for animal services, jails, libraries, and parks.

3.17.2 Environmental Setting

The project baseline condition is an almond orchard located in a rural, agricultural setting. The baseline conditions included traffic generated by agricultural vehicles serving the preexisting almond orchard.

3.17.2.1 Existing Transportation Access

There is an existing access easement running from Howard Road along the west side of the West Stanislaus Irrigation District Lateral 6S, the east side of the project site, which allows for legal access to the site. The existing dirt road along this route provides site access. It is graded and maintained by West Stanislaus Irrigation District, on a clay soil that gets soft and wet in the winter and dry and dusty in the summer. The main entrance and exit would use this road. The Proposed Project would include two new private site entrance driveways that would connect to the existing dirt road. The project site is not served by mass transit, sidewalks, bicycle lanes, or similar non-automobile mode facilities.

3.17.2.2 Existing Commute Trips

Under the baseline condition, the project site generated agricultural equipment traffic to service the almond orchard.

3.17.3 Discussion of Checklist Responses

a. Conflict with a Program, Plan, Ordinance, or Policy Addressing the Circulation System, Including Transit, Roadway, Bicycle and Pedestrian Facilities (No Impact)

Project improvements are wholly contained on the project site. The Proposed Project would not alter the physical configuration or operational characteristics at its existing access points to the existing, adjacent roadways.

The Proposed Project would provide 21 parking spaces which is sufficient to accommodate the 16 employees plus visitors that would be expected to use the parking area at full project buildout.

There would be no conflict with any program, policy, ordinance, or plan during construction of operation. Therefore, there would be **no impact**.

b. Conflict or Be Inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b) (Less than Significant Impact)

Vehicle trips generated by the project operations would increase by a maximum 32 one-way employee trips per day during operations over the baseline. Thus, there would be an increase in VMT over the baseline condition.

According to the Governor's Office of Planning Research's Technical Advisory on Evaluating Transportation Impacts in CEQA, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less than significant transportation impact (OPR 2018). The volume of trips generated by the Proposed Project would be less than 110 trips per day. Therefore, the impact would be **less than significant**.

c. Substantially Increase Hazards Due to a Geometric Design Feature (e.g., Sharp Curves or Dangerous Intersections) or Incompatible Uses (e.g., Farm Equipment) (No Impact)

The Proposed Project does not include any changes to any public roads or any aspect of the existing transportation network during project construction or operation. The Proposed Project would not create or increase hazards due to a geometric design feature and would not alter the geometrics of any public roadway. The Proposed Project would not introduce incompatible uses creating hazards. There would be **no impact** resulting from geometric design features.

d. Result in Inadequate Emergency Access (Less than Significant Impact)

The project site would be accessed using an existing dirt road running from Howard Road along the west side of the West Stanislaus Irrigation District Lateral 6S, the east side of the project site.

During construction, there is the potential for slow moving trucks on adjacent public roadways, however delays would be brief and infrequent and emergency access would be required to be maintained per the County's Fire Code. Construction equipment and materials would be staged onsite and lane closures on public right of ways are not anticipated. During operations, there would be no physical changes to roadways and only a small increase in the volume of employee and delivery vehicles accessing the site that could impact emergency access. The increase in traffic would be so small that it would be very unlikely to create any delays or access issues. The impact would be **less than significant**.

See also the analysis above in *Hazards and Hazardous Materials*, section 3.9.3(f).

3.18 Tribal Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Proposed Project:				
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)	☐	☐	☐	☒
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

3.18.1 Regulatory Setting

3.18.1.1 Federal Laws, Regulations, and Policies

Federal law does not address tribal cultural resources (TCRs), which are defined and regulated in the Public Resources Code. However, similar resources called traditional cultural properties (TCPs), fall under the purview of Section 106 of the National Historic Preservation Act, as described in Section 3.5," Cultural Resources." TCPs are locations of cultural value that are historic properties. A place of cultural value is eligible as a TCP "because of its association with cultural practices or beliefs of a living community that (a) are rooted in that community's history, and (b) are important in maintaining the continuing cultural identity of the community" (Parker and King 1990, rev. 1998). A TCP must be a tangible property, meaning that it must be a place with a referenced location, and it must have been continually a part of the community's cultural practices and beliefs for the past 50 years or more. Unlike TCRs, TCPs can be associated with communities other than Native American tribes, although the resources are usually associated with tribes. By definition, TCPs are historic properties; that is, they meet the eligibility criteria as a historic property for listing in the NRHP. Therefore, as historic properties, TCPs must be treated according to the implementing regulations found under Title 36 C.F.R. Section 800, as amended in 2001.

3.18.1.2 State Laws, Regulations, and Policies

CEQA and State CEQA Guidelines

AB 52, which was approved by the California State Legislature in September 2014 and went into effect on January 1, 2015, requires lead agencies consult with any California Native American tribe that is traditionally and culturally affiliated with the geographic area of a proposed project, if requested by the tribe. The Bill, chaptered in Public Resources Code section 21084.2, also specifies that a proposed project with an effect that may cause a substantial adverse change in the significance of a TCR may have a significant effect on the environment.

As defined in Public Resources Code section 21074(a), TCRs are:

(a) (1) Sites, features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe that are either of the following:

(A) Included or determined to be eligible for inclusion in the California Register of Historical Resources; or

(B) Included in a local register of historical resources as defined in subdivision (k) of section 5020.1.

(2) 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 section 5024.1. In applying the criteria set forth in subdivision (c) of section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

TCRs are further defined under Public Resources Code section 21074 as follows:

(b) A cultural landscape that meets the criteria of subdivision (a) is a TCR to the extent that the landscape is geographically defined in terms of the size and scope of the landscape; and

(c) A historical resource described in section 21084.1, a unique archaeological resource as defined in subdivision (g) of section 21083.2, or a "nonunique archaeological resource" as defined in subdivision (h) of section 21083.2 may also be a TCR if it conforms with the criteria of subdivision (a).

Mitigation measures for TCRs must be developed in consultation with the affected California Native American tribe in accordance with Public Resources Code section 21080.3.2 or section 21084.3. The latter section identifies mitigation measures that include avoidance and preservation of TCRs and treating TCRs with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource.

California Register of Historical Resources

Public Resources Code section 5024.1 establishes the CRHR. See Section 3.5, "Cultural Resources," for a full description of the CRHR, criteria for listing eligibility, guidelines for assessing historical integrity, and resources that have special considerations.

DCC Commercial Cannabis Business Regulations

DCC regulations require cultivators to comply with Health and Safety Code section 7050.5, subdivision (b) if human remains are discovered during cultivation activities. (Cal. Code Regs., tit. 4, § 16304, subd. (a)(3).)

3.18.1.3 Local Laws, Regulations, and Policies

No local laws, regulations, or policies apply to the Proposed Project.

3.18.2 Environmental Setting

Please see Section 3.5, "Cultural Resources", for the description of the environmental setting as it pertains to impacts on TCRs.

3.18.3 Discussion of Checklist Responses

The following sections provide an analysis of impacts on TCRs that would result from project implementation, based on the CEQA checklist in Appendix G of the CEQA Guidelines. Where applicable, the text prescribes mitigation that would reduce an impact to less than significant with mitigation.

a. Cause a Substantial Adverse Change in the significance of a Tribal Cultural Resource, Defined in Public Resources Code Section 21074 as Either a Site, Feature, Place, Cultural Landscape That Is Geographically Defined in Terms of the Size and Scope of the Landscape, Sacred Place, or Object with Cultural Value to a California Native American Tribe, and that Is:

i. Listed or Eligible for Listing in the California Register of Historical Resources, or in a Local Register of Historical Resources as Defined in Public Resources Code Section 5020.1(k) (No Impact)

TCRs are defined in PRC Section 21074 as sites, features, places, cultural landscapes, sacred places, and objects that hold cultural value to a California Native American Tribe.

Montrose submitted a sacred lands file request to the NAHC on November 25, 2024. A response was received from the NAHC on December 3, 2024, which indicated the results of the sacred lands search were negative for this location. The NAHC also provided a list of 12 tribes and tribal contacts with a traditional and cultural affiliation with the project area for notification pursuant to Public Resources Code section 21080.3.1 (AB 52). Letters were sent to each contact on January 9, 2025, by the Agency to elicit any concerns or information regarding any known TCRs within the project area (**Table 3.18-1**). To date, only Wilton Rancheria has responded and stated that the Tribe has no concerns with the Proposed Project moving forward and would like to defer consultation to the nearest tribal government. As planning proceeds, DCC will continue to consult with interested tribal representatives regarding the Project and incorporate their concerns into project planning and mitigation as warranted.

Table 3.18-1. Native American Communication

Organization/Tribe	Name of Contact	Letter Date	Tribal Response	Follow Up
Amah Mutsun Tribal Band	Ed Ketchum, Vice-Chairperson	1/09/2025	No response received.	1/29/2025
Amah Mutsun Tribal Band	Valentin Lopez, Chairperson	1/29/2025	No response received.	
Muwekma Ohlone Tribe of the SF Bay Area	Charlene Nijmeh, Chairperson	1/09/2025	No response received.	1/29/2025

Organization/Tribe	Name of Contact	Letter Date	Tribal Response	Follow Up
Muwekma Ohlone Tribe of the SF Bay Area	Richard Massiatt, Councilmember/MLD Tribal Rep.	1/09/2025	No response received.	1/29/2025
Northern Valley Yokut / Ohlone Tribe	Katherine Perez, Chairperson	1/09/2025	No response received.	1/29/2025
Northern Valley Yokut / Ohlone Tribe	Timothy Perez, Tribal Compliance Officer	1/09/2025	No response received.	1/29/2025
Southern Sierra Miwuk Nation	Sandra Chapman, Chairperson	1/09/2025	No response received.	1/29/2025
Southern Sierra Miwuk Nation	Jazzmyn Gegere, Director of Cultural Resource Preservation	1/09/2025	No response received.	1/29/2025
Tule River Indian Tribe	Neil Peyron, Chairperson	1/09/2025	No response received.	1/29/2025
Wilton Rancheria	Herbert Griffin, Executive Director of Cultural Preservation	1/09/2025	Responded on 1/13/2025; Stated that the Tribe currently has no concerns with the Proposed Project moving forward and will defer consultation to the nearest tribal government.	N/A
Wilton Rancheria	Cultural Preservation Department	1/09/2025	See response for Herbert Griffin.	1/29/2025
Wuksachi Indian Tribe/Eshom Valley Band	Kenneth Woodrow, Chairperson	1/09/2025	No response received.	1/29/2025

At present, DCC has not received requests for formal consultation under PublicReource Code section 21080.3.1, subdivision (b)(2) from any of those individuals contacted. No TCRs within the project area or mitigation area have been identified that are either listed or eligible for listing on the CRHR or on any other local register of historical resources as defined by California Public Resources Code Code section 21074. Therefore, there would be **no impact** on known TCRs as a result of the Proposed Project.

ii. A Resource Determined by the Lead Agency, in its Discretion and Supported by Substantial Evidence, and Considering the Significance of the Resource to a California Native American Tribe, to Be Significant Pursuant to Criteria Set Forth in Public Resources Code Section 5024.1(c) (Less than Significant with Mitigation)

Although it is not anticipated, is it possible that Native American archaeological or human remains could be discovered during project activities. Implementation of **Mitigation Measures CR-1 (Stop Work in the Event of an Archaeological Discovery)** and **CR-2 (Protect Native American Human Remains)** would limit any impact on TCRs to **less than significant with mitigation**.

3.19 Utilities and Service Systems

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:				
a. Require or result in the relocation or construction of new or expanded water, or wastewater treatment or storm water drainage, electric 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?	☐	☐	☐	☒

3.19.1 Regulatory Setting

3.19.1.1 Federal Laws, Regulations, and Policies

No federal regulations are applicable to utilities and service systems in relation to the Proposed Project.

3.19.1.2 State Laws, Regulations, and Policies

California Integrated Waste Management Act

The California Integrated Waste Management Act of 1989 (Pub. Resources Code, Division 30) requires all California cities and counties to implement programs to reduce, recycle, and compost at least 50 percent of wastes by 2000 (Pub. Resources Code, § 41780). The State, acting through the California Integrated Waste Management Board,

determines compliance with this mandate. Per capita disposal rates are used to determine whether a jurisdiction's efforts are meeting the intent of the act.

SB 1383 (Chapter 395, Statutes of 2016) and AB 1826 (Chapter 727, Statutes of 2014) have established additional waste reductions for organic waste. SB 1383 was placed in code and requires 50-percent reduction in organic waste levels in landfills from 2014 levels by 2020 and 75-percent reduction by 2025. AB 1826 requires businesses to recycle organic waste and requires local jurisdictions to implement an organic waste recycling program to divert organic waste generated by businesses.

Urban Water Management Planning Act

California Water Code section 10610 et seq. requires that all public water systems providing water for municipal purposes to more than 3,000 customers, or supplying more than 3,000 acre-feet per year, prepare an urban water management plan. Urban water management plans must identify and quantify available water supplies and current and projected water use and demands, and plan for maintaining adequate water supply reliability during normal, dry, and multiple dry water years.

California Health and Safety Code—Hazardous Waste and Hazardous Materials

Several sections of the California Health and Safety Code deal with hazardous waste and hazardous materials. Division 20, Chapter 6.5 addresses hazardous waste control and contains regulations on hazardous waste management plans, hazardous waste reduction, recycling and treatment, and hazardous waste transportation and hauling. These requirements are discussed in more detail in Section 3.8, "Hazards and Hazardous Materials."

State Water Resources Control Board

The SWRCB Cannabis Cultivation Policy establishes requirements for cannabis cultivation activities to protect water quality and instream flows. The purpose of the Cannabis Cultivation Policy is to ensure that the diversion of water and discharge of waste associated with cannabis cultivation does not have a negative impact on water quality, aquatic habitat, riparian habitat, wetlands, and springs (SWRCB 2019). The Cannabis Cultivation Policy requires cultivators to contain and regularly remove all debris and trash associated with cannabis cultivation activities from the cannabis cultivation site. The SWRCB Cannabis Cultivation Policy also specifies that cannabis cultivators shall only dispose of debris and trash at an authorized landfill or other disposal site in compliance with state and local laws, ordinances, and regulations. On February 5, 2019, the State Water Resources Control Board adopted the proposed updates to the Cannabis Policy – Principles and Guidelines for Cannabis Cultivation under Resolution No. 2019-0007. Updates were focused on requirements related to tribal buffers, indoor cultivation sites, onstream reservoirs, and winterization requirements. (SWRCB 2019).

In 2023, the SWRCB issued a General Order, the purpose of which is to ensure that discharges to waters of the State do not adversely affect the quality and beneficial uses of such waters. The Cannabis Cultivation General Order is a simplified WDR available to cannabis cultivators to regulate discharges of waste associated with cannabis cultivation. Threats of waste discharge may be from irrigation runoff, over fertilization, pond failure, road construction, grading activities, domestic and cultivation related waste. The order requires that activities related to cannabis cultivation, which includes disposal of domestic sewage, must meet applicable County health standards, local agency management plans and ordinances, and/or the RWQCB Onsite Wastewater Treatment System policy. (SWRCB 2023.)

DCC Commercial Cannabis Business Regulations

The following DCC regulations contain provisions related to water supply and solid waste.

Supplemental Water Source Information

Section 16311 of the DCC regulations requires the following information to be provided for each water source identified by the applicant:

(a) Retail water supply sources:

(1) If the water source is a retail water supplier, as defined in section 13575 of the Water Code, such as a municipal provider, provide the following:

(A) Name of the retail water supplier; and

(B) A copy of the most recent water service bill or written documentation from the water supplier stating that service will be provided at the premises address.

(2) If the water source is a small retail water supplier, such as a delivery service, and is subject to section 26060.1(a)(1)(B) of the Business and Professions Code and the retail water supplier contract is for delivery or pickup of water from a surface water body or an underground stream flowing in a known and definite channel, provide all of the following:

(A) The name of the retail water supplier under the contract;

(B) The water source and geographic location coordinates, in either latitude and longitude or the California Coordinate System, of any point of diversion used by the retail water supplier to divert water delivered to the commercial cannabis business under the contract;

(C) The authorized place of use of any water right used by the retail water supplier to divert water delivered to the commercial cannabis business under the contract;

(D) The maximum amount of water delivered to the commercial cannabis business for cannabis cultivation in any year; and

(E) A copy of the most recent water service bill.

(3) If the water source is a small retail water supplier, such as a delivery service, and is subject to section 26060.1(a)(1)(B) of the Business and Professions Code and the retail water supplier contract is for delivery or pickup of water from a groundwater well, provide all of the following:

(A) The name of the retail water supplier under the contract;

(B) The geographic location coordinates for any groundwater well used to supply water delivered to the commercial cannabis business, in either latitude and longitude or the California Coordinate System;

(C) The maximum amount of water delivered to the commercial cannabis business for cannabis cultivation in any year;

(D) A copy of the well completion report filed with the Department of Water Resources pursuant to section 13751 of the Water Code for each percolating groundwater well used to divert water delivered to the commercial cannabis business. If no well completion report is available, the applicant shall provide evidence from the Department of Water Resources indicating that the Department of Water Resources does not have a record of the well completion report. When no well completion report is available, the State Water Resources Control Board may request additional information about the well; and

(E) A copy of the most recent water service bill.

(b) If the water source is a groundwater well, provide the following:

(1) The groundwater well's geographic location coordinates, in either latitude and longitude or the California Coordinate System; and

(2) A copy of the well completion report filed with the Department of Water Resources pursuant to section 13751 of the Water Code. If no well completion report is available, the applicant shall provide evidence from the Department of Water Resources indicating that the Department of Water Resources does not have a record of the well completion report. If no well completion report is available, the State Water Resources Control Board may request additional information about the well.

(c) If the water source is a rainwater catchment system, provide the following:

(1) The total square footage of the catchment footprint area(s).

(2) The total storage capacity, in gallons, of the catchment system(s).

(3) A detailed description and photographs of the rainwater catchment system infrastructure, including the location, size, and type of all surface areas that collect rainwater. Examples of rainwater collection surface areas include a rooftop and greenhouse.

(4) Geographic location coordinates of the rainwater catchment infrastructure in either latitude and longitude or the California Coordinate System.

(d) If the water source is a diversion from a waterbody (such as a river, stream, creek, pond, lake, etc.), provide any applicable water right statement, application, permit, license, or small irrigation use registration identification numb/er(s), and a copy of any applicable statement, registration certificate, permit, license, or proof of a pending application issued under part 2 (commencing with section 1200) of division 2 of the California Water Code as evidence of approval of a water diversion by the SWRCB.

Waste Management

Section 17223 of the DCC regulations creates the following restrictions for cannabis business waste management:

(a) A licensee shall dispose of all waste in accordance with the Pub. Resources Code and any other applicable state and local laws. It is the responsibility of the licensee to properly evaluate waste to determine if it should be designated and handled as a hazardous waste, as defined in Pub. Resources Code section 40141.

(b) A licensee shall establish and implement a written cannabis waste management plan that describes the method or methods by which the licensee will dispose of cannabis waste, as applicable to the licensee's activities. A licensee shall dispose of cannabis waste using only the following methods:

(1) On-premises composting of cannabis waste.

(2) Collection and processing of cannabis waste by a local agency, a waste hauler franchised or contracted by a local agency, or a private waste hauler permitted by a local agency in conjunction with a regular organic waste collection route.

(3) Self-haul cannabis waste to one or more of the following:

(A) A staffed, fully permitted solid waste landfill or transformation facility;

(B) A staffed, fully permitted composting facility or staffed composting operation;

(C) A staffed, fully permitted in-vessel digestion facility or staffed in-vessel digestion operation;

(D) A staffed, fully permitted transfer/processing facility or staffed transfer/processing operation;

(E) A staffed, fully permitted chip and grind operation or facility; or

(F) A recycling center as defined in title 14, California Code of Regulations, section 17402.5(d) that meets the following:

(i) The cannabis waste received shall contain at least ninety (90) percent inorganic material;

(ii) The inorganic portion of the cannabis waste is recycled into new, reused, or reconstituted products that meet the quality standards necessary to be used in the marketplace; and

(iii) The organic portion of the cannabis waste shall be sent to a facility or operation identified in subsections (b)(3)(A)-(E).

(4) Reintroduction of cannabis waste back into agricultural operation through on-premises organic waste recycling methods including, but not limited to, tilling directly into agricultural land and no-till farming.

(c) The licensee shall maintain any cannabis waste in a secured waste receptacle or secured area on the licensed premises until the time of disposal. Physical access to the receptacle or area shall be restricted to the licensee, employees of the licensee, the local agency, waste hauler franchised or contracted by the local agency, or private waste hauler permitted by the local agency only. Nothing in this subsection prohibits licensees from using a shared waste receptacle or area with other licensees, provided that the shared waste receptacle or area is secured and access is limited as required by this subsection.

(d) A licensee that disposes of waste through an entity described in subsection (b)(2) shall do all of the following:

(1) Maintain and make available to DCC upon request the business name, address, contact person, and contact phone number of the entity hauling the waste; and

(2) Obtain documentation from the entity hauling the waste that evidences subscription to a waste collection service.

3.19.1.3 Local Laws, Regulations, and Policies

Stanislaus County Zoning Ordinance

6.78.080 Commercial Cannabis Cultivation

C. Commercial cannabis cultivation operations shall be conducted in accordance with state and local laws related to land conversion, grading, electricity, water usage, water quality, woodland and riparian habitat protection, agricultural discharges, and similar matters.

1. Water Conservation Measures. Commercial cannabis cultivation operations shall include adequate measures that minimize use of water for cannabis cultivation at the site. Water conservation measures, water capture systems, or grey water systems shall be incorporated into commercial cannabis cultivation operations in order to minimize use of water where feasible.

2. Energy Conservation Measures. Commercial cannabis cultivation operations shall include adequate measures to address the projected energy demand for cannabis cultivation at the site.

3.19.2 Environmental Setting

3.19.2.1 Water

An existing private agricultural well serves the site for water supply. This well existed in the baseline condition of April 2020. The site is not served by municipal or retail water infrastructure. The existing onsite well has historically been used to supply irrigation water to the existing almond trees.

3.19.2.2 Sewer

Following local and state approvals, the Applicant constructed a septic leach field sewer system at the project site during Phase 1. The septic system did not exist in the baseline condition. The construction of the system was performed in accordance with local approval by Stanislaus County and issuance of a provisional license by DCC.

For Phase 1 operations, wastewater does not require treatment, nor is it reclaimed since the irrigation water delivered to each plant is completely absorbed by the plant and therefore there is no excess discharge. No wastewater would be discharged from the facilities.

3.19.2.3 Stormwater

Following local and state approvals, Applicant constructed stormwater basins to better control surface drainage at the project site. The basins did not exist in the baseline condition. The construction of the basins was performed in accordance with local approval by Stanislaus County and issuance of a provisional license by DCC.

3.19.2.4 Solid Waste

Under the baseline condition, the project site produced minimal solid waste, which was associated with almond orchard cultivation.

3.19.2.5 Electricity and Natural Gas

The project site is served via the existing overhead power lines on the west side of the parcel, along the canal. Following local and state approvals, Applicant constructed electrical infrastructure within the project site during Phase 1. The electrical infrastructure was run underground across the property to the north/east corner of the project site, continued underground to the north/east corner of the Phase 1 building which provides 600 AMP service for Phase 1. The construction was performed in accordance with local approval by Stanislaus County and issuance of a provisional license by DCC. Natural gas lines do not serve the project site.

3.19.2.6 Telecommunications

The project site is not served by physical telecommunication infrastructure. Currently, communications occur using mobile radio, cell phones, computer/pad, and other Wi-Fi-based technologies. The Wi-Fi antenna and infrastructure is on-site near the front water well and serves the entire site. The Wi-Fi also provides the service for the security cameras, burglar alarms, sirens, and other security-based services.

3.19.3 Discussion of Checklist Responses

a. Require the Relocation or Construction of New or expanded Water, Wastewater Treatment, or Stormwater Drainage, Electric Power, Natural Gas, or Telecommunications Facilities or Expansion of Existing Facilities, the Construction or Relocation of which Could Cause Significant Environmental Effects (Less than Significant Impact)

Water

The Proposed Project would utilize an existing onsite well; therefore, no municipal/public or retail source of water would be needed. The Proposed Project would rely on the site's existing private agricultural well for water supply to serve commercial cannabis cultivation and all on-site water uses. It would not require relocation or construction of new or expanded water supply infrastructure. Therefore, there would be **no impact**.

Sewer

Following local and state approvals, Applicant constructed a septic leach field sewer system at the project site. The construction was performed in accordance with local approval by Stanislaus County and issuance of a provisional license by DCC. As described in Section 1.5, this IS/MND does not analyze impacts that may have already occurred, if they cannot be mitigated. As a result, the analysis of impacts from the construction of the electrical infrastructure is mooted. There would be **no impact**.

Stormwater

Following local and state approvals, Applicant constructed stormwater basins to better control surface drainage at the project site during Phase 1 of the Proposed Project. The construction was performed in accordance with local approval by Stanislaus County and issuance of a provisional license by DCC. As described in Section 1.5, this IS/MND does not analyze impacts that may have already occurred, if they cannot be mitigated. As a result, the analysis of impacts from the construction of the stormwater basins is mooted. There would be **no impact**.

Electricity and Natural Gas

Following local and state approvals, Applicant constructed electrical infrastructure within the project site during Phase 1. The on-site electrical infrastructure did not exist in the baseline condition. The electrical infrastructure was run underground across the property to the north/east corner of the project site, continued underground to the north/east corner of the Phase 1 building which provides 600 AMP service for Phase 1. The construction was performed in accordance with local approval by Stanislaus County and issuance of a provisional license by DCC. As a result, the analysis of impacts from the construction of the Phase 1 electrical infrastructure is mooted. Therefore, there would be **no impact** from the installation of Phase 1 infrastructure.

Future Phases 2, 3 and 4 would include added electrical infrastructure to connect each individual greenhouse. The Applicant anticipates the installation of a new transformer and service panel to provide power distribution to the site. This would include ground disturbing construction activities to install underground utilities. The anticipated construction would be minimal, consisting only of limited trenching on the project site and minor electrical installation work. The impact as a result of construction of this new electrical infrastructure would be **less than significant**.

New or relocated natural gas lines would not be part of the Proposed Project. There would be **no impact** as it pertains to natural gas.

Telecommunications

Telecommunication lines (i.e., for telephone, cable, and internet) would not need to be installed. Communications would be achieved using mobile radio, cell phones, computer/tablet, and other Wi-Fi-based technologies. The Wi-Fi antenna and infrastructure is located on-site on the west of the building. The Wi-Fi also provides the service for security cameras, burglar alarms, sirens, and other security-based services. The Proposed Project would not require relocation or construction of new or expanded telecommunications infrastructure. There would be **no impact**.

b. 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)

The Proposed Project would rely on the site's existing private agricultural well for agricultural commercial cannabis cultivation water supply. No municipal, public or retail source of water would be used. The replacement of almond trees with cannabis would likely result in an overall decrease in water use at the project site. Almonds are estimated to require approximately 4.49-acre feet of water; cannabis is estimated to require approximately 1.4 acre-feet per acre. (Pera 2021.)

The well has a capacity of 100 gallons per minute, with an average operation period of 0.5 hours per day that produces the amount of water to fill the 3,000-gallon storage tank. Phase 1 water uses are for irrigation, fire suppression, domestic uses, cleaning, and restrooms. The Proposed Project's usage following Phase 1 is approximately 24 gallons per day during winter and 47 gallons per day during the summer. Future Phase 2, 3, and 4 water uses would also be used for irrigation, fire suppression, domestic uses, cleaning, and restrooms. The Proposed Project would require approximately 24 to 47 gallons/day per greenhouse depending on the season. The Proposed Project includes 36 greenhouses. This equates to a range of 864 to 1,692 gallons per day (36 greenhouses multiplied by 24 and 47 gallons per day) at full project build out. Based on estimates of water use the existing well would meet the needs of the Proposed Project and is able to serve the current demand for Phase 1, as well as future Phase 2, Phase 3, and Phase 4 operations. To help ensure adequate water supply for future phases, water usage would be tracked by tank measurements and metered at each distribution point.

The site is within the Delta-Mendota Groundwater basin. The groundwater storage in this basin is considered to be in critical overdraft. The Patterson Irrigation District, as part of the Delta-Mendota sustainability plan, has a goal for reduction overall to reduce pumping by 9,000-acre feet per year by 2030. The plan exempts wells that produce less than 2 acre-feet per year, and wells constructed before November 25, 2014, that pump less than 10 acre-feet annually. (EKI Environment & Water 2024.) Operators of non-exempt wells must pay a registration fee, install pumping meters, and submit monthly pumping reports to the California DWR.

According to the Stanislaus County Planning Division website, there are no reasonably foreseeable development projects in the immediate vicinity of the Proposed Project. (Stanislaus County 2025.) The land adjacent to the project site is zoned and currently used for commercial agricultural purposes. There is no available evidence of reasonably foreseeable development in the area would significantly change groundwater use. Other known planned commercial cannabis projects in the county are situated no closer than nine miles away from the Proposed Project and therefore would not have direct impacts on water use as related to the Proposed Project. In addition, implementation of the Delta-Mendota sustainability plan would help ensure the sustainability of groundwater uses in the project area in normal, dry, and multiple dry years.

Based on estimates of water use, the existing well would meet the needs of the Proposed Project. As a result of the project site's conversion from almond orchards to cannabis, there would likely be an overall reduction in demand for water supplies. The impact would be **less than significant**.

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 (No Impact)

Wastewater would not require conveyance to or treatment by a wastewater treatment provider, nor would it be reclaimed since the irrigation water delivered to each plant would be absorbed by the plants. Therefore, there would be no significant excess discharge. Domestic wastewater is processed by the site's septic system. No wastewater would be discharged from the facility to a wastewater treatment provider. There would be **no impact**.

d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals (Less than Significant Impact)

Solid waste would be generated from cultivation activities (e.g., plant matter, soils, containers) and be processed and stored on site, in accordance with Section 17223 of the DCC regulations. The waste storage area would be located inside the Phase 1 warehouse. Waste would be hauled off site approximately once per month. Because the Applicant would dispose waste in accordance with state and local regulations, and because the facility has a relatively small operation that would generate only a small volume of solid waste, the impact would be **less than significant**.

e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste (No Impact)

With the Applicant's preparation and fulfillment of an approved cannabis waste management plan as required by section 17223 of the DCC regulations, the Proposed Project would be in compliance with all regulations related to solid waste.

The Proposed Project would also comply with the SWRCB's Cannabis Cultivation Policy and DCC's solid waste reduction programs, which are designed to comply with federal, state, and local statutes and regulations related to solid waste. These statutes and regulations include the California Integrated Solid Waste Management Act, the California Beverage Container Recycling and Litter Reduction Act, and the County's solid waste disposal policies and practices. The Integrated Solid Waste Management Act requires that jurisdictions maintain a 50 percent or better diversion rate for solid waste.

Compliance with state and local requirements is required for issuance and maintenance of a state cannabis business license. (Bus. & Prof Code, § 26030.) There would be **no impact**.

3.20 Wildfire

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
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 infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
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?	☐	☐	☒	☐

3.20.1 Regulatory Setting

3.20.1.1 Federal Laws, Regulations, and Policies

No federal regulations are applicable to Wildfire in relation to the Proposed Project.

3.20.1.2 State Laws, Regulations, and Policies

Executive Order B-52-18

On May 10, 2018, in response to the changing environmental conditions and the increased risk to California's citizens, California Governor Brown issued EO B-52-18 to support the state's resilience to wildfire and other climate impacts; to address extensive tree mortality; increase forests' capacity for carbon capture; and to improve forest and forest fire management (EO 2018). EO B-52-18 requires the California Natural Resources Agency, in coordination with other agencies including the State Board of Forestry and Fire Protection (CAL FIRE), to increase the pace and scale of fire fuel treatments on state and private lands. Moreover, EO B-52-18 calls for doubling the land actively managed through vegetation thinning, prescribed burning, and restoration from 250,000 to 500,000

acres per year to reduce wildfire risk. To support these efforts, a May 11, 2018, budget revision committed $96 million in additional state funds.

Senate Bill 1260

On February 15, 2018, Governor Brown signed SB 1260 (Chapter 624, Statutes of 2018), which aims to help protect California communities from catastrophic wildfire by improving forest management practices to reduce the risk of wildfires in light of the changing climate. It recognizes that prescribed burning is an important tool to help mitigate and prevent the impacts of wildfire and includes provisions that encourage more frequent use of prescribed burns in managing California's forest lands. SB 1260 also includes provisions for the State Board of Forestry and Fire Protection's Vegetation Treatment Program PEIR, when certified, to serve as the programmatic environmental document for future prescribed burns in the Sierra-Cascade, central coast, and north coast regions of the state.

Senate Bill 901

SB 901 (Chapter 626, Statutes of 2018) boosted the budget for government fire protection efforts. CAL FIRE will oversee those funds, generally divided into two categories: $165 million per year for fire prevention grants to landowners and for community prevention efforts, and $35 million to continue CAL FIRE's prescribed burning, research, and monitoring. In addition, under SB 901, landowners can help reduce overgrowth by cutting down small and mid-sized trees.

Assembly Bill 301

AB 301 (Chapter 104, Statutes of 2015) was enacted to amend section 4213.1 and add section 4213.2, which are related to fire prevention, to the Public Resources Code, section 4213.1 requires CAL FIRE to notify an owner of property, through the Fire Prevention Fee billing process, that if selling the habitable structure or structures, a division of the fee may be negotiated as one of the terms of sale. Section 4213.2 of the Public Resources Code allows the owner of a property with one or more habitable structures subject to the fee, if selling the property, to negotiate a division of the fee as one of the terms of the sale. However, payment of the total fee liability remains the responsibility of the person who owns the habitable structure on July 1 of the year the fee is due.

Assembly Bill X1 29

AB X1 29 (Chapter 8, Statutes of 2011) was enacted to add Chapter 1.5 (commencing with Section 4210) to part 2 of Division 4 of the Public Resources Code. Existing law requires the state to have primary financial responsibility for preventing and suppressing fires within State Responsibility Areas (SRAs). An SRA is an area of the state where CAL FIRE has the primary financial responsibility for the prevention and suppression of wildland fires. AB X1 29 required the State Board of Forestry and Fire Protection to establish a regulatory program to impose a fire prevention fee for each structure on a parcel within a SRA.

Public Resources Code

CAL FIRE is required by law to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. (Pub. Resources Code, §§ 4201-4204; Government Code, §§ 51175–51189.) Factors that increase an area's susceptibility to fire hazards include slope, vegetation type and condition, and atmospheric conditions. CAL FIRE has identified two types of wildland fire risk areas: (1) wildland areas that may contain substantial forest fire risks and hazards; and (2) very high fire hazard risk zones.

Public Resources Code section 4291 gives CAL FIRE the authority to enforce 100 feet of defensible space around all buildings and structures on SRA lands. Public Resources Code sections 4790 through 4799.04 provide the regulatory authority for CAL FIRE to administer the California Forest Improvement Program. Public Resources Code sections 4113 and 4125 give CAL FIRE the responsibility to prevent and extinguish wildland fires in SRAs. The Public Resources Code also includes fire safety statutes that restrict the use of equipment that may produce a spark, flame, or fire; requires the use of spark arrestors on construction equipment with internal combustion engines; specifies requirements for the safe use of gasoline-powered tools in fire hazard areas; and specifies fire suppression equipment that must be provided for various types of work in fire-prone areas.

New development located in SRAs are subject to the following requirements:

- Determination that new subdivisions are consistent with regulations adopted by the State Board of Forestry and Fire Protection pursuant to Public Resources Code sections 4290 and 4291 or are consistent with local ordinances certified by the State Board of Forestry and Fire Protection as meeting or exceeding the state regulations. (Cal. Code Regs., tit. 14, § 1266.01.)
- Defensible space of 100 feet around all buildings and structures. (Pub. Resources Code, § 4291; Cal. Code Regs., tit. 14, § 1299.03.)
- Provision of adequate emergency access and egress (Pub. Resources Code, §§ 4290 and 4291; Cal. Code Regs., tit. 14, §§ 1273.01–1273.09.)
- Emergency water requirements. (Cal. Code Regs., tit. 14, §§ 1275.01–1275.04.)
- Building signing and number requirements. (Pub. Resources Code, §§ 4290 and 4291; Cal. Code Regs., tit. 14, §§ 1274.01-1274.04.)

California Building Code

The California Code of Regulations title 24, section 701A.3 (“New Buildings Located in Any Fire Hazard Severity Zone”) requires that new buildings located in any Fire Hazard Severity Zone within SRAs, any local agency Very-High Fire Hazard Severity Zone, or any Wildland-Urban Interface Fire Area designated by the enforcing agency for which an application for a building permit is submitted, shall comply with all the requirements of Chapter 7A. These requirements include the following design elements:

- Roofing be designed to be fire resistant and constructed to prevent the intrusion of flames and embers (Cal. Code Regs., tit. 24, § 705A);
- Attic ventilation be designed to be resistant to the intrusion of flames and embers into the attic area of the structure (Cal. Code Regs., tit. 24, § 706A);
- Exterior walls design (including vents, windows, and doors) be designed with non-combustible or ignition-resistant material and to resist the intrusion of flame and ember (Cal. Code Regs., tit. 24, § 707A);
- Decking be designed with ignition-resistant material (Cal. Code Regs., tit. 24, § 709A); and
- Ancillary buildings and structures comply with the above provisions (Cal. Code Regs., tit. 24, § 710A).

Board of Forestry and Fire Protection

The Board of Forestry and Fire Protection is a Governor-appointed body within CAL FIRE. It is responsible for developing the general forest policy of the state, determining the guidance policies of CAL FIRE, and representing the state's interest in federal forestland in California. Together, the State Board of Forestry and Fire Protection and CAL FIRE work to carry out the California Legislature's mandate to protect and enhance the state's unique forest and wildland resources.

The State Board of Forestry and Fire Protection is charged with developing policy to protect all wildland forest resources in California that are not under federal jurisdiction. These resources include major commercial and non-commercial stands of timber, areas reserved for parks and recreation, woodlands, brush-range watersheds, and all private and state lands that contribute to California's forest resource wealth. In addition, the State Board of Forestry and Fire Protection is responsible for identifying Very High Hazard Severity Zones (VHFHSZ) in the SRA and in the Local Responsibility Area—cities, urban regions, and agriculture lands where the local government is responsible for wildfire protection. Local agencies are required to designate, by ordinance, VHFHSZ and to require landowners to reduce fire hazards adjacent to occupied buildings within these zones. (Gov. Code, §§ 51179 and 51182.) The intent of identifying areas with very high fire hazards is to allow CAL FIRE and local agencies to develop and implement measures that would reduce the loss of life and property from uncontrolled wildfires. (Gov. Code, § 51176.)

Public Resources Code sections 4114 and 4130 authorize the State Board of Forestry and Fire Protection to establish a fire plan, which, among other things, determines the levels of statewide fire protection services for SRA lands. CAL FIRE's most recently adopted fire plan is the 2024 Strategic Fire Plan; Government Code section 65302.5 gives the State Board of Forestry and Fire Protection the regulatory authority to evaluate General Plan safety elements for its land use policies in the SRA and VHFHSZs as well as methods and strategies for wildland fire risk reduction and prevention in those areas.

CAL FIRE

CAL FIRE is dedicated to the fire protection and stewardship of over 31 million acres of the state's privately owned wildlands. In addition, CAL FIRE provides emergency services in 36 of the state's 58 counties via contracts with local governments. Public Resources Code section 4291 gives CAL FIRE the authority to enforce 100 feet of defensible space around all buildings and structures on non-federal SRA lands, or non-federal forest-covered lands, brush-covered lands, grass-covered lands, or any land that is covered with flammable material. Public Resources Code sections 4790 through 4799.04 provide the regulatory authority for CAL FIRE to administer the California Forest Improvement Program. Public Resources Code sections 4113 and 4125 give CAL FIRE the responsibility for preventing and extinguishing wildland fires in the SRA. (Pub. Resources Code, §§ 4113 and 4125.) The Public Resources Code, beginning with section 4427, includes fire safety statutes that restrict the use of equipment that may produce a spark, flame, or fire; require the use of spark arrestors on construction equipment with internal combustion engines; specify requirements for the safe use of gasoline-powered tools in fire hazard areas; and specify fire suppression equipment that must be provided on site for various types of work in fire-prone areas.

CAL FIRE currently implements vegetation treatments under Pub. Resources Code sections 4475 through 4495. Public Resources Code sections 4461 through 4471 and 4491 through 4494 authorize CAL FIRE to implement its

existing Chaparral Management Program, now known, in part, as the Vegetation Management Program (VMP). In addition, with the 2005 passage of SB 1084 (Chapter 5, Statutes of 2022), the Legislature modified, and in some cases, added language to Public Resources Code sections 4475 through 4480 that:

- Broadened CAL FIRE's range of vegetation treatment practices beyond those described for the existing Chaparral Management Program and Vegetation Management Program;
- Added a definition of "hazardous fuel reduction;" and
- Made other changes to the major statutory provisions guiding CAL FIRE's vegetation treatment authorities.

2024 Strategic Fire Plan for California

The 2024 Strategic Plan prepared by CAL FIRE and the California Natural Resources Agency lays out central goals for reducing and preventing the impacts of fire in the state (CAL FIRE 2024a). The goals are meant to establish, through local, state, federal, and private partnerships, a natural environment that is more resilient and human-made assets that are more resistant to the occurrence and effects of wildland fire. The goals of the 2024 Strategic Plan include: attract, hire, and retain quality employees; ensure all employees understand how CAL FIRE's various programs and job duties contribute towards efficiently achieving the CAL FIRE mission; promote a culture that values equitable access, embraces diverse backgrounds and experiences, and actively removes barriers to cultivate a more inclusive environment; leverage technology to modernize internal human resources processes and create efficient and effective innovative solutions to promote, support, and enhance the employee experience; strengthen CAL FIRE's physical and digital infrastructure and streamline equitable access to information across core services; and identify core capabilities and strengthen operational capacity.

In addition to the 2024 Strategic Plan, individual CAL FIRE units develop fire plans, which are major strategic documents that establish a set of tools for each CAL FIRE unit for its local area. Updated annually, unit fire plans identify wildfire protection areas, initial attack success, assets and infrastructure at risk, pre-fire management strategies, and accountability within their unit's geographical boundaries. The unit fire plan identifies strategic areas for pre-fire planning and fuel treatment as defined by the people who live and work locally. The plans include contributions from local collaborators and stakeholders and are aligned with other plans for the area.

California Fire Code

The California Fire Code (CFC) is contained within California Code of Regulations, title 24. The CFC establishes requirements for development design to safeguard public health, safety, and general welfare from the hazards of fire. This includes standards on building design, materials, fire flow, and other suppression provisions. The CFC also regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The CFC and the California Building Code use a hazard classification system to determine what protective measures are required to protect life and provide fire safety. These measures may include applying construction standards, requiring separation between structures and property lines, and using specialized equipment. To ensure that these safety measures are met, the CFC employs a permit system based on hazard classification. The CFC is updated every three years. Chapter 23 of the CFC provides specific standards for the construction and operation of motor fuel dispensing facilities that includes emergency shut-off systems, leak detection, secondary containment, and fuel delivery nozzle design requirements that includes vapor recovery to avoid fire hazards.

Emergency Response/Evacuation Plans

The draft 2024 California State Emergency Plan plays a key role in guiding state agencies, local jurisdictions, and the public on emergency management. It describes the methods for conducting emergency operations, rendering mutual aid, emergency response capabilities of state agencies, resource mobilization, public information, and continuity of government during an emergency or disaster. (Office of Emergency Services 2024.)

The 2017 State of California Emergency Plan was adopted by the Governor's Office of Emergency Services on October 1, 2017, and describes how state government mobilizes and responds to emergencies and disasters in coordination with partners in all levels of government, the private sector, non-profits, and community-based organizations. The Plan also works in conjunction with the California Emergency Services Act and outlines a robust program of emergency preparedness, response, recovery, and mitigation for all hazards, both natural and human caused. All local governments with a certified disaster council are required to develop their own emergency operations plan for their jurisdiction that meets state and federal requirements. Local emergency operations plans contain specific emergency planning considerations, such as evacuation and transportation, sheltering, hazard specific planning, regional planning, public-private partnerships, and recovery planning.

3.20.1.3 Local Laws, Regulations, and Policies

No local laws, regulations, or policies apply to the Proposed Project.

3.20.2 Environmental Setting

The Proposed Project is located in an industrial area within unincorporated Stanislaus County. Existing on-site vegetation primarily consists of agricultural almond trees. Vegetation in the wider neighboring area is similar, with some agricultural buildings.

FHSZs are developed by the Office of the State Fire Marshal and determined based on risk factors such as slope, winds, and fuel loading, and are classified based on the severity of the risk (moderate, high, and very high) (CAL FIRE, 2024b).

The project site is not classified as being located within a FHSZ, the closest FHSZ is a "high" classification approximately 1.1 miles to the southwest (CAL FIRE, 2024c).

3.20.3 Discussion of Checklist Responses

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a. Substantially Impair an Adopted Emergency Response Plan or Emergency Evacuation Plan (Less than Significant Impact)

The Proposed Project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. The project site is accessed via Howard Road, a road with one lane in each direction. As discussed in more detail in Section 3.17, "Transportation," construction would not require lane closures and the increase in traffic would be very unlikely to create any delays or access issues. In addition, Section 3.17 notes that during operations, the limited amount of increased traffic generated by the Proposed Project would not significantly impact emergency access. Therefore, the impact would be **less than significant**.

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 (Less than Significant Impact)

The Proposed Project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. During construction, activities have the potential to spark a fire, particularly when conducted during the dry summer months when fire danger is the highest. However, construction would be subject to Public Resources Code sections 4442, 4427, 4428, and 4432 which require spark arrestors for equipment with internal combustion engines, require that appropriate fire suppression equipment is available during high danger periods for fires, and that additional precautions are undertaken if projects are undertaken on days when a burn permit is required. Further, the CFC requires fire safety measures be observed including that access be maintained for firefighting vehicles.

During operation, the Proposed Project would largely take place within new greenhouses and would be utilized consistent with local zoning. Further, the Proposed Project would be in an area in the jurisdiction of West Stanislaus County Fire Protection District, approximately 3.5 miles from the closest fire station. Therefore, the impact would be **less than significant**.

c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment (Less than Significant Impact)

The Proposed Project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. During construction, preventative measures required under the California Public Resources Code and CFC as discussed above, would reduce potential impacts. During operation, the new greenhouses would be connected to electricity via an underground connection to existing overhead power lines. As the line would be underground, and the site would have access to water via the existing private agricultural well, the Proposed Project is not expected to significantly exacerbate existing risks of wildfire. Therefore, the impact would be **less than significant**.

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 (Less than Significant Impact)

The very edge of the project site, adjacent to the canal, has been observed to have a susceptibility to deep-seated landslides (DOC 2010), however, due to setbacks on the project site, it is likely that landscaping and only a small portion of Phase 4 greenhouses would intersect this area. Furthermore, as discussed above, it is not within a state or locally designated FHSZ and the topography of the site and wider area, with the exception of the canal, is relatively flat with minor elevation changes. During operation, commercial cannabis operations would take place within buildings and greenhouses and the cleared space within the fenced area. Overall, it would not include features that would substantially increase the risk to people or structures of flooding, landslides, post-fire slope instability, or drainage changes. Therefore, the impact would be ***less than significant***.

3.21 Mandatory Findings of Significance

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self- sustaining levels, threaten to eliminate a plan or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

3.21.1 Discussion of Checklist Responses

a. Have the Potential to Substantially Degrade the Quality of The Environment, Substantially Reduce the Habitat of a Fish or Wildlife Species, Cause a Fish or Wildlife Population to Drop Below Self- Sustaining Levels, Threaten to Eliminate a Plan or Animal Community, Substantially Reduce the Number or Restrict the Range of a Rare or Endangered Plant or Animal or Eliminate Important Examples of the Major Periods of California History or Prehistory (Less than Significant with Mitigation)

Wildlife Habitat and Populations; Rare and Endangered Species

The Proposed Project would not substantially reduce the number or restrict the range of a rare or endangered plant or animal species. No impacts would occur with regard to special-status plant species, mammals, amphibians, or fish. Although Swainson's hawk, Western burrowing owl, and loggerhead shrike have the potential to occur at the project site, no direct impacts to special-status birds are anticipated. However, if these species were to occur near the project area, construction activities such as vehicle noise or ground vibration during the breeding season could result in adverse impacts on these species. Impacts on Swainson's hawk nesting sites could result in nest abandonment, nest failure, or reduced health or vigor of nestlings. Implementation of Mitigation

Measures BIO-1 through BIO-5 would reduce the impact on special-status species to **less than significant with mitigation**.

California History and Prehistory

No archaeological, historical, or paleontological resources, or TCRs, eligible for listing have been identified in the Proposed Project area. Implementation of Mitigation Measures CR-1 through CR-2 would reduce the impact on unknown resources to **less than significant with mitigation**.

b. Have Impacts That Are Individually Limited, but Cumulatively Considerable (Less than Cumulatively Considerable)

The CEQA Guidelines define cumulative impacts as "two or more individual effects that, when considered together, are considerable or which compound or increase other environmental impacts." Cumulative impacts reflect "the change in the environment which results from the incremental impact of the Proposed Project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time" (CEQA Guidelines § 15355[b]). CEQA Guidelines section 15355 further states that individual effects can be various changes related to a single project or the change involved in a number of other closely related past, present, and reasonably foreseeable future projects. The CEQA Guidelines state that the discussion of cumulative impacts should reflect the severity of the impacts as well as the likelihood of their occurrence. However, the discussion need not be as detailed as the discussion of environmental impacts attributable to the project alone. Furthermore, the discussion should remain practical and reasonable in considering other projects and related cumulatively considerable impacts.

Based on review of active planning projects listed on the Stanislaus County Planning Department website (Stanislaus County 2025) and a search of the CEQAnet database, as well as cannabis business applications submitted to DCC, the planned and approved commercial cannabis cultivation projects in the project area that could potentially combine with the Proposed Project to result in cumulative impacts include the following:

- All Season Organics, mixed-light commercial cannabis cultivation and nursery business, including 24 greenhouses and four existing accessory storage buildings for office, storage, distribution, and processing activities in the A-2-40 (General Agriculture) zoning district, 1054 Merriam Road. (27 miles from project site)
- Bynate, Use Permit to allow operation of an existing commercial cannabis retail business, within an existing 625 square-foot building on a 3,750 square- foot parcel in the General Commercial (C-2) zoning district, 21931 State Highway 33. (14 miles from project site)
- Empire Health and Wellness, Use Permit to allow operation of an existing retail commercial cannabis business with delivery services, within an existing 3,720 square-foot building, in the General Commercial (C-2) zoning district, 4275 Yosemite Boulevard. (19 miles from project site)
- JDI Farms, mixed-light commercial cannabis cultivation, nursery, and distribution business, including 20 greenhouses and existing accessory storage buildings in the A-2-20 (General Agriculture) zoning district, 1631 Fig Avenue. (9.5 miles from project site)

- Prem Gen, indoor commercial cannabis cultivation, nursery, and distribution operation within three existing 5,000 square-foot warehouses in the M (Industrial) zoning district, 536, 538, and 540 El Roya Avenue. (18 miles from project site)
- Stanco Family Farms, commercial cannabis cultivation, nursery, and distribution operation on approximately 3 acres in the northwest corner of a 35.8-acre parcel in the A-2-40 zoning district, Sullivan Road, abutting the California Aqueduct to the east and Merced County line to the south, in the Newman area. (21 miles from project site)
- Truleaf, indoor commercial cannabis cultivation, non-volatile manufacturing, and distribution operation within an existing 20,724 square-foot warehouse, 4622 Glass Court. (18 miles from project site)

The potential exists for the projects listed above to result in adverse effects on the environment, and all of the identified projects are located in the same general geographic area as the Proposed Project However, as noted in the above list, none of the projects is located within 9 miles of the Proposed Project. As a result, the impacts for most resources would not overlap between projects.

In addition to the commercial cannabis cultivation projects listed above, there are other other reasonably foreseeable development projects in the County that could impact resources. While none are in the immediate area, development and operation of these projects could impact resource areas such as water and hydrology, air quality, and GHG. (Stanislaus County 2025.)

All of these projects would be required to comply with the same regional air quality and GHG regulations as would the Proposed Project, and each would be required to reduce or mitigate significant impacts on those resources. Regulations and agreements regarding water use governing the groundwater basin, as well as less than substantial increase in water demand from previous uses would ensure that cumulative impacts on water use would be less than significant.

In conclusion, none of the identified projects have the potential to combine with the Proposed Project to result in a significant cumulative impact to which the Proposed Project might make a substantial contribution.

Aesthetics

The project site is not located within view of a scenic vista and would not result in a substantial change to scenic resources in the area. Potential impacts to aesthetic resources would be less than significant, and no mitigation measures are necessary.

Surrounding proposed commercial cannabis cultivation operations would require discretionary permits and would be evaluated for their potential to result in potentially significant environmental effects, including potential impacts to visual resources. Based on the rural and agricultural visual character of the area, newly proposed structures visible from surrounding public roadways would undergo evaluation for consistency with the surrounding visual character and may be required to implement visual screening and/or other measures if County staff identify potential impacts to visual resources. Proposed commercial cannabis cultivation projects, including use of mixed-light growing techniques, would be subject to DCC regulations requiring that any lighting be shielded from sunset to sunrise.

Based on the less-than-significant aesthetic impacts of the Proposed Project and discretionary review of surrounding proposed commercial cannabis projects, the impacts to aesthetic and visual resources of the Proposed Project, when considered with the potential impacts of other reasonably foreseeable development in the area, would be **less than cumulatively considerable**.

Agriculture and Forestry Resources

The analysis provided in Section 3.2, "Agriculture and Forestry Resources," indicates that the Proposed Project would not result in the permanent conversion of farmland and no potential impacts to forest land or timberland would occur. The Proposed Project would not result in a conflict with existing zoning for agricultural use or Williamson Act contract. Therefore, when considered with the potential impacts of other reasonably foreseeable commercial cannabis cultivation projects in the unincorporated county, the contribution of the Proposed Project's potential impacts to agriculture and forestry resources would be **less than cumulatively considerable**.

Air Quality

The analysis provided in Section 3.3, "Air Quality," concludes that the Proposed Project would not result in significatn impacts to air quality. Operational emissions would not exceed SJVAPCD thresholds, and the project would be consistent with State and federal air quality regulations. Further, based on the installation of odor control systems and mandatory quarterly monitoring, potential odors from proposed mixed-light commercial cannabis cultivation activities would not result in nuisance odors.

All proposed commercial cannabis cultivation operations, as well as other development projects, located within the county would require discretionary permits and would be evaluated for their potential to result in potentially significant environmental effects, including potential impacts to air quality. These proposed commercial cannabis cultivation projects would undergo evaluation for their potential to exceed applicable SJVAPCD thresholds and result in potentially cumulatively considerable contribution to the county's non-attainment status for ozone and/or fugitive dust. Proposed projects with the potential to exceed SJVAPCD thresholds would be subject to standard SJVAPCD mitigation measures to reduce potential air pollutant emissions to a less-than-significant level. These measures would also be applied for projects located within close proximity to sensitive receptor locations.

The analysis provided in Section 3.3, "Air Quality," concludes that the project's potential other emissions (such as those leading to odor) would be less than significant based on the use of locally-required odor control equipment. All proposed commercial cannabis development projects in the project vicinity would be required to comply with County cannabis odor control requirements..

Therefore, based on the mitigation measures identified to reduce potential project impacts and County odor control requirements for the project and all surrounding proposed commercial cannabis cultivation projects, the contribution of the Proposed Project's potential impacts to air quality are considered **less than cumulatively considerable**.

Biological Resources

The analysis provided in Section 3.4, "Biological Resources," indicates that no special-status plants, amphibians, fish, or mammals are likely to occur in the project area. While special-status birds and migrating birds are unlikely to occur in the area, some species could possibly occur. The analysis concludes that with implementation of Mitigation Measures BIO-1 through BIO-5, implementation of the Proposed Project would not adversely affect biological resources.

All surrounding proposed commercial cannabis development projects, as well as other potential development, would undergo evaluation for potential to impact biological resources. Proposed projects that are determined to have the potential to impact sensitive species and/or their habitats, sensitive natural communities, federal or state wetlands, migratory corridors, native trees, or conflict with state or local policies or habitat conservation plans would be required to implement mitigation measures to reduce these impacts.

Based on the mitigation measures identified to reduce potential project impacts and discretionary review of surrounding projects, when considered with the potential impacts of other reasonably foreseeable development in the area, Proposed Project impacts associated with biological resources would be **less than cumulatively considerable**.

Energy Use

As discussed in Section 3.6, "Energy," the Proposed Project would not result in wasteful, inefficient, or unnecessary consumption of energy resources or conflict with applicable energy policies. Other reasonably foreseeable commercial cannabis mixed-light, indoor cultivation, nursery, processing, and distribution projects would have the potential to result in significant consumption of energy resources and would be subject to discretionary review. Projects that are found to result in wasteful, inefficient, or unnecessary consumption of energy resources would be required to implement reduction and offset measures consistent with state and local policies. Therefore, when considered with the potential impacts of other reasonably foreseeable commercial cannabis cultivation projects in the unincorporated county, the contribution of the subject project to energy use impacts in the region would be **less than cumulatively considerable.**

Hydrology and Water Quality

As discussed in Section 3.10, "Hydrology and Water Quality," the Proposed Project would not result in adverse impacts related to water quality, groundwater quality, or stormwater runoff. The project site is not within a flood hazard, tsunami, or seiche zone and would not risk release of pollutants due to project inundation.

All proposed commercial cannabis cultivation projects located in the county would be subject to standard County requirements for drainage, sedimentation, and erosion control for construction and operation. All potentially hazardous materials (e.g., pesticides, fertilizers) proposed to be utilized for these projects would be required to comply with CDPR requirements, DCC regulations, and the SWRCB Cannabis Cultivation Policy.

The Stanislaus County 2016 General Plan EIR found that although planned development in the County would result in significant impacts to groundwater supply, impacts would be reduced to less than significant levels once groundwater sustainability plans were put into effect. (Stanislaus County 2016.)

The property is in the San Joaquin Valley Delta Mendota subbasin, which lies below 747,000 acres (1,170 square miles) of surface area. (DWR 2006.) According to DWR, the capacity of the subbasin is the total storage capacity of this subbasin is estimated to be 30,400,000-acre feet to a depth of 300 feet and 81,800,000-acre feet to the base of fresh groundwater. (DWR 2006.) The Final GSP for the Delta-Mendota subbasin, which will be submitted for approval by DWR in 2025, aims to prevent negative impacts to the basin by managing groundwater levels through strategies like monitoring, overdraft mitigation, and water quality thresholds, thereby aiming to achieve sustainable groundwater management and prevent issues like land subsidence and declining water quality and will be evaluated by the SWRCB in 2025 (EKI Environment & Water 2024).

As discussed in Section 3.10, "Hydrology and Water Quality," the Proposed Project would not result in a significant impact on groundwater supply. The relatively small amount of water used by the Proposed Project, as well as compliance with the GSP would ensure that the Proposed Project would not make a considerable contribution to a significant cumulative impact.

Therefore, based on recommended mitigation measures and compliance with existing policies and programs, the Proposed Project's impact associated with hydrology and water quality would be **less than cumulatively considerable**.

Noise

As discussed in Section 3.13, "Noise," operation of the Proposed Project would result in less than significant impacts.

There are no current or planned commercial cannabis projects within 9 miles of the Proposed Project. Reasonably foreseeable future commercial cannabis cultivation projects would require discretionary permits and would be reviewed by County staff for potentially significant environmental impacts, including impacts associated with noise. Future projects with potential to generate noise above County standards or noise that would adversely affect surrounding sensitive receptors would be required to implement measures to reduce associated impacts. Therefore, with the implementation of noise reduction measures, project impacts associated with noise would be less than cumulatively considerable with mitigation.

The project-related operational contribution to traffic noise levels would be negligible as discussed in Section 3.13, "Noise." When combined with cumulative traffic, which is not likely to change from existing conditions, the Proposed Project's contribution to traffic, and associated noise levels, would not represent an audible contribution to cumulative traffic noise levels. Therefore, the Proposed Project's contribution to regional traffic noise impacts would be **less than cumulatively considerable**.

Transportation

As discussed in Section 3.17, "Transportation," the Proposed Project would be consistent with existing circulation and traffic plans and would not generate vehicle trips that would exceed existing VMT thresholds. In addition, the Proposed Project would be consistent with CAL FIRE/County Fire Department and County Public Works Department standards for site access and driveway design. Therefore, the Proposed Project's potential impacts associated with these thresholds would be less than significant.

The total VMT for the county as measured by Caltrans for the Stanislaus County Council of Governments[9] is estimated at 11,921.87. (Caltrans 2023.) Accordingly, the VMT associated with proposed commercial cannabis cultivation projects throughout the county is estimated to result in a very marginal increase in the total county

[9] The Stanislaus Council of Governments (StanCOG) is a council of city and county governments comprised of the Cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock and Waterford, and the County of Stanislaus, that was established in 1971 by a Joint Powers Agreement (JPA) to address regional transportation issues. StanCOG is the Metropolitan Planning Organization (MPO) for the Stanislaus region as designated by the federal government, the Regional Transportation Planning Agency (RTPA) as designated by the State of California, and the Local Transportation Authority (LTA). An MPO/RTPA/LTA is a public organization that works with local governments and citizens in its region by dealing with issues and needs that cross city and county boundaries. (StanCOG 2025.)

VMT. Moreover, each project will be required to mitigate the project-specific impacts to the transportation network through standardized public facilities fees and other mitigation measures, based on the potential impacts. Such mitigation may include, but is not limited to, the installation of roadway and intersection improvements necessary to serve the project. Therefore, based on the size and scope of the Proposed Project, when considered with the potential impacts of other reasonably foreseeable commercial cannabis cultivation projects in the unincorporated county, the contribution of the Proposed Project to roadway impacts would be **less than cumulatively considerable**.

Other Impact Issue Areas

Based on the Proposed Project's less-than-significant impacts and the discretionary review of all surrounding reasonably foreseeable future commercial cannabis cultivation projects, the project's potential impacts associated with the following issue areas would be **less than cumulatively considerable**:

- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Land Use Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

c. Have Environmental Effects Which will Cause Substantial Adverse Effects on Human Beings, Either Directly or Indirectly (Less than Significant Impact)

Environmental impacts that may have an adverse effect on human beings, either directly or indirectly, are analyzed in each environmental resource section in this Initial Study. As described in this document, the Proposed Project would not have any environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. Impacts would be **less than significant.**

4 REPORT PREPARATION

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Appendix A

Air Quality and Greenhouse Gas Calculations

Central Valley Growers Custom Report

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1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	Central Valley Growers
Construction Start Date	1/1/2025
Operational Year	2026
Lead Agency	DCC
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	3.10
Precipitation (days)	25.4
Location	37.54289109178464, -121.24154827582538
County	Stanislaus
City	Unincorporated
Air District	San Joaquin Valley APCD
Air Basin	San Joaquin Valley
TAZ	2208
EDFZ	4
Electric Utility	Pacific Gas & Electric Company
Gas Utility	Pacific Gas & Electric
App Version	2022.1.1.29

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
User Defined Industrial	29.9	User Defined Unit	11.7	105,000	0.00	—	—	—

General Light Industry	8.59	1000sqft	0.20	8,590	0.00	—	—	—
Parking Lot	21.0	Space	0.19	0.00	0.00	—	—	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.1. Construction Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	26.6	26.6	11.2	15.8	0.03	0.44	0.48	0.91	0.40	0.12	0.52	—	3,210	3,210	0.13	0.10	2.70	3,244
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	4.02	3.38	31.7	30.9	0.05	1.37	19.8	21.2	1.26	10.1	11.4	—	5,423	5,423	0.22	0.10	0.07	5,443
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.94	1.86	6.96	9.17	0.02	0.28	0.80	1.07	0.25	0.34	0.59	—	1,878	1,878	0.07	0.05	0.64	1,896
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.35	0.34	1.27	1.67	< 0.005	0.05	0.15	0.20	0.05	0.06	0.11	—	311	311	0.01	0.01	0.11	314

2.2. Construction Emissions by Year, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Year	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e

Daily - Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2025	1.61	1.36	11.2	15.8	0.03	0.44	0.48	0.91	0.40	0.12	0.52	—	3,210	3,210	0.13	0.10	2.70	3,244
2026	26.6	26.6	10.5	15.5	0.03	0.38	0.48	0.86	0.35	0.12	0.47	—	3,193	3,193	0.11	0.10	2.45	3,228
Daily - Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2025	4.02	3.38	31.7	30.9	0.05	1.37	19.8	21.2	1.26	10.1	11.4	—	5,423	5,423	0.22	0.10	0.07	5,443
2026	1.51	1.27	10.6	15.0	0.03	0.38	0.48	0.86	0.35	0.12	0.47	—	3,153	3,153	0.12	0.10	0.06	3,185
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2025	0.97	0.82	6.96	9.17	0.02	0.28	0.80	1.07	0.25	0.34	0.59	—	1,878	1,878	0.07	0.05	0.64	1,896
2026	1.94	1.86	3.40	4.87	0.01	0.13	0.14	0.27	0.12	0.03	0.15	—	985	985	0.04	0.03	0.31	995
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2025	0.18	0.15	1.27	1.67	< 0.005	0.05	0.15	0.20	0.05	0.06	0.11	—	311	311	0.01	0.01	0.11	314
2026	0.35	0.34	0.62	0.89	< 0.005	0.02	0.03	0.05	0.02	0.01	0.03	—	163	163	0.01	< 0.005	0.05	165

2.4. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	3.58	3.51	0.12	5.24	< 0.005	0.01	0.01	0.03	0.01	< 0.005	0.01	505	1,144	1,649	50.6	0.02	2.30	2,925
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	2.69	2.68	0.08	0.37	< 0.005	< 0.005	0.01	0.02	< 0.005	< 0.005	0.01	505	1,123	1,628	50.6	0.02	2.24	2,904
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Unmit.	3.12	3.08	0.10	2.76	< 0.005	0.01	0.01	0.02	0.01	< 0.005	0.01	505	1,040	1,545	50.6	0.02	2.26	2,820
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.57	0.56	0.02	0.50	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	83.6	172	256	8.38	< 0.005	0.37	467

2.5. Operations Emissions by Sector, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Sector	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.12	0.12	0.04	0.27	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	< 0.005	—	23.1	23.1	0.01	< 0.005	0.06	24.2
Area	3.46	3.39	0.04	4.94	< 0.005	0.01	—	0.01	0.01	—	0.01	—	20.3	20.3	< 0.005	< 0.005	—	20.4
Energy	< 0.005	< 0.005	0.04	0.03	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	1,101	1,101	0.17	0.02	—	1,111
Water	—	—	—	—	—	—	—	—	—	—	—	0.00	0.07	0.07	< 0.005	< 0.005	—	0.07
Waste	—	—	—	—	—	—	—	—	—	—	—	505	0.00	505	50.5	0.00	—	1,767
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2.24	2.24
Off-Road	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	3.58	3.51	0.12	5.24	< 0.005	0.01	0.01	0.03	0.01	< 0.005	0.01	505	1,144	1,649	50.6	0.02	2.30	2,925
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.11	0.10	0.04	0.34	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	< 0.005	—	21.9	21.9	0.01	< 0.005	< 0.005	23.1
Area	2.58	2.58	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Energy	< 0.005	< 0.005	0.04	0.03	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	1,101	1,101	0.17	0.02	—	1,111
Water	—	—	—	—	—	—	—	—	—	—	—	0.00	0.07	0.07	< 0.005	< 0.005	—	0.07
Waste	—	—	—	—	—	—	—	—	—	—	—	505	0.00	505	50.5	0.00	—	1,767
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2.24	2.24
Off-Road	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00

Total	2.69	2.68	0.08	0.37	< 0.005	< 0.005	0.01	0.02	< 0.005	< 0.005	0.01	505	1,123	1,628	50.6	0.02	2.24	2,904
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.11	0.11	0.04	0.29	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	< 0.005	—	22.2	22.2	0.01	< 0.005	0.03	23.3
Area	3.01	2.98	0.02	2.44	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	10.0	10.0	< 0.005	< 0.005	—	10.1
Energy	< 0.005	< 0.005	0.04	0.03	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	1,008	1,008	0.16	0.02	—	1,017
Water	—	—	—	—	—	—	—	—	—	—	—	0.00	0.07	0.07	< 0.005	< 0.005	—	0.07
Waste	—	—	—	—	—	—	—	—	—	—	—	505	0.00	505	50.5	0.00	—	1,767
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2.24	2.24
Off-Road	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	3.12	3.08	0.10	2.76	< 0.005	0.01	0.01	0.02	0.01	< 0.005	0.01	505	1,040	1,545	50.6	0.02	2.26	2,820
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.02	0.02	0.01	0.05	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	3.67	3.67	< 0.005	< 0.005	< 0.005	3.86
Area	0.55	0.54	< 0.005	0.44	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	1.66	1.66	< 0.005	< 0.005	—	1.66
Energy	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	167	167	0.03	< 0.005	—	168
Water	—	—	—	—	—	—	—	—	—	—	—	0.00	0.01	0.01	< 0.005	< 0.005	—	0.01
Waste	—	—	—	—	—	—	—	—	—	—	—	83.6	0.00	83.6	8.36	0.00	—	292
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	0.37	0.37
Off-Road	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.57	0.56	0.02	0.50	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	83.6	172	256	8.38	< 0.005	0.37	467

3. Construction Emissions Details

3.1. Site Preparation (2025) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	3.94	3.31	31.6	30.2	0.05	1.37	—	1.37	1.26	—	1.26	—	5,295	5,295	0.21	0.04	—	5,314
Dust From Material Movement	—	—	—	—	—	—	19.7	19.7	—	10.1	10.1	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.11	0.09	0.87	0.83	< 0.005	0.04	—	0.04	0.03	—	0.03	—	145	145	0.01	< 0.005	—	146
Dust From Material Movement	—	—	—	—	—	—	0.54	0.54	—	0.28	0.28	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.02	0.02	0.16	0.15	< 0.005	0.01	—	0.01	0.01	—	0.01	—	24.0	24.0	< 0.005	< 0.005	—	24.1
Dust From Material Movement	—	—	—	—	—	—	0.10	0.10	—	0.05	0.05	—	—	—	—	—	—	—

Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.08	0.07	0.07	0.72	0.00	0.00	0.13	0.13	0.00	0.03	0.03	—	128	128	< 0.005	0.01	0.01	130
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	3.61	3.61	< 0.005	< 0.005	0.01	3.67
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.60	0.60	< 0.005	< 0.005	< 0.005	0.61
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.3. Building Construction (2025) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Off-Road Equipment	1.35	1.13	10.4	13.0	0.02	0.43	—	0.43	0.40	—	0.40	—	2,398	2,398	0.10	0.02	—	2,406
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.35	1.13	10.4	13.0	0.02	0.43	—	0.43	0.40	—	0.40	—	2,398	2,398	0.10	0.02	—	2,406
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.73	0.61	5.68	7.09	0.01	0.23	—	0.23	0.22	—	0.22	—	1,304	1,304	0.05	0.01	—	1,309
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.13	0.11	1.04	1.29	< 0.005	0.04	—	0.04	0.04	—	0.04	—	216	216	0.01	< 0.005	—	217
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.23	0.22	0.14	2.57	0.00	0.00	0.36	0.36	0.00	0.09	0.09	—	391	391	0.02	0.02	1.56	397
Vendor	0.03	0.02	0.57	0.20	< 0.005	0.01	0.11	0.12	0.01	0.03	0.04	—	421	421	0.01	0.06	1.14	441

Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.21	0.20	0.18	1.98	0.00	0.00	0.36	0.36	0.00	0.09	0.09	—	349	349	0.01	0.02	0.04	353
Vendor	0.02	0.01	0.61	0.21	< 0.005	0.01	0.11	0.12	0.01	0.03	0.04	—	422	422	0.01	0.06	0.03	441
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.12	0.11	0.08	1.11	0.00	0.00	0.19	0.19	0.00	0.05	0.05	—	195	195	0.01	0.01	0.37	198
Vendor	0.01	0.01	0.32	0.11	< 0.005	< 0.005	0.06	0.06	< 0.005	0.02	0.02	—	229	229	< 0.005	0.03	0.27	240
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.02	0.02	0.02	0.20	0.00	0.00	0.04	0.04	0.00	0.01	0.01	—	32.3	32.3	< 0.005	< 0.005	0.06	32.8
Vendor	< 0.005	< 0.005	0.06	0.02	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	< 0.005	—	38.0	38.0	< 0.005	0.01	0.04	39.7
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.5. Building Construction (2026) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.28	1.07	9.85	13.0	0.02	0.38	—	0.38	0.35	—	0.35	—	2,397	2,397	0.10	0.02	—	2,405
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.28	1.07	9.85	13.0	0.02	0.38	—	0.38	0.35	—	0.35	—	2,397	2,397	0.10	0.02	—	2,405
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.36	0.30	2.76	3.63	0.01	0.11	—	0.11	0.10	—	0.10	—	671	671	0.03	0.01	—	673
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.07	0.05	0.50	0.66	< 0.005	0.02	—	0.02	0.02	—	0.02	—	111	111	< 0.005	< 0.005	—	111
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.22	0.20	0.13	2.37	0.00	0.00	0.36	0.36	0.00	0.09	0.09	—	382	382	0.01	0.02	1.42	389
Vendor	0.03	0.02	0.55	0.20	< 0.005	0.01	0.11	0.12	0.01	0.03	0.04	—	414	414	0.01	0.06	1.03	433
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.20	0.18	0.15	1.82	0.00	0.00	0.36	0.36	0.00	0.09	0.09	—	341	341	0.01	0.02	0.04	346

Vendor	0.02	0.01	0.58	0.20	< 0.005	0.01	0.11	0.12	0.01	0.03	0.04	—	414	414	0.01	0.06	0.03	433
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.06	0.05	0.04	0.53	0.00	0.00	0.10	0.10	0.00	0.02	0.02	—	98.4	98.4	< 0.005	< 0.005	0.17	100.0
Vendor	0.01	< 0.005	0.16	0.05	< 0.005	< 0.005	0.03	0.03	< 0.005	0.01	0.01	—	116	116	< 0.005	0.02	0.12	121
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.10	0.00	0.00	0.02	0.02	0.00	< 0.005	< 0.005	—	16.3	16.3	< 0.005	< 0.005	0.03	16.6
Vendor	< 0.005	< 0.005	0.03	0.01	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	< 0.005	—	19.2	19.2	< 0.005	< 0.005	0.02	20.1
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.7. Paving (2026) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.91	0.76	7.12	9.94	0.01	0.32	—	0.32	0.29	—	0.29	—	1,511	1,511	0.06	0.01	—	1,516
Paving	0.02	0.02	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Off-Road	0.05	0.04	0.39	0.54	< 0.005	0.02	—	0.02	0.02	—	0.02	—	82.8	82.8	< 0.005	< 0.005	—	83.1
Paving	< 0.005	< 0.005	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.01	0.01	0.07	0.10	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	13.7	13.7	< 0.005	< 0.005	—	13.8
Paving	< 0.005	< 0.005	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.07	0.06	0.04	0.75	0.00	0.00	0.11	0.11	0.00	0.03	0.03	—	120	120	< 0.005	< 0.005	0.45	122
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.03	0.00	0.00	0.01	0.01	0.00	< 0.005	< 0.005	—	6.06	6.06	< 0.005	< 0.005	0.01	6.16
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.01	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	1.00	1.00	< 0.005	< 0.005	< 0.005	1.02
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.9. Architectural Coating (2026) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.15	0.12	0.86	1.13	< 0.005	0.02	—	0.02	0.02	—	0.02	—	134	134	0.01	< 0.005	—	134
Architectural Coatings	26.4	26.4	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.01	0.01	0.05	0.06	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	7.32	7.32	< 0.005	< 0.005	—	7.34
Architectural Coatings	1.45	1.45	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Off-Road Equipment	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	1.21	1.21	< 0.005	< 0.005	—	1.22
Architectural Coatings	0.26	0.26	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.04	0.04	0.03	0.47	0.00	0.00	0.07	0.07	0.00	0.02	0.02	—	76.5	76.5	< 0.005	< 0.005	0.28	77.7
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	3.86	3.86	< 0.005	< 0.005	0.01	3.92
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.64	0.64	< 0.005	< 0.005	< 0.005	0.65
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

4. Operations Emissions Details

4.1. Mobile Emissions by Land Use

4.1.1. Unmitigated

Mobile source emissions results are presented in Sections 2.6. No further detailed breakdown of emissions is available.

4.2. Energy

4.2.1. Electricity Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
User Defined Industrial	—	—	—	—	—	—	—	—	—	—	—	—	730	730	0.12	0.01	—	737
General Light Industry	—	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	—	0.00
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	—	0.00
undefined	—	—	—	—	—	—	—	—	—	—	—	—	324	324	0.05	0.01	—	327
Total	—	—	—	—	—	—	—	—	—	—	—	—	1,054	1,054	0.17	0.02	—	1,064
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
User Defined Industrial	—	—	—	—	—	—	—	—	—	—	—	—	730	730	0.12	0.01	—	737
General Light Industry	—	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	—	0.00

Parking Lot	—	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	—	0.00
undefined	—	—	—	—	—	—	—	—	—	—	—	—	324	324	0.05	0.01	—	327
Total	—	—	—	—	—	—	—	—	—	—	—	—	1,054	1,054	0.17	0.02	—	1,064
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
User Defined Industrial	—	—	—	—	—	—	—	—	—	—	—	—	121	121	0.02	< 0.005	—	122
General Light Industry	—	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	—	0.00
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	—	0.00
undefined	—	—	—	—	—	—	—	—	—	—	—	—	38.2	38.2	0.01	< 0.005	—	38.6
Total	—	—	—	—	—	—	—	—	—	—	—	—	159	159	0.03	< 0.005	—	161

4.2.3. Natural Gas Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
User Defined Industrial	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
General Light Industry	< 0.005	< 0.005	0.04	0.03	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	47.2	47.2	< 0.005	< 0.005	—	47.3
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	< 0.005	< 0.005	0.04	0.03	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	47.2	47.2	< 0.005	< 0.005	—	47.3

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
User Defined Industrial	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
General Light Industry	< 0.005	< 0.005	0.04	0.03	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	47.2	47.2	< 0.005	< 0.005	—	47.3
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	< 0.005	< 0.005	0.04	0.03	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	47.2	47.2	< 0.005	< 0.005	—	47.3
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
User Defined Industrial	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
General Light Industry	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	7.82	7.82	< 0.005	< 0.005	—	7.84
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	7.82	7.82	< 0.005	< 0.005	—	7.84

4.3. Area Emissions by Source

4.3.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Source	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	2.43	2.43	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Architect Coatings	0.14	0.14	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.88	0.81	0.04	4.94	< 0.005	0.01	—	0.01	0.01	—	0.01	—	20.3	20.3	< 0.005	< 0.005	—	20.4
Total	3.46	3.39	0.04	4.94	< 0.005	0.01	—	0.01	0.01	—	0.01	—	20.3	20.3	< 0.005	< 0.005	—	20.4
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	2.43	2.43	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	0.14	0.14	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	2.58	2.58	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	0.44	0.44	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	0.03	0.03	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.08	0.07	< 0.005	0.44	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	1.66	1.66	< 0.005	< 0.005	—	1.66
Total	0.55	0.54	< 0.005	0.44	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	1.66	1.66	< 0.005	< 0.005	—	1.66

4.4. Water Emissions by Land Use

4.4.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
User Defined Industrial	—	—	—	—	—	—	—	—	—	—	—	0.00	0.07	0.07	< 0.005	< 0.005	—	0.07
General Light Industry	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	0.00	0.07	0.07	< 0.005	< 0.005	—	0.07
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
User Defined Industrial	—	—	—	—	—	—	—	—	—	—	—	0.00	0.07	0.07	< 0.005	< 0.005	—	0.07
General Light Industry	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	0.00	0.07	0.07	< 0.005	< 0.005	—	0.07
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
User Defined Industrial	—	—	—	—	—	—	—	—	—	—	—	0.00	0.01	0.01	< 0.005	< 0.005	—	0.01
General Light Industry	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00

Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	0.00	0.01	0.01	< 0.005	< 0.005	—	0.01

4.5. Waste Emissions by Land Use

4.5.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
User Defined Industrial	—	—	—	—	—	—	—	—	—	—	—	499	0.00	499	49.9	0.00	—	1,747
General Light Industry	—	—	—	—	—	—	—	—	—	—	—	5.74	0.00	5.74	0.57	0.00	—	20.1
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	505	0.00	505	50.5	0.00	—	1,767
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
User Defined Industrial	—	—	—	—	—	—	—	—	—	—	—	499	0.00	499	49.9	0.00	—	1,747
General Light Industry	—	—	—	—	—	—	—	—	—	—	—	5.74	0.00	5.74	0.57	0.00	—	20.1
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	505	0.00	505	50.5	0.00	—	1,767

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
User Defined Industrial	—	—	—	—	—	—	—	—	—	—	—	82.6	0.00	82.6	8.26	0.00	—	289
General Light Industry	—	—	—	—	—	—	—	—	—	—	—	0.95	0.00	0.95	0.09	0.00	—	3.33
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	83.6	0.00	83.6	8.36	0.00	—	292

4.6. Refrigerant Emissions by Land Use

4.6.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
General Light Industry	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2.24	2.24
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2.24	2.24
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
General Light Industry	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2.24	2.24
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2.24	2.24
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

General Light Industry	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	0.37	0.37
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	0.37	0.37

4.7. Offroad Emissions By Equipment Type

4.7.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Pumps	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Pumps	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Pumps	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00

4.8. Stationary Emissions By Equipment Type

4.8.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.9. User Defined Emissions By Equipment Type

4.9.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

5. Activity Data

5.1. Construction Schedule

Phase Name	Phase Type	Start Date	End Date	Days Per Week	Work Days per Phase	Phase Description
Site Preparation	Site Preparation	1/30/2025	2/13/2025	5.00	10.0	—
Building Construction	Building Construction	3/29/2025	5/23/2026	5.00	300	—
Paving	Paving	5/24/2026	6/21/2026	5.00	20.0	—
Architectural Coating	Architectural Coating	6/22/2026	7/20/2026	5.00	20.0	—

5.2. Off-Road Equipment

5.2.1. Unmitigated

Phase Name	Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor
Site Preparation	Tractors/Loaders/Backhoes	Diesel	Average	4.00	8.00	84.0	0.37
Site Preparation	Rubber Tired Dozers	Diesel	Average	3.00	8.00	367	0.40
Building Construction	Cranes	Diesel	Average	1.00	7.00	367	0.29
Building Construction	Forklifts	Diesel	Average	3.00	8.00	82.0	0.20
Building Construction	Tractors/Loaders/Backhoes	Diesel	Average	3.00	7.00	84.0	0.37
Building Construction	Generator Sets	Diesel	Average	1.00	8.00	14.0	0.74
Building Construction	Welders	Diesel	Average	1.00	8.00	46.0	0.45
Paving	Pavers	Diesel	Average	2.00	8.00	81.0	0.42
Paving	Rollers	Diesel	Average	2.00	8.00	36.0	0.38
Paving	Paving Equipment	Diesel	Average	2.00	8.00	89.0	0.36
Architectural Coating	Air Compressors	Diesel	Average	1.00	6.00	37.0	0.48

5.3. Construction Vehicles

5.3.1. Unmitigated

Phase Name	Trip Type	One-Way Trips per Day	Miles per Trip	Vehicle Mix
Site Preparation	—	—	—	—
Site Preparation	Worker	17.5	10.8	LDA,LDT1,LDT2
Site Preparation	Vendor	—	7.17	HHDT,MHDT
Site Preparation	Hauling	0.00	20.0	HHDT
Site Preparation	Onsite truck	—	—	HHDT
Building Construction	—	—	—	—
Building Construction	Worker	47.7	10.8	LDA,LDT1,LDT2
Building Construction	Vendor	18.6	7.17	HHDT,MHDT
Building Construction	Hauling	0.00	20.0	HHDT
Building Construction	Onsite truck	—	—	HHDT
Paving	—	—	—	—
Paving	Worker	15.0	10.8	LDA,LDT1,LDT2
Paving	Vendor	—	7.17	HHDT,MHDT
Paving	Hauling	0.00	20.0	HHDT
Paving	Onsite truck	—	—	HHDT
Architectural Coating	—	—	—	—
Architectural Coating	Worker	9.54	10.8	LDA,LDT1,LDT2
Architectural Coating	Vendor	—	7.17	HHDT,MHDT
Architectural Coating	Hauling	0.00	20.0	HHDT
Architectural Coating	Onsite truck	—	—	HHDT

5.4. Vehicles

5.4.1. Construction Vehicle Control Strategies

Non-applicable. No control strategies activated by user.

5.5. Architectural Coatings

Phase Name	Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
Architectural Coating	0.00	0.00	170,385	56,795	494

5.6. Dust Mitigation

5.6.1. Construction Earthmoving Activities

Phase Name	Material Imported (Ton of Debris)	Material Exported (Ton of Debris)	Acres Graded (acres)	Material Demolished (sq. ft.)	Acres Paved (acres)
Site Preparation	0.00	0.00	15.0	0.00	—
Paving	0.00	0.00	0.00	0.00	0.19

5.6.2. Construction Earthmoving Control Strategies

Non-applicable. No control strategies activated by user.

5.7. Construction Paving

Land Use	Area Paved (acres)	% Asphalt
User Defined Industrial	0.00	0%
General Light Industry	0.00	0%
Parking Lot	0.19	100%

5.8. Construction Electricity Consumption and Emissions Factors

kWh per Year and Emission Factor (lb/MWh)

Year	kWh per Year	CO2	CH4	N2O
2025	0.00	204	0.03	< 0.005
2026	0.00	204	0.03	< 0.005

5.9. Operational Mobile Sources

5.9.1. Unmitigated

Land Use Type	Trips/Weekday	Trips/Saturday	Trips/Sunday	Trips/Year	VMT/Weekday	VMT/Saturday	VMT/Sunday	VMT/Year
Total all Land Uses	33.0	33.0	33.0	12,045	20.0	20.0	20.0	7,300

5.10. Operational Area Sources

5.10.1. Hearths

5.10.1.1. Unmitigated

5.10.2. Architectural Coatings

Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
0	0.00	170,385	56,795	494

5.10.3. Landscape Equipment

Season	Unit	Value
Snow Days	day/yr	0.00
Summer Days	day/yr	180

5.11. Operational Energy Consumption

5.11.1. Unmitigated

Electricity (kWh/yr) and CO2 and CH4 and N2O and Natural Gas (kBTU/yr)

Land Use	Electricity (kWh/yr)	CO2	CH4	N2O	Natural Gas (kBTU/yr)
User Defined Industrial	1,305,374	204	0.0330	0.0040	0.00
General Light Industry	0.00	204	0.0330	0.0040	147,324

Parking Lot	0.00	204	0.0330	0.0040	0.00

5.12. Operational Water and Wastewater Consumption

5.12.1. Unmitigated

Land Use	Indoor Water (gal/year)	Outdoor Water (gal/year)
User Defined Industrial	0.00	68,900
General Light Industry	0.00	0.00
Parking Lot	0.00	0.00

5.13. Operational Waste Generation

5.13.1. Unmitigated

Land Use	Waste (ton/year)	Cogeneration (kWh/year)
User Defined Industrial	926	—
General Light Industry	10.7	—
Parking Lot	0.00	—

5.14. Operational Refrigeration and Air Conditioning Equipment

5.14.1. Unmitigated

Land Use Type	Equipment Type	Refrigerant	GWP	Quantity (kg)	Operations Leak Rate	Service Leak Rate	Times Serviced
General Light Industry	Other commercial A/C and heat pumps	R-410A	2,088	0.30	4.00	4.00	18.0

5.15. Operational Off-Road Equipment

5.15.1. Unmitigated

Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor
Pumps	Electric	Average	24.0	8.00	15.0	0.74

5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

Equipment Type	Fuel Type	Number per Day	Hours per Day	Hours per Year	Horsepower	Load Factor

5.16.2. Process Boilers

Equipment Type	Fuel Type	Number	Boiler Rating (MMBtu/hr)	Daily Heat Input (MMBtu/day)	Annual Heat Input (MMBtu/yr)

5.17. User Defined

Equipment Type	Fuel Type

8. User Changes to Default Data

Screen	Justification
Construction: Construction Phases	used default construction timing for acreage. Removed demolition and grading since none needed for this site.
Construction: Trips and VMT	Added at least 1 vendor, hauling and onsite truck to each phase per day for material deliveries, debris hauling, and water trucks. Onsite was assumed 10 miles per day.
Operations: Energy Use	From applicant 1,305,374 whr/yr.
Operations: Water and Waste Water	From applicant gallons of water per year. Disposal of wastewater is septic.
Operations: Off-Road Equipment	water pump
Characteristics: Project Details	information on project site
Land Use	Assumed industrial. Square footage to account for all greenhouses and structures. Kept total acreage of parcel.
Operations: Solid Waste	scaled industrial

Appendix B

Special Status Species Desktop Study (Mesa Biological)

December 20, 2024

Susan Pearce
Montrose Environmental
Oakland, CA
Email: smpearce@montrose-env.com

Subject: Special-Status Species Desktop Reviews for the Central Valley Growers Cannabis Site, Stanislaus County, California.

Dear Susan,

The following attachments are provided to support the California Environmental Quality Act (CEQA) Initial Study/Mitigated Negative Declaration (MND) for the Central Valley Growers site located at 1054 Merriam Road, Hickman, Stanislaus County, California.

At the request of Montrose Environmental, MESA Biological LLC (MESA) conducted an evaluation of special-status species on the Central Valley Growers site by performing database queries and compiling the findings into detailed species tables. The standard nine-quadrangle search method, based on United States Geological Survey (USGS) 7.5-minute maps was used. Data sources included the California Natural Diversity Database (CNDDB) RareFind 5, the California Native Plant Society's (CNPS) Online Inventory, and the U.S. Fish and Wildlife Service's Information for Planning and Conservation (IPaC). These queries were designed to identify special-status species that may occur within or near the project site.

Special-status species include plants and wildlife that are proposed for listing, or candidates for listing, as threatened or endangered under the federal Endangered Species Act (FESA) by the U.S. Fish and Wildlife Service (USFWS) and under the California Endangered Species Act (CESA) by the California Department of Fish and Wildlife (CDFW). This category also encompasses plants with a California Rare Plant Rank (CRPR) of 1B, 2, 3, or 4, which are considered rare, threatened, or endangered in California and beyond.

MESA's database queries identified 21 special-status plants with a CRPR ranking of 1B or 2 that are known or have the potential to occur in the region. Additionally, the assessment included a total of 45 special-status wildlife species. These findings were evaluated and compiled into the special-status species table provided below. This table includes detailed descriptions of habitat requirements and a rationale for the likelihood of each species' presence on-site. Species were classified into one of four categories based on their potential to occur:

- **None**: Unlikely to occur due to the absence of suitable habitat and no documented occurrences nearby.
- **Not Expected**: Unlikely to occur because of marginal or limited habitat and few or no nearby occurrences.
- **Possible**: May occur, as suitable habitat is present and documented occurrences exist within a reasonable distance.
- **Occurs**: Known to occur, with optimal habitat on-site and confirmed records nearby.

This systematic classification ensures a clear, thorough, and transparent evaluation of the potential presence of special-status species, in compliance with CEQA's environmental analysis requirements.

To enhance the evaluation, MESA reviewed historical CNDDB observational data within a 5-mile radius of the Central Valley Growers site and included maps illustrating these historical observations near the project area. This analysis provides critical information for assessing special-status species, ensuring CEQA compliance, supporting informed decision-making, and addressing potential environmental concerns related to the project.
Regards,



Paul Rosebush
Project Manager/Senior Biologist
MESA Biological LLC.

Attachment A	*Special Status Plants in the Regional Vicinity of the* Central Valley Growers.
Attachment B	*CNDDB Sensitive Plant Observations within 5-Miles of the* Central Valley Growers *Site*
Attachment C	*Special Status Wildlife in the Regional Vicinity of the* Central Valley Growers *Site*
Attachment D	*CNDDB Sensitive Wildlife Observations within 5-Miles of the* Central Valley Growers *Site*
Attachment E	*CNDDB Nine USGS 7.5-Minute Quad Review Surrounding the* Central Valley Growers *Site*

Attachment F *CNPS Nine USGS 7.5-Minute Quad Review Surrounding the* Central Valley Growers *Site*

Attachment G *USFWS IPaC Resource List - Stanislaus County* – Central Valley Growers *Site*

Attachment A – Special Status Plants in the Regional Vicinity of the Central Valley Growers Site

Special-Status Plant Species in the Regional Vicinity (Nine Quad) of the Evaluation Site

Scientific Name Common Name	Status (Fed/State) (CRPR)	Habitat Requirements	Potential to Occur	Discussion
Plants				
alkali milk-vetch (*Astragalus tener* var. *tener*)	None/None 1B.2	Occurs in playas, valley and foothill grasslands (adobe clay), and vernal pools. Elevation: 5 – 195 feet Blooms: Mar - Jun	**Not Expected**	The site has been heavily disturbed, providing little to no potential for alkali milk-vetch to occur, and there are no recorded CNDDB occurrences within a 5-mile radius.
alkali-sink goldfields (*Lasthenia chrysantha*)	None/None 1B.1	Occurs in wet alkaline soil or vernal pool habitats associated with *Atriplex spinifera*. Elevation: 0 - 655 feet Blooms: Feb - Apr	**Not Expected**	The site has been heavily disturbed, providing little to no potential for alkali-sink goldlfields to occur, and there are no recorded CNDDB occurrences within a 5-mile radius.
big tarplant (*Blepharizonia plumosa*)	None/None 1B.1	Occurs in valley and foothill grassland. Elevation: 100 – 1655 feet Blooms: Jul - Oct	**Not Expected**	Although CNDDB records indicate observations of big tarplant within 5-miles of the project site, the site itself has been heavily disturbed and offers little to no potential for the species to occur.
California alkali grass (*Puccinellia simplex*)	None/None 1B.2	Found in alkaline or vernally mesic soils associated with sinks, flats and lake margins in chenopod scrub, meadow seep, Valley and foothill grassland and vernal pool habitats. Elevation: 5 - 3050 feet Blooms: Mar - May	**Not Expected**	The site has been heavily disturbed, providing little to no potential for California alkali grass to occur, and there are no recorded CNDDB occurrences within a 5-mile radius.
delta button-celery *(Eryngium racemosum)*	None/SE 1B.1	Occurs in riparian scrub. Elevation: 10 – 100 feet Blooms: (May)Jun-Oct	**Not Expected**	Although CNDDB records indicate observations of delta button-celery within 5-miles of the project site, the site itself has been heavily disturbed and offers little to no potential for the species to occur.
diamond-petaled California poppy *(Eschscholzia rhombipetala)*	None/None 1B.1	Occurs in valley and foothill grasslands associated with alkaline, clay slopes, and flats. Elevation: 0 – 3200 feet Blooms: Mar - Apr	**Not Expected**	Although CNDDB records indicate observations of diamond-petaled California poppy within 5-miles of the project site, the site itself has been heavily disturbed and offers little to no potential for the species to occur.

Scientific Name Common Name	Status (Fed/State) (CRPR)	Habitat Requirements	Potential to Occur	Discussion
hard bushmallow *(Malacothamnus hallii)*	None/None 1B.2	Occurs in chaparral and coastal scrub. Elevation: 35 – 2495 feet Blooms: May – Sep	**Not Expected**	The site has been heavily disturbed, providing little to no potential for hard bushmallow to occur, and there are no recorded CNDDB occurrences within a 5-mile radius.
heartscale (*Atriplex cordulata* var. *cordulata*)	None/None 1B.2	Occurs in alkaline flats and scalds in sandy soils of the Central Valley. Found in chenopod scrub, meadows and seeps and valley and foothill grasslands. Elevation: 0 – 1835 feet Blooms: Apr - Oct	**Not Expected**	The site has been heavily disturbed, providing little to no potential for heartscale to occur, and there are no recorded CNDDB occurrences within a 5-mile radius.
Lemmon's jewelflower (*Caulanthus lemmonii*)	None/None 1B.2	Occurs in pinyon and juniper woodland, valley and foothill grassland. Elevation: 260 – 5185 feet Blooms: Feb - May	**Not Expected**	Although CNDDB records indicate observations of Lemmon's jewelflower within 5-miles of the project site, the site itself has been heavily disturbed and offers little to no potential for the species to occur.
lesser saltscale *(Atriplex minuscula)*	None/None 1B.1	Occurs in chenopod scrub, playas, and valley and foothill grassland. Elevation: 50 – 655 feet Blooms: May - Oct	**Not Expected**	The site has been heavily disturbed, providing little to no potential for lesser saltscale to occur, and there are no recorded CNDDB occurrences within a 5-mile radius.
Mt. Diablo phacelia *(Phacelia phaceloides)*	None/None 1B.2	Occurs in chaparral or cismontane woodland. Found in rocky areas. Elevation: 1640 – 4495 feet Blooms: Apr – May	**Not Expected**	The site has been heavily disturbed, providing little to no potential for Mt. Diablo phacelia to occur, and there are no recorded CNDDB occurrences within a 5-mile radius.
Mt. Hamilton coreopsis *(Leptosyne hamiltonii)*	None/None 1B.2	Occurs in cismontane woodland. Found in rocky areas. Elevation: 1805 – 4265 feet Blooms: Mar – May	**Not Expected**	The site has been heavily disturbed, providing little to no potential for Mt. Hamilton coreopsis to occur, and there are no recorded CNDDB occurrences within a 5-mile radius.

Scientific Name Common Name	Status (Fed/State) (CRPR)	Habitat Requirements	Potential to Occur	Discussion
prairie wedge grass *(Sphenopholis obtusata)*	None/None 2B.2	Occurs in cismontane woodland, meadows, and seeps Elevation: 985 – 6560 feet Blooms: Apr - Jul	**Not Expected**	The site has been heavily disturbed, providing little to no potential for prairie wedge grass to occur, and there are no recorded CNDDB occurrences within a 5-mile radius.
red-flowered bird's-foot trefoil *(Acmispon rubriflorus)*	None/None 1B.1	Occurs in cismontane woodland, valley and foothill grassland. Elevation: 655 – 1395 feet Blooms: Apr – Jun	**Not Expected**	The site has been heavily disturbed, providing little to no potential for red-flowered bird's-foot trefoil to occur, and there are no recorded CNDDB occurrences within a 5-mile radius.
shining navarretia *(Navarretia nigelliformis* snowey*radians)*	None/None 1B.2	Occurs in cismontane woodland, valley and foothill grassland, and vernal pools. Elevation: 215 – 3280 feet Blooms: (Mar)Apr - Jul	**Not Expected**	The site has been heavily disturbed, providing little to no potential for shining navarretia to occur, and there are no recorded CNDDB occurrences within a 5-mile radius.
showy golden madia *(Madia radiata)*	None/None 1B.1	Occurs in cismontane woodland, valley and foothill grassland. Elevation: 80 – 3985 feet Blooms: Mar – May	**Not Expected**	The site has been heavily disturbed, providing little to no potential for showy golden madia to occur, and there are no recorded CNDDB occurrences within a 5-mile radius.
slough thistle *(Cirsium crassicaule)*	None/None 1B.1	Occurs in chenopod scrub, riparian scrub. Found in marshes, swamps, or sloughs. Elevation: 10 – 330 feet Blooms: May – Aug	**Not Expected**	The site has been heavily disturbed, providing little to no potential for slough thistle to occur, and there are no recorded CNDDB occurrences within a 5-mile radius.
spiny-sepaled button-celery *(Eryngium spinosepalum)*	None/None 1B.2	Occurs in vernal pools and valley and foothill grassland. Elevation: 260 – 3200 feet	**Not Expected**	The site has been heavily disturbed, providing little to no potential for spiny-sepaled button-celery to occur, and there are no recorded CNDDB occurrences within a 5-mile radius.
talus fritillary *(Fritillaria falcata*)	None/None 1B.2	Occurs in cismontane woodland, chaparral, and lower montane coniferous forest. Found in serpentine or talus. Elevation: 985 – 5005 feet Blooms: Mar – May	**Not Expected**	The site has been heavily disturbed, providing little to no potential for talus fritillary to occur, and there are no recorded CNDDB occurrences within a 5-mile radius.

Scientific Name Common Name	Status (Fed/State) (CRPR)	Habitat Requirements	Potential to Occur	Discussion
Tracy's eriastrum (*Eriastrum tracyi*)	None/SR	Occurs in gravelly shale or clay most often in open areas of chaparral, cismontane woodland and valley and foothill grasslands. Elevation: 1030 – 7900 feet Blooms: May - July	**Not Expected**	The site has been heavily disturbed, providing little to no potential for Tracy's eriastrum to occur, and there are no recorded CNDDB occurrences within a 5-mile radius.
vernal pool smallscale *(Atriplex persistens)*	None/None 1B.2	Occurs in vernal pools (alkaline). Elevation: 35 – 375 feet Blooms: Jun - Oct	**Not Expected**	The site has been heavily disturbed, providing little to no potential for vernal pool smallscale to occur, and there are no recorded CNDDB occurrences within a 5-mile radius.
Sensitive Vegetation Communities				
Coastal and Valley Freshwater Marsh			**None**	The site consists of previously disturbed lands that lack native habitats, including sensitive vegetation communities.
Elderberry Savanna			**None**	The site consists of previously disturbed lands that lack native habitats, including sensitive vegetation communities.
Great Valley Cottonwood Riparian Forest			**None**	The site consists of previously disturbed lands that lack native habitats, including sensitive vegetation communities.
Great Valley Mixed Riparian Forest			**None**	The site consists of previously disturbed lands that lack native habitats, including sensitive vegetation communities.
Great Valley Valley Oak Riparian Forest			**None**	The site consists of previously disturbed lands that lack native habitats, including sensitive vegetation communities.
Elderberry Savanna			**None**	The site consists of previously disturbed lands that lack native habitats, including sensitive vegetation communities.

FE = Federally Endangered
FC = Federal Candidate
FT = Federally Threatened
SE = State Endangered
ST = State Threatened
SC = State Candidate
SR = State Rare

CNPR (CNPS California Rare Plant Rank):

1A = Plants presumed extirpated in California

1B = Plants rare, threatened, or endangered in California and elsewhere

CRPR Threat Code Extension

.1 = Seriously endangered in California (over 80% of occurrences threatened / high degree and immediacy of threat)
.2 = Fairly endangered in California (20%-80% occurrences threatened)
.3 = Not very endangered in California (<20% of occurrences threatened)

Potential to Occur Classifications

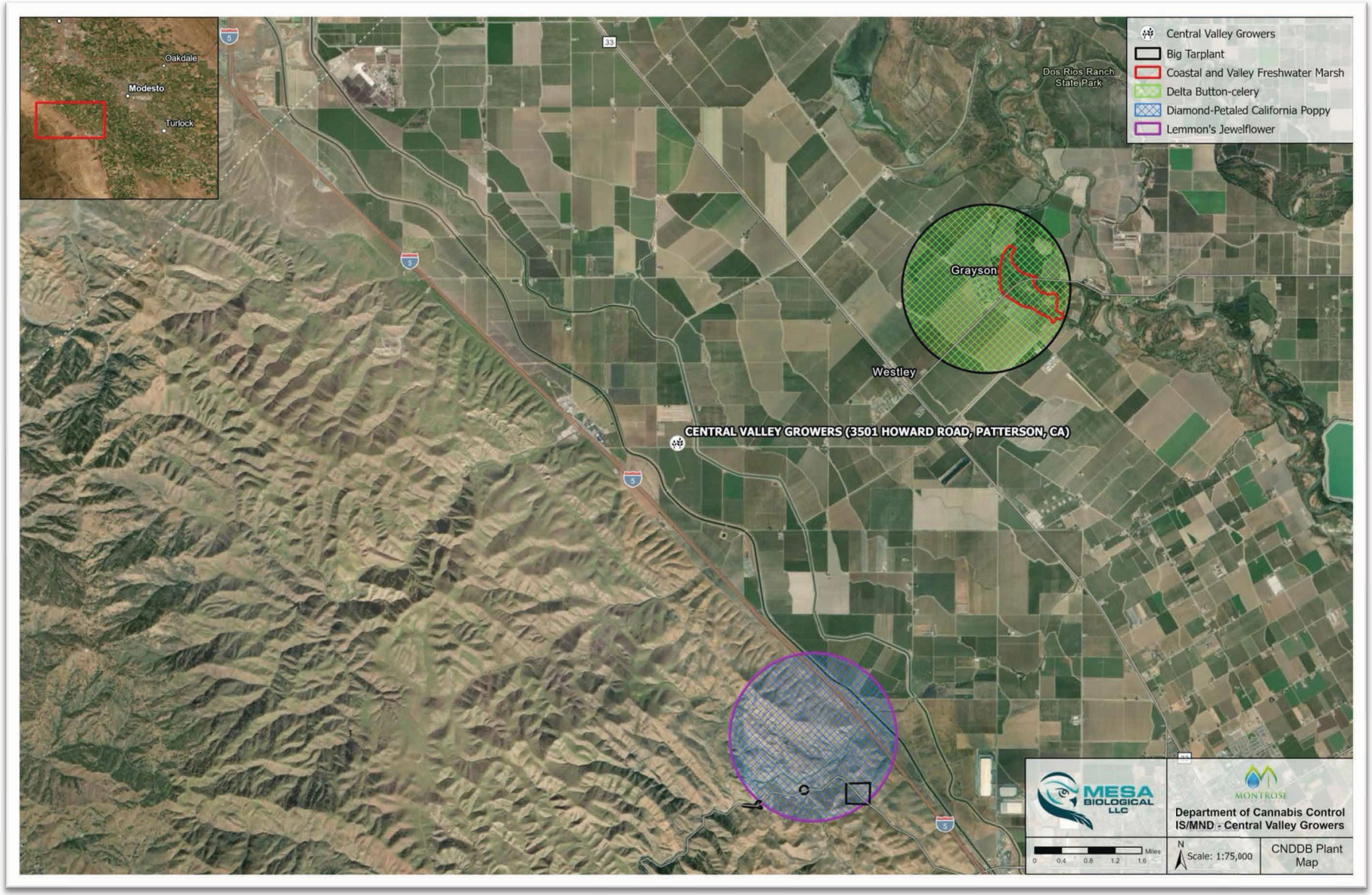
None: classification indicates that the species is determined to be completely absent from the site. This determination is based on the absence of suitable habitat features required by the species, a lack of documented occurrences in the local area or surrounding quadrangles, and environmental conditions incompatible with the species' known habitat requirements.

Not Expected classification is used for species that are unlikely to occur at the site but cannot be entirely ruled out. This classification applies when the site contains minimal or limited habitat features that are suboptimal for the species. Few or no documented occurrences exist in the surrounding area, and the site may experience environmental factors such as disturbance or habitat fragmentation that make it unlikely for the species to inhabit or use the area.

Possible classification is assigned to species that have a reasonable likelihood of occurring on the site. This classification applies when the site contains suitable habitat that meets the species' known requirements, and there are documented occurrences within a reasonable distance, such as nearby quadrangles or within the species' typical range. Species in this category may use the site seasonally, sporadically, or for specific life history activities like foraging, breeding, or migration.

Occurs: classification is used for species that are known to inhabit or regularly use the site. This determination is based on the presence of optimal or high-quality habitat that fully meets the species' requirements, along with confirmed records of the species' presence in close proximity, such as direct observations or documented data. Environmental conditions and habitat features at the site are well-suited for the species' long-term or consistent presence.

Attachment B –
CNDDB Sensitive Plant Observations within 5-Miles of the Central Valley Growers Site


Central Valley Growers
Big Tarplant
Coastal and Valley Freshwater Marsh
Delta Button-celery
Diamond-Petaled California Poppy
Lemmon's Jewelflower
Oakdale
Modesto
Turlock
Dos Rios Ranch State Park
Grayson
Westley
CENTRAL VALLEY GROWERS (3501 HOWARD ROAD, PATTERSON, CA)
MESA BIOLOGICAL LLC
MONTROSE
Department of Cannabis Control
IS/MND - Central Valley Growers
Miles
0 0.4 0.8 1.2 1.6
N
Scale: 1:75,000
CNDDB Plant Map

Attachment C – Special Status Wildlife in the Regional Vicinity of the Central Valley Growers Site

Special-Status Wildlife Species in the Regional Vicinity (Nine Quad) of the Evaluation Site

Scientific Name Common Name	Status Fed/State ESA	Habitat Requirements	Potential to Occur	Discussion
Crustaceans				
conservancy fairy shrimp (*Branchinecta conservatio*)	FE/None	Conservancy fairy shrimp inhabit seasonal vernal pools and other astatic rain-filled depressions in grassland and woodland areas, requiring freshwater habitats that form during winter and spring rains.	**None**	Conservancy fairy shrimp are unlikely to occur in previously disturbed lands, as such areas typically lack the intact soil structure, hydrology, and native vegetation necessary to support their specialized vernal pool habitats. Furthermore, no CNDDB records of conservancy fairy shrimp have been documented within a 5-mile radius of the site.
vernal pool fairy shrimp (*Branchinecta lynchi*)	FT/None	Vernal pool fairy shrimp inhabit seasonal vernal pools and other shallow, astatic freshwater depressions in grasslands and woodlands, requiring temporary rain-filled habitats with suitable water quality and duration.	**None**	Although there are CNDDB records of this species within 5-miles of the site, vernal pool fairy shrimp are unlikely to occur in previously disturbed lands because such disturbances often disrupt the soil structure, hydrology, and pool formation necessary to sustain their specialized vernal pool habitats.
vernal pool tadpole shrimp (*Lepidurus packardi*)	FE/None	Vernal pool tadpole shrimp inhabit seasonal vernal pools, swales, and other astatic freshwater depressions in grasslands, relying on rain-filled habitats with a clay or hardpan substrate that retains water long enough for their life cycle to complete.	**None**	Vernal pool tadpole shrimp are unlikely to occur in previously disturbed lands, as disturbances often degrade or eliminate the intact soil layers, hydrology, and conditions required to support their specialized vernal pool habitats. These features are not present on the project site. Furthermore, there are no CNDDB records of this species within a 5-mile radius of the site.
Amphibians				

Scientific Name Common Name	Status Fed/State ESA	Habitat Requirements	Potential to Occur	Discussion
California tiger salamander (*Ambystoma californiense*)	FT/ST/WL	California tiger salamanders inhabit grasslands and low-elevation woodlands with vernal pools, seasonal ponds, or other temporary water bodies for breeding. They rely on underground refuges, such as small mammal burrows, for shelter during their terrestrial life stages.	**None**	California tiger salamanders are unlikely to occur in previously disturbed lands surrounded by agriculture, as these areas often lack the vernal pools, seasonal wetlands, and intact small mammal burrows required for breeding, foraging, and sheltering. No CNDDB records occur within 5-miles of the site.
foothill yellow-legged frog – central coast DPS (*Rana boylii* pop. *4*)	FT/SE	The foothill yellow-legged frog inhabits perennial streams and rivers with rocky substrates, open sunny banks, and shallow pools. These habitats are typically found in foothill and mountain regions with various vegetation types, including riparian zones, hardwood forests, and chaparral. The species depends on clean, flowing water for breeding and is rarely found far from stream edges.	**None**	Although there are CNDDB records of this species within 5-miles of the site, the Central Coast foothill yellow-legged frog is unlikely to occur in previously disturbed lands surrounded by agriculture, as these areas often lack the clean, rocky streams with natural flow regimes and shaded riparian habitats essential for their breeding, foraging, and sheltering needs.
western spadefoot toad *(Spea hammondii*)	PT/SSC	The western spadefoot inhabits grasslands, open scrublands, and occasionally agricultural areas with loose, sandy, or gravelly soils. It relies on temporary, rain-filled pools and vernal pools for breeding and spends most of its life underground in burrows, emerging primarily during wet conditions.	**None**	The western spadefoot toad is unlikely to occur in previously disturbed lands surrounded by agriculture, as such areas often lack the seasonal rain-filled pools and loose, undisturbed soils necessary for breeding, burrowing, and completing their life cycle. Additionally, no CNDDB records of this species exist within 5-miles of the site.
Reptiles				

Scientific Name Common Name	Status Fed/State ESA	Habitat Requirements	Potential to Occur	Discussion
northern California legless lizard (*Anniella pulchra*)	None/SSC	Northern California legless lizard inhabits sandy or loose loamy soils in coastal dunes, chaparral, oak woodlands, and scrub habitats. It requires areas with abundant leaf litter, decaying vegetation, or other ground cover for burrowing and protection, avoiding heavily disturbed or compacted soils.	**Not Expected**	Although CNDDB records of this species occur within 5-miles of the site, the northern California legless lizard is unlikely to occur in previously disturbed lands surrounded by agriculture, as these areas often lack the loose, sandy or loamy soils and vegetative cover necessary for burrowing and sheltering. Habitat disturbances typically remove the ground litter and soil conditions critical for this species.
northwestern pond turtle (*Actinemys marmorata*)	FPT/SSC	The northwestern pond turtle inhabits a variety of freshwater environments, including ponds, lakes, rivers, streams, and marshes, often with basking sites like logs or rocks. It requires aquatic habitats with slow-moving or still water and nearby upland areas for nesting and overwintering, often preferring sites with soft, sandy, or loamy soils.	**None**	The northwestern pond turtle is unlikely to occur in previously disturbed lands surrounded by agriculture, as such areas often lack the calm, clean water bodies with suitable basking sites and nearby upland areas required for nesting, foraging, and overwintering. Disturbances typically degrade or eliminate these essential habitat features. No CNDDB observations have been recorded within 5-miles of the site.
San Joaquin coachwhip (*Masticophis flagellum ruddocki*)	None/SSC	The San Joaquin coachwhip inhabits open, dry habitats such as grasslands, deserts, scrublands, and agricultural areas, often with sparse vegetation. It requires loose, well-drained soils for burrowing and may use small mammal burrows or natural cover for shelter, frequently ranging widely in search of prey.	**Not Expected**	Although the CNDDB records show occurrences of this species within five miles of the project site, the San Joaquin coachwhip is unlikely to occur in previously disturbed lands surrounded by agriculture, as these areas often lack the open, undisturbed habitats with loose soils, sparse vegetation, and natural cover required for foraging, shelter, and movement. Disturbances typically reduce habitat quality and prey availability essential for this species.
Birds				

Scientific Name Common Name	Status Fed/State ESA	Habitat Requirements	Potential to Occur	Discussion
burrowing owl (*Athene cunicularia*)	None/SC/SSC	The burrowing owl inhabits open areas with sparse vegetation, such as grasslands, deserts, agricultural fields, and urban landscapes. It relies on burrows, often abandoned by mammals, for nesting and shelter, and it can adapt to disturbed environments like golf courses, airports, and road embankments if suitable prey and burrow availability exist.	**Possible**	The burrowing owl may occur in previously disturbed lands if suitable conditions, such as open areas with sparse vegetation, abandoned mammal burrows for nesting, and sufficient prey availability, are present. However, extensive disturbances that remove burrows or significantly alter the landscape reduce the likelihood of their presence. CNDDB records occur within 5-miles of the site.
cackling goose (*Branta hutchinsii leucopareia*)	FD/WL	The cackling goose inhabits wetlands, lakes, rivers, and grassy fields during migration and wintering periods. It prefers areas near water for resting and forages in open fields or pastures, feeding on grasses, grains, and other vegetation.	**None**	CNDDB records indicate the presence of cackling goose within five miles of the site, with the most recent record dating back to 1987. The cackling goose may occasionally occur in previously disturbed lands if open fields or water sources are available for foraging and resting during migration or wintering. However, heavily altered landscapes lacking these features significantly reduce the likelihood of their presence.
California condor (*Gymnogyps californianus*)	FE/SE	The California condor inhabits rugged canyons, cliffs, and open savannas in mountainous or coastal areas. It requires large, remote territories for foraging and nesting, feeding primarily on carrion. Nesting often occurs in caves, crevices, or large trees, with minimal human disturbance critical for its survival.	**None**	The California condor requires vastly open areas and high vantage points. The project site is relatively flat and within a developed area surrounded by agricultural fields. The species is not expected to nest or forage on the site. Additionally, no CNDDB records exist within 5-miles of the site.
California horned lark (*Eremophila alpestris actia*)	None/WL	The California horned lark inhabits open, sparsely vegetated areas such as grasslands, deserts, coastal plains, agricultural fields, and alpine meadows. It prefers flat or gently sloping terrain with short grasses or bare ground for nesting and foraging.	**Possible**	The California horned lark may occur in previously disturbed lands if the area retains open, sparsely vegetated habitats suitable for foraging and nesting. However, significant disturbances that eliminate bare ground or low vegetation can reduce the likelihood of their presence. No CNDDB records exist within 5-miles of the site.

Scientific Name Common Name	Status Fed/State ESA	Habitat Requirements	Potential to Occur	Discussion
great blue heron (*Ardea herodias*)	None/None	The great blue heron inhabits wetlands, rivers, lakes, estuaries, and coastal areas, typically near shallow waters where it forages for fish, amphibians, and small mammals. It nests in trees, shrubs, or on the ground near water, often forming colonies in areas with minimal disturbance.	**Not Expected**	The great blue heron may occur in previously disturbed lands if suitable water sources, such as ponds, lakes, or wetlands, are present for foraging. There have been no recent CNDDB occurrences of this species within 5-miles of the site.
least Bell's vireo (*Vireo bellii pusillus*)	FE/SE	The least Bell's vireo inhabits riparian habitats with dense willow, mulefat, or cottonwood thickets and an understory of shrubs. It requires areas near slow-moving streams or rivers for breeding and foraging, often selecting habitats with minimal disturbance during the nesting season.	**None**	Although CNDDB records of this species occur within 5-miles of the site, the least Bell's vireo is unlikely to occur in previously disturbed lands, as these areas typically lack the dense riparian vegetation and nearby water sources required for nesting and foraging.
loggerhead shrike (*Lanius ludovicianus*)	None/SSC	The loggerhead shrike inhabits open habitats such as grasslands, shrublands, agricultural fields, and deserts with scattered trees, shrubs, or fence lines for perching. It prefers areas with a mix of open ground for hunting and dense vegetation or structures for impaling prey and nesting.	**Possible**	Although no CNDDB records occur within 5-miles of the site. The loggerhead shrike may occur in previously disturbed lands if scattered trees, shrubs, or perching structures remain for nesting and hunting. CNDDB records within five miles of the project site have been observed.
prairie falcon (*Falco mexicanus*)	None/WL	The prairie falcon inhabits open landscapes such as grasslands, deserts, shrublands, and agricultural areas, often near cliffs or rocky outcrops used for nesting. It hunts in open areas, preying on small mammals, birds, and reptiles, and requires minimal human disturbance for successful breeding.	**Not Expected**	The prairie falcon may occur in previously disturbed lands surrounded by agricultural fields if the area provides open landscapes for hunting and sufficient prey, such as small mammals and birds. Although CNDDB records occur within 5-miles, the lack of natural cliffs or rocky outcrops for nesting in such disturbed environments reduces the likelihood of breeding activity.

Scientific Name Common Name	Status Fed/State ESA	Habitat Requirements	Potential to Occur	Discussion
snowy egret (*Egretta thula*)	None/None	The snowy egret inhabits wetlands, including marshes, swamps, tidal flats, estuaries, and the edges of lakes and rivers. It forages in shallow waters for fish, amphibians, and invertebrates and nests in colonies, typically in trees or shrubs near water.	**Not Expected**	The snowy egret may occur in previously disturbed lands surrounded by agricultural fields if water sources, such as irrigation canals or ponds are present for foraging. Extensive disturbances that eliminate aquatic habitats or reduce prey availability significantly decrease the likelihood of their presence. No CNDDB records occur within 5-miles of the site.
song sparrow ("Modesto" population) (*Melospiza melodia* pop. 1)	None/SSC	The Modesto population of the song sparrow inhabits emergent freshwater marshes with dense vegetation like tules and cattails, as well as riparian willow thickets and vegetated irrigation canals. It prefers early successional wetlands and riparian habitats with sufficient understory for nesting and foraging.	**Not Expected**	The Modesto population of the song sparrow may occur in previously disturbed lands surrounded by agricultural fields if suitable riparian vegetation, such as willows or blackberry thickets, remains intact. However, extensive disturbances that remove dense vegetation or riparian habitats reduce the likelihood of their presence. No CNDDB records occur within 5-miles.
Swainson's hawk (*Buteo swainsoni*)	None/ST	Swainson's hawk inhabits open grasslands, agricultural fields, and desert scrublands, often near riparian corridors or scattered trees for nesting. It relies on open landscapes for foraging, primarily preying on small mammals, birds, and insects, and prefers areas with minimal human disturbance during the breeding season.	**Possible**	Swainson's hawks may occur in previously disturbed lands surrounded by agricultural fields if suitable nesting trees, tall structures and open areas for foraging on small mammals and insects are present. However, significant disturbances that eliminate nesting sites or reduce prey availability can limit their presence. CNDDB observations of Swainson's hawk have been recorded within 5-miles.

Scientific Name Common Name	Status Fed/State ESA	Habitat Requirements	Potential to Occur	Discussion
tricolored blackbird (*Agelaius tricolor*)	None/ST/SSC	The tricolored blackbird inhabits freshwater marshes, grasslands, and agricultural fields, favoring dense vegetation such as cattails, bulrushes, or blackberries for nesting. It forms large breeding colonies near water and forages in nearby open areas, feeding on insects, seeds, and grains.	**Not Expected**	The tricolored blackbird may occur in previously disturbed lands surrounded by agricultural fields if dense vegetation, such as cattails, bulrushes, or blackberries, is available for nesting and nearby open areas provide foraging opportunities. However, extensive disturbances that remove suitable nesting habitat or reduce food availability significantly decrease the likelihood of their presence. CNDDB records indicate multiple observations within 5-miles of the site.
western yellow-billed cuckoo *(Coccyzus americanus occidentalis)*	FT/SE	The western yellow-billed cuckoo requires riparian woodlands with dense, multilayered vegetation for nesting and foraging. It is primarily associated with areas dominated by cottonwood, willow, or other broad-leaved deciduous trees near water sources, such as rivers or streams. These habitats provide the insects, especially caterpillars, that make up a significant portion of its diet. The cuckoo relies on large, contiguous patches of riparian habitat to support its breeding and feeding needs and is highly sensitive to habitat fragmentation and degradation.	**Not Expected**	The potential for this species to occur in previously disturbed land surrounded by agriculture is low. This species relies on dense, contiguous riparian woodlands with broad-leaved trees such as cottonwood and willow, which are often absent in agricultural landscapes. Habitat fragmentation and agricultural activities typically reduce the suitability of such areas for the cuckoo. No CNDDB records occur within 5-miles of the site.
Fish				
green sturgeon (*Acipenser medirostris* pop. 1)	FT/SSC	The green sturgeon inhabits estuaries, bays, and coastal marine environments, migrating to freshwater rivers for spawning. It requires deep pools with cobble, gravel, or sandy substrates in large, fast-flowing rivers for spawning and rearing, often in areas with minimal disturbance and suitable water quality.	**None**	Green sturgeons are absent in previously disturbed lands surrounded by agricultural fields, as they require clean, free-flowing rivers with deep pools and suitable substrates for spawning. No CNDDB records occur within 5-miles of the site.

Scientific Name Common Name	Status Fed/State ESA	Habitat Requirements	Potential to Occur	Discussion
hardhead (*Mylopharodon conocephalus*)	None/SSC	The hardhead is a freshwater fish found in clear, warm streams and rivers with low to moderate flow in California. It prefers habitats with deep pools, slow-moving waters, and substrates of sand, gravel, or cobble, often associated with dense aquatic vegetation or shaded areas. Hardheads thrive in areas with good water quality and minimal human disturbance.	**None**	The hardhead inhabits medium to large streams and rivers in California, typically at low to mid-elevations. They prefer deep pools with rocky or sandy substrates and relatively undisturbed conditions. However, no aquatic habitat is present within the site and no CNDDB records of this species occur within 5-miles.
Sacramento splittail (*Pogonichthys macrolepidotus*)	None/SSC	The Sacramento splittail is a freshwater fish endemic to California's Central Valley, primarily inhabiting slow-moving rivers, floodplains, and brackish estuaries. It thrives in shallow, vegetated areas with low salinity and uses floodplains for spawning and rearing, relying on seasonal flooding to create suitable habitat for its life cycle.	**None**	The Sacramento splittail will not occur if suitable floodplain habitats where seasonal inundation are not present. Although CNDDB records occur within 5-miles. No aquatic habitat is present within the site.
steelhead – Central Valley DPS (*Oncorhynchus mykiss irideus* pop. 11)	FT/SSC	Steelhead in the Central Valley inhabit cold, clear rivers and streams with gravel substrates for spawning and rearing. They rely on well-oxygenated water and access to riparian vegetation or woody debris for cover, with juveniles often using riffles and pools for foraging and shelter. These habitats must maintain connectivity to the ocean for their anadromous lifecycle.	**None**	The Steelhead – Central Valley Distinct Population Segment (DPS) inhabits the Sacramento and San Joaquin rivers and their tributaries. The San Joaquin River is present within five miles of the project site that could provide spawning sites for this species. However, no aquatic habitat is present within the site.
Mammals				
American badger (*Taxidea taxus*)	None/SSC	The American badger inhabits open grasslands, prairies, savannas, and shrublands with loose, well-drained soils suitable for digging. It relies on these habitats for burrowing and foraging, preying primarily on small mammals, and is often associated with areas of minimal human disturbance.	**Not Expected**	The American badger may occur in previously disturbed lands surrounded by agricultural fields if sufficient prey, such as small mammals, and undisturbed areas for burrowing are available. However, extensive disturbances that compact soils or eliminate prey populations significantly reduce the likelihood of their presence. No CNDDB records of this species occur within 5-miles.

Scientific Name Common Name	Status Fed/State ESA	Habitat Requirements	Potential to Occur	Discussion
hoary bat (*Lasiurus cinereus*)	None/None	The hoary bat inhabits a wide range of environments, including forests, woodlands, and riparian areas, often near open water. It roosts in the foliage of trees, typically preferring dense, mature forests, and is highly migratory, adapting to different habitats during its seasonal movements.	**Not Expected**	The hoary bat may occur in previously disturbed lands surrounded by agricultural fields if mature trees or wooded areas remain for roosting and open spaces or water sources are available for foraging. However, significant disturbances that remove suitable roosting sites or foraging opportunities reduce the likelihood of their presence. The hoary bat has been recorded within 5-miles of the site.
riparian (=San Joaquin Valley) woodrat (*Neotoma fuscipes riparia*)	FE/SSC	The San Joaquin Valley riparian woodrat inhabits dense riparian forests and thickets, primarily along rivers and streams in the San Joaquin Valley. It relies on areas with abundant vegetation, such as willows, cottonwoods, and wild grape, for shelter and food. This species constructs nests in tree cavities, burrows, or dense vegetation and requires well-structured riparian habitats with minimal disturbance.	**Not Expected**	The riparian woodrat requires a combination of vegetative features (e.g. bushes or trees), and access to aquatic features. Although the site contains some trees, there is a low potential for the species to forage and nest on the project site. No CNDDB records of this species have been observed within 5-miles of the site.
riparian brush rabbit (*Sylvilagus bachmani riparius*)	FE/SE	The riparian brush rabbit inhabits dense riparian forests and shrublands, primarily in the San Joaquin Valley, where it relies on areas with dense understory vegetation such as willows, blackberries, and wild roses for cover and foraging. This species requires intact riparian habitats with proximity to water and elevated areas for refuge during flooding events.	**Not Expected**	Although CNDDB records of this species occur within 5-miles of the site, the riparian brush rabbit relies on dense riparian vegetation, such as willows, blackberries, and wild roses, for cover and foraging. Habitat disturbances that eliminate riparian habitats or reduce connectivity to suitable refuge areas significantly decrease the likelihood of their presence.

Scientific Name Common Name	Status Fed/State ESA	Habitat Requirements	Potential to Occur	Discussion
San Joaquin kit fox (*Vulpes macrotis mutica*)	FE/ST	The San Joaquin kit fox inhabits arid grasslands, scrublands, and open agricultural areas in California's San Joaquin Valley. It prefers habitats with loose, well-drained soils for digging dens and minimal vegetation for visibility and movement. This species relies on a mix of natural and modified environments, preying on small mammals and birds, and requires large, undisturbed territories to sustain its populations.	**Not Expected**	Although CNDDB records occur within 5-miles of the site, the San Joaquin kit fox is not likely to occur in previously disturbed lands surrounded by agricultural fields if sufficient prey, such as small mammals, and denning opportunities are unavailable. Extensive disturbances that compact soils, eliminate prey populations, or increase human activity significantly reduce the likelihood of their presence.
San Joaquin pocket mouse (*Perognathous inornatus*)	None/None	The San Joaquin pocket mouse inhabits arid grasslands, scrublands, and sandy or gravelly soils in California's San Joaquin Valley. It prefers open habitats with sparse vegetation, using its burrows for shelter and foraging on seeds, grasses, and vegetation. This species thrives in areas with minimal disturbance and loose soils suitable for burrowing.	**Not Expected**	San Joaquin pocket mice are not expected to occur in previously disturbed lands surrounded by agricultural fields as they lack loose, well-drained soils and intact sparse vegetation for burrowing and foraging. Significant disturbances that compact soils or remove habitat features reduce the likelihood of their presence. No CNDDB records occur within 5-miles of the site.
Insects				
American bumble bee (*Bombus pensylvanicus*)	None/None	The American bumble bee inhabits open grasslands, meadows, farmlands, and edge habitats with abundant flowering plants for foraging. It nests in underground burrows, abandoned rodent nests, or other protected areas and requires diverse, pesticide-free floral resources throughout its active season for colony development and survival.	**Possible**	Although CNDDB records of this species occur within 5-miles of the site, the American bumble bee inhabits a variety of open habitats, including farmlands, meadows, grasslands, and open fields. They nest below the grass or underground in tufts of grass, tree cavities, rock piles, or abandoned rodent nests. These bees are known to forage on flowers for pollen and nectar from a wide range of plant genera. The site may provide suitable foraging habitat if they contain a variety of flowering plants that offer ample nectar and pollen sources.

Scientific Name Common Name	Status Fed/State ESA	Habitat Requirements	Potential to Occur	Discussion
California linderiella (*Linderiella occidentalis*)	None/None	In the San Joaquin Valley, California linderiella inhabits seasonal vernal pools and other temporary freshwater habitats with clear, cool water and neutral to slightly alkaline conditions. These pools typically occur in grasslands or open woodlands with intact hydrology and minimal disturbance, relying on seasonal rainfall to form and persist long enough for the species to complete its life cycle.	**None**	The California linderiella is not expected to occur in previously disturbed lands surrounded by agricultural fields because these areas often lack the intact vernal pools and seasonal wetlands with specific hydrological conditions required for its survival and reproduction. Disturbances typically disrupt the soil and hydrology needed to sustain these habitats. This species has not been recorded in the CNDDB within 5-miles of the site.
Crotch's bumble bee (*Bombus crotchii*)	None/SC	Crotch's bumble bee inhabits open scrublands, grasslands, and agricultural areas, primarily in California's arid and semi-arid regions. It forages on a variety of native and cultivated flowering plants and nests in underground burrows or sheltered areas. This species is highly sensitive to habitat loss, pesticide use, and reduced floral diversity.	**Not Expected**	Crotch's bumble bee (*Bombus crotchii*) thrives in environments that offer abundant floral resources, suitable nesting conditions, and a moderate climate, which are essential for its life cycle and population sustainability. The site may provide suitable foraging habitat if they contain a variety of flowering plants that offer ample nectar and pollen sources. No CNDDB records of this species have been observed within 5-miles of the site.
Menke's cuckoo wasp (*Ceratochrysis menkei*)	None/None	Menke's cuckoo wasp is typically found in arid and semi-arid environments, including deserts, scrublands, and open woodlands. It relies on sandy or loose soils for nesting and parasitizes the nests of other solitary wasps or bees. This species thrives in areas with abundant flowering plants that provide nectar for adults and suitable hosts for its reproductive cycle.	**Not Expected**	Although CNDDB records of this species occur within 5-miles of the site, Menke's cuckoo wasp are not expected to occur in previously disturbed lands surrounded by agricultural fields. The site lacks native vegetation for foraging and the dry sandy soils preferred for nesting.

Scientific Name Common Name	Status Fed/State ESA	Habitat Requirements	Potential to Occur	Discussion
Moestan blister beetle (*Lytta moesta*)	None/None	The moestan blister beetle inhabits arid and semi-arid regions, including deserts and grasslands, typically in areas with sandy soils. It is often associated with flowering plants, which provide nectar and pollen for adults. Larvae are parasitic, relying on the nests of ground-dwelling insects, such as bees, for development.	**Not Expected**	Although CNDDB records of this species occur within 5-miles of the site, the moestan blister beetle inhabits portions of central California. Adults are often found on flowers, where they feed on *Lupinus* flowers and seed pods, *Trifolium wormskioldii* in dried vernal pools, and *Eriodium*. They are typically associated with dried vernal pools and vernal pool vegetation.
monarch butterfly (*Danaus plexippus*)	FC/None	In the San Joaquin Valley, the monarch butterfly inhabits areas with abundant milkweed plants (*Asclepias* spp.) for egg-laying and caterpillar feeding, as well as diverse nectar-producing flowers for adult foraging. It utilizes riparian corridors, grasslands, agricultural edges, and urban gardens, requiring minimal pesticide exposure and suitable overwintering sites, such as eucalyptus, pine, or oak groves, for shelter during migration.	**None**	The monarch butterfly is not expected to occur in previously disturbed lands surrounded by agricultural fields because these areas often lack milkweed plants for reproduction and nectar-rich flowering plants for foraging. Additionally, pesticide use and habitat degradation in such areas further reduce their suitability for monarchs. No CNDDB records occur within 5-miles of the site.
obscure bumble bee (*Bombus caliginosus*)	None/None	The obscure bumble bee inhabits diverse habitats, including grasslands, meadows, woodlands, and agricultural areas, where a variety of flowering plants provide nectar and pollen. It typically nests underground in abandoned rodent burrows or in sheltered, grassy areas and is dependent on habitat with abundant floral resources throughout its active season.	**Not Expected**	The obscure bumble bee is not expected to occur in previously disturbed lands surrounded by agricultural fields because these areas often lack the diverse flowering plants and undisturbed nesting sites, such as grassy areas or underground burrows, that are essential for their survival and reproduction. No CNDDB records occur within 5-miles of the site.

Scientific Name Common Name	Status Fed/State ESA	Habitat Requirements	Potential to Occur	Discussion
Red-headed sphecid wasp (*Eucerceris ruficeps*)	None/None	The red-headed sphecid wasp requires open, sandy, or loose soil habitats for nesting, often found in areas such as grasslands, shrublands, or disturbed open spaces with minimal vegetation. These wasps prefer environments with abundant sunlight and proximity to flowering plants, which provide nectar for adults and prey such as caterpillars or spiders to provision their nests. The availability of undisturbed soil for burrow construction and nearby prey populations are critical for their survival and reproductive success.	**Not Expected**	The potential for the red-headed sphecid wasp to occur in previously disturbed land surrounded by agriculture is unlikely. Intensive agricultural activities, such as soil compaction, pesticide use, and lack of natural vegetation, may reduce habitat suitability and prey availability, limiting the wasp's presence in such areas. No CNDDB records occur within 5-miles of the site.
Sacramento anthicid beetle (*Anthicus sacramento*)	None/None	The Sacramento anthicid beetle typically inhabits sandy or loose soils in arid or semi-arid environments, such as grasslands, scrublands, or the edges of riverbanks and streams. This beetle relies on undisturbed soil for burrowing and foraging and is often associated with sparse vegetation that provides food sources, such as detritus and organic material. It is highly sensitive to habitat disturbances, such as soil compaction or vegetation removal, which can significantly impact its survival. Preservation of natural, sandy habitats is critical for the species' persistence.	**Not Expected**	The potential for the Sacramento anthicid beetle to occur in previously disturbed land surrounded by agriculture is low. Agricultural activities, such as soil compaction, vegetation removal, and pesticide use, often degrade the sandy or loose soil habitats the beetle requires. No CNDDB records of this species occur within 5-miles of the site.

Scientific Name Common Name	Status Fed/State ESA	Habitat Requirements	Potential to Occur	Discussion
San Joaquin Valley giant flower-loving fly (*Rhaphiomidas trochilus*)	None/None	The San Joaquin Valley giant flower-loving fly inhabits arid and semi-arid regions, particularly sandy or loose soils in desert scrub, grasslands, or dunes. It relies on open, sparsely vegetated areas with abundant flowering plants for nectar feeding. This species often depends on undisturbed habitats with specific soil conditions for reproduction and larval development.	**Not Expected**	The potential for the San Joaquin Valley giant flower-loving fly to occur in previously disturbed lands surrounded by agriculture is low. This species depends on undisturbed sandy or loose soils for reproduction and flowering plants for nectar feeding. The site lacks both the soil conditions and floral resources required to support its habitat needs, making it unsuitable for the species. The urban and industrial surroundings further reduce the likelihood of its presence. No CNDDB records of this species occur within 5-miles of the site.
valley elderberry longhorn beetle (*Desmorcerus californicus dimorphus*)	FT/None	The valley elderberry longhorn beetle is closely associated with riparian habitats in California's Central Valley, where it depends on elderberry shrubs (*Sambucus* spp.) for all stages of its life cycle. The beetle lays eggs on elderberry stems, and the larvae develop within the pith of live elderberry shrubs. This species requires intact riparian corridors with sufficient elderberry shrubs for breeding, feeding, and shelter.	**Not Expected**	The Valley Elderberry longhorn beetle requires riparian habitats in the Sacramento and San Joaquin Valleys of California. They are closely associated with elderberry shrubs (*Sambucus spp.*). The project site does not provide suitable habitat to occur. No CNDDB records of this species have been observed within 5-miles of the project site.
Mollusks				
western ridged mussel (*Gonidea angulata*)	None/None	The western ridged mussel inhabits freshwater rivers, streams, and lakes with clean, well-oxygenated water and stable substrates such as gravel, sand, or cobble. It requires minimal sedimentation and relies on a host fish for the parasitic larval stage of its life cycle. This species is highly sensitive to habitat degradation, including pollution, sedimentation, and changes in water flow.	**None**	The site lacks clean, well-oxygenated freshwater habitats with stable substrates, such as rivers or streams, which are essential for their survival and reproduction. No CNDDB records of this species have been observed within five miles of the project site.

Scientific Name Common Name	Status Fed/State ESA	Habitat Requirements	Potential to Occur	Discussion
Diablo Range pyrg (*Pyrgulopsis diablensis*)	None/None	The Diablo Range pyrg, a small freshwater snail, requires specific aquatic habitats typically found in springs, seeps, and slow-flowing streams within the Diablo Range. Its survival depends on clean, well-oxygenated water with stable temperatures and minimal pollution. These habitats often feature rocky or sandy substrates and aquatic vegetation, which provide shelter and foraging opportunities. The pyrg is highly sensitive to changes in water quality, flow, and habitat disturbance.	**None**	The potential for the Diablo Range pyrg to occur in a previously disturbed area surrounded by agriculture is low. Agricultural activities often degrade water quality through runoff, sedimentation, and pollution, which can negatively impact the clean, well-oxygenated aquatic habitats the pyrg requires. No CNDDB records of this species occur within 5-miles of the site.

FE = Federally Endangered
FT = Federally Threatened
FC = Federal Candidate Species
FPT = Federally Proposed Threatened
FEX = Federally Extinct
FD = Federal Delisted
ST = State Threatened
SEX = State Extinct
SE = State Endangered
SFP = State Fully Protected
SC = State Candidate
SS = State Sensitive
SSC = CDFW Species of Special Concern
WL = Watch List

Potential to Occur Classifications

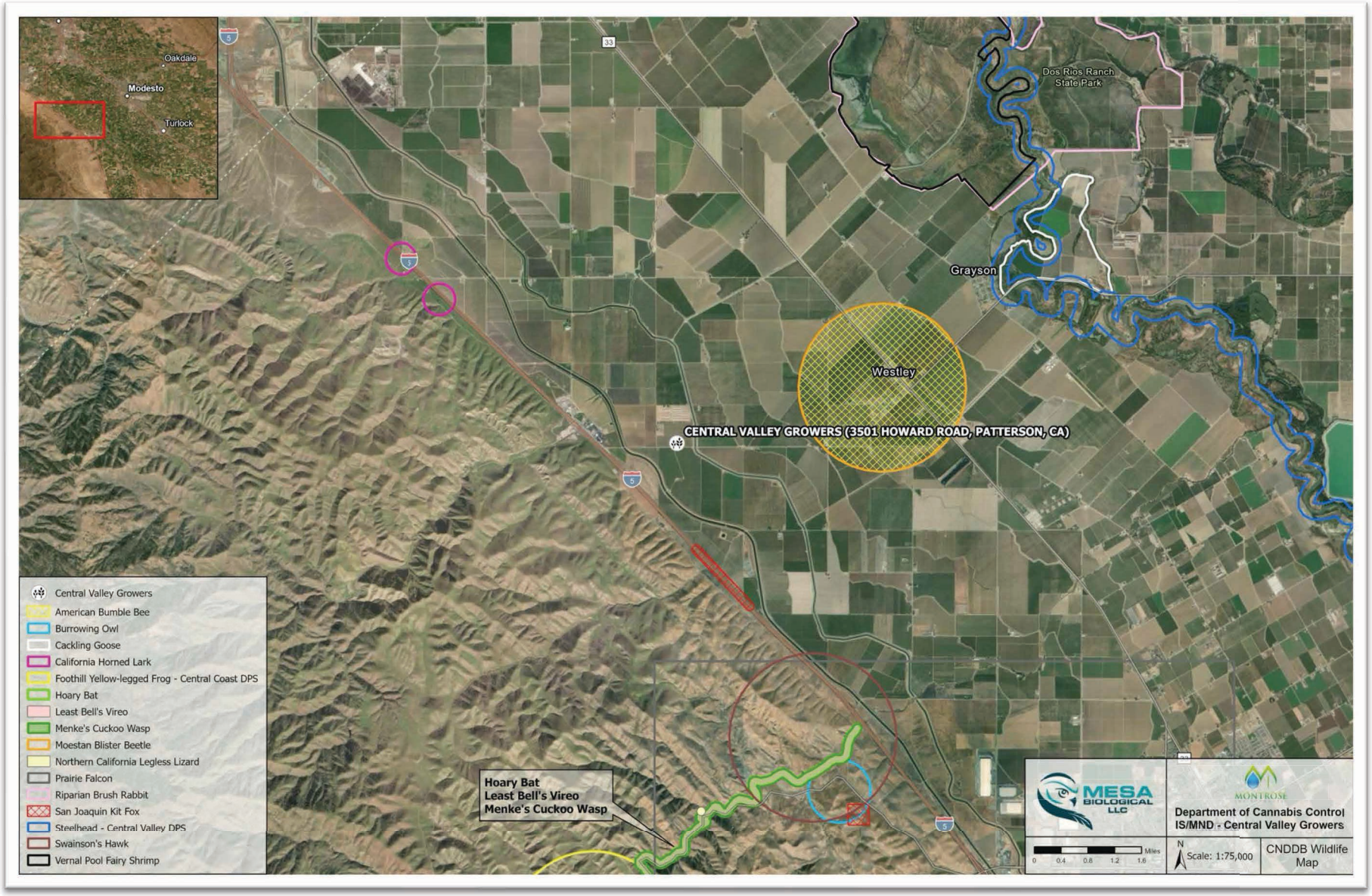
None: classification indicates that the species is determined to be completely absent from the site. This determination is based on the absence of suitable habitat features required by the species, a lack of documented occurrences in the local area or surrounding quadrangles, and environmental conditions incompatible with the species' known habitat requirements.

Not Expected classification is used for species that are unlikely to occur at the site but cannot be entirely ruled out. This classification applies when the site contains minimal or limited habitat features that are suboptimal for the species. Few or no documented occurrences exist in the surrounding area, and the site may experience environmental factors such as disturbance or habitat fragmentation that make it unlikely for the species to inhabit or use the area.

Possible classification is assigned to species that have a reasonable likelihood of occurring on the site. This classification applies when the site contains suitable habitat that meets the species' known requirements, and there are documented occurrences within a reasonable distance, such as nearby quadrangles or within the species' typical range. Species in this category may use the site seasonally, sporadically, or for specific life history activities like foraging, breeding, or migration.

Occurs: classification is used for species that are known to inhabit or regularly use the site. This determination is based on the presence of optimal or high-quality habitat that fully meets the species' requirements, along with confirmed records of the species' presence in close proximity, such as direct observations or documented data. Environmental conditions and habitat features at the site are well-suited for the species' long-term or consistent presence.

Attachment D – CNDDB Sensitive Wildlife Observations within 5-Miles of the Central Valley Growers Site


Oakdale
Modesto
Turlock
Dos Rios Ranch State Park
Grayson
Westley
CENTRAL VALLEY GROWERS (3501 HOWARD ROAD, PATTERSON, CA)
Central Valley Growers
American Bumble Bee
Burrowing Owl
Cackling Goose
California Horned Lark
Foothill Yellow-legged Frog - Central Coast DPS
Hoary Bat
Least Bell's Vireo
Menke's Cuckoo Wasp
Moestan Blister Beetle
Northern California Legless Lizard
Prairie Falcon
Riparian Brush Rabbit
San Joaquin Kit Fox
Steelhead - Central Valley DPS
Swainson's Hawk
Vernal Pool Fairy Shrimp
Hoary Bat
Least Bell's Vireo
Menke's Cuckoo Wasp
MESA BIOLOGICAL LLC
MONTROSE
Department of Cannabis Control
IS/MND - Central Valley Growers
Miles
0 0.4 0.8 1.2 1.6
N
Scale: 1:75,000
CNDDB Wildlife Map

Attachment E – California Natural Diversity Database (CNDDB) Nine USGS 7.5-Minute Quadrangle Review Surrounding the Central Valley Growers Site

Selected Elements by Common Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Westley (3712152) OR Brush Lake (3712151) OR Solyo (3712153) OR Crows Landing (3712141) OR Patterson (3712142) OR Copper Mtn. (3712143) OR Salida (3712161) OR Vernalis (3712163) OR Ripon (3712162))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
alkali milk-vetch *Astragalus tener var. tener*	PDFAB0F8R1	None	None	G2T1	S1	1B.2
alkali-sink goldfields *Lasthenia chrysantha*	PDAST5L030	None	None	G2	S2	1B.1
American badger *Taxidea taxus*	AMAJF04010	None	None	G5	S3	SSC
American bumble bee *Bombus pensylvanicus*	IIHYM24260	None	None	G3G4	S2	
big tarplant *Blepharizonia plumosa*	PDAST1C011	None	None	G1G2	S1S2	1B.1
burrowing owl *Athene cunicularia*	ABNSB10010	None	Candidate Endangered	G4	S2	SSC
cackling (=Aleutian Canada) goose *Branta hutchinsii leucopareia*	ABNJB05035	Delisted	None	G5T3	S3	WL
California alkali grass *Puccinellia simplex*	PMPOA53110	None	None	G2	S2	1B.2
California horned lark *Eremophila alpestris actia*	ABPAT02011	None	None	G5T4Q	S4	WL
California linderiella *Linderiella occidentalis*	ICBRA06010	None	None	G2G3	S2S3	
California tiger salamander - central California DPS *Ambystoma californiense pop. 1*	AAAAA01181	Threatened	Threatened	G2G3T3	S3	WL
Coastal and Valley Freshwater Marsh *Coastal and Valley Freshwater Marsh*	CTT52410CA	None	None	G3	S2.1	
Conservancy fairy shrimp *Branchinecta conservatio*	ICBRA03010	Endangered	None	G2	S2	
Crotch's bumble bee *Bombus crotchii*	IIHYM24480	None	Candidate Endangered	G2	S2	
Delta button-celery *Eryngium racemosum*	PDAPI0Z0S0	None	Endangered	G1	S1	1B.1
Diablo Range pyrg *Pyrgulopsis diablensis*	IMGASJ0980	None	None	G1	S1	
diamond-petaled California poppy *Eschscholzia rhombipetala*	PDPAP0A0D0	None	None	G1	S1	1B.1
Elderberry Savanna *Elderberry Savanna*	CTT63440CA	None	None	G2	S2.1	
foothill yellow-legged frog - central coast DPS *Rana boylii pop. 4*	AAABH01054	Threatened	Endangered	G3T2	S2	

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
great blue heron *Ardea herodias*	ABNGA04010	None	None	G5	S4	
Great Valley Cottonwood Riparian Forest *Great Valley Cottonwood Riparian Forest*	CTT61410CA	None	None	G2	S2.1	
Great Valley Mixed Riparian Forest *Great Valley Mixed Riparian Forest*	CTT61420CA	None	None	G2	S2.2	
Great Valley Valley Oak Riparian Forest *Great Valley Valley Oak Riparian Forest*	CTT61430CA	None	None	G1	S1.1	
green sturgeon - southern DPS *Acipenser medirostris pop. 1*	AFCAA01031	Threatened	None	G2T1	S1	SSC
Hall's bushmallow *Malacothamnus hallii*	PDMAL0Q0F0	None	None	G2	S2	1B.2
hardhead *Mylopharodon conocephalus*	AFCJB25010	None	None	G3	S3	SSC
heartscale *Atriplex cordulata var. cordulata*	PDCHE040B0	None	None	G3T2	S2	1B.2
hoary bat *Lasiurus cinereus*	AMACC05032	None	None	G3G4	S4	
least Bell's vireo *Vireo bellii pusillus*	ABPBW01114	Endangered	Endangered	G5T2	S3	
Lemmon's jewelflower *Caulanthus lemmonii*	PDBRA0M0E0	None	None	G3	S3	1B.2
lesser saltscale *Atriplex minuscula*	PDCHE042M0	None	None	G2	S2	1B.1
loggerhead shrike *Lanius ludovicianus*	ABPBR01030	None	None	G4	S4	SSC
Menke's cuckoo wasp *Ceratochrysis menkei*	IIHYM71050	None	None	G2	S2	
merlin *Falco columbarius*	ABNKD06030	None	None	G5	S3S4	WL
moestan blister beetle *Lytta moesta*	IICOL4C020	None	None	G2	S2	
Mt. Diablo phacelia *Phacelia phacelioides*	PDHYD0C3Q0	None	None	G2	S2	1B.2
Mt. Hamilton coreopsis *Leptosyne hamiltonii*	PDAST2L0C0	None	None	G2	S2	1B.2
Northern California legless lizard *Anniella pulchra*	ARACC01020	None	None	G3	S2S3	SSC
northwestern pond turtle *Actinemys marmorata*	ARAAD02031	Proposed Threatened	None	G2	SNR	SSC
obscure bumble bee *Bombus caliginosus*	IIHYM24380	None	None	G2G3	S1S2	

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
prairie falcon *Falco mexicanus*	ABNKD06090	None	None	G5	S4	WL
prairie wedge grass *Sphenopholis obtusata*	PMPOA5T030	None	None	G5	S2	2B.2
red-flowered bird's-foot trefoil *Acmispon rubriflorus*	PDFAB2A150	None	None	G2	S2	1B.1
redheaded sphecid wasp *Eucerceris ruficeps*	IIHYM18010	None	None	G1G3	S2	
riparian (=San Joaquin Valley) woodrat *Neotoma fuscipes riparia*	AMAFF08081	Endangered	None	G5T1	S1	SSC
riparian brush rabbit *Sylvilagus bachmani riparius*	AMAEB01021	Endangered	Endangered	G5T1	S2	
Sacramento anthicid beetle *Anthicus sacramento*	IICOL49010	None	None	G4	S4	
Sacramento splittail *Pogonichthys macrolepidotus*	AFCJB34020	None	None	G3	S3	SSC
San Joaquin coachwhip *Masticophis flagellum ruddocki*	ARADB21021	None	None	G5T2T3	S3	SSC
San Joaquin kit fox *Vulpes macrotis mutica*	AMAJA03041	Endangered	Threatened	G4T2	S3	
San Joaquin pocket mouse *Perognathus inornatus*	AMAFD01060	None	None	G2G3	S2S3	
San Joaquin Valley giant flower-loving fly *Rhaphiomidas trochilus*	IIDIP05010	None	None	G1	S1	
shining navarretia *Navarretia nigelliformis ssp. radians*	PDPLM0C0J2	None	None	G4T2T3	S2S3	1B.2
showy golden madia *Madia radiata*	PDAST650E0	None	None	G3	S3	1B.1
slough thistle *Cirsium crassicaule*	PDAST2E0U0	None	None	G1	S1	1B.1
snowy egret *Egretta thula*	ABNGA06030	None	None	G5	S4	
song sparrow ("Modesto" population) *Melospiza melodia pop. 1*	ABPBXA3013	None	None	G5T3?Q	S3?	SSC
spiny-sepaled button-celery *Eryngium spinosepalum*	PDAPI0Z0Y0	None	None	G2	S2	1B.2
steelhead - Central Valley DPS *Oncorhynchus mykiss irideus pop. 11*	AFCHA0209K	Threatened	None	G5T2Q	S2	SSC
Swainson's hawk *Buteo swainsoni*	ABNKC19070	None	Threatened	G5	S4	
talus fritillary *Fritillaria falcata*	PMLIL0V070	None	None	G2	S2	1B.2

Selected Elements by Common Name

California Department of Fish and Wildlife

California Natural Diversity Database

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Tracy's eriastrum *Eriastrum tracyi*	PDPLM030C0	None	Rare	G3Q	S3	3.2
tricolored blackbird *Agelaius tricolor*	ABPBXB0020	None	Threatened	G1G2	S2	SSC
valley elderberry longhorn beetle *Desmocerus californicus dimorphus*	IICOL48011	Threatened	None	G3T3	S3	
vernal pool fairy shrimp *Branchinecta lynchi*	ICBRA03030	Threatened	None	G3	S3	
vernal pool smallscale *Atriplex persistens*	PDCHE042P0	None	None	G2	S2	1B.2
vernal pool tadpole shrimp *Lepidurus packardi*	ICBRA10010	Endangered	None	G3	S3	
western ridged mussel *Gonidea angulata*	IMBIV19010	None	None	G3	S2	
western spadefoot *Spea hammondii*	AAABF02020	Proposed Threatened	None	G2G3	S3S4	SSC
western yellow-billed cuckoo *Coccyzus americanus occidentalis*	ABNRB02022	Threatened	Endangered	G5T2T3	S1	

Record Count: 70

Attachment F – California Native Plant Society (CNPS) Nine USGS 7.5-Minute Quadrangle Review Surrounding Central Valley Growers Site

Central Valley Growers (3501 Howard Road, Patterson, Stanislaus County, California)
California Native Plant Society's Online Rare Plant Inventory Nine Quadrangle Search
Vernalis, Westley, Ripon, Salida, Brush Lake, Crows Landing, Patterson, Copper Mountain, Solyo USGS 7.5-Minute Quadragles

CommonName	ScientificName	Family	Lifeform	CRPR	CESA	FESA	BloomingPeriod
alkali milk-vetch	*Astragalus tener* var. *tener*	Fabaceae	annual herb	1B.2	None	None	Mar-Jun
alkali-sink goldfields	*Lasthenia chrysantha*	Asteraceae	annual herb	1B.1	None	None	Feb-Apr
big tarplant	*Blepharizonia plumosa*	Asteraceae	annual herb	1B.1	None	None	Jul-Oct
California alkali grass	*Puccinellia simplex*	Poaceae	annual herb	1B.2	None	None	Mar-May
Delta button-celery	*Eryngium racemosum*	Apiaceae	annual/perennial herb	1B.1	CE	None	(May)Jun-Oct
diamond-petaled California poppy	*Eschscholzia rhombipetata*	Papaveraceae	annual herb	1B.1	None	None	Mar-Apr
Hall's bushmallow	*Malacothamnus hallii*	Malvaceae	perennial deciduous shrub	1B.2	None	None	(Apr)May-Sep(Oct)
heartscale	*Atriplex cordulata* var. *cordulata*	Chenopodiaceae	annual herb	1B.2	None	None	Apr-Oct
Lemmon's jewelflower	*Caulanthus lemmonii*	Brassicaceae	annual herb	1B.2	None	None	Feb-May
lesser saltscale	*Atriplex minuscula*	Chenopodiaceae	annual herb	1B.1	None	None	May-Oct
Mt. Diablo phacelia	*Phacelia phacelioides*	Hydrophyllaceae	annual herb	1B.2	None	None	Apr-May
Mt. Hamilton coreopsis	*Leptosyne hamiltonii*	Asteraceae	annual herb	1B.2	None	None	Mar-May
prairie wedge grass	*Sphenopholis obtusata*	Poaceae	perennial herb	2B.2	None	None	Apr-Jul
red-flowered bird's-foot trefoil	*Acmispon rubriflorus*	Fabaceae	annual herb	1B.1	None	None	Apr-Jun
shining navarretia	*Navarretia nigelliformis* ssp. *radians*	Polemoniaceae	annual herb	1B.2	None	None	(Mar)Apr-Jul
showy golden madia	*Madia radiata*	Asteraceae	annual herb	1B.1	None	None	Mar-May
slough thistle	*Cirsium crassicaule*	Asteraceae	annual/perennial herb	1B.1	None	None	May-Aug
spiny-sepaled button-celery	*Eryngium spinosepalum*	Apiaceae	annual/perennial herb	1B.2	None	None	Apr-Jun
talus fritillary	*Fritillaria falcata*	Liliaceae	perennial bulbiferous herb	1B.2	None	None	Mar-May
vernal pool smallscale	*Atriplex persistens*	Chenopodiaceae	annual herb	1B.2	None	None	Jun-Oct

Attachment F – United States Fish and Wildlife IPaC Resource List - Stanislaus County –Central Valley Growers Site

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS
Riparian Brush Rabbit Sylvilagus bachmani riparius Wherever found **No critical habitat has been designated for this species.** https://ecos.fws.gov/ecp/species/6189	Endangered
San Joaquin Kit Fox Vulpes macrotis mutica Wherever found **No critical habitat has been designated for this species.** https://ecos.fws.gov/ecp/species/2873	Endangered

Birds

NAME	STATUS
California Condor Gymnogyps californianus **There is final critical habitat for this species. Your location does not overlap the critical habitat.** https://ecos.fws.gov/ecp/species/8193	Endangered
Least Bell's Vireo Vireo bellii pusillus Wherever found **There is final critical habitat for this species. Your location does not overlap the critical habitat.** https://ecos.fws.gov/ecp/species/5945	Endangered

Reptiles

NAME	STATUS
Northwestern Pond Turtle Actinemys marmorata Wherever found **No critical habitat has been designated for this species.** https://ecos.fws.gov/ecp/species/1111	Proposed Threatened

Amphibians

NAME	STATUS

NOT FOR CONSULTATION

California Tiger Salamander Ambystoma californiense **There is final critical habitat for this species. Your location does not overlap the critical habitat.** https://ecos.fws.gov/ecp/species/2076	**Threatened**
Western Spadefoot Spea hammondii Wherever found **No critical habitat has been designated for this species.** https://ecos.fws.gov/ecp/species/5425	**Proposed Threatened**

Insects

NAME	STATUS
Monarch Butterfly Danaus plexippus Wherever found **No critical habitat has been designated for this species.** https://ecos.fws.gov/ecp/species/9743	**Candidate**
Valley Elderberry Longhorn Beetle Desmocerus californicus dimorphus Wherever found **There is final critical habitat for this species. Your location does not overlap the critical habitat.** https://ecos.fws.gov/ecp/species/7850	**Threatened**

Crustaceans

NAME	STATUS
Conservancy Fairy Shrimp Branchinecta conservatio Wherever found **There is final critical habitat for this species. Your location does not overlap the critical habitat.** https://ecos.fws.gov/ecp/species/8246	**Endangered**
Vernal Pool Fairy Shrimp Branchinecta lynchi Wherever found **There is final critical habitat for this species. Your location does not overlap the critical habitat.** https://ecos.fws.gov/ecp/species/498	**Threatened**

NOT FOR CONSULTATION

Vernal Pool Tadpole Shrimp Lepidurus packardi Endangered
Wherever found
There is **final** critical habitat for this species. Your location does not overlap the critical habitat.
https://ecos.fws.gov/ecp/species/2246

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

NOT FOR CONSULTATION

Bald & Golden Eagles

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act[1] and the Migratory Bird Treaty Act[2].

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats[3], should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "Supplemental Information on Migratory Birds and Eagles".

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide conservation measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

Appendix C

Biological Resources Study (Montrose Environmental)

Memorandum

Project:	**Central Valley Growers**
Subject:	**Biological Resources Site Visit and Review for 2789 Howard Road (APN 016-019-036)**
Date:	February 26, 2025
To:	Kevin Ponce, California Department of Cannabis Control
From:	Jessica Gonzalez, Montrose Environmental Susan Pearce, Montrose Environmental

Introduction

The California Department of Cannabis Control (DCC) is evaluating the proposed development of Central Valley Growers, LLC (Applicant) to construct and operate a mixed-light commercial cannabis cultivation operation with 36 greenhouses for a total of 29,880 square-feet; and office, storage, and processing facility on a 12.1-acre site within a 53-acre parcel at 2789 Howard Road, Patterson, CA 95363, located outside Patterson city limits, between Interstate 5 and CA Highway 33, in the Westley area of unincorporated Stanislaus County, California (Proposed Project).

Mesa Biological, LLC (MESA) conducted a Special-Status Species Desktop Review Memorandum (Desktop Memo) to support the California Environmental Quality Act (CEQA) Initial Study/Mitigated Negative Declaration (MND) for the Proposed Project. MESA performed a database query and compiled the findings into detailed species tables. Each of the species were assessed to determine the potential to occur on the project site. MESA reviewed historical California Natural Diversity Database (CNDDB) observational data within a 5-mile radius of the Central Valley Growers site and included maps in the Desktop Memo illustrating these historical observations near the project area. The Desktop Memo analysis provided information for assessing special-status species presence potential, ensuring CEQA compliance, and addressing potential environmental concerns related to the project. The review supporting the Desktop Memo generated a list of 21 special-status plant species and 45 special-status wildlife species as known or having the potential to occur within the vicinity of the Proposed Project.

Montrose Environmental (Montrose) completed a biological resources field visit for the Proposed Project on February 18, 2025. The study area for the report was limited to the 12.1-acre portion of the 53-acre parcel at 2789 Howard Road. This memorandum describes the existing biological conditions for the Proposed Project, the potential for special-status species to occur at the site, potential Federal and State Waters and Wetlands, and a summary and considerations to reduce potential impacts on sensitive habitats and species.

Location and Study Area

APN 016-019-036 is located at 2789 Howard Road, between Delta Mendota Canal to the west, and the Westside Irrigation District Canal Lateral 6S on the east, in the Westley area of unincorporated Stanislaus County, California. It is located within U.S. Geological Survey (USGS) Westley 7.5-minute quadrangle. The Proposed Project site is in a rural area surrounded by agriculturally zoned parcels. Adjacent land uses include orchard and turkey farm to the west; vineyard to the east; orchard to the north and south; and scattered single-family dwellings in all directions; Delta Mendota Canal to the west, an agricultural parcel to the south and north, and the Westside Irrigation District Canal Lateral 6S on the east; and the city of Patterson is approximately 3.8 miles to the south of the site. The project site is entirely within one parcel: Assessor's Parcel No. 016-019-036; and the Proposed Project site occupies approximately 12.1 acres of the parcel's 53-acres. **Appendix A** provides representative photographs of the site.

Field Survey

Montrose biologist Jessica Gonzalez conducted a biological reconnaissance survey on February 18, 2025. The survey effort consisted of a visual assessment of conditions at the 12.1 acre-site at 2789 Howard Road. Maps of baseline biological resources, including a regional aerial photographic overview of the study area and detailed aerial photography, were used in the survey. Information provided in the Desktop Memo (2024) were used for the biological reconnaissance survey. This included special-status species tables, maps of CNDDB occurrence records within 5 miles of the study area for special-status plant and special-status wildlife.

Surveys were conducted in the field on foot. Natural and anthropogenic features, land cover types, and the presences of common and special-status species were noted. Visual aids, such as binoculars, were used to better assess wildlife species when appropriate.

Site Assessment Results

Existing Land Use and Habitats

APN 016-019-036 is a privately owned property within the Westley area of unincorporated Stanislaus County, California. The 53-acre parcel is zoned as A-2-40 (General Agriculture). The Proposed Project site is partially developed containing one greenhouse (5,500 square-feet), an existing warehouse, and office trailer. The Proposed Project also includes accessory facilities, including driveways, parking areas, fencing, landscaping, and water tanks. The remainder of the parcel contains mature almond tree orchard.

Developed

The developed portion of the Proposed Project site is the existing greenhouse, warehouse, and office trailer that is enclosed with permitter security fencing.

The developed portion of the site contains ruderal grasses, bare ground with scattered facility equipment, a large mulch pile from existing facility activities, Conex box, graveled parking area, and one 50,000-gallon water tank from the existing facility activities.

Orchard and Ruderal Grassland

The larger portion of the Proposed Project site is unfenced, is entirely comprised of a mature almond orchard. Within the almonds tree orchard there are rows (22 ft wide) that are routinely maintained, mowed, planted with row crops, or left unkept with ruderal grassland cover.

Ruderal grassland cover at this portion of the site includes predominantly non-native grasses, along with, along with native and non-native forbs. Non-native grasses and forbs common in the area include White mustard (*Brassicaceae alba*), chickweed (*Stellaria media*), common groundsel (*Senecio vulgaris*), shepherd's purse (*Capsella bursa-pastoris*), wall barely (*Hordeum murinum*), musk stork's bill (*Erodium moschatum*), fiddleneck (*Amsinckia spp.),* sow thistle *(Sonchus spp.),* annual bluegrass (*Poa annua*), and other annual grasses (*Poa spp.).* The almond trees within the Proposed Project, alongside the adjacent agricultural properties provides foraging habitat for raptors and other bird species. Active pocket gopher and vole burrows were detected along the rows of orchards and rows during the reconnaissance-level survey. No California ground squirrel (*Otospermophilus beecheyi*) burrows were detected within the 12.1-acre project site during the reconnaissance-level survey.

Federal and State Waters and Wetlands

No creeks or lakes are present in the Proposed Project site. Therefore, any activity at the site is not anticipated to be subject to regulation under California Fish and Game Code Section 1600.

The Delta Mendota Canal occurs to the west, and the Westside Irrigation District Canal Lateral 6S on the east of the Proposed Project site. These canals may be subject to U.S. Army Corps of Engineers (USACE) jurisdiction as they appear to have significant nexus to waters of the U.S. or other federally regulated features, such as the San Joaquin River. Additionally, these agricultural canals may be subject to Central Valley Regional Water Quality Control Board (RWQCB) jurisdiction as potential waters of the State as defined by the Porter-Cologne Water Quality Control Act.

Potential for Special-Status Species

Consistent with the Desktop Memo (Mesa Biological 2024), no special-status plant species were anticipated to be present at the site due to previous significant historical alteration of the natural landscape, and the Proposed Project would take place on land which has been used for agricultural purposes.

Based on the Desktop Memo, site characteristics of the Proposed Project site and observations from the the reconnaissance-level survey, raptor species such as burrowing owl, Swainson's hawk, Loggerhead shrike, and other nesting birds have the potential to occur as it is surrounded by suitable nesting and foraging habitat within agricultural parcels, specifically orchards, row crops, and nonagricultural trees and shrubs surrounding the Proposed Project site.

Western burrowing owl

Western burrowing owl has the potential to den, nest and forage at the project site and vicinity of it as open areas with sparse vegetation, abandoned mammal burrows for nesting, and with sufficient prey availability, are present. CNDDB records indicate that western burrowing owl have been observed within 5 miles of the Proposed Project site. Surrounding undeveloped habitat within the vicinity of the Proposed Project site contain key ecological and suitable habitat elements to support this species, including foraging habitat and suitable burrow habitat.

Swainson's hawk

Swainson's hawk has the potential to nest within the vicinity of Proposed Project site as it is surrounded by agricultural fields with suitable nesting trees, tall structures, suitable nesting trees in adjacent parcels; and open areas for foraging on small mammals and insects are present. Multiple CNDDB records for Swainson's hawk have been observed within 5 miles of the Proposed Project site.

loggerhead shrike

Loggerhead shrike has the potential to nest within the vicinity of Proposed Project site as it is surrounded by agricultural fields with suitable nesting trees, perching structures and open areas for foraging on small mammals and insects. CNDDB records for the loggerhead shrike have been observed within 5 miles of the Proposed Project site.

Summary and Considerations

APN 019-008-030 is a 53-acre parcel that is a partially developed agricultural property located within the rural area of Stanislaus County. Both the developed and undeveloped potions of the parcel may provide nesting sites for birds during the typical nesting season of February 1 through August 31. The undeveloped area with orchards and vicinity of the Proposed Project area provides suitable foraging habitat (e.g., rodents and other vertebrates) for raptors and other bird species and potentially suitable burrow habitat for burrowing owl with California ground squirrel burrows within the Proposed Project site and within the vicinity of the parcel (gravel roads, canal levee areas, adjacent agricultural parcels, etc.). Project development at this site may have direct and/or indirect impacts on wildlife species. Additionally, the Proposed Project would remove approximately 1,200 almond trees from the existing almond orchard occurring on the 12.1-acre site to construct the Proposed Project's 36 greenhouse buildings and accessory facilities, including driveways, parking areas, fencing, landscaping, and water tanks.

The following Biological Avoidance and Minimization Measures (AMMs) are recommended to avoid or reduce potential risk to potentially occurring special-status wildlife species. These AMMs would include avoiding potential impacts to nesting birds by initiating project construction outside of the nesting season (February 1 – August 31) or by conducting pre-activity surveys for active nests if construction were to occur during the nesting season. Focused pre-activity surveys for burrowing owls where burrows have been observed, and focused pre-activity surveys for Swainson's hawk in accordance with the recommended timing and methodology developed by the Swainson's Hawks Technical Advisory Committee (TAC) (2000 or most recent) prior to project implementation.

Avoidance and Minimization Recommendations

AMM-1: Conduct Pre-construction Surveys for Nesting Birds

To avoid and minimize potential impacts to bird species protected by the Migratory Bird Treaty Act (MBTA) and Fish and Game (F&G) Code, construction activities should be scheduled, to the extent feasible, to avoid the nesting bird season. The typical nesting season extends from February 1 through August 31. If project activities are scheduled to take place during the nesting season, the following measures shall be implemented:

- A qualified biologist shall conduct pre-construction surveys for nesting birds. These surveys shall be conducted no more than 7 days prior to the initiation of ground-disturbing or vegetation-disturbing activities. During these surveys, the biologist shall inspect all potential nesting habitats (e.g., shrubs, trees, and structures) in and immediately adjacent to the construction areas for nests.
- If an active nest is found sufficiently close to work areas to be disturbed by project activities, a non-disturbance buffer zone shall be established around the nest. The size and location of the non-disturbance buffer shall be at the biologist's discretion based on the species, sensitivity to disturbance, and nest placement. Buffer zones shall remain in place until the birds have fledged or the nest is no longer active, as determined by a qualified biologist. Active bird nests cannot be relocated, disturbed, or destroyed under MBTA and F&G Code regulations.
- If construction activities are halted or paused for more than 7 days, the pre-activity survey shall be repeated to check for new nests that may have become established.

AMM-2: Conduct Pre-construction Survey(s) for Burrowing Owls

Prior to initiating ground-disturbing activities, surveys for burrowing owls shall be conducted in accordance with protocols established in the *Staff Report on Burrowing Owl Mitigation* (CDFG 2012 or current version). If ground-disturbing activities are delayed or suspended for more than 30 days after the pre-construction survey, the site shall be resurveyed. If no burrowing owl or signs of burrowing owls are detected during the survey, no further actions shall be required. If burrowing owls are detected, disturbance to burrows shall be avoided during the nesting season (February 1 through August 31). Buffers shall be established around occupied burrows in accordance with guidance provided in the *Staff Report on Burrowing Owl Mitigation*, and at the discretion of a qualified wildlife biologist. Buffers around occupied burrows shall be a minimum of 656 feet (200 meters) during the breeding season, and 160 feet (100 meters) during the non-breeding season. Buffer distances shall be subject to approval of the California Department of Fish and Wildlife (CDFW).

If occupied burrows cannot be avoided, passive owl relocation techniques may be implemented outside of the nesting season. Owls would be excluded from burrows within 160 feet of construction by installing one-way doors in burrow entrances. The work area shall be monitored daily for 1 week to confirm owl departure from burrows prior to any ground-disturbing activities. Where possible, burrows shall be excavated using hand tools and refilled to prevent reoccupation. Sections of flexible plastic pipe shall be inserted into the tunnels during excavation to maintain an escape route for any animals inside the burrow.

If occupied burrows are relocated, the project proponent shall enhance or create burrows in adjacent habitat at a 1:1 ratio (burrows destroyed to burrows enhanced or created) one week prior to implementation of passive relocation techniques. If burrowing owl habitat enhancement or creation takes place, the project proponent shall develop and implement a monitoring and management plan to assess the effectiveness of the mitigation. The plan shall be subject to approval of the CDFW.

AMM-3: Conduct Surveys for Nesting Swainson's Hawks

- Conduct Surveys for Nesting Swainson's Hawks If construction occurs between February 1 and August 31, a qualified wildlife biologist will conduct surveys for nesting Swainson's hawks in accordance with the recommended timing and methodology developed by the Swainson's Hawks Technical Advisory Committee (TAC) (2000 or most recent) prior to project implementation. The Swainson's Hawk TAC recommends a 0.5-mile survey distance from the limits of disturbance. The survey protocol includes early season surveys to assist the project proponent in identifying active nest sites prior to initiating ground-disturbing activities and implementing necessary AMMs.

- In the event that an active Swainson's hawk nest is detected during surveys, CDFW recommends a 0.5-mile non-disturbance buffer around active nests. If a 0.5-mile non-disturbance buffer is not feasible, consultation with CDFW is warranted to discuss the likelihood for take and determine approaches to implement the Proposed Project that will avoid take. If impacts to Swainson's hawk cannot be avoided through the implementation of BIO-3, an Incidental Take Permit would be required, pursuant to CFGC Section 2081 (b), to comply with CESA.

Federal and State Waters

If the Proposed Project development would affect the Delta Mendota Canal and the Westside Irrigation District Canal Lateral 6S, coordination with the U.S. Army Corps of Engineers and Central Valley RWQCB would be required, potentially including acquiring permits and compensatory mitigation for permanent impacts to these features. However, both the Delta Mendota Canal to the west, and the Westside Irrigation District Canal Lateral 6S on the east are not within the Proposed Project and the Proposed Project does not include modifications to the canals or will the canals be affected by Proposed Project activities.

References

California Department of Fish and Game. 2012. Staff Report on Burrowing Owl Mitigation. State of California Natural Resources Agency. March 7, 2012.

MESA Biological. 2024. Special-Status Species Desktop Reviews for the Central Valley Growers Cannabis Site, Stanislaus County, California. December 2024.

Swainson's Hawk Technical Advisory Committee. 2000. Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys for the California Central Valley.

MONTROSE ENVIRONMENTAL

Attachment A

Site Photographs

CENTRAL VALLEY GROWERS PROJECT – ORCHARD AREA

Photo No. 1	**Site Area:**	**Photo No.** 2	**Site Area:**
Aspect (facing): West	Orchard area of 53-acre parcel	**Aspect (facing):** Southeast	Developed area of 12.1-acre site



Eastern extent and portion of the 53-acre parcel. Almond Orchard (February 2024).



Mulch pile on left, Conex box, green house and existing facilities to the far right (not pictured) and surrounding almond orchard (February 2024).

Photo No. 3	**Site Area:**	**Photo No.** 4	**Site Area:**
Aspect (facing): West	Orchard area 12.1-acre site	**Aspect (facing):** East	Orchard area 12.1-acre site



Almond orchard in the 12.1-acre site (February 2024).



Almond orchard in the 12.1-acre site (February 2024).

CENTRAL VALLEY GROWERS PROJECT – ORCHARD AREA

Photo No. 5	**Site Area:** Orchard area 12.1-acre site	**Photo No.** 6	**Site Area:** Orchard area 12.1-acre site
Aspect (facing): North		**Aspect (facing):** East	
			
Adjacent orchard (left), almond orchard left (right), and Conex box, greenhouse and existing facilities to the far right (not pictured) (February 2024).		Northern extent of the 53-acre parcel. Adjacent orchard (left) and almond Orchard to the right (February 2024).	
Photo No. 7	**Site Area:** Orchard area 12.1-acre site	**Photo No.** 8	**Site Area:** Permitter of Orchard and Delta Mendota Canal area
Aspect (facing): East		**Aspect (facing):** Southwest	
			
Western extent of Project area of the 53-acre parcel. Almond Orchard (February 2024).		Western extent of 53-acre parcel and Delta Mendota Canal area/levee on right (February 2024).	

CENTRAL VALLEY GROWERS PROJECT – ORCHARD AREA

Photo No. 9	**Site Area:** Permitter of Orchard and Delta Mendota Canal area	**Photo No.** 10	**Site Area:** Permitter of Orchard and Westside Irrigation District Canal Lateral 6S
Aspect (facing): Northwest		**Aspect (facing):** Northeast	
			
Northwestern extent of 53-acre parcel and access road/bridge over Delta Mendota Canal area (February 2024).		Eastern extent and portion of the 53-acre parcel and Westside Irrigation District Canal Lateral 6S (February 2024).	
Photo No. 11	**Site Area:** Westside Irrigation District Canal Lateral 6S	**Photo No.** 12	**Site Area:** Permitter of Orchard and Westside Irrigation District Canal Lateral 6S
Aspect (facing): Southeast		**Aspect (facing):** South	
			
Westside Irrigation District Canal Lateral 6S. No vegetation in canal (February 2024).		Adjacent parcel and Westside Irrigation District Canal Lateral 6S on left; Project site on right (February 2024).	

Appendix D

Cultural Resources Assessment Report
(Montrose Environmental)

Draft Technical Report

CULTURAL RESOURCES ASSESSMENT REPORT

Central Valley Growers, LLC,
Stanislaus County, California
May 2025

Prepared for:

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Limitations

This report contains confidential cultural resources location information; report distribution should be restricted to those with a need to know. Cultural resources are non-renewable, and their scientific, cultural, and aesthetic values can be significantly impaired by disturbance. To deter vandalism, artifact hunting, and other activities that can damage cultural resources, the locations of cultural resources should be kept confidential. The legal authority to restrict cultural resources information is in California Government Code 6254.1 and the National Historic Preservation Act of 1966, as amended, Section 304.

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List of Abbreviations and Acronyms

AB	Assembly Bill
CCIC	Central California Information Center
CCR	California Code of Regulations
CDFA	California Department of Food and Agriculture
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CHRIS	California Historical Resources Information System
CRHR	California Register of Historical Resources
DCC	Department of Cannabis Control
DMC	Delta Mendota Canal
NAHC	Native American Heritage Commission
NHPA	National Historic Preservation Act
NRHP	National Register of Historic Places
PRC	Public Resources Code
Project	Central Valley Growers, LLC. Cannabis Cultivation
RPA	Registered Professional Archaeologist
TCR	tribal cultural resource
USGS	U.S. Geological Survey

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Executive Summary

The Department of Cannabis Control (DCC) is evaluating the proposed development of a mixed-light commercial cannabis cultivation facility operated by Central Valley Growers, LLC, in the Westley area of unincorporated Stanislaus County, California (Project or Proposed Project). The Proposed Project would include thirty-six greenhouses for cultivation and nursery production and four existing accessory storage buildings for office, storage, distribution, and processing activities.

A cultural resources inventory was conducted to comply with the requirements of the California Environmental Quality Act (CEQA) of 1970 (as amended) and the State CEQA guidelines (14 California Code of Regulations 15000 et seq.). This inventory consisted of a literature review to identify any previously recorded cultural resources within the search radius of the current area of interest and a field survey to locate any cultural resources that may exist but have not yet been recorded. No previously recorded resources have boundaries that intersect with the Project locations; no newly identified cultural resources were identified during the archaeological pedestrian survey. Therefore, there would be no substantial adverse change in the significance of a historical resource under the CEQA California Code of Regulations (CCR) 15064.5 as the result of Project implementation.

The archaeological inventory was performed based on information obtained at the Central California Information Center of the California Historical Resources Information System, as well as on direct observation of site conditions and other information generally applicable as of April 2025. The conclusions and recommendations herein are, therefore, based on information available up to that point in time. Further information may come to light in the future that could substantially change the conclusions found herein.

This report has been prepared based on certain key assumptions made by Montrose Environmental Services, Inc. (Montrose) that substantially affect its conclusions and recommendations. These assumptions are that the information gathered during the record search is up to date and accurate, and that the field survey results accurately identified the presence or absence of archaeological resources visible on the ground surface. These assumptions, although thought to be reasonable and appropriate, may not prove to be true in the future. Montrose's conclusions and recommendations are conditioned upon these assumptions.

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1 Introduction

1.1 Location and Setting

The Proposed Project is a mixed-light commercial cannabis cultivation operation on a 53-acre site at 2789 Howard Road in the Westley area of unincorporated Stanislaus County, California. The City of Patterson is approximately 3.8 miles to the south of the site (**Figure 1**).

The Proposed Project would occupy approximately 12 acres of the northwest corner of the 53-acre parcel. The parcel is bounded by the Delta Mendota Canal to the west, an agricultural parcel to the south and north, and the Westside Irrigation District Canal Lateral 6S on the east. The Proposed Project is entirely within one parcel: Assessor's Parcel No. 016-019-036.

The land use at the time of the April 2020 baseline was an almond orchard. Surrounding land uses included orchard and turkey farm to the west; vineyard to the east; orchard to the north and south; and scattered single-family dwellings in all directions.

The Proposed Project site is depicted in Section 31 of the Westley U.S. Geological Survey (USGS) 7.5-minute topographic map, T 4S, R 7E (**Figure 2**).

1.2 Project Description and Area of Potential Effects

On April 30, 2020, Central Valley Growers, LLC applied to the California Department of Food and Agriculture (CDFA) for a Specialty Mixed-Light Tier 2 license. CDFA issued a State provisional license for these activities on June 13, 2020. The Proposed Project was approved by Stanislaus County on July 16, 2019, and was issued a Use Permit and Development Agreement. On the basis of those state and local approvals, the facility began legal operations.

The project structures and improvements would be constructed in four phases over three to five years. Phase 1 has currently been completed. **Table 1** describes the facilities and operations that would occur during each phase of the Project.

Table 1. Project Facilities and Operations by Phase

Phase	New Structures Added	Total Structures (cumulative)	Activities	Time Period
Existing as of April 2020 (Project Baseline)	N/A	Private agricultural well	N/A	Prior to April 2020 (Date of application to CDFA)
Phase 1 Mixed Light Cultivation up to 5,000 square feet	1 greenhouse 5,500 ft^2 greenhouse space, flowering canopy 5,000 ft^2 800 ft^2 warehouse 400 ft^2 office trailer Septic field Stormwater detention area Utility lines Perimeter security fencing (7' tall steel panel fence) 12 parking spaces Landscaping One 50,000-gallon fire water tank	1 greenhouse 5,500 ft^2 greenhouse space, flowering canopy 5,000 ft^2 800 ft^2 warehouse 400 ft^2 office trailer Septic field Stormwater detention area Utility lines Perimeter security fencing (7' tall steel panel fence) 12 parking spaces Landscaping One 50,000-gallon fire water tank	Mixed-light cultivation	Complete
Phase 2 Mixed Light Cultivation up to 10,000 square feet	16 greenhouses (Phase 1 greenhouse converted to flower room) 5,000 ft^2 greenhouse space 800 ft^2 warehouse Extended perimeter security fence (7' tall steel panel fence) 9 parking spaces Landscaping 720 ft^2 Water storage building One 50,000-gallon fire water tank	16 greenhouses 10,500 ft^2 greenhouse space, flowering canopy 10,000 ft^2 1,600 ft^2 warehouse 400 ft^2 office trailer Septic field Stormwater detention area Utility lines Extended perimeter security fence (7' tall steel panel fence) 21 parking spaces Landscaping Two 50,000-gallon fire water tanks 720 ft^2 Water storage building	Mixed-light cultivation, distribution	3 to 5 Years

Phase	New Structures Added	Total Structures (cumulative)	Activities	Time Period
Phase 3 Mixed Light Cultivation up to 22,000 square feet	20 greenhouses 19,380 ft^2 greenhouse space, flowering canopy 12,000 ft^2 5,870 ft^2 warehouse Extended perimeter security fence (7' tall steel panel fence) Landscaping One 50,000-gallon fire water tank	36 greenhouses 29,880 ft^2 greenhouse space, flowering canopy 22,000 ft^2 7,470 ft^2 warehouse 400 ft^2 office trailer Septic field Stormwater detention area Utility lines Extended perimeter security fence (7' tall steel panel fence) 21 parking spaces Landscaping Three 50,000-gallon fire water tanks 720 ft^2 Water storage building	Mixed-light cultivation	3 to 5 Years
Phase 4 Mixed Light Cultivation up to 22,000 square feet	Allocation space for supporting operations, support building, and future growing capabilities.	36 greenhouses 29,880 ft^2 greenhouse space, flowering canopy 22,000 ft^2 7,470 ft^2 warehouse 400 ft^2 office trailer Septic field Stormwater detention area Utility lines Extended perimeter security fence (7' tall steel panel fence) 21 parking spaces Landscaping Three 50,000-gallon fire water tanks 720 ft^2 Water storage building	Supporting operations, and growing capabilities	3 to 5 Years

Construction Activities

Site Preparation and Earthwork

There would be no demolition of existing structures on the project site because the site is developed only with an almond orchard. However, site preparation would include clearing, grubbing and removal of approximately 1,200 almond trees; grading, excavation, and placement of fill; and compaction. Clearing and grubbing, including removal of most trees on the site, would be conducted with standard excavators, scrapers, graders, bulldozers, and hand labor.

To the extent feasible, excavated soil would be reused on site. The site would be designed to balance cut and fill, and the Proposed Project would not import soil for fill. The majority of the initial sitework for all phases would occur in Phase 1, including all mass grading and utilities along with the initial road improvements and paving. All the building pads and roads would be cut and compacted throughout the entire site during this phase, which would include the most extensive use of heavy equipment, including scrapers; graders; compactors; water trucks; excavators; and transfer trucks for sand, gravel, and asphalt. The maximum depth of excavation for utility lines would be 4 feet; and the maximum depth for grading and drainage would be 12 inches.

The greenhouse structures would be premanufactured off site, delivered, and assembled on site. Construction of buildings and structures would include the installation of new premanufactured greenhouse structures, and the extension of electric and water service to each individual greenhouse. The greenhouses would require installation of concrete footings. The greenhouses do not require concrete foundations, so no large-scale excavation would be required.

Project Area

The project area for the Proposed Project encompasses a total of approximately 12 acres and includes the areas slated for development under Phase 2 through 4 of the Proposed Project. Areas associated with Phase 1 are not included in the APE as they are already fully developed and operational. The vertical extent of the project area is 12 inches due to excavations associated with grading and drainage installation.

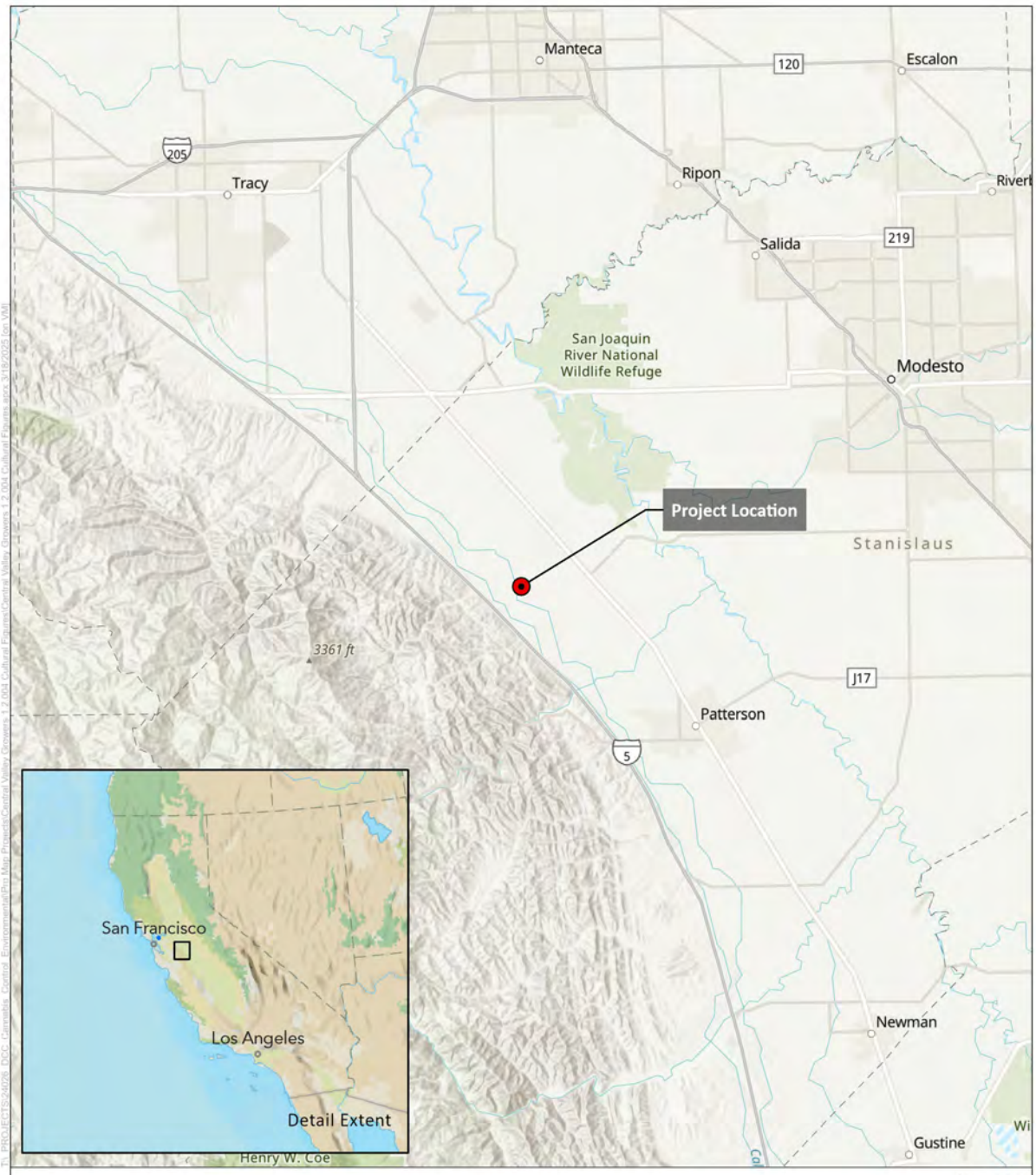
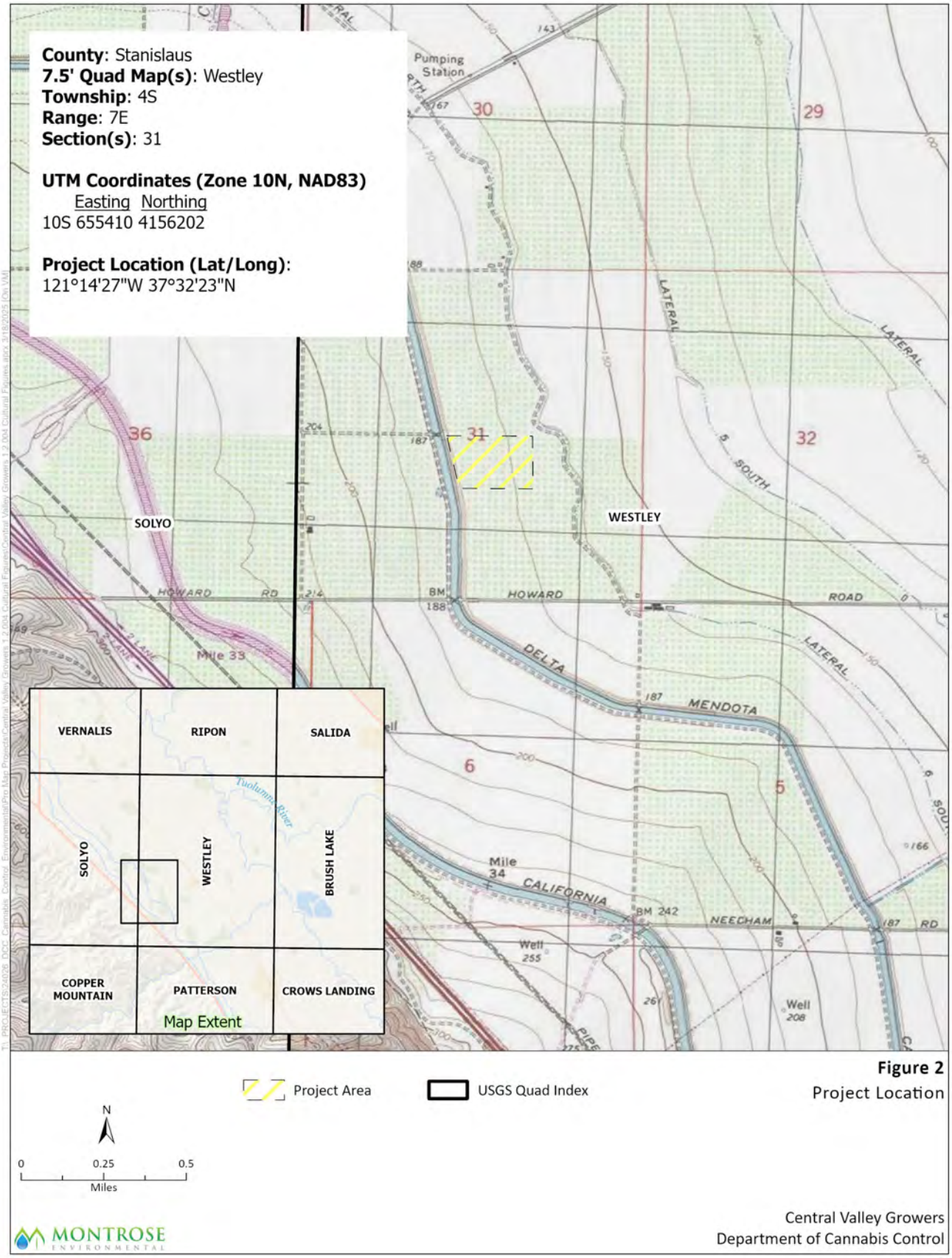


Figure 1
Project Vicinity

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County: Stanislaus
7.5' Quad Map(s): Westley
Township: 4S
Range: 7E
Section(s): 31
UTM Coordinates (Zone 10N, NAD83)
Easting Northing
10S 655410 4156202
Project Location (Lat/Long):
121°14'27"W 37°32'23"N
Pumping Station
30
29
31
32
36
6
5
SOLYO
WESTLEY
HOWARD RD
HOWARD ROAD
DELTA
MENDOTA
LATERAL
SOUTH
Mile 33
Mile 34
CALIFORNIA
NEECHAM
BM 242
Well 255
Well 208
VERNALIS
RIPON
SALIDA
SOLYO
WESTLEY
BRUSH LAKE
COPPER MOUNTAIN
PATTERSON
CROWS LANDING
Map Extent
Project Area
USGS Quad Index
N
0 0.25 0.5
Miles
MONTROSE ENVIRONMENTAL
Figure 2
Project Location
Central Valley Growers
Department of Cannabis Control

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Figure 3
Project Area and Survey Area

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1.3 Regulatory Setting and Need for Study

1.3.1 State of California Regulations

CEQA and State CEQA Guidelines

The Proposed Project must comply with CEQA (Public Resources Code [PRC] 21000 et seq.) and the CEQA Guidelines (CCR, Title 14, Chapter 3), which determine, in part, whether the project has a significant effect on a unique archaeological resource (per PRC 21083.2) or a historical resource (per PRC 21084.1).

CEQA Guidelines CCR 15064.5 notes that "a project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment." Lead agencies are required to identify potentially feasible measures or alternatives to avoid or mitigate significant adverse changes in the significance of a historical resource before such projects are approved. According to the CEQA guidelines, historical resources are:

- Listed in, or determined to be eligible for listing in, the California Register of Historical Resources (PRC 5024.1(e));
- Included in a local register of historical resources (PRC 5020.1(k)) or identified as significant in a historical resource survey meeting the requirements of PRC 5024.1(g); or
- Determined by a lead state agency to be historically significant.

CEQA Guidelines CCR 15064.5 also applies to unique archaeological resources as defined in PRC 21084.1.

- PRC 21080.3.1, enacted by Assembly Bill (AB) 52, requires that CEQA lead agencies consult with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of a proposed project if so requested by the tribe, and if the agency intends to release a negative declaration, mitigated negative declaration, or environmental impact report for a project. PRC 21084.2 specifies that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource (TCR) is considered a project that may have a significant effect on the environment. RD 1001, as the project's CEQA lead agency, consulted with Native American tribes pursuant to PRC 21080.3.1.

As defined in Section 21074(a) of the PRC, TCRs are:

(1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

   a. Included or determined to be eligible for inclusion in the California Register of Historical Resources; or

   b. Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.

(2) 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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

TCRs are further defined under Section 21074(b) and (c) as follows:

(b) A cultural landscape that meets the criteria of subdivision (a) is a TCR to the extent that the landscape is geographically defined in terms of the size and scope of the landscape; and

(c) A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "nonunique archaeological resource" as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms to the criteria of subdivision (a).

Mitigation measures for TCRs must be developed in consultation with the affected California Native American tribe pursuant to the newly chaptered Section 21080.3.2, or according to Section 21084.3. Section 21084.3 identifies mitigation measures that include avoidance and preservation of TCRs and treating TCRs with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource.

California Register of Historical Resources

PRC Section 5024.1 establishes the CRHR. This register lists all California properties considered to be significant historical resources. The CRHR includes all properties listed, or determined to be eligible for listing, in the NRHP, including properties evaluated under Section 106 of the National Historic Preservation Act (NHPA). The criteria for listing in the CRHR are similar to those of the NRHP. Criteria for listing in the CRHR include resources that:

1) Are associated with the events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

2) Are associated with the lives of persons important in our past;

3) Embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of an important creative individual, or possess high artistic values; or

4) Have yielded, or may be likely to yield, information important in prehistory or history.

The regulations set forth the criteria for eligibility as well as guidelines for assessing historical integrity and resources that have special considerations.

1.3.2 Federal Regulations

The Proposed Project does not require any federal permits, and it is not located on federal lands; therefore, federal laws do not apply to the Proposed Project. The following laws are provided for context only.

Projects that require federal permits, receive federal funding, or are located on federal land constitute a federal undertaking as defined by Title 54 United States Code Section 300101 of the

National Historic Preservation Act (NHPA) and mandates compliance with 54 USC Section 306108, commonly known as Section 106 of the NHPA, and its implementing regulations found under Title 36 of the CFR Section 800, as amended in 2001. To comply with Section 106 of the NHPA, the project proponent must "take into account the effect of the undertaking on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register."

The implementing regulations of the NHPA require that cultural resources be evaluated for NRHP eligibility if they cannot be avoided by an undertaking (Proposed Project). To determine site significance through application of NRHP criteria, several levels of potential significance that reflect different (although not necessarily mutually exclusive) values must be considered. As provided in Title 36 CFR Section 60.4, "the quality of significance in American history, architecture, archaeology, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association" and must be considered within the historic context. Resources must also be at least 50 years old, except in rare cases, and, to meet eligibility criteria of the NRHP, must:

(A) Be associated with events that have made a significant contribution to the broad patterns of our history; or

(B) Be associated with the lives of persons significant in our past; or

(C) Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

(D) Have yielded, or may be likely to yield, information important in prehistory or history.

For archaeological sites evaluated under criterion (D) above, integrity requires that the site remain sufficiently intact to convey the expected information to address specific important research questions.

Cultural resources also may be considered separately under the National Environmental Protection Act per Title 42 United States Code Sections 4321 through 4327. These sections require federal agencies to consider potential environmental impacts and appropriate mitigation measures for projects with federal involvement.

1.3.3 Stanislaus County

The Stanislaus County General Plan (Stanislaus County 2016) includes one goal to address cultural resources under the Conservation/Open Space Element, which is Goal 8: Preserve areas of national, state, regional, and local historical importance. Under this Goal, there is one policy that addresses archaeological sites:

> **Policy Twenty-four:** The County will support the preservation of Stanislaus County's cultural legacy of archaeological, historical, and paleontological resources for future generations.

One of the seven implementation measures under the Policy is particularly pertinent to the Proposed Project:

> **Implementation Measure 5.** The County shall utilize the CEQA process to protect archaeological, historic, or paleontological resources. Most discretionary projects require review for compliance with CEQA. As part of this review, potential impacts must be identified and mitigated.

The other policies under Goal 8 pertain to built environment resources (i.e., buildings and structures) and are not relevant to the Proposed Project.

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2 Project Context

2.1 Pre-Contact Native American Context

Like many parts of California, archaeologists are still in the process of building a basic archaeological record for the Central Valley. Much of the record is unknown, and evidence of the early occupations dating more than 3,000 years ago is especially lacking. However, broad outlines of California prehistory are best captured by an integrative scheme that proposes three basic prehistoric periods: Paleoindian, Archaic, and Emergent. The Archaic is further subdivided into the Lower, Middle, and Upper periods, and the Emergent into Lower and Upper (sometimes referred to as Phase 1 and Phase 2) divisions. Each period is characterized by a generally prevailing economic, cultural, and environmental condition. However, each geographical region is expected to have a different pattern of prehistoric culture and culture change. The dating of these various periods continues to be refined; those presented below are largely derived from *The Central Valley: A View from the Catbird's Seat* (Rosenthal, et al. 2010). The pre-contact Native American archaeological periods are listed in **Table 2**.

Table 2. Pre-Contact Native American Archaeological Periods of the Central Valley

Archaeological Period	Age Years Before Present	Characteristics
Paleoindian Period: Western Clovis Tradition	> 10,550 years	Opportunistic hunters and foragers; possibly hunted Pleistocene megafauna. Low population. Fluted projectile points (darts), flaked stone crescents.
Lower Archaic Period: Borax Lake Pattern	10,550 – 7550 years	Hunters and foragers. Low population. Wide-stemmed projectile points; hand stones and milling stones; use of obsidian.
Middle Archaic Period: Windmiller	7550 – 2550 years	Introduction of dietary specializations focused on acorns, deer, and freshwater and anadromous fisheries. Establishment of villages with cemeteries. Expanded material culture, including basketry, use of marine shell for beads and ornaments; continued use of hand stones and milling stones; a variety of dart forms such as notched, stemmed, thick leaf or lozenge, and narrow concave.
Upper Archaic Period: Berkeley Pattern	2550 – 1000 years	Increased cultural diversity represented by distinct regional specializations; increased populations; more complex social structure. Introduction of mortars and pestles for acorn processing; expanded bone tool industry; diamond-shaped and stemmed projectile points.

Archaeological Period	Age Years Before Present	Characteristics
Emergent Period: Augustine Pattern – Phase 1	1000 – 600 years	Increased sedentism and populations. Coalescence of long-distance, integrative trade spheres, and the introduction of the bow and arrow that replaced the dart as the favored hunting implement. Increased use of fishing and acorns.
Emergent Period: Augustine Pattern – Phase 2	600 – 200 years	Continuation and intensification of Phase 1 traits; considered representative of Native American cultures encountered by the first non-native colonists. Small corner-notched and triangular points, clam disc beads, magnesite cylinders, bedrock mortars,

The Paleo-Indian Period was a time when the Central Valley was sparsely populated by groups who were highly mobile, hunted large game, and frequented the shores of late Pleistocene lakes and sloughs. By the Lower Archaic Period, seasonal plants had become more important for subsistence, and populations tended to settle in places for longer periods of time and in larger groups. As time progressed, populations grew denser and more sedentary, tools became more diverse and complex, and social structure became more stratified. The people living in the Project area during the Emergent Period represent the tribes encountered by the first colonists who arrived in the early to mid-1800s.

2.2 Ethnohistoric Context

"Yokuts" is a term applied to a large and diverse number of people inhabiting the San Joaquin Valley and Sierra Nevada foothills of central California. The Northern Valley Yokuts inhabited a 40- to 60-mile-wide area straddling the San Joaquin River, south of the Mokelumne River, east of the Diablo Range, and north of the sharp bend that the San Joaquin River takes to the northeast; the Project area is within the territory of the Northern Valley Yokuts. The Southern Valley Yokuts inhabited the San Joaquin Valley south of the bend in the river. Although they were divided geographically and ecologically, they have a common linguistic heritage (Wallace 1978:462).

The Northern Valley tribes closely resembled the Yokuts groups to the south, although there were some cultural differences. The northerners had greater access to salmon and acorns, two important dietary resources, than the Southern Yokuts, and some of their religious practices reflected the influences of groups to their north, such as the Miwok. While inhumation was the usual practice in the southern valley, the Northern Valley Yokuts either cremated their dead or buried them in a flexed position (Wallace 1978:464, 468). A chief headed the tribal villages, which averaged around 300 people. Family houses were round or oval, sunken, with a conically shaped pole frame, and covered with tule mats. Each village also had a lodge for dances and other community functions, as well as a sweathouse (Wallace 1978:462-464).

The Northern Valley Yokuts built their riverside villages on mounds along the water's edge to avoid the spring floods, which were a result of heavy Sierra Nevada snow melts. Living beside rivers and streams provided plentiful river perch, Sacramento pike, salmon, and sturgeon. Hunting provided

waterfowl such as geese and ducks as well as terrestrial animals such as antelope, elk, and brown bear, although by all indications, fish constituted a majority of the diet. The surrounding woodland, grasslands, and marshes provided acorns, tule root, and seeds.

Tools used by the Northern Valley Yokuts included bone harpoon tips for fishing, stone sinkers for nets, chert projectile points for hunting, mortars and pestles, scrapers, knives, and bone awl tools to procure and process food. Marine shells, procured from coastal tribes, were manufactured into necklaces and other adornments, and marine shell beads sometimes accompanied the deceased. Tule reed rafts were used to navigate the waterways for fishing and fowling. The Yokuts also constructed a range of intricate baskets for a variety of purposes, including storing, cooking, eating, winnowing, hopper mortars, the transport of food materials, and ritual. Very little is known of the Northern Valley Yokuts' clothing, but drawings of their tattoos show that they served not only as a decoration but also as a form of identity (Wallace 1978:464).

The Diablo Range served as a natural barrier against heavy recruitment by the Spanish missions during the first decades of their arrival. However, by the early 19th century, Spanish, and later, Mexican missionaries began to explore the inner valleys in search of potential neophytes. The Yokuts initially resisted recruitment and California Indians from a variety of tribes sought refuge among the Yokuts after fleeing the missions. Still, their presence is documented at Mission Santa Clara, with entries of Northern Valley Yokuts beginning in 1811 and lasting until 1834 and the secularization of the missions. Although Mission Santa Clara housed the largest number of Northern Yokuts, missions San Juan Baptista and San Jose also had significant populations (Milliken et al. 2009).

In 1828, a Northern Yokuts man from Mission San Jose, Estanislao Cucunuchi, led a revolt with other mission Indians after failing to return back to the mission after a winter visit to their home on the lower Stanislaus River. According to Milliken et al. (2009:149-150), the group included "Christian Indian people from a number of other Stanislaus, Tuolumne, and San Joaquin River Delta Yokuts groups, fugitives from both Mission San Jose and Mission Santa Clara. Quickly branded rebels, they repulsed initial attempts of the Mexican military to force them back to the missions. The revolt ended in June of 1829 with a significant Mexican military victory on the Stanislaus River by Mariano Guadalupe Vallejo." Significantly, Estanislao Cucunuchi has been memorialized by having a river and county named after him.

In addition to missionization, introduced diseases, genocide, destruction of traditional resources from cattle grazing and forced relocation took a heavy toll on the Northern Yokuts. Despite decades of hardship, many individuals who can trace their ancestry to the Northern Valley Yokuts continue to live and thrive in the Central Valley and throughout California and the United States.

2.3 Historic-Era Context

The first Spanish expedition entered the San Joaquin Valley in 1806 under the leadership of Gabriel Moraga, to identify new prospective locations for establishing missions. Traveling north through the region, Moraga's party toiled through a treeless plain. Coming suddenly upon a clear stream, they named the area El Río de Nuestra Senora Guadalupe. Moraga explored the region again in the fall of 1808 (Kyle et al. 2002). He made a third excursion into area in 1810, this time to capture Native Americans who had been conscripted to work in the Spanish missions and who had run away.

After Mexico gained its independence from Spain in 1822, two additional expedition forces entered the area; however, the purposes of their campaigns were no longer exploratory. Soldiers were sent into the Central Valley to recover stolen animals and capture Indians who had escaped the missions.

American explorers also began to enter the region during the Mexican period. In both 1827 and 1828, Jedediah Smith entered the San Joaquin Valley via the Tejon Pass and trapped beavers along the San Joaquin, Kings, and other rivers and streams that flowed from the Sierra. Smith was followed by fellow trappers such as Peter Ogden, Ewing Young, Kit Carson, and Joseph Walker.

The first permanent European settlement in Stanislaus County occurred when five land grants were issued by the Mexican government in 1843-44. Ranchers grazed cattle in the rich grasslands of the San Joaquin valley and engaged in the hide and tallow trade. Three of the land grants, Rancho Orestimba y Las Garzas, Rancho Pescadero and Rancho Del Puerto were located on the west side of the San Joaquin River, and Rancho Del Rio Estanislao and Rancho Thompson on the north side of the Stanislaus River (ereferencedesk 2024). The Project area is located within the Rancho Del Puerto land grant, which was granted to Mariano and Pedro Hernandez in 1844 by Governor Manuel Micheltoreno. Samuel G. Reed and Ruben S. Wade made claim to the Rancho Del Puerto land and received the title for 13,340 acres in 1864 (City of Patterson 2024).

The first Anglo-Americans to settle in territory that would become Stanislaus County was a small group of Mormons who established a small colony on the banks of the Stanislaus River near its confluence with the San Joaquin River in 1846. Called Stanislaus City, or New Hope, the group fenced about 80 acres to define their community and commenced to grow wheat and other vegetables. The community apparently dissolved shortly thereafter (ereferencedesk 2024; Tinkham 1921:41).

Americans started to arrive in large numbers during the Gold Rush, both as miners seeking gold and as agricultural entrepreneurs who recognized the opportunity to raise livestock or grow food for the gold seekers. As early as 1849, the town of Adamsville was founded on the south bank of the Tuolumne River just east of present-day Modesto. It became the first county seat of Stanislaus County in 1854, after the county was created out of a portion of Tuolumne County, but was replaced by Empire, a short distance upriver, soon thereafter. Later, the county seat changed to La Grange, then to Knight's Ferry, finally settling on Modesto in 1871 (Kyle et al. 2002:517).

Although gold was mined in Stanislaus County (Western Mining History 2022), the project region has always been primarily a ranching and farming region. Early on cattle and sheep were a major focus, but farmers began growing grain. The Rancho del Puerto lands were famous for their fertile soils and the grain they produced. The Rancho del Puerto title was eventually sold to John D. Patterson in 1866. He continued to purchase land and willed a total of 18,462 acres to his heirs, including Thomas W. Patterson and William W. Patterson, upon his death in 1902. His heirs formed the Patterson Ranch Company in 1908 to develop the land with irrigation and form a colony. Thomas W. Patterson began subdividing the land holdings in 1910 into ranches of various sizes. He also began to plot the design of the town of Patterson (City of Patterson 2024).

Thomas W. Patterson was determined to make his town different from other towns along the Southern Pacific Railroad track. He modeled Patterson after Washington D.C. and Paris by using a series of circles with radiating streets. Parks were laid out along the railroad, and major avenues were planted with trees and bushes. Patterson was incorporated in 1919 (City of Patterson 2024).

Today, the town of Patterson is a small, rural town surrounded by agricultural land. Agriculture continues to serve as the town's primary economic base, primarily orchards and row crops. The Patterson Chamber of Commerce decreed the town the Apricot Capital of the World in 1971, and the town welcomes visitors every June for its Apricot Fiesta (City of Patterson 2024; Swift 2022).

2.4 Geoarchaeological Context

To assess the potential for buried archaeological sites within a project area's components, an investigation will often take into account factors that either encouraged or discouraged human use or occupation of certain landforms (e.g., geomorphic setting and distance to water), combined with those that affected the subsequent preservation (i.e., erosion or burial) of those landforms. It is well known, for instance, that pre-contact archaeological sites in California are most often found on relatively level landforms near natural water sources (e.g., spring, stream, river, or estuary), which is often where two or more environmental zones (ecotones) are present. Landforms with this combination of variables are frequently found at or near the contact between a floodplain and a higher and older geomorphic surface, such as an alluvial fan or stream terrace (Hansen 2004:5).

In general, most Pleistocene-age landforms have little potential for harboring buried archaeological resources, as they developed before the first evidence of human migration into North America (ca. 13,000 years ago). However, Pleistocene or older surfaces buried below younger Holocene deposits do have a potential for containing archaeological deposits because of the long-term viability of the platform (or Pleistocene age surface) from which occupation can occur. Holocene alluvial deposits may contain buried soils (paleosols) that represent periods of landform stability before renewed deposition. The identification of paleosols within Holocene-age landforms is of particular interest because they represent formerly stable surfaces that have a potential for preserving archaeological deposits.

The potential for the project area to contain buried archaeological resources was investigated using a model formulated by Rosenthal et al. (2004) for predicting a location's sensitivity for buried Native American archaeological sites based on the age of the landform. A basic premise of the model is that Native American archaeological deposits will not be buried within landforms that predate human colonization of the area. Calculating these factors using the buried site model (Rosenthal et al. 2004: Tables 16 and 17), a location's sensitivity was determined to be either Very Low, Low, Moderate, High, or Very High. Based on landform age, the model determined that the project area has a high sensitivity for buried archaeological sites. Proximity to the historic confluence of Kern Creek also increases the potential for buried resources. However, soils in the project area are highly disturbed due to decades of agricultural operations (see Section 3.2). The remaining ground disturbing activities for the Proposed Project will be occurring within previously disturbed 1-2-feet of soils, and will not proceed beyond the layer of previous disturbance; therefore, the likelihood for encountering buried archaeological resources is considered low.

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3 Native American Communication and Archival Research

3.1 Native American Communication

An email request was made to the Native American Heritage Commission (NAHC) on November 25, 2024, to review its files for the presence of recorded sacred sites on the Project site. The NAHC responded on December 3, 2024, stating that no significant resources are located in the vicinity of the Project area as a result of a search of their files. The NAHC also provided a list of 12 individuals/tribes with a traditional and cultural affiliation with the project area (Appendix B).

Project notification letters, dated January 9, 2025, were sent via email to the 12 representatives identified by the NAHC. Follow-up emails were sent to all contacted tribes on January 29, 2025. **Table 3** lists those contacted and summarizes the results of the consultation.

Table 3. Native American Consultation

Organization/Tribe	Name of Contact	Letter Date	Tribal Response	Follow Up
Amah Mutsun Tribal Band	Ed Ketchum, Vice-Chairperson	1/09/2025	No response received.	1/29/2025
Amah Mutsun Tribal Band	Valentin Lopez, Chairperson	1/29/2025	No response received.	
Muwekma Ohlone Tribe of the SF Bay Area	Charlene Nijmeh, Chairperson	1/09/2025	No response received.	1/29/2025
Muwekma Ohlone Tribe of the SF Bay Area	Richard Massiatt, Councilmember/MLD Tribal Rep.	1/09/2025	No response received.	1/29/2025
Northern Valley Yokut / Ohlone Tribe	Katherine Perez, Chairperson	1/09/2025	No response received.	1/29/2025
Northern Valley Yokut / Ohlone Tribe	Timothy Perez, Tribal Compliance Officer	1/09/2025	No response received.	1/29/2025
Southern Sierra Miwuk Nation	Sandra Chapman, Chairperson	1/09/2025	No response received.	1/29/2025
Southern Sierra Miwuk Nation	Jazzmyn Gegere, Director of Cultural Resource Preservation	1/09/2025	No response received.	1/29/2025
Tule River Indian Tribe	Neil Peyron, Chairperson	1/09/2025	No response received.	1/29/2025

Organization/Tribe	Name of Contact	Letter Date	Tribal Response	Follow Up
Wilton Rancheria	Herbert Griffin, Executive Director of Cultural Preservation	1/09/2025	Responded on 1/13/2025; Stated that the Tribe currently has no concerns with the project moving forward and will defer consultation to the nearest tribal government.	N/A
Wilton Rancheria	Cultural Preservation Department	1/09/2025	See response for Herbert Griffin.	1/29/2025
Wuksachi Indian Tribe/Eshom Valley Band	Kenneth Woodrow, Chairperson	1/09/2025	No response received.	1/29/2025

All correspondence, to date, with the NAHC and Native American tribes is provided in **Appendix B**.

To date, only Wilton Rancheria has responded and stated that the Tribe has no concerns with the Proposed Project moving forward and would like to defer consultation to the nearest tribal government. As planning proceeds, DCC will continue to consult with interested tribal representatives regarding the Project and incorporate their concerns into Project planning and mitigation as warranted.

3.2 Archival Research

A record search was requested at the Central California Information Center (CCIC) to determine whether any portions of the Project area had been previously surveyed for cultural resources and to identify the presence of any previously recorded cultural resources within the Project area, as well as a 0.25-mile buffer (the search radius). The records search was received on November 25, 2024 (CCIC File No. 13121N). See **Appendix C** for detailed summaries of results for this records search.

Other sources of information reviewed included, but were not limited to, the current listings of properties on the National Register of Historic Places, California Historical Landmarks, California Register of Historical Resources, California Points of Historical Interest, as listed in the Office of Historic Preservation's (OHP's) Historic Property Directory, and the Built Environment Resource Directory (BERD) for Stanislaus County (OHP 2022).

No resources have been previously recorded within the Project area, according to the CCIC results. One historic-era resource (P-50-001904) is located within the search radius and has been previously recommended as eligible for listing in the NRHP and is listed in the CRHR (see Appendix C).

A segment of P-50-001904, or the Delta-Mendota Canal (DMC), is located approximately 40 feet west of the Project area and runs parallel to the western boundary of the Project area. The DMC was built

as part of the Central Valley Project and plays a major role in the transfer of water from the Sacramento River Valley to the San Joaquin River Valley. The DMC is approximately 116.6 miles long and has a period of significance of 1946-1951. This resource will not be affected by the project's actions.

According to the record search results, no previous studies have boundaries that intersect the project area. Two previous studies (ST-06972 and ST-07779) intersect the search radius. Both studies are surveys constrained to the DMC; ST-06972 encompassed 105 feet of the DMC directly to the west of the project area and ST-07779 is a multi-county survey of the DMC (see Appendix C).

Archival research also included a review of Historic General Land Office maps from 1855 and 1870 and a 1906 map of Stanislaus County. A trail is depicted running through the Project area on both the 1855 and 1870 maps. Rancho del Puerto is not shown on either map. The 1906 map of Stanislaus county shows the Project area as part of J.D. Patterson's land holdings.

Research also included a review of historic USGS maps associated with the Proposed Project area (USGS 2024). Maps examined included the 1915, 1952, 1969, 1991, 1999, 2012, 2015, 2018 and 2021 maps of Westley, CA and a 1941 map of Modesto West. The alignment of Howard Road appears to have remained the same since 1915, but the road is unlabeled on the 1915 and 1941 maps. Kern Creek is depicted on the 1915 and 1941 maps to the south of the Project area. A lateral canal first appears in the vicinity of the Project area on the 1965 edition of the 1941 map, and the Delta-Mendota Canal is first depicted on the 1952 map. Kern Creek joins the Delta-Mendota Canal on the 1952 map and the creek is not observed on any map after 1952. Orchards are first observed in the Project area on the 1969 map.

A review of historic aerial photographs (NETRonline 2024, Google Earth 2024) revealed similar levels of development as the USGS maps. The oldest available imagery (1957) shows agricultural lands in the project area, and orchards are first observed on imagery from 1967. Orchards are observed in the project area from 1967 on. Aerials from September 2020 show orchard removal at the project site in the northwest corner of the parcel. Buildings and fencing associated with the project are first observed in 2022.

4 Inventory Methods and Study Results

A pedestrian archaeological survey was conducted of the Project APE on February 18, 2025, by qualified archaeologists Bridget Parry, M.A., and Dean Martorana, M.A., RPA. The survey area measured approximately 12 acres and included the areas slated for development under Phases 2 through 4 of the Proposed Project. Areas of exposed native surface were further inspected with random shovel tests or trowel scrapes when necessary. Existing structures on the parcel are modern (less than 50-years old) and associated with current agricultural operations and were therefore not recorded as cultural resources. No cultural resources or archaeological deposits were identified as a result of the survey.

The entirety of the survey area is currently occupied by almond orchards. An intensive survey strategy (10 to 20 meter transects) was utilized as the survey area fully accessible for pedestrian survey. Ground visibility ranged from 80 to 100 percent due to some grass coverage throughout the orchard. The entirety of the survey area appears to have been previously graded and disturbed as a result of agricultural operations. Two shovel test pits were employed to inspect mineral soils to a depth of about 30-centimeters. Observed soils were a light brown to brown silty sand. Both loose and compacted soils were present throughout the survey area. Photos of the project area are provided in Appendix A.

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5 Summary and Recommendations

A cultural resources inventory of the APE was conducted on February 18, 2025, by experienced archaeologists. No archaeological deposits or built environment resources were identified within the project area and the entirety of the project area has been previously disturbed by agricultural operations. As previously discussed in Section 2.4, ground disturbing activities associated with the Proposed Project will have a low likelihood of encountering buried archaeological resources as they will be occurring within previously disturbed soils.

Based on these results, the Proposed Project will not have a substantial adverse change to a known historical resource pursuant to PRC 21084 or a unique archaeological site.

Although no archaeological sites were identified by the archaeological inventory, nor have TCRs been identified during tribal consultation, significant cultural resources may be buried with no surface manifestation and be discovered during ground disturbing activities. If prehistoric or historic-era materials are encountered, all work in the vicinity should halt until a qualified archaeologist can evaluate the discovery and make recommendations in accordance with 36 CFR Section 800.13(b). Native American materials would most likely include obsidian and chert flaked-stone tools (e.g., projectile points, knives, choppers), tool-making debris, or milling equipment such as mortars and pestles. Historic-era materials might reflect the area's early farming era and include the remains of agricultural implements; stone or concrete footings and walls; and deposits of metal, glass, and/or ceramic refuse.

The possibility of encountering human remains is considered low but cannot be discounted. Section 7050.5 of the California Health and Safety Code states that it is a misdemeanor to knowingly disturb a human burial. If human remains are encountered, work should halt in the vicinity of the remains and, as required by law, the Stanislaus County coroner should be notified immediately. An archaeologist should also be contacted to evaluate the find. If human remains are of Native American origin, the coroner must notify the NAHC within 24 hours of that determination. Pursuant to PRC Section 5097.98, the NAHC, in turn, will immediately contact an individual who is most likely descended from the remains (the "Most Likely Descendant"). The Most Likely Descendant has 48 hours to inspect the site and recommend treatment of the remains once they are provided access. The landowner is obligated to work with the Most Likely Descendant in good faith to find a respectful resolution to the situation and entertain all reasonable options regarding the Most Likely Descendant's preferences for treatment.

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Appendix A
Photographs

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Appendix A. Photographic Record

Photo No. 1	Date: 2/18/2025
Description: Facing southeast, existing facility constructed during Phase 1	

Photo No. 2	Date: 2/18/2025
Description: Facing west, orchards within Project area	

Appendix A. Photographic Record

Photo No. 3	Date: 2/18/2025
Description: Random shovel test within Project area	



Photo No. 4	Date: 2/18/2025
Description: Facing east, orchards within Project area	



Appendix A. Photographic Record

Photo No. 5	Date: 2/18/2025	
Description: Random shovel test within Project area		
Photo No. 6	**Date:** 2/18/2025	
Description: Facing S, access road along western boundary of parcel		
Photo No. 7	**Date:** 2/18/2025	

Description: Facing east, access road at the entrance to existing facility	

Appendix B
Native American Correspondence

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Local Government Tribal Consultation List Request

Native American Heritage Commission
1550 Harbor Blvd, Suite 100
West Sacramento, CA 95691
916-373-3710
916-373-5471 – Fax
nahc@nahc.ca.gov

Type of List Requested

■ **CEQA Tribal Consultation List (AB 52)** – ***Per Public Resources Code § 21080.3.1, subs. (b), (d), (e) and 21080.3.2***

☐ **General Plan (SB 18)** - ***Per Government Code § 65352.3.***

Local Action Type:

☐ **General Plan** ☐ **General Plan Element** ☐ **General Plan Amendment**

☐ **Specific Plan** ☐ **Specific Plan Amendment** ☐ **Pre-planning Outreach Activity**

Required Information

Project Title: Central Valley Growers, LLC.

Local Government/Lead Agency: California Department of Cannabis Control

Contact Person: Dean Martorana

Street Address: 1 Kaiser Plaza, Suite 340

City: Oakland **Zip:** 94612

Phone: 916-205-6087 **Fax:**

Email: dmartorana@montrose-env.com

Specific Area Subject to Proposed Action

County: Stanislaus **City/Community:** Patterson, CA 95363

Project Description:

The proposed project entails the development of a mixed-light cannabis cultivation facility at 2789 Howard Road, Patterson, CA 95363 between CA Interstate 5 and CA Highway 33, in the Westley area.

Additional Request

■ **Sacred Lands File Search** - ***Required Information:***

USGS Quadrangle Name(s): Westley

Township: 4S **Range:** 7E **Section(s):** 31

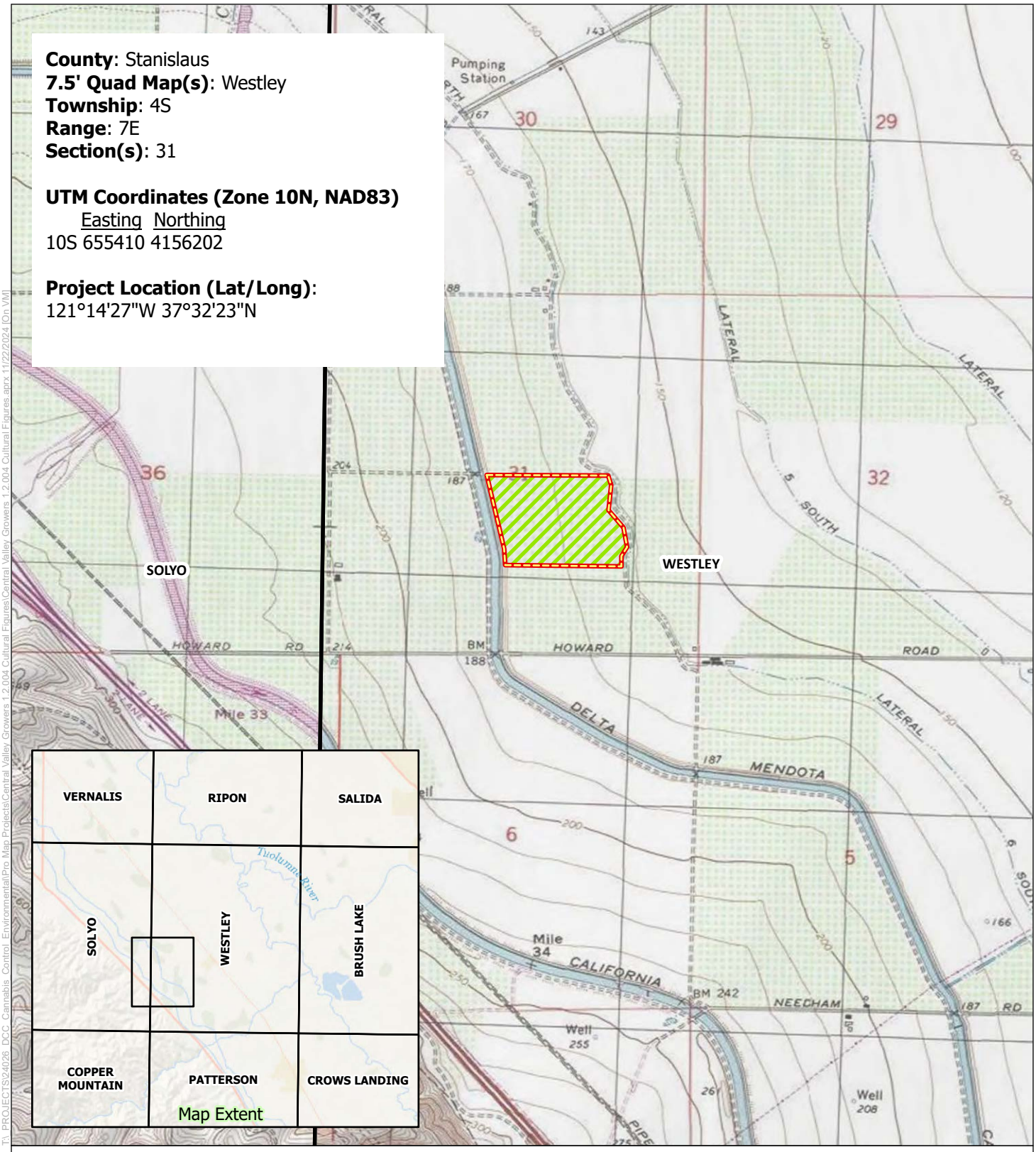


Figure 2
Project Location

MONTROSE ENVIRONMENTAL

Central Valley Growers
Department of Cannabis Control

T:_PROJECTS\24026_DCC_Cannabis_Control_Environmental\Pro Map Projects\Central Valley Growers 1.2.004 Cultural Figures\Central Valley Growers 1.2.004 Cultural Figures.aprx 11/22/2024 (On VM)

NATIVE AMERICAN HERITAGE COMMISSION

CHAIRPERSON
Reginald Pagaling
Chumash

VICE CHAIRPERSON
Buffy McQuillen
Yokayo Pomo, Yuki, Nomlaki

SECRETARY
Sara Dutschke
Miwok

PARLIAMENTARIAN
Wayne Nelson
Luiseño

COMMISSIONER
Isaac Bojorquez
Ohlone-Costanoan

COMMISSIONER
Stanley Rodriguez
Kumeyaay

COMMISSIONER
Laurena Bolden
Serrano

COMMISSIONER
Reid Milanovich
Cahuilla

COMMISSIONER
Bennae Calac
Pauma-Yuima Band of Luiseño Indians

EXECUTIVE SECRETARY
Raymond C. Hitchcock
Miwok/Nisenan

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710

December 3, 2024

Bridget Parry
Montrose Environmental

Via Email to: BridgetParry@montrose-env.com

Re: Native American Tribal Consultation, Pursuant to the Assembly Bill 52 (AB 52), Amendments to the California Environmental Quality Act (CEQA) (Chapter 532, Statutes of 2014), Public Resources Code Sections 5097.94 (m), 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2 and 21084.3, Central Valley Growers, LLC. Project, Stanislaus County

Dear Ms. Parry:

Pursuant to Public Resources Code section 21080.3.1 (c), attached is a consultation list of tribes that are traditionally and culturally affiliated with the geographic area of the above-listed project. Please note that the intent of the AB 52 amendments to CEQA is to avoid and/or mitigate impacts to tribal cultural resources, (Pub. Resources Code §21084.3 (a)) ("Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.")

Public Resources Code sections 21080.3.1 and 21084.3(c) require CEQA lead agencies to consult with California Native American tribes that have requested notice from such agencies of proposed projects in the geographic area that are traditionally and culturally affiliated with the tribes on projects for which a Notice of Preparation or Notice of Negative Declaration or Mitigated Negative Declaration has been filed on or after July 1, 2015. Specifically, Public Resources Code section 21080.3.1 (d) provides:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section.

The AB 52 amendments to CEQA law does not preclude initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction prior to receiving requests for notification of projects in the tribe's areas of traditional and cultural affiliation. The Native American Heritage Commission (NAHC) recommends, but does not require, early consultation as a best practice to ensure that lead agencies receive sufficient information about cultural resources in a project area to avoid damaging effects to tribal cultural resources.

The NAHC also recommends, but does not require that agencies should also include with their notification letters, information regarding any cultural resources assessment that has been completed on the area of potential effect (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:

NATIVE AMERICAN HERITAGE COMMISSION

CHAIRPERSON
Reginald Pagaling
Chumash

VICE CHAIRPERSON
Buffy McQuillen
Yokayo Pomo, Yuki, Nomlaki

SECRETARY
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EXECUTIVE SECRETARY
Raymond C. Hitchcock
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NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710

December 3, 2024

Bridget Parry
Montrose Environmental

Via Email to: BridgetParry@montrose-env.com

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The NAHC also recommends, but does not require that agencies should also include with their notification letters, information regarding any cultural resources assessment that has been completed on the area of potential effect (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:

- A listing of any and all known cultural resources that have already been recorded on or adjacent to the APE, such as known archaeological sites;
- Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
- Whether the records search indicates a low, moderate, or high probability that unrecorded cultural resources are located in the APE; and
- If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.

2. The results of any archaeological inventory survey that was conducted, including:

    - Any report that may contain site forms, site significance, and suggested mitigation measures.

      All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code section 6254.10.

3. The result of any Sacred Lands File (SLF) check conducted through the Native American Heritage Commission was negative.

4. Any ethnographic studies conducted for any area including all or part of the APE; and

5. Any geotechnical reports regarding all or part of the APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS are not exhaustive and a negative response to these searches does not preclude the existence of a tribal cultural resource. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the event that they do, having the information beforehand will help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our consultation list remains current.

If you have any questions, please contact me at my email address: Pricilla.Torres-Fuentes@nahc.ca.gov.

Sincerely,

Pricilla Torres-Fuentes

Pricilla Torres-Fuentes
Cultural Resources Analyst

Attachment

Native American Heritage Commission
Native American Contact List
Stanislaus County
12/3/2024

County	Tribe Name	Fed (F) Non-Fed (N)	Contact Person	Contact Address	Phone #	Fax #	Email Address	Cultural Affiliation	Counties	Last Updated
Stanislaus	Amah Mutsun Tribal Band	N	Valentin Lopez, Chairperson	P.O. Box 5272 Galt, CA, 95632	(916) 743-5833		vjltestingcenter@aol.com	Costanoan Northern Valley Yokut	Alameda,Calaveras,Contra Costa,Fresno,Madera,Mariposa,Merced,Monterey,San Benito,San Francisco,San	7/20/2023
	Amah Mutsun Tribal Band	N	Ed Ketchum, Vice-Chairperson		(530) 578-3864		aerieways@aol.com	Costanoan Northern Valley Yokut	Alameda,Calaveras,Contra Costa,Fresno,Madera,Mariposa,Merced,Monte	7/20/2023
	Muwekma Ohlone Tribe of the SF Bay Area	N	Charlene Nijmeh, Chairperson	1169 S. Main Street, Ste. 336 Manteca, CA, 95377	(408) 464-2892		cnijmeh@muwekma.org	Costanoan	Alameda,Contra Costa,Marin,Merced,Napa,Sacramento,San Francisco,San Joaquin,San Mateo,Santa	3/28/2024
	Muwekma Ohlone Tribe of the SF Bay Area	N	Richard Massiatt, Councilmember/MLD Tribal Rep.	1169 S. Main Street, Ste. 336 Manteca, CA, 95377	(209) 321-0372		rmassiatt@muwekma.org	Costanoan	Alameda,Contra Costa,Marin,Merced,Napa,Sacramento,San Francisco,San Joaquin,San Mateo,Santa	3/28/2024
	Northern Valley Yokut / Ohlone Tribe	N	Katherine Perez, Chairperson	P.O. Box 717 Linden, CA, 95236	(209) 649-8972		canutes@verizon.net	Costanoan Northern Valley Yokut	Alameda,Calaveras,Contra Costa,Fresno,Madera,Mariposa,Merced,Sacramento,San Benito,San Joaquin,Santa	4/30/2024
	Northern Valley Yokut / Ohlone Tribe	N	Timothy Perez, Tribal Compliance Officer	P.O. Box 717 Linden, CA, 95236	(209) 662-2788		huskanam@gmail.com	Costanoan Northern Valley Yokut	Alameda,Calaveras,Contra Costa,Fresno,Madera,Mariposa,Merced,Sacramento,San Benito,San Joaquin,Santa	11/21/2023
	Southern Sierra Miwuk Nation	N	Jazzmyn Gegere, Director of Cultural Resource Preservation	P.O. Box 186 Mariposa, CA, 95338	(209) 742-3104		preservation@southernsierramiwuknation.org	Miwok Northern Valley Yokut Paiute	Calaveras,Fresno,Madera,Mariposa,Merced,Mono,San Joaquin,Stanislaus,Tuolumne	2/1/2024
	Southern Sierra Miwuk Nation	N	Sandra Chapman, Chairperson	P.O. Box 186 Mariposa, CA, 95338	(559) 580-7871		sandra47roy@gmail.com	Miwok Northern Valley Yokut Paiute	Calaveras,Fresno,Madera,Mariposa,Merced,Mono,San Joaquin,Stanislaus,Tuolumne	2/1/2024
	Tule River Indian Tribe	F	Neil Peyron, Chairperson	P.O. Box 589 Porterville, CA, 93258	(559) 781-4271	(559) 781-4610	neil.peyron@tulerivertribe-nsn.gov	Yokut	Alameda,Amador,Calaveras,Contra Costa,Fresno,Inyo,Kern,Kings,Madera,Mariposa,Merced,Monterey,Sacramento,San	
	Wilton Rancheria	F	Herbert Griffin, Executive Director of Cultural Preservation	9728 Kent Street Elk Grove, CA, 95624	(916) 683-6000		hgriffin@wiltonrancheria-nsn.gov	Nisenan Miwok	Alameda,Alpine,Amador,Contra Costa,El Dorado,Mono,Nevada,Placer,Sacramento,San Joaquin,Solano,Stanislaus,Sutter,Yolo,Yuba	8/7/2023
	Wilton Rancheria	F	Cultural Preservation Department,	9728 Kent Street Elk Grove, CA, 95624	(916) 683-6000		cpd@wiltonrancheria-nsn.gov	Nisenan Miwok	Alameda,Alpine,Amador,Contra Costa,El Dorado,Mono,Nevada,Placer,Sacramento,San Joaquin,Solano,Stanislaus,Sutter,Yolo,Yuba	8/7/2023
	Wuksachi Indian Tribe/Eshom Valley Band	N	Kenneth Woodrow, Chairperson	1179 Rock Haven Ct. Salinas, CA, 93906	(831) 443-9702		kwood8934@aol.com	Foothill Yokut Mono	Alameda,Calaveras,Contra Costa,Fresno,Inyo,Kings,Madera,Marin,Mariposa,Merced,Mono,Monterey,San Benito,San	6/19/2023

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for consultation with Native American tribes under Public Resources Code Sections 21080.3.1 for the proposed Central Valley Growers, LLC. Project, Stanislaus County.

Record: PROJ-2024-006211
Report Type: AB52 GIS
Counties: Stanislaus
NAHC Group: All

Department of Cannabis Control
CALIFORNIA

Gavin Newsom
Governor

Nicole Elliott
Director

January 9, 2025

Sandra Chapman, Chairperson
Southern Sierra Miwuk Nation
P.O. Box 186
Mariposa, CA, 95338

Sent via email

RE: Central Valley Growers, LLC, Stanislaus County, California

Dear Sandra Chapman, Chairperson,

The Department of Cannabis Control (DCC) is evaluating the proposed development of a mixed-light cannabis cultivation facility operated by Central Valley Growers, LLC, (Project) in Stanislaus County, California. Project activities are subject to compliance with both the California Environmental Quality Act (CEQA) and the National Historic Preservation Act (NHPA), as well as other regulations. In accordance with Assembly Bill 52 (AB 52), we are seeking to initiate tribal consultation to ensure that any potential impacts to tribal cultural resources are properly identified and addressed.

The Proposed Project is located on a 53-acre site at 2789 Howard Road, Patterson, CA 95363, between CA Interstate 5 and CA Highway 33, in the Westley area. It would occupy approximately 12 acres of the northwest corner of the 53-acre parcel. The Proposed Project is a commercial mixed-light cultivation operation to allow a 22,000 square-foot canopy within a 29,880 square-foot greenhouse building and office, storage, and processing activities within a 7,470 square-foot warehouse. The Proposed Project would be 37,350 square feet in total. Please see **Figure 1** for the Project's location.

The California Department of Food and Agriculture (CDFA) issued a provisional Specialty Mixed-Light Tier 2 cultivation license to Central Valley Growers, LLC, on June 13, 2020. The Proposed Project was later approved by Stanislaus County on July 16, 2019, and was issued a Use Permit and Development Agreement. On the basis of those state and local approvals, the facility began legal operations.

The Proposed Project structures and improvements would be constructed in four phases. Phase 1 construction has been completed. Phase 1 constructed 5,500 square feet of greenhouse space, 800 square feet of warehouse space used to process harvested cannabis products, a 12 parking spaces, a 400 square foot office trailer, a 50,000-gallon fire water tank, a septic field, utility lines, security fencing, landscaping, and a stormwater detention area. Subsequent phases would expand the facilities to include a total buildout of 29,880 square feet of greenhouse space, 7,470 square feet of warehouse space, a 21 space parking area, two additional 50,000-gallon fire water tanks, additional security fencing, and landscaping.

A record search at the Central California Information Center of the California Historical Resources Information System at California State University, Stanislaus did not identify any previously recorded pre-contact archaeological resource within the Project area or 0.25-mile search radius.

A search of the Sacred Lands Files by the Native American Heritage Commission (NAHC) was also conducted for the Project vicinity, which did not identify a sacred site within the vicinity of the project area. The NAHC suggested that local tribes could have information that may not be on file at the NAHC, and your contact information was provided on their List of Native American Contacts for the area as a traditionally and culturally affiliated California Native American tribal representative. We would appreciate hearing from you if you have any concerns regarding tribal cultural resources (as defined by Public Resources Code 21074) within the Project area so that this information can be further incorporated into project planning, and ensure our work avoids impacts to tribal cultural resources. Please contact DGS in writing at the email address or physical address below, within 30 days of your receipt of this notice. If standard mail is to be used, the letter must be postmarked with a date that is within 30 days of your receipt of this notice.

CA Department of Cannabis Control
Attn: Eva Olin, Senior Environmental Scientist Supervisor
2920 Kilgore Rd
Rancho Cordova, CA 95670
279-217-3691
Eva.olin@cannabis.ca.gov

Sincerely,

Eva Olin
Senior Environmental Scientist Supervisor

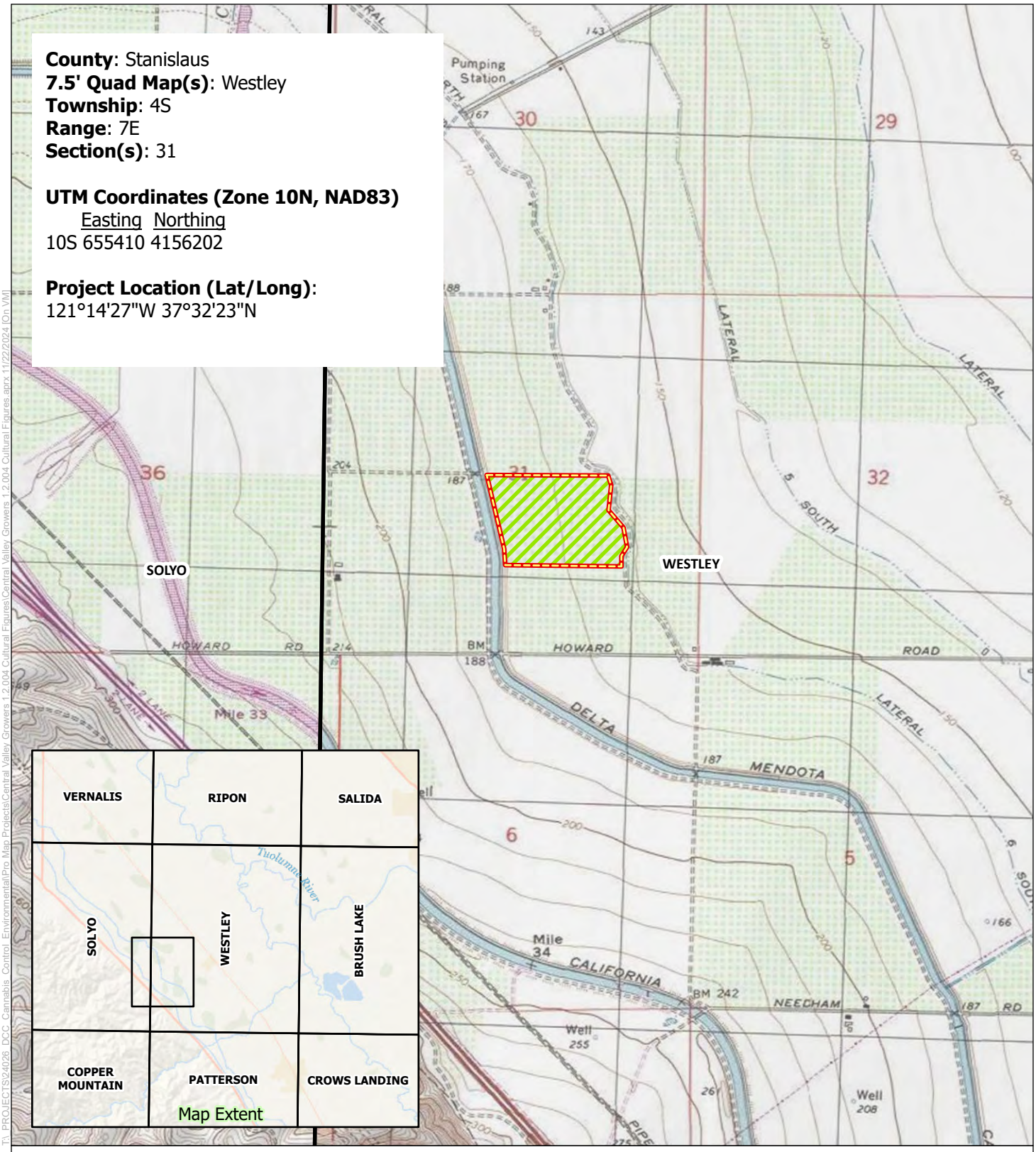
Enclosure: Figure 1: Project Location Map

County: Stanislaus
7.5' Quad Map(s): Westley
Township: 4S
Range: 7E
Section(s): 31

UTM Coordinates (Zone 10N, NAD83)

	Easting	Northing
10S	655410	4156202

Project Location (Lat/Long):
121°14'27"W 37°32'23"N



USGS Quad Index

Project Parcel (016-019-036)

N

0 0.25 0.5
Miles

Figure 2
Project Location

MONTROSE ENVIRONMENTAL

Central Valley Growers
Department of Cannabis Control

T:_PROJECTS\24026_DCC_Cannabis_Control_Environmental\Pro Map Projects\Central Valley Growers 1-2.004 Cultural Figures\Central Valley Growers 1-2.004 Cultural Figures.aprx 11/22/2024 (On VM)

Department of Cannabis Control
CALIFORNIA

Gavin Newsom
Governor

Nicole Elliott
Director

January 9, 2025

Cultural Preservation Department,
Wilton Rancheria
9728 Kent Street
Elk Grove, CA, 95624

Sent via email

RE: Central Valley Growers, LLC, Stanislaus County, California

Dear Cultural Preservation Department,

The Department of Cannabis Control (DCC) is evaluating the proposed development of a mixed-light cannabis cultivation facility operated by Central Valley Growers, LLC, (Project) in Stanislaus County, California. Project activities are subject to compliance with both the California Environmental Quality Act (CEQA) and the National Historic Preservation Act (NHPA), as well as other regulations. In accordance with Assembly Bill 52 (AB 52), we are seeking to initiate tribal consultation to ensure that any potential impacts to tribal cultural resources are properly identified and addressed.

The Proposed Project is located on a 53-acre site at 2789 Howard Road, Patterson, CA 95363, between CA Interstate 5 and CA Highway 33, in the Westley area. It would occupy approximately 12 acres of the northwest corner of the 53-acre parcel. The Proposed Project is a commercial mixed-light cultivation operation to allow a 22,000 square-foot canopy within a 29,880 square-foot greenhouse building and office, storage, and processing activities within a 7,470 square-foot warehouse. The Proposed Project would be 37,350 square feet in total. Please see **Figure 1** for the Project's location.

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CA Department of Cannabis Control
Attn: Eva Olin, Senior Environmental Scientist Supervisor
2920 Kilgore Rd
Rancho Cordova, CA 95670
279-217-3691
Eva.olin@cannabis.ca.gov

Sincerely,

Eva Olin
Senior Environmental Scientist Supervisor

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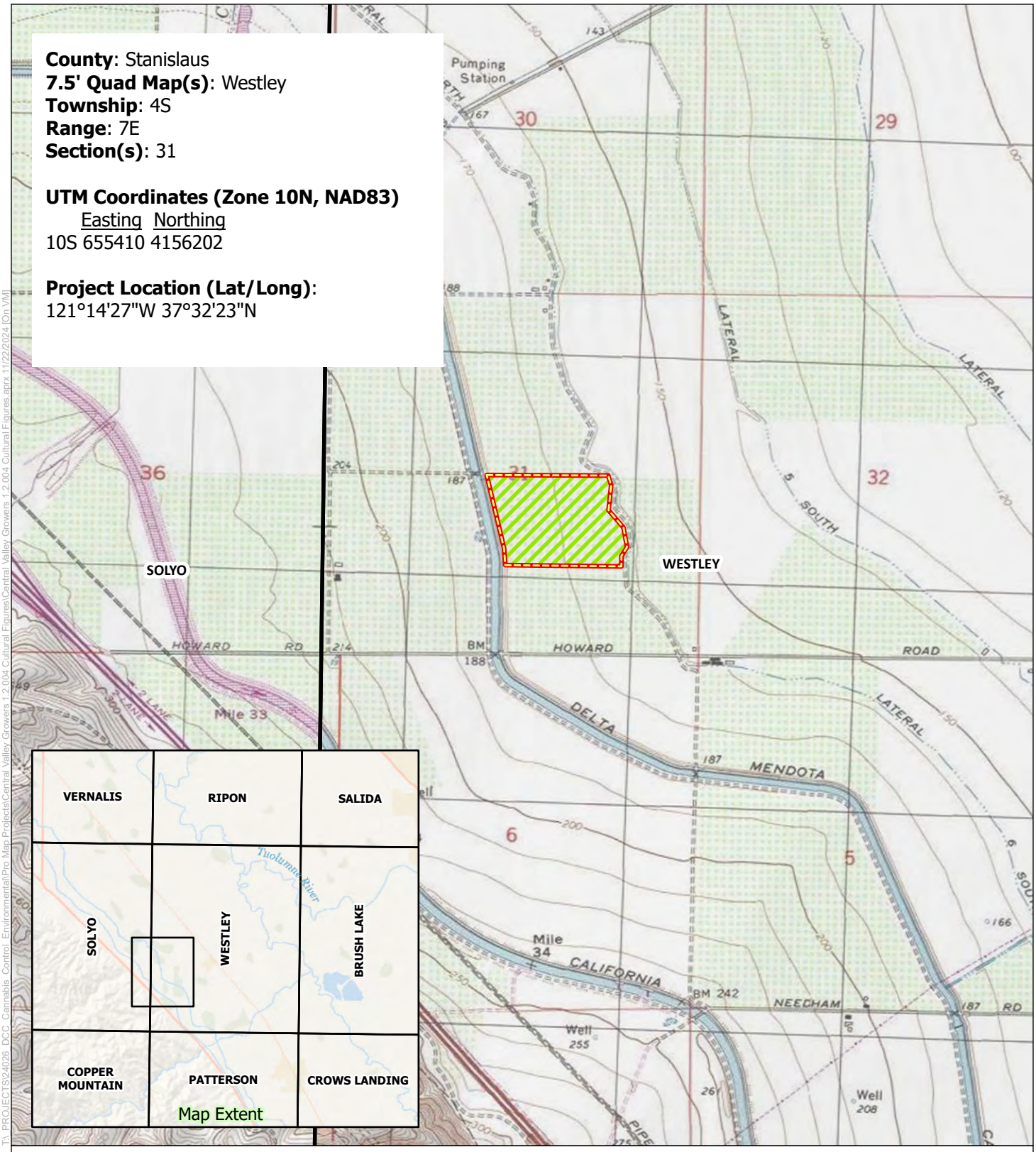


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Project Location

Central Valley Growers
Department of Cannabis Control

MONTROSE ENVIRONMENTAL

T:_PROJECTS\24026_DCC_Cannabis_Control_Environmental\Pro Map Projects\Central Valley Growers 1-2.004 Cultural Figures\Central Valley Growers 1-2.004 Cultural Figures.aprx 11/22/2024 (On VM)

Department of Cannabis Control
CALIFORNIA

Gavin Newsom
Governor

Nicole Elliott
Director

January 9, 2025

Jazzmyn Gegere, Director of Cultural Resource Preservation
Southern Sierra Miwuk Nation
P.O. Box 186
Mariposa, CA, 95338

Sent via email

RE: Central Valley Growers, LLC, Stanislaus County, California

Dear Jazzmyn Gegere, Director of Cultural Resource Preservation,

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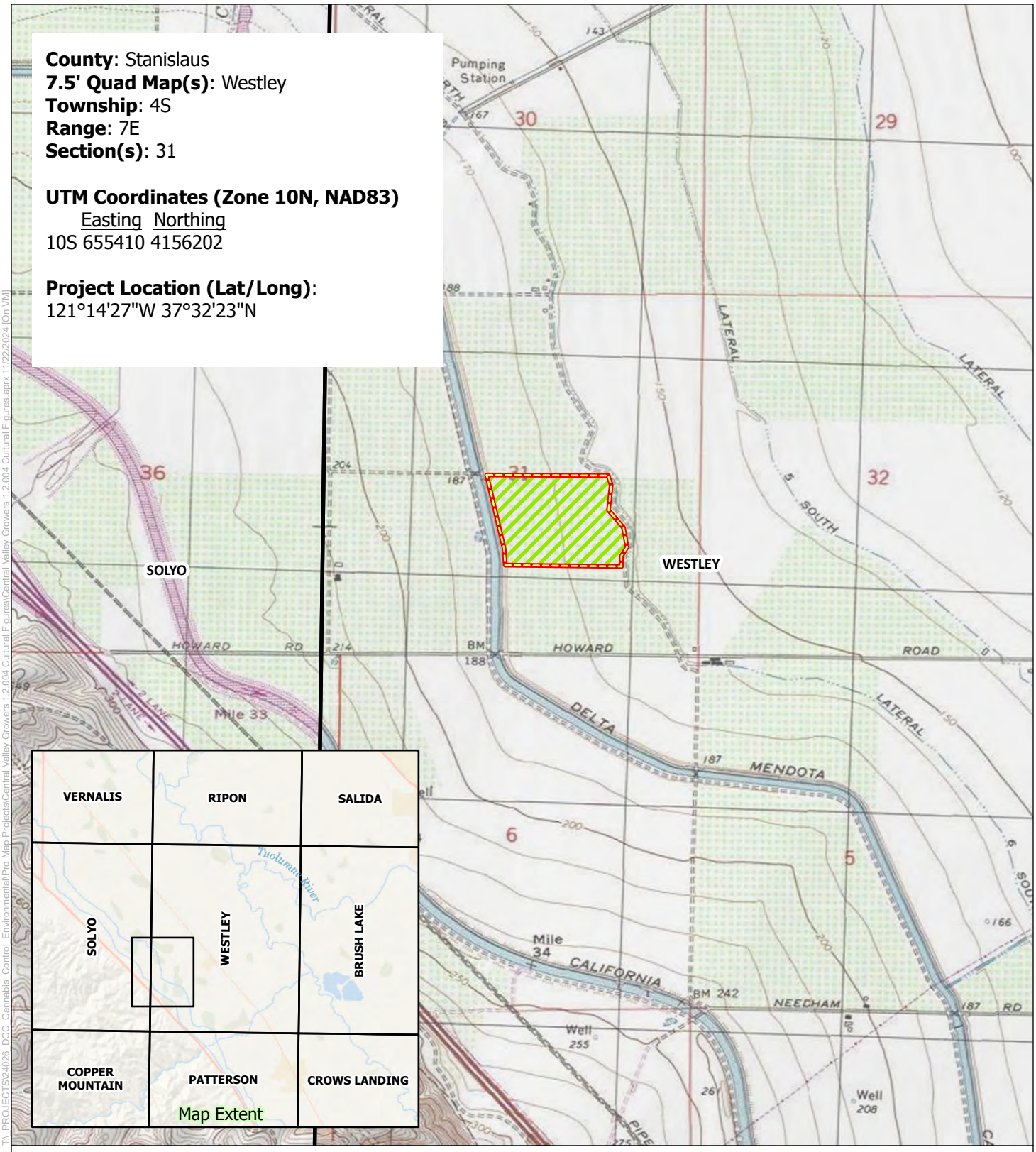
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Township: 4S
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UTM Coordinates (Zone 10N, NAD83)

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N

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Miles

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Project Location

MONTROSE ENVIRONMENTAL

Central Valley Growers
Department of Cannabis Control

T:_PROJECTS\24026_DCC_Cannabis_Control_Environmental\Pro Map Projects\Central Valley Growers 1-2.004 Cultural Figures\Central Valley Growers 1-2.004 Cultural Figures.aprx 11/22/2024 (On VM)

Department of Cannabis Control
CALIFORNIA

Gavin Newsom
Governor

Nicole Elliott
Director

January 9, 2025

Herbert Griffin, Executive Director of Cultural Preservation
Wilton Rancheria
9728 Kent Street
Elk Grove, CA, 95624

Sent via email

RE: Central Valley Growers, LLC, Stanislaus County, California

Dear Herbert Griffin, Executive Director of Cultural Preservation,

The Department of Cannabis Control (DCC) is evaluating the proposed development of a mixed-light cannabis cultivation facility operated by Central Valley Growers, LLC, (Project) in Stanislaus County, California. Project activities are subject to compliance with both the California Environmental Quality Act (CEQA) and the National Historic Preservation Act (NHPA), as well as other regulations. In accordance with Assembly Bill 52 (AB 52), we are seeking to initiate tribal consultation to ensure that any potential impacts to tribal cultural resources are properly identified and addressed.

The Proposed Project is located on a 53-acre site at 2789 Howard Road, Patterson, CA 95363, between CA Interstate 5 and CA Highway 33, in the Westley area. It would occupy approximately 12 acres of the northwest corner of the 53-acre parcel. The Proposed Project is a commercial mixed-light cultivation operation to allow a 22,000 square-foot canopy within a 29,880 square-foot greenhouse building and office, storage, and processing activities within a 7,470 square-foot warehouse. The Proposed Project would be 37,350 square feet in total. Please see **Figure 1** for the Project's location.

The California Department of Food and Agriculture (CDFA) issued a provisional Specialty Mixed-Light Tier 2 cultivation license to Central Valley Growers, LLC, on June 13, 2020. The Proposed Project was later approved by Stanislaus County on July 16, 2019, and was issued a Use Permit and Development Agreement. On the basis of those state and local approvals, the facility began legal operations.

The Proposed Project structures and improvements would be constructed in four phases. Phase 1 construction has been completed. Phase 1 constructed 5,500 square feet of greenhouse space, 800 square feet of warehouse space used to process harvested cannabis products, a 12 parking spaces, a 400 square foot office trailer, a 50,000-gallon fire water tank, a septic field, utility lines, security fencing, landscaping, and a stormwater detention area. Subsequent phases would expand the facilities to include a total buildout of 29,880 square feet of greenhouse space, 7,470 square feet of warehouse space, a 21 space parking area, two additional 50,000-gallon fire water tanks, additional security fencing, and landscaping.

A record search at the Central California Information Center of the California Historical Resources Information System at California State University, Stanislaus did not identify any previously recorded pre-contact archaeological resource within the Project area or 0.25-mile search radius.

A search of the Sacred Lands Files by the Native American Heritage Commission (NAHC) was also conducted for the Project vicinity, which did not identify a sacred site within the vicinity of the project area. The NAHC suggested that local tribes could have information that may not be on file at the NAHC, and your contact information was provided on their List of Native American Contacts for the area as a traditionally and culturally affiliated California Native American tribal representative. We would appreciate hearing from you if you have any concerns regarding tribal cultural resources (as defined by Public Resources Code 21074) within the Project area so that this information can be further incorporated into project planning, and ensure our work avoids impacts to tribal cultural resources. Please contact DGS in writing at the email address or physical address below, within 30 days of your receipt of this notice. If standard mail is to be used, the letter must be postmarked with a date that is within 30 days of your receipt of this notice.

CA Department of Cannabis Control
Attn: Eva Olin, Senior Environmental Scientist Supervisor
2920 Kilgore Rd
Rancho Cordova, CA 95670
279-217-3691
Eva.olin@cannabis.ca.gov

Sincerely,

Eva Olin
Senior Environmental Scientist Supervisor

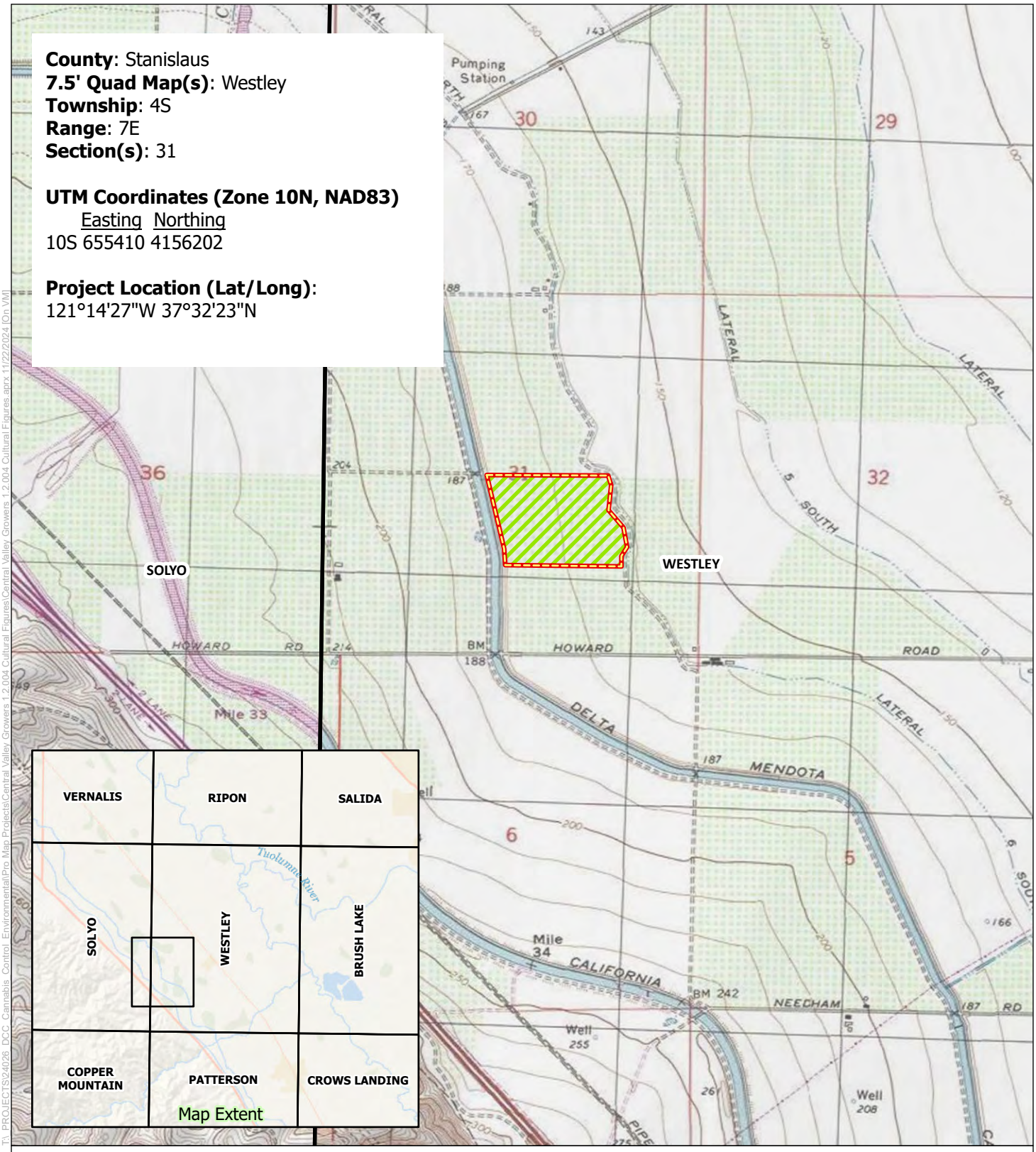
Enclosure: Figure 1: Project Location Map

County: Stanislaus
7.5' Quad Map(s): Westley
Township: 4S
Range: 7E
Section(s): 31

UTM Coordinates (Zone 10N, NAD83)

	Easting	Northing
10S	655410	4156202

Project Location (Lat/Long):
121°14'27"W 37°32'23"N



USGS Quad Index

Project Parcel (016-019-036)

N

0 0.25 0.5
Miles

Figure 2
Project Location

MONTROSE ENVIRONMENTAL

Central Valley Growers
Department of Cannabis Control

T:_PROJECTS\24026_DCC_Cannabis_Control_Environmental\Pro Map Projects\Central Valley Growers 1-2.004 Cultural Figures\Central Valley Growers 1-2.004 Cultural Figures.aprx 11/22/2024 (On VM)

Department of Cannabis Control
CALIFORNIA

Gavin Newsom
Governor

Nicole Elliott
Director

January 9, 2025

Katherine Perez, Chairperson
Northern Valley Yokut / Ohlone Tribe
P.O. Box 717
Linden, CA, 95236

Sent via email

RE: Central Valley Growers, LLC, Stanislaus County, California

Dear Katherine Perez, Chairperson,

The Department of Cannabis Control (DCC) is evaluating the proposed development of a mixed-light cannabis cultivation facility operated by Central Valley Growers, LLC, (Project) in Stanislaus County, California. Project activities are subject to compliance with both the California Environmental Quality Act (CEQA) and the National Historic Preservation Act (NHPA), as well as other regulations. In accordance with Assembly Bill 52 (AB 52), we are seeking to initiate tribal consultation to ensure that any potential impacts to tribal cultural resources are properly identified and addressed.

The Proposed Project is located on a 53-acre site at 2789 Howard Road, Patterson, CA 95363, between CA Interstate 5 and CA Highway 33, in the Westley area. It would occupy approximately 12 acres of the northwest corner of the 53-acre parcel. The Proposed Project is a commercial mixed-light cultivation operation to allow a 22,000 square-foot canopy within a 29,880 square-foot greenhouse building and office, storage, and processing activities within a 7,470 square-foot warehouse. The Proposed Project would be 37,350 square feet in total. Please see **Figure 1** for the Project's location.

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The Proposed Project structures and improvements would be constructed in four phases. Phase 1 construction has been completed. Phase 1 constructed 5,500 square feet of greenhouse space, 800 square feet of warehouse space used to process harvested cannabis products, a 12 parking spaces, a 400 square foot office trailer, a 50,000-gallon fire water tank, a septic field, utility lines, security fencing, landscaping, and a stormwater detention area. Subsequent phases would expand the facilities to include a total buildout of 29,880 square feet of greenhouse space, 7,470 square feet of warehouse space, a 21 space parking area, two additional 50,000-gallon fire water tanks, additional security fencing, and landscaping.

A record search at the Central California Information Center of the California Historical Resources Information System at California State University, Stanislaus did not identify any previously recorded pre-contact archaeological resource within the Project area or 0.25-mile search radius.

A search of the Sacred Lands Files by the Native American Heritage Commission (NAHC) was also conducted for the Project vicinity, which did not identify a sacred site within the vicinity of the project area. The NAHC suggested that local tribes could have information that may not be on file at the NAHC, and your contact information was provided on their List of Native American Contacts for the area as a traditionally and culturally affiliated California Native American tribal representative. We would appreciate hearing from you if you have any concerns regarding tribal cultural resources (as defined by Public Resources Code 21074) within the Project area so that this information can be further incorporated into project planning, and ensure our work avoids impacts to tribal cultural resources. Please contact DGS in writing at the email address or physical address below, within 30 days of your receipt of this notice. If standard mail is to be used, the letter must be postmarked with a date that is within 30 days of your receipt of this notice.

CA Department of Cannabis Control
Attn: Eva Olin, Senior Environmental Scientist Supervisor
2920 Kilgore Rd
Rancho Cordova, CA 95670
279-217-3691
Eva.olin@cannabis.ca.gov

Sincerely,

Eva Olin
Senior Environmental Scientist Supervisor

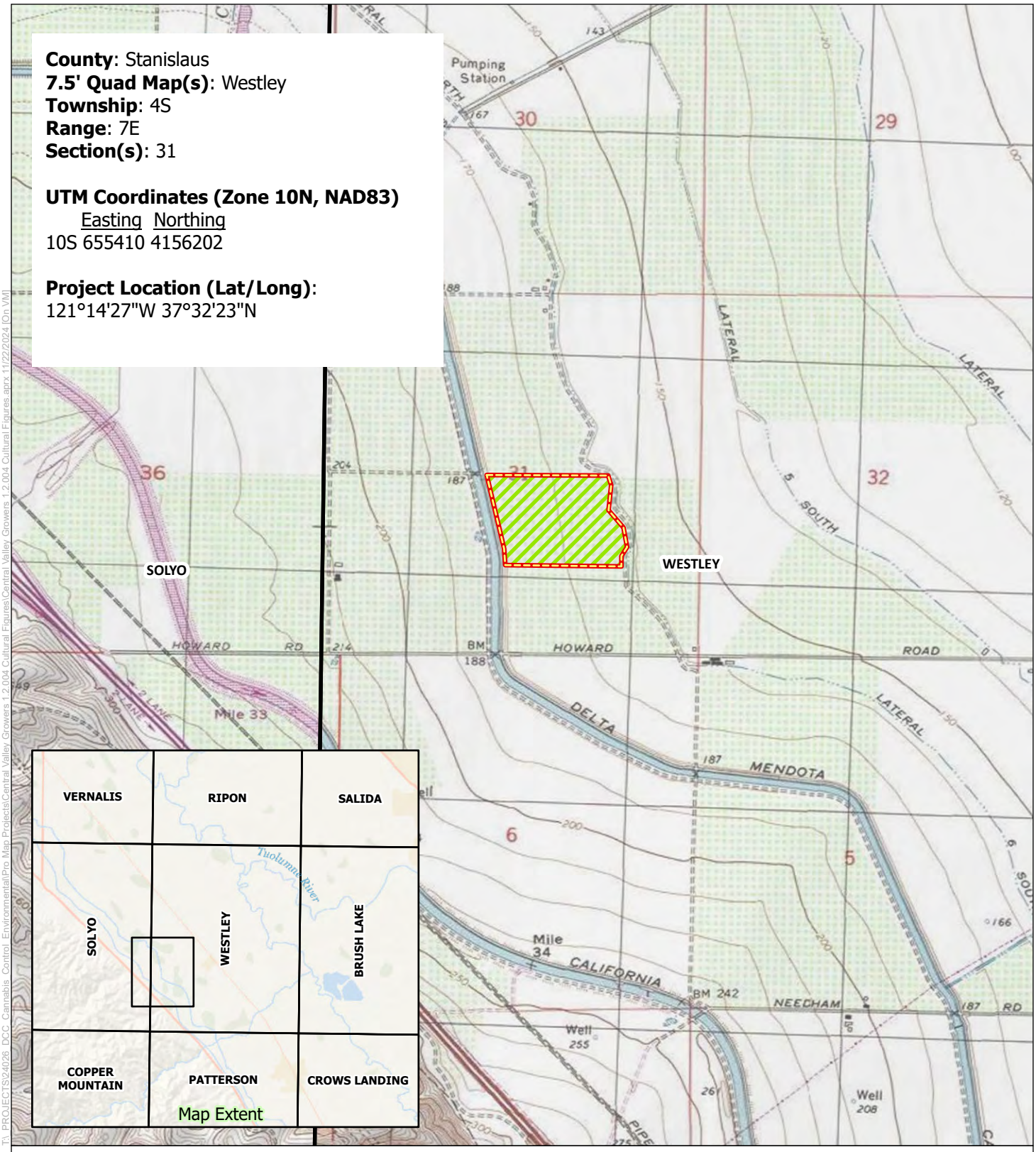
Enclosure: Figure 1: Project Location Map

County: Stanislaus
7.5' Quad Map(s): Westley
Township: 4S
Range: 7E
Section(s): 31

UTM Coordinates (Zone 10N, NAD83)

	Easting	Northing
10S	655410	4156202

Project Location (Lat/Long):
121°14'27"W 37°32'23"N



USGS Quad Index

Project Parcel (016-019-036)

N

0 0.25 0.5
Miles

Figure 2
Project Location

MONTROSE ENVIRONMENTAL

Central Valley Growers
Department of Cannabis Control

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Department of Cannabis Control
CALIFORNIA

Gavin Newsom
Governor

Nicole Elliott
Director

January 9, 2025

Richard Massiatt, Councilmember/MLD Tribal Rep.
Muwekma Ohlone Tribe of the SF Bay Area
1169 S. Main Street, Ste. 336
Manteca, CA, 95377

Sent via email

RE: Central Valley Growers, LLC, Stanislaus County, California

Dear Richard Massiatt, Councilmember/MLD Tribal Rep.,

The Department of Cannabis Control (DCC) is evaluating the proposed development of a mixed-light cannabis cultivation facility operated by Central Valley Growers, LLC, (Project) in Stanislaus County, California. Project activities are subject to compliance with both the California Environmental Quality Act (CEQA) and the National Historic Preservation Act (NHPA), as well as other regulations. In accordance with Assembly Bill 52 (AB 52), we are seeking to initiate tribal consultation to ensure that any potential impacts to tribal cultural resources are properly identified and addressed.

The Proposed Project is located on a 53-acre site at 2789 Howard Road, Patterson, CA 95363, between CA Interstate 5 and CA Highway 33, in the Westley area. It would occupy approximately 12 acres of the northwest corner of the 53-acre parcel. The Proposed Project is a commercial mixed-light cultivation operation to allow a 22,000 square-foot canopy within a 29,880 square-foot greenhouse building and office, storage, and processing activities within a 7,470 square-foot warehouse. The Proposed Project would be 37,350 square feet in total. Please see **Figure 1** for the Project's location.

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The Proposed Project structures and improvements would be constructed in four phases. Phase 1 construction has been completed. Phase 1 constructed 5,500 square feet of greenhouse space, 800 square feet of warehouse space used to process harvested cannabis products, a 12 parking spaces, a 400 square foot office trailer, a 50,000-gallon fire water tank, a septic field, utility lines, security fencing, landscaping, and a stormwater detention area. Subsequent phases would expand the facilities to include a total buildout of 29,880 square feet of greenhouse space, 7,470 square feet of warehouse space, a 21 space parking area, two additional 50,000-gallon fire water tanks, additional security fencing, and landscaping.

A record search at the Central California Information Center of the California Historical Resources Information System at California State University, Stanislaus did not identify any previously recorded pre-contact archaeological resource within the Project area or 0.25-mile search radius.

A search of the Sacred Lands Files by the Native American Heritage Commission (NAHC) was also conducted for the Project vicinity, which did not identify a sacred site within the vicinity of the project area. The NAHC suggested that local tribes could have information that may not be on file at the NAHC, and your contact information was provided on their List of Native American Contacts for the area as a traditionally and culturally affiliated California Native American tribal representative. We would appreciate hearing from you if you have any concerns regarding tribal cultural resources (as defined by Public Resources Code 21074) within the Project area so that this information can be further incorporated into project planning, and ensure our work avoids impacts to tribal cultural resources. Please contact DGS in writing at the email address or physical address below, within 30 days of your receipt of this notice. If standard mail is to be used, the letter must be postmarked with a date that is within 30 days of your receipt of this notice.

CA Department of Cannabis Control
Attn: Eva Olin, Senior Environmental Scientist Supervisor
2920 Kilgore Rd
Rancho Cordova, CA 95670
279-217-3691
Eva.olin@cannabis.ca.gov

Sincerely,

Eva Olin
Senior Environmental Scientist Supervisor

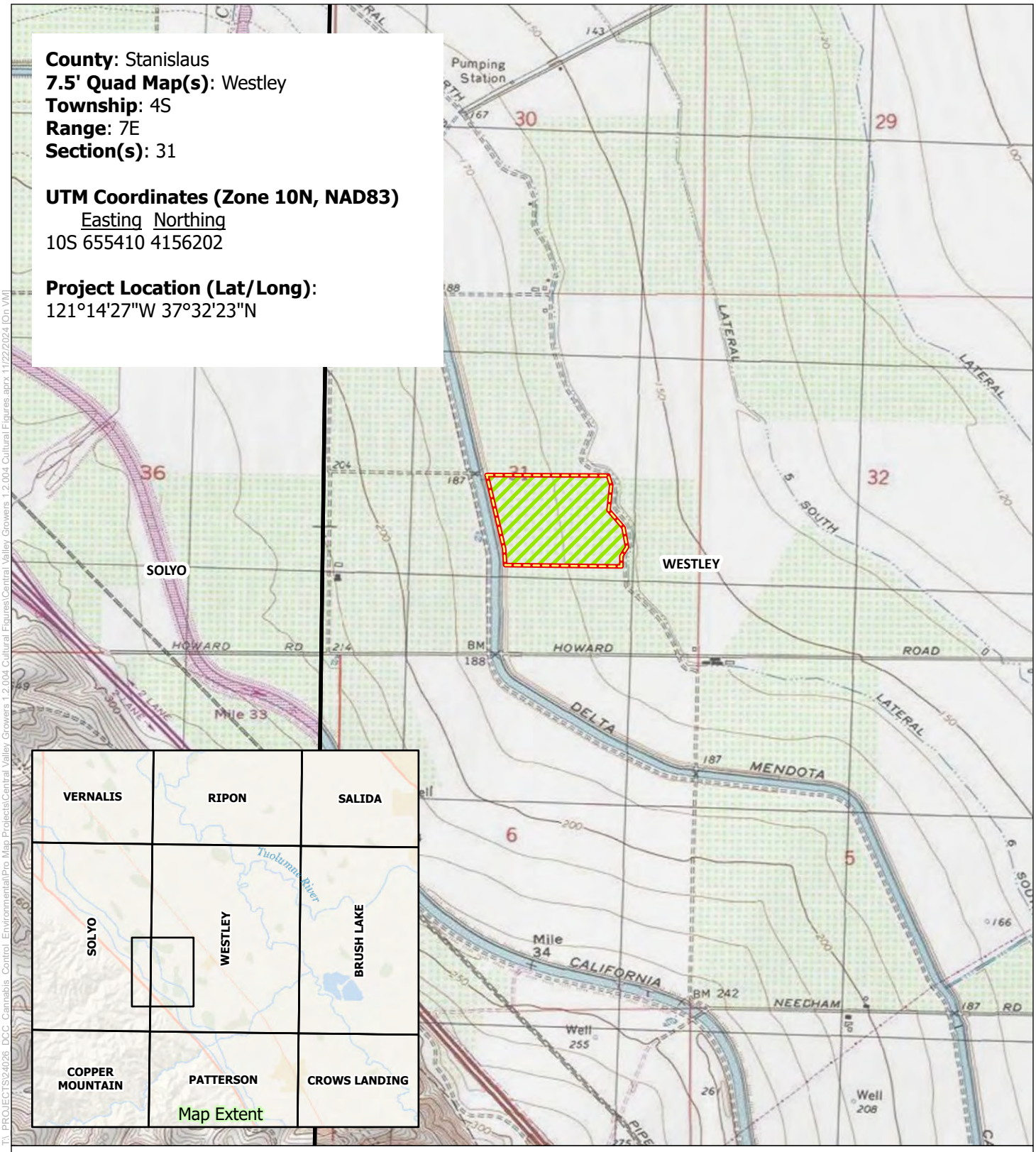
Enclosure: Figure 1: Project Location Map

County: Stanislaus
7.5' Quad Map(s): Westley
Township: 4S
Range: 7E
Section(s): 31

UTM Coordinates (Zone 10N, NAD83)

	Easting	Northing
10S	655410	4156202

Project Location (Lat/Long):
121°14'27"W 37°32'23"N



USGS Quad Index

Project Parcel (016-019-036)

N

0 0.25 0.5
Miles

Figure 2
Project Location

MONTROSE ENVIRONMENTAL

Central Valley Growers
Department of Cannabis Control

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Department of Cannabis Control
CALIFORNIA

Gavin Newsom
Governor

Nicole Elliott
Director

January 9, 2025

Charlene Nijmeh, Chairperson
Muwekma Ohlone Tribe of the SF Bay Area
1169 S. Main Street, Ste. 336
Manteca, CA, 95377

Sent via email

RE: Central Valley Growers, LLC, Stanislaus County, California

Dear Charlene Nijmeh, Chairperson,

The Department of Cannabis Control (DCC) is evaluating the proposed development of a mixed-light cannabis cultivation facility operated by Central Valley Growers, LLC, (Project) in Stanislaus County, California. Project activities are subject to compliance with both the California Environmental Quality Act (CEQA) and the National Historic Preservation Act (NHPA), as well as other regulations. In accordance with Assembly Bill 52 (AB 52), we are seeking to initiate tribal consultation to ensure that any potential impacts to tribal cultural resources are properly identified and addressed.

The Proposed Project is located on a 53-acre site at 2789 Howard Road, Patterson, CA 95363, between CA Interstate 5 and CA Highway 33, in the Westley area. It would occupy approximately 12 acres of the northwest corner of the 53-acre parcel. The Proposed Project is a commercial mixed-light cultivation operation to allow a 22,000 square-foot canopy within a 29,880 square-foot greenhouse building and office, storage, and processing activities within a 7,470 square-foot warehouse. The Proposed Project would be 37,350 square feet in total. Please see **Figure 1** for the Project's location.

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A record search at the Central California Information Center of the California Historical Resources Information System at California State University, Stanislaus did not identify any previously recorded pre-contact archaeological resource within the Project area or 0.25-mile search radius.

A search of the Sacred Lands Files by the Native American Heritage Commission (NAHC) was also conducted for the Project vicinity, which did not identify a sacred site within the vicinity of the project area. The NAHC suggested that local tribes could have information that may not be on file at the NAHC, and your contact information was provided on their List of Native American Contacts for the area as a traditionally and culturally affiliated California Native American tribal representative. We would appreciate hearing from you if you have any concerns regarding tribal cultural resources (as defined by Public Resources Code 21074) within the Project area so that this information can be further incorporated into project planning, and ensure our work avoids impacts to tribal cultural resources. Please contact DGS in writing at the email address or physical address below, within 30 days of your receipt of this notice. If standard mail is to be used, the letter must be postmarked with a date that is within 30 days of your receipt of this notice.

CA Department of Cannabis Control
Attn: Eva Olin, Senior Environmental Scientist Supervisor
2920 Kilgore Rd
Rancho Cordova, CA 95670
279-217-3691
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Sincerely,

Eva Olin
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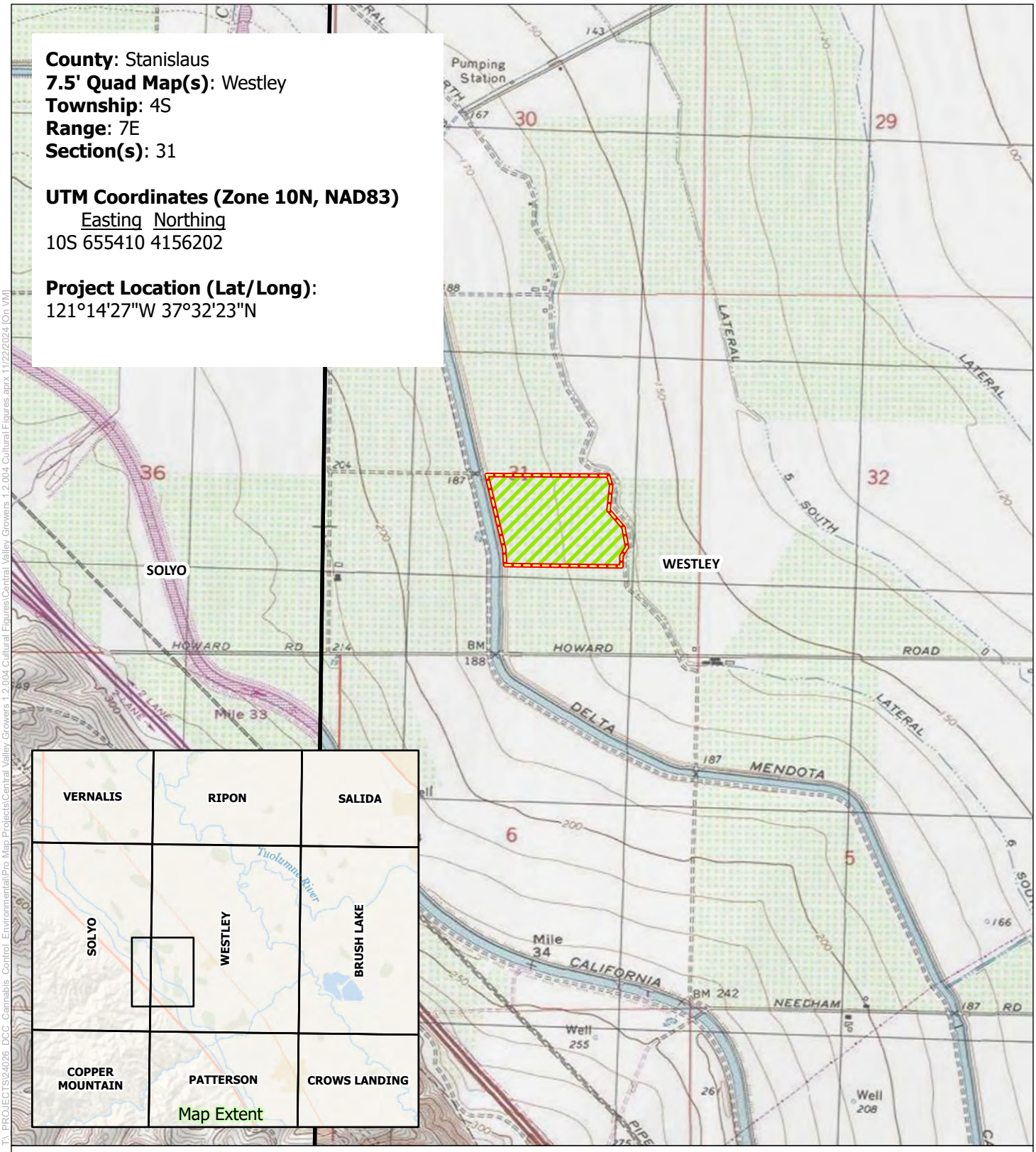
Enclosure: Figure 1: Project Location Map

County: Stanislaus
7.5' Quad Map(s): Westley
Township: 4S
Range: 7E
Section(s): 31

UTM Coordinates (Zone 10N, NAD83)

Easting	Northing
10S 655410	4156202

Project Location (Lat/Long):
121°14'27"W 37°32'23"N



USGS Quad Index

Project Parcel (016-019-036)

N

0 0.25 0.5
Miles

Figure 2
Project Location

MONTROSE ENVIRONMENTAL

Central Valley Growers
Department of Cannabis Control

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Department of Cannabis Control
CALIFORNIA

Gavin Newsom
Governor

Nicole Elliott
Director

January 9, 2025

Neil Peyron, Chairperson
Tule River Indian Tribe
P.O. Box 589
Porterville, CA, 93258

Sent via email

RE: Central Valley Growers, LLC, Stanislaus County, California

Dear Neil Peyron, Chairperson,

The Department of Cannabis Control (DCC) is evaluating the proposed development of a mixed-light cannabis cultivation facility operated by Central Valley Growers, LLC, (Project) in Stanislaus County, California. Project activities are subject to compliance with both the California Environmental Quality Act (CEQA) and the National Historic Preservation Act (NHPA), as well as other regulations. In accordance with Assembly Bill 52 (AB 52), we are seeking to initiate tribal consultation to ensure that any potential impacts to tribal cultural resources are properly identified and addressed.

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2920 Kilgore Rd
Rancho Cordova, CA 95670
279-217-3691
Eva.olin@cannabis.ca.gov

Sincerely,

Eva Olin
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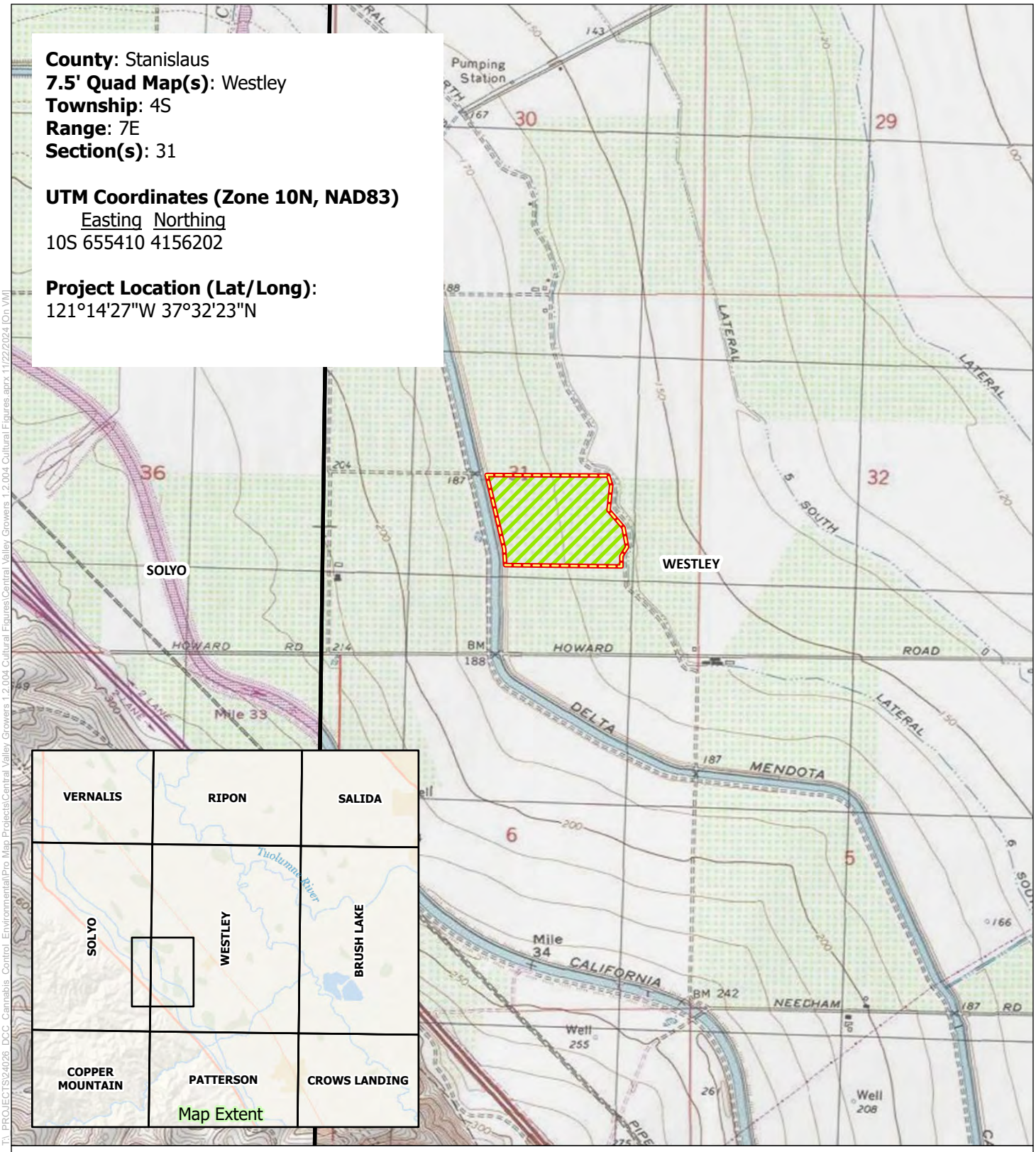
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County: Stanislaus
7.5' Quad Map(s): Westley
Township: 4S
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UTM Coordinates (Zone 10N, NAD83)

	Easting	Northing
10S	655410	4156202

Project Location (Lat/Long):
121°14'27"W 37°32'23"N



USGS Quad Index

Project Parcel (016-019-036)

N

0 0.25 0.5
Miles

Figure 2
Project Location

MONTROSE ENVIRONMENTAL

Central Valley Growers
Department of Cannabis Control

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Department of Cannabis Control
CALIFORNIA

Gavin Newsom
Governor

Nicole Elliott
Director

January 9, 2025

Timothy Perez, Tribal Compliance Officer
Northern Valley Yokut / Ohlone Tribe
P.O. Box 717
Linden, CA, 95236

Sent via email

RE: Central Valley Growers, LLC, Stanislaus County, California

Dear Timothy Perez, Tribal Compliance Officer,

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2920 Kilgore Rd
Rancho Cordova, CA 95670
279-217-3691
Eva.olin@cannabis.ca.gov

Sincerely,

Eva Olin
Senior Environmental Scientist Supervisor

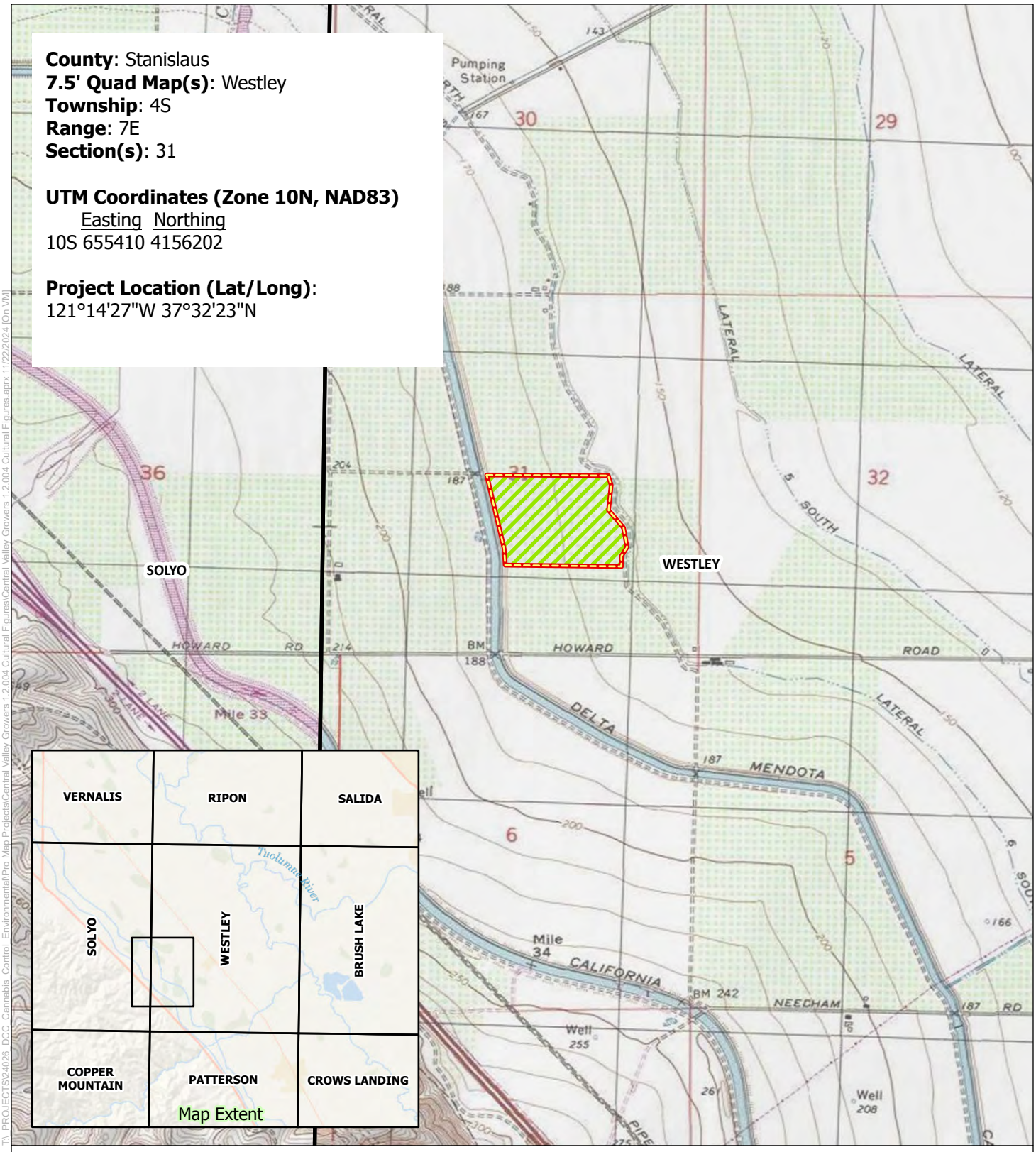
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County: Stanislaus
7.5' Quad Map(s): Westley
Township: 4S
Range: 7E
Section(s): 31

UTM Coordinates (Zone 10N, NAD83)

	Easting	Northing
10S	655410	4156202

Project Location (Lat/Long):
121°14'27"W 37°32'23"N



USGS Quad Index

Project Parcel (016-019-036)

N

0 0.25 0.5
Miles

Figure 2
Project Location

MONTROSE ENVIRONMENTAL

Central Valley Growers
Department of Cannabis Control

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Department of Cannabis Control
CALIFORNIA

Gavin Newsom
Governor

Nicole Elliott
Director

January 9, 2025

Kenneth Woodrow, Chairperson
Wuksachi Indian Tribe/Eshom Valley Band
1179 Rock Haven Ct.
Salinas, CA, 93906

Sent via email

RE: Central Valley Growers, LLC, Stanislaus County, California

Dear Kenneth Woodrow, Chairperson,

The Department of Cannabis Control (DCC) is evaluating the proposed development of a mixed-light cannabis cultivation facility operated by Central Valley Growers, LLC, (Project) in Stanislaus County, California. Project activities are subject to compliance with both the California Environmental Quality Act (CEQA) and the National Historic Preservation Act (NHPA), as well as other regulations. In accordance with Assembly Bill 52 (AB 52), we are seeking to initiate tribal consultation to ensure that any potential impacts to tribal cultural resources are properly identified and addressed.

The Proposed Project is located on a 53-acre site at 2789 Howard Road, Patterson, CA 95363, between CA Interstate 5 and CA Highway 33, in the Westley area. It would occupy approximately 12 acres of the northwest corner of the 53-acre parcel. The Proposed Project is a commercial mixed-light cultivation operation to allow a 22,000 square-foot canopy within a 29,880 square-foot greenhouse building and office, storage, and processing activities within a 7,470 square-foot warehouse. The Proposed Project would be 37,350 square feet in total. Please see **Figure 1** for the Project's location.

The California Department of Food and Agriculture (CDFA) issued a provisional Specialty Mixed-Light Tier 2 cultivation license to Central Valley Growers, LLC, on June 13, 2020. The Proposed Project was later approved by Stanislaus County on July 16, 2019, and was issued a Use Permit and Development Agreement. On the basis of those state and local approvals, the facility began legal operations.

The Proposed Project structures and improvements would be constructed in four phases. Phase 1 construction has been completed. Phase 1 constructed 5,500 square feet of greenhouse space, 800 square feet of warehouse space used to process harvested cannabis products, a 12 parking spaces, a 400 square foot office trailer, a 50,000-gallon fire water tank, a septic field, utility lines, security fencing, landscaping, and a stormwater detention area. Subsequent phases would expand the facilities to include a total buildout of 29,880 square feet of greenhouse space, 7,470 square feet of warehouse space, a 21 space parking area, two additional 50,000-gallon fire water tanks, additional security fencing, and landscaping.

A record search at the Central California Information Center of the California Historical Resources Information System at California State University, Stanislaus did not identify any previously recorded pre-contact archaeological resource within the Project area or 0.25-mile search radius.

A search of the Sacred Lands Files by the Native American Heritage Commission (NAHC) was also conducted for the Project vicinity, which did not identify a sacred site within the vicinity of the project area. The NAHC suggested that local tribes could have information that may not be on file at the NAHC, and your contact information was provided on their List of Native American Contacts for the area as a traditionally and culturally affiliated California Native American tribal representative. We would appreciate hearing from you if you have any concerns regarding tribal cultural resources (as defined by Public Resources Code 21074) within the Project area so that this information can be further incorporated into project planning, and ensure our work avoids impacts to tribal cultural resources. Please contact DGS in writing at the email address or physical address below, within 30 days of your receipt of this notice. If standard mail is to be used, the letter must be postmarked with a date that is within 30 days of your receipt of this notice.

CA Department of Cannabis Control
Attn: Eva Olin, Senior Environmental Scientist Supervisor
2920 Kilgore Rd
Rancho Cordova, CA 95670
279-217-3691
Eva.olin@cannabis.ca.gov

Sincerely,

Eva Olin
Senior Environmental Scientist Supervisor

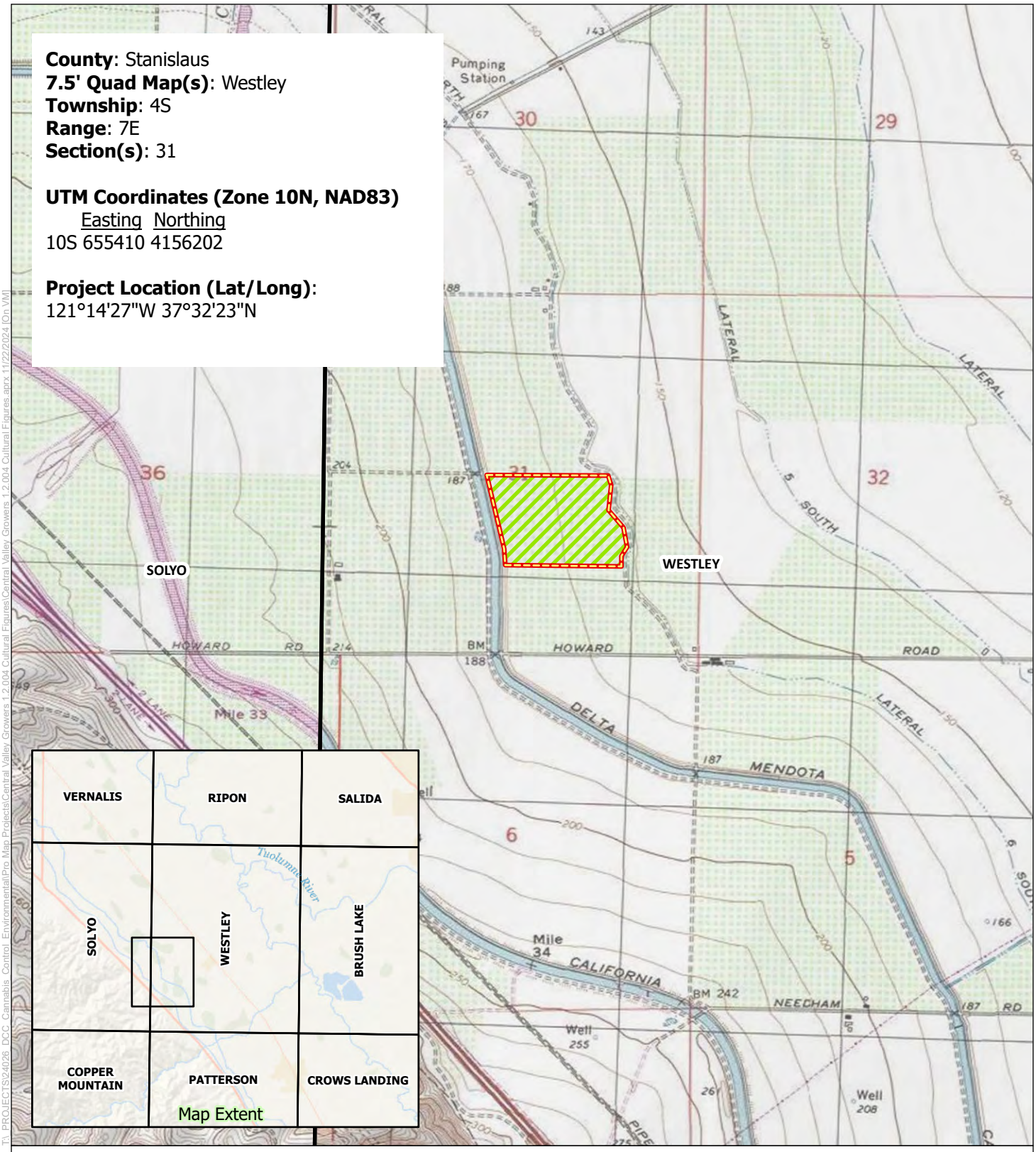
Enclosure: Figure 1: Project Location Map

County: Stanislaus
7.5' Quad Map(s): Westley
Township: 4S
Range: 7E
Section(s): 31

UTM Coordinates (Zone 10N, NAD83)

	Easting	Northing
10S	655410	4156202

Project Location (Lat/Long):
121°14'27"W 37°32'23"N



USGS Quad Index

Project Parcel (016-019-036)

N

0 0.25 0.5
Miles

Figure 2
Project Location

MONTROSE ENVIRONMENTAL

Central Valley Growers
Department of Cannabis Control

T:_PROJECTS\24026_DCC_Cannabis_Control_Environmental\Pro Map Projects\Central Valley Growers 1-2.004 Cultural Figures\Central Valley Growers 1-2.004 Cultural Figures.aprx 11/22/2024 (On VM)

Pearce, Susan@Cannabis

From: Pearce, Susan@Cannabis
Sent: Thursday, January 9, 2025 12:31 PM
To: sandra47roy@gmail.com
Cc: Olin, Eva@Cannabis; BridgetParry@montrose-env.com
Subject: Notification of Central Valley Growers Project
Attachments: Chapman_CVG_DCC Stanislaus_010925.pdf

Tracking:

Recipient	Delivery	Read
sandra47roy@gmail.com		
Olin, Eva@Cannabis	Delivered: 1/9/2025 12:31 PM	Read: 1/10/2025 12:30 PM
BridgetParry@montrose-env.com		

Dear Sandra Chapman, Chairperson,

I hope this email finds you well. On behalf of the California Department of Cannabis Control (DCC), I am writing to inform you of the Central Valley Growers Project. In line with the cultural resources assessment for projects under CEQA and Assembly Bill 52 (AB 52), DCC invites your Tribe to share any concerns you may have about cultural resources and tribal cultural resources significant to your community that could be affected by the project.

Please find attached the notification letter and location map for the project.

If you have any questions or comments regarding the project, please contact Eva Olin at the California Department of Cannabis Control, whose contact info is listed below:

Eva Olin, Senior Environmental Scientist Supervisor

2920 Kilgore Rd
Rancho Cordova, CA 95670
Phone: 279-217-3691
Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

Pearce, Susan@Cannabis

From: Pearce, Susan@Cannabis
Sent: Thursday, January 9, 2025 12:31 PM
To: cpd@wiltonrancheria-nsn.gov
Cc: Olin, Eva@Cannabis; BridgetParry@montrose-env.com
Subject: Notification of Central Valley Growers Project
Attachments: CPDWiltonRancheria_CVG_DCC Stanislaus_010925.pdf

Tracking:

Recipient	Read
cpd@wiltonrancheria-nsn.gov	
Olin, Eva@Cannabis	Read: 1/10/2025 12:30 PM
BridgetParry@montrose-env.com	

Dear Cultural Preservation Department,

I hope this email finds you well. On behalf of the California Department of Cannabis Control (DCC), I am writing to inform you of the Central Valley Growers Project. In line with the cultural resources assessment for projects under CEQA and Assembly Bill 52 (AB 52), DCC invites your Tribe to share any concerns you may have about cultural resources and tribal cultural resources significant to your community that could be affected by the project.

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Eva Olin, Senior Environmental Scientist Supervisor

2920 Kilgore Rd
Rancho Cordova, CA 95670
Phone: 279-217-3691
Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

Pearce, Susan@Cannabis

From: Pearce, Susan@Cannabis
Sent: Thursday, January 9, 2025 12:31 PM
To: preservation@southernsierramiwuknation.org
Cc: Olin, Eva@Cannabis; BridgetParry@montrose-env.com
Subject: Notification of Central Valley Growers Projects
Attachments: Gegere_CVG_DCC Stanislaus_010925.pdf

Tracking:

Recipient	Delivery	Read
preservation@southernsierramiwuk		
Olin, Eva@Cannabis	Delivered: 1/9/2025 12:31 PM	Read: 1/10/2025 12:30 PM
BridgetParry@montrose-env.com		

Dear Jazzmyn Gegere, Director of Cultural Resources,

I hope this email finds you well. On behalf of the California Department of Cannabis Control (DCC), I am writing to inform you of the Central Valley Growers Project. In line with the cultural resources assessment for projects under CEQA and Assembly Bill 52 (AB 52), DCC invites your Tribe to share any concerns you may have about cultural resources and tribal cultural resources significant to your community that could be affected by the project.

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Rancho Cordova, CA 95670
Phone: 279-217-3691
Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

Pearce, Susan@Cannabis

From: Pearce, Susan@Cannabis
Sent: Thursday, January 9, 2025 12:31 PM
To: hgriffin@wiltonrancheria-nsn.gov
Cc: Olin, Eva@Cannabis; BridgetParry@montrose-env.com
Subject: Notification of Central Valley Growers Project
Attachments: Griffin_CVG_DCC Stanislaus_010925.pdf

Tracking:

Recipient	Read
hgriffin@wiltonrancheria-nsn.gov	
Olin, Eva@Cannabis	Read: 1/10/2025 12:29 PM
BridgetParry@montrose-env.com	

Dear Herbert Griffin, Executive Director of Cultural Preservation,

I hope this email finds you well. On behalf of the California Department of Cannabis Control (DCC), I am writing to inform you of the Central Valley Growers Project. In line with the cultural resources assessment for projects under CEQA and Assembly Bill 52 (AB 52), DCC invites your Tribe to share any concerns you may have about cultural resources and tribal cultural resources significant to your community that could be affected by the project.

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2920 Kilgore Rd
Rancho Cordova, CA 95670
Phone: 279-217-3691
Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

Pearce, Susan@Cannabis

From: Pearce, Susan@Cannabis
Sent: Thursday, January 9, 2025 12:31 PM
To: canutes@verizon.net
Cc: Olin, Eva@Cannabis; Bridget Parry
Subject: Notification of Central Valley Growers Project
Attachments: KPerez_CVG_DCC Stanislaus_010925.pdf

Tracking:

Recipient	Delivery	Read
canutes@verizon.net		
Olin, Eva@Cannabis	Delivered: 1/9/2025 12:31 PM	Read: 1/10/2025 12:30 PM
Bridget Parry		

Dear Katherine Perez, Chairperson,

I hope this email finds you well. On behalf of the California Department of Cannabis Control (DCC), I am writing to inform you of the Central Valley Growers Project. In line with the cultural resources assessment for projects under CEQA and Assembly Bill 52 (AB 52), DCC invites your Tribe to share any concerns you may have about cultural resources and tribal cultural resources significant to your community that could be affected by the project.

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2920 Kilgore Rd
Rancho Cordova, CA 95670
Phone: 279-217-3691
Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

Pearce, Susan@Cannabis

From: Pearce, Susan@Cannabis
Sent: Thursday, January 9, 2025 12:31 PM
To: aerieways@aol.com
Cc: Olin, Eva@Cannabis; Bridget Parry
Subject: Notification of Central Valley Growers Project
Attachments: Ketchum_CVG_DCC Stanislaus_010925.pdf

Tracking:

Recipient	Read
aerieways@aol.com	
Olin, Eva@Cannabis	Read: 1/10/2025 12:31 PM
Bridget Parry	

Dear Ed Ketchum, Vice-Chairperson,

I hope this email finds you well. On behalf of the California Department of Cannabis Control (DCC), I am writing to inform you of the Central Valley Growers Project. In line with the cultural resources assessment for projects under CEQA and Assembly Bill 52 (AB 52), DCC invites your Tribe to share any concerns you may have about cultural resources and tribal cultural resources significant to your community that could be affected by the project.

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2920 Kilgore Rd
Rancho Cordova, CA 95670
Phone: 279-217-3691
Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

Pearce, Susan@Cannabis

From: Pearce, Susan@Cannabis
Sent: Thursday, January 9, 2025 12:31 PM
To: vjltestingcenter@aol.com
Cc: Bridget Parry; Olin, Eva@Cannabis
Subject: Notification of Central Valley Growers Project
Attachments: Lopez_CVG_DCC Stanislaus_010925.pdf

Tracking:

Recipient	Delivery	Read
vjltestingcenter@aol.com		
Bridget Parry		
Olin, Eva@Cannabis	Delivered: 1/9/2025 12:31 PM	Read: 1/10/2025 12:30 PM

Dear Valentin Lopez, Chairperson,

I hope this email finds you well. On behalf of the California Department of Cannabis Control (DCC), I am writing to inform you of the Central Valley Growers Project. In line with the cultural resources assessment for projects under CEQA and Assembly Bill 52 (AB 52), DCC invites your Tribe to share any concerns you may have about cultural resources and tribal cultural resources significant to your community that could be affected by the project.

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Eva Olin, Senior Environmental Scientist Supervisor

2920 Kilgore Rd
Rancho Cordova, CA 95670
Phone: 279-217-3691
Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

Pearce, Susan@Cannabis

From: Pearce, Susan@Cannabis
Sent: Thursday, January 9, 2025 12:31 PM
To: massiatt@muwekma.org
Cc: Olin, Eva@Cannabis; Bridget Parry
Subject: Notification of Central Valley Growers Project
Attachments: Massiatt_CVG_DCC Stanislaus_010925.pdf

Tracking:

Recipient	Read
massiatt@muwekma.org	
Olin, Eva@Cannabis	Read: 1/10/2025 12:30 PM
Bridget Parry	

Dear Richard Massiatt, Councilmember/MLD Tribal Rep.,

I hope this email finds you well. On behalf of the California Department of Cannabis Control (DCC), I am writing to inform you of the Central Valley Growers Project. In line with the cultural resources assessment for projects under CEQA and Assembly Bill 52 (AB 52), DCC invites your Tribe to share any concerns you may have about cultural resources and tribal cultural resources significant to your community that could be affected by the project.

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Rancho Cordova, CA 95670
Phone: 279-217-3691
Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

Pearce, Susan@Cannabis

From: Pearce, Susan@Cannabis
Sent: Thursday, January 9, 2025 12:31 PM
To: cnijmeh@muwekma.org
Cc: Olin, Eva@Cannabis; Bridget Parry
Subject: Notification of Central Valley Growers Project
Attachments: Nijmeh_CVG_DCC Stanislaus_010925.pdf

Tracking:

Recipient	Read
cnijmeh@muwekma.org	
Olin, Eva@Cannabis	Read: 1/10/2025 12:30 PM
Bridget Parry	

Dear Charlene Nijmeh, Chairperson,

I hope this email finds you well. On behalf of the California Department of Cannabis Control (DCC), I am writing to inform you of the Central Valley Growers Project. In line with the cultural resources assessment for projects under CEQA and Assembly Bill 52 (AB 52), DCC invites your Tribe to share any concerns you may have about cultural resources and tribal cultural resources significant to your community that could be affected by the project.

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Phone: 279-217-3691
Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

Pearce, Susan@Cannabis

From: Pearce, Susan@Cannabis
Sent: Thursday, January 9, 2025 12:31 PM
To: neil.peyron@tulerivertribe-nsn.gov
Cc: Olin, Eva@Cannabis; BridgetParry@montrose-env.com
Subject: Notification of Central Valley Growers Project
Attachments: Peyron_CVG_DCC Stanislaus_010925.pdf

Tracking:

Recipient	Delivery	Read
neil.peyron@tulerivertribe-nsn.gov		
Olin, Eva@Cannabis	Delivered: 1/9/2025 12:31 PM	Read: 1/10/2025 12:30 PM
BridgetParry@montrose-env.com		

Dear Neil Peyron, Chairperson,

I hope this email finds you well. On behalf of the California Department of Cannabis Control (DCC), I am writing to inform you of the Central Valley Growers Project. In line with the cultural resources assessment for projects under CEQA and Assembly Bill 52 (AB 52), DCC invites your Tribe to share any concerns you may have about cultural resources and tribal cultural resources significant to your community that could be affected by the project.

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Rancho Cordova, CA 95670
Phone: 279-217-3691
Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

Pearce, Susan@Cannabis

From: Pearce, Susan@Cannabis
Sent: Thursday, January 9, 2025 12:31 PM
To: huskanam@gmail.com
Cc: Olin, Eva@Cannabis; Bridget Parry
Subject: Notification of Central Valley Growers Project
Attachments: TPerez_CVG_DCC Stanislaus_010925.pdf

Tracking:

Recipient	Delivery	Read
huskanam@gmail.com		
Olin, Eva@Cannabis	Delivered: 1/9/2025 12:31 PM	Read: 1/10/2025 12:30 PM
Bridget Parry		

Dear Timothy Perez, Tribal Compliance Officer,

I hope this email finds you well. On behalf of the California Department of Cannabis Control (DCC), I am writing to inform you of the Central Valley Growers Project. In line with the cultural resources assessment for projects under CEQA and Assembly Bill 52 (AB 52), DCC invites your Tribe to share any concerns you may have about cultural resources and tribal cultural resources significant to your community that could be affected by the project.

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Phone: 279-217-3691
Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

Pearce, Susan@Cannabis

From: Pearce, Susan@Cannabis
Sent: Thursday, January 9, 2025 12:31 PM
To: kwood8934@aol.com
Cc: Olin, Eva@Cannabis; BridgetParry@montrose-env.com
Subject: Notification of Central Valley Growers Project
Attachments: Woodrow_CVG_DCC Stanislaus_010925.pdf

Dear Kenneth Woodrow, Chairperson,

I hope this email finds you well. On behalf of the California Department of Cannabis Control (DCC), I am writing to inform you of the Central Valley Growers Project. In line with the cultural resources assessment for projects under CEQA and Assembly Bill 52 (AB 52), DCC invites your Tribe to share any concerns you may have about cultural resources and tribal cultural resources significant to your community that could be affected by the project.

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Rancho Cordova, CA 95670
Phone: 279-217-3691
Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

Pearce, Susan@Cannabis

From: Pearce, Susan@Cannabis
Sent: Wednesday, January 29, 2025 5:10 PM
To: sandra47roy@gmail.com
Cc: Olin, Eva@Cannabis; bridgetparry@montrose-env.com
Subject: FW: Notification of Central Valley Growers Project
Attachments: Chapman_CVG_DCC Stanislaus_010925.pdf

Dear Sandra Chapman, Chairperson,

I hope this email finds you well. On January 9, 2025, you were electronically sent a notification letter and location map for the Central Valley Growers Project. I am reaching out to ensure that you received the letter and have the opportunity to address any questions, comments, or concerns you may have about the project impacting important tribal cultural resources. I have attached a copy of letter and location map for your convenience.

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> Eva Olin, Senior Environmental Scientist Supervisor
> 2920 Kilgore Rd
> Rancho Cordova, CA 95670
> Phone: 279-217-3691
> Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

From: Pearce, Susan@Cannabis
Sent: Thursday, January 9, 2025 12:31 PM
To: sandra47roy@gmail.com
Cc: Olin, Eva@Cannabis <Eva.Olin@cannabis.ca.gov>; BridgetParry@montrose-env.com
Subject: Notification of Central Valley Growers Project

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Phone: 279-217-3691
Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

Pearce, Susan@Cannabis

From: Pearce, Susan@Cannabis
Sent: Wednesday, January 29, 2025 5:09 PM
To: preservation@southernsierramiwuknation.org
Cc: Olin, Eva@Cannabis; bridgetparry@montrose-env.com
Subject: FW: Notification of Central Valley Growers Projects
Attachments: Gegere_CVG_DCC Stanislaus_010925.pdf

Dear Jazzmyn Gegere, Director of Cultural Resources,

I hope this email finds you well. On January 9, 2025, you were electronically sent a notification letter and location map for the Central Valley Growers Project. I am reaching out to ensure that you received the letter and have the opportunity to address any questions, comments, or concerns you may have about the project impacting important tribal cultural resources. I have attached a copy of letter and location map for your convenience.

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Montrose Environmental
smpearce@montrose-env.com

From: Pearce, Susan@Cannabis
Sent: Thursday, January 9, 2025 12:31 PM
To: preservation@southernsierramiwuknation.org
Cc: Olin, Eva@Cannabis <Eva.Olin@cannabis.ca.gov>; BridgetParry@montrose-env.com
Subject: Notification of Central Valley Growers Projects

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Phone: 279-217-3691
Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

Pearce, Susan@Cannabis

From: Pearce, Susan@Cannabis
Sent: Wednesday, January 29, 2025 5:07 PM
To: canutes@verizon.net
Cc: bridgetparry@montrose-env.com; Olin, Eva@Cannabis
Subject: FW: Notification of Central Valley Growers Project
Attachments: KPerez_CVG_DCC Stanislaus_010925.pdf

Dear Katherine Perez, Chairperson,

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> Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

From: Pearce, Susan@Cannabis
Sent: Thursday, January 9, 2025 12:31 PM
To: canutes@verizon.net
Cc: Olin, Eva@Cannabis <Eva.Olin@cannabis.ca.gov>; Bridget Parry <BridgetParry@montrose-env.com>
Subject: Notification of Central Valley Growers Project

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Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

Pearce, Susan@Cannabis

From: Pearce, Susan@Cannabis
Sent: Wednesday, January 29, 2025 5:04 PM
To: aerieways@aol.com
Cc: bridgetparry@montrose-env.com; Olin, Eva@Cannabis
Subject: FW: Notification of Central Valley Growers Project
Attachments: Ketchum_CVG_DCC Stanislaus_010925.pdf

Dear Ed Ketchum, Vice-Chairperson,

I hope this email finds you well. On January 9, 2025, you were electronically sent a notification letter and location map for the Central Valley Growers Project. I am reaching out to ensure that you received the letter and have the opportunity to address any questions, comments, or concerns you may have about the project impacting important tribal cultural resources. I have attached a copy of letter and location map for your convenience.

If you have any questions or comments regarding the project, please contact Eva Olin at the California Department of Cannabis Control, whose contact info is listed below:

> Eva Olin, Senior Environmental Scientist Supervisor
> 2920 Kilgore Rd
> Rancho Cordova, CA 95670
> Phone: 279-217-3691
> Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

From: Pearce, Susan@Cannabis
Sent: Thursday, January 9, 2025 12:31 PM
To: aerieways@aol.com
Cc: Olin, Eva@Cannabis <Eva.Olin@cannabis.ca.gov>; Bridget Parry <BridgetParry@montrose-env.com>
Subject: Notification of Central Valley Growers Project

Dear Ed Ketchum, Vice-Chairperson,

I hope this email finds you well. On behalf of the California Department of Cannabis Control (DCC), I am writing to inform you of the Central Valley Growers Project. In line with the cultural resources assessment for projects under CEQA and Assembly Bill 52 (AB 52), DCC invites your Tribe to share any concerns you may have about cultural resources and tribal cultural resources significant to your community that could be affected by the project.

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Phone: 279-217-3691
Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

Pearce, Susan@Cannabis

From: Pearce, Susan@Cannabis
Sent: Wednesday, January 29, 2025 5:03 PM
To: vjltestingcenter@aol.com
Cc: Olin, Eva@Cannabis; bridgetparry@montrose-env.com
Subject: FW: Notification of Central Valley Growers Project
Attachments: Lopez_CVG_DCC Stanislaus_010925.pdf

Dear Valentin Lopez, Chairperson,

I hope this email finds you well. On January 9, 2025, you were electronically sent a notification letter and location map for the Central Valley Growers Project. I am reaching out to ensure that you received the letter and have the opportunity to address any questions, comments, or concerns you may have about the project impacting important tribal cultural resources. I have attached a copy of letter and location map for your convenience.

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> Phone: 279-217-3691
> Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

From: Pearce, Susan@Cannabis
Sent: Thursday, January 9, 2025 12:31 PM
To: vjltestingcenter@aol.com
Cc: Bridget Parry <BridgetParry@montrose-env.com>; Olin, Eva@Cannabis <Eva.Olin@cannabis.ca.gov>
Subject: Notification of Central Valley Growers Project

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2920 Kilgore Rd
Rancho Cordova, CA 95670
Phone: 279-217-3691
Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

Pearce, Susan@Cannabis

From: Pearce, Susan@Cannabis
Sent: Wednesday, January 29, 2025 5:06 PM
To: massiatt@muwekma.org
Cc: Olin, Eva@Cannabis; bridgetparry@montrose-env.com
Subject: FW: Notification of Central Valley Growers Project
Attachments: Massiatt_CVG_DCC Stanislaus_010925.pdf

Dear Richard Massiatt, Councilmember/MLD Tribal Rep.,

I hope this email finds you well. On January 9, 2025, you were electronically sent a notification letter and location map for the Central Valley Growers Project. I am reaching out to ensure that you received the letter and have the opportunity to address any questions, comments, or concerns you may have about the project impacting important tribal cultural resources. I have attached a copy of letter and location map for your convenience.

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> Rancho Cordova, CA 95670
> Phone: 279-217-3691
> Email: Eva.olin@cannabis.ca.gov

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Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

From: Pearce, Susan@Cannabis
Sent: Thursday, January 9, 2025 12:31 PM
To: massiatt@muwekma.org
Cc: Olin, Eva@Cannabis <Eva.Olin@cannabis.ca.gov>; Bridget Parry <BridgetParry@montrose-env.com>
Subject: Notification of Central Valley Growers Project

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Rancho Cordova, CA 95670
Phone: 279-217-3691
Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

Pearce, Susan@Cannabis

From: Pearce, Susan@Cannabis
Sent: Wednesday, January 29, 2025 5:06 PM
To: cnijmeh@muwekma.org
Cc: Olin, Eva@Cannabis; bridgetparry@montrose-env.com
Subject: FW: Notification of Central Valley Growers Project
Attachments: Nijmeh_CVG_DCC Stanislaus_010925.pdf

Dear Charlene Nijmeh, Chairperson,

I hope this email finds you well. On January 9, 2025, you were electronically sent a notification letter and location map for the Central Valley Growers Project. I am reaching out to ensure that you received the letter and have the opportunity to address any questions, comments, or concerns you may have about the project impacting important tribal cultural resources. I have attached a copy of letter and location map for your convenience.

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> Eva Olin, Senior Environmental Scientist Supervisor
> 2920 Kilgore Rd
> Rancho Cordova, CA 95670
> Phone: 279-217-3691
> Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

From: Pearce, Susan@Cannabis
Sent: Thursday, January 9, 2025 12:31 PM
To: cnijmeh@muwekma.org
Cc: Olin, Eva@Cannabis <Eva.Olin@cannabis.ca.gov>; Bridget Parry <BridgetParry@montrose-env.com>
Subject: Notification of Central Valley Growers Project

Dear Charlene Nijmeh, Chairperson,

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2920 Kilgore Rd
Rancho Cordova, CA 95670
Phone: 279-217-3691
Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

Pearce, Susan@Cannabis

From: Pearce, Susan@Cannabis
Sent: Wednesday, January 29, 2025 5:11 PM
To: neil.peyron@tulerivertribe-nsn.gov
Cc: Olin, Eva@Cannabis; bridgetparry@montrose-env.com
Subject: FW: Notification of Central Valley Growers Project
Attachments: Peyron_CVG_DCC Stanislaus_010925.pdf

Dear Neil Peyron, Chairperson,

I hope this email finds you well. On January 9, 2025, you were electronically sent a notification letter and location map for the Central Valley Growers Project. I am reaching out to ensure that you received the letter and have the opportunity to address any questions, comments, or concerns you may have about the project impacting important tribal cultural resources. I have attached a copy of letter and location map for your convenience.

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> 2920 Kilgore Rd
> Rancho Cordova, CA 95670
> Phone: 279-217-3691
> Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

From: Pearce, Susan@Cannabis
Sent: Thursday, January 9, 2025 12:31 PM
To: neil.peyron@tulerivertribe-nsn.gov
Cc: Olin, Eva@Cannabis <Eva.Olin@cannabis.ca.gov>; BridgetParry@montrose-env.com
Subject: Notification of Central Valley Growers Project

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Rancho Cordova, CA 95670
Phone: 279-217-3691
Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

Pearce, Susan@Cannabis

From: Pearce, Susan@Cannabis
Sent: Wednesday, January 29, 2025 5:08 PM
To: huskanam@gmail.com
Cc: Olin, Eva@Cannabis; bridgetparry@montrose-env.com
Subject: FW: Notification of Central Valley Growers Project
Attachments: TPerez_CVG_DCC Stanislaus_010925.pdf

Dear Timothy Perez, Tribal Compliance Officer,

I hope this email finds you well. On January 9, 2025, you were electronically sent a notification letter and location map for the Central Valley Growers Project. I am reaching out to ensure that you received the letter and have the opportunity to address any questions, comments, or concerns you may have about the project impacting important tribal cultural resources. I have attached a copy of letter and location map for your convenience.

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> Rancho Cordova, CA 95670
> Phone: 279-217-3691
> Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

From: Pearce, Susan@Cannabis
Sent: Thursday, January 9, 2025 12:31 PM
To: huskanam@gmail.com
Cc: Olin, Eva@Cannabis <Eva.Olin@cannabis.ca.gov>; Bridget Parry <BridgetParry@montrose-env.com>
Subject: Notification of Central Valley Growers Project

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Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

Pearce, Susan@Cannabis

From: Pearce, Susan@Cannabis
Sent: Wednesday, January 29, 2025 5:13 PM
To: kwood8934@aol.com
Cc: Olin, Eva@Cannabis; bridgetparry@montrose-env.com
Subject: FW: Notification of Central Valley Growers Project
Attachments: Woodrow_CVG_DCC Stanislaus_010925.pdf

Dear Kenneth Woodrow, Chairperson,

I hope this email finds you well. On January 9, 2025, you were electronically sent a notification letter and location map for the Central Valley Growers Project. I am reaching out to ensure that you received the letter and have the opportunity to address any questions, comments, or concerns you may have about the project impacting important tribal cultural resources. I have attached a copy of letter and location map for your convenience.

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> Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

From: Pearce, Susan@Cannabis
Sent: Thursday, January 9, 2025 12:31 PM
To: kwood8934@aol.com
Cc: Olin, Eva@Cannabis <Eva.Olin@cannabis.ca.gov>; BridgetParry@montrose-env.com
Subject: Notification of Central Valley Growers Project

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Phone: 279-217-3691
Email: Eva.olin@cannabis.ca.gov

Best,

Susan Pearce
Montrose Environmental
smpearce@montrose-env.com

Appendix C
CHRIS Central California Information Center Results

This page intentionally left blank.

CHRIS Data Request Form

ACCESS AND USE AGREEMENT NO.: 206.00 **IC FILE NO.:** _____

To: Central California Information Center

Print Name: Dean Martorana Date: 11/25/2024

Affiliation: Montrose Environmental

Address: 1 Kaiser Plaza, Suite 340

City: Oakland State: CA Zip: 94612

Phone: 916-205-6087 Fax: _____ Email: dmartorana@montrose-env.com

Billing Address (if different than above): _____

Billing Email: sawieder@montrose-env.com Billing Phone: (510) 986-1850

Project Name / Reference: Central Valley Growers, LLC.

Project Street Address: 2789 Howard Road, Patterson, CA 95363

County or Counties: Stanislaus

Township/Range/UTMs: 4S/7E/Sect. 31. See attached for UTMs.

USGS 7.5' Quad(s): Westley

PRIORITY RESPONSE (Additional Fee): yes ☐ / no ■

TOTAL FEE NOT TO EXCEED: $_____
(If blank, the Information Center will contact you if the fee is expected to exceed $1,000.00)

Special Instructions:

Information Center Use Only

Date of CHRIS Data Provided for this Request: _____

Confidential Data Included in Response: yes ☐ / no ☐

Notes: _____

CHRIS Data Request Form

Mark the request form as needed. Attach a PDF of your project area (with the radius if applicable) mapped on a 7.5' USGS topographic quadrangle to scale 1:24000 ratio 1:1 neither enlarged nor reduced and include a shapefile of your project area, if available. Shapefiles are the current CHRIS standard for submitting digital spatial data for your project area or radius. **Check with the appropriate IC for current availability of digital data products.**

- Documents will be provided in PDF format. Paper copies will only be provided if PDFs are not available at the time of the request or under specially arranged circumstances.
- Location information will be provided as a digital map product (Custom Maps or GIS data) unless the area has not yet been digitized. In such circumstances, the IC may provide hand drawn maps.
- In addition to the $150/hr. staff time fee, client will be charged the Custom Map fee when GIS is required to complete the request [e.g., a map printout or map image/PDF is requested and no GIS Data is requested, or an electronic product is requested (derived from GIS data) but no mapping is requested].

For product fees, see the CHRIS IC Fee Structure on the OHP website.

1. Map Format Choice:

Select One: Custom GIS Maps ☐ GIS Data ☐ Custom GIS Maps **and** GIS Data ☒ No Maps ☐

Any selection below left unmarked will be considered a "no. "

Location Information:

	Within project area	Within 1/4 mi. radius
ARCHAEOLOGICAL Resource Locations[1]	yes ☒ / no ☐	yes ☒ / no ☐
NON-ARCHAEOLOGICAL Resource Locations	yes ☒ / no ☐	yes ☒ / no ☐
Report Locations[1]	yes ☒ / no ☐	yes ☒ / no ☐
"Other" Report Locations[2]	yes ☐ / no ☒	yes ☐ / no ☒

3. Database Information:
(contact the IC for product examples, or visit the SSJVIC website for examples)

	Within project area	Within 1/4 mi. radius
ARCHAEOLOGICAL Resource Database[1]		
List (PDF format)	yes ☐ / no ☒	yes ☐ / no ☒
Detail (PDF format)	yes ☒ / no ☐	yes ☒ / no ☐
Excel Spreadsheet	yes ☒ / no ☐	yes ☒ / no ☐
NON-ARCHAEOLOGICAL Resource Database		
List (PDF format)	yes ☐ / no ☒	yes ☐ / no ☒
Detail (PDF format)	yes ☒ / no ☐	yes ☒ / no ☐
Excel Spreadsheet	yes ☒ / no ☐	yes ☒ / no ☐
Report Database[1]		
List (PDF format)	yes ☐ / no ☒	yes ☐ / no ☒
Detail (PDF format)	yes ☒ / no ☐	yes ☒ / no ☐
Excel Spreadsheet	yes ☒ / no ☐	yes ☒ / no ☐
Include "Other" Reports [2]	yes ☐ / no ☒	yes ☐ / no ☒

4. Document PDFs (paper copy only upon request)**:**

	Within project area	Within 1/4 mi. radius
ARCHAEOLOGICAL Resource Records[1]	yes ☒ / no ☐	yes ☒ / no ☐
NON-ARCHAEOLOGICAL Resource Records	yes ☒ / no ☐	yes ☒ / no ☐
Reports[1]	yes ☒ / no ☐	yes ☐ / no ☒
"Other" Reports[2]	yes ☐ / no ☒	yes ☐ / no ☒

CHRIS Data Request Form

5. Eligibility Listings and Documentation:

	Within project area	Within 1/4 mi. radius
OHP Built Environment Resources Directory[3]:		
Directory listing only (Excel format)	yes ☐ / no ☒	yes ☐ / no ☒
Associated documentation[4]	yes ☐ / no ☒	yes ☐ / no ☒
OHP Archaeological Resources Directory[1,5]:		
Directory listing only (Excel format)	yes ☒ / no ☐	yes ☒ / no ☐
Associated documentation[4]	yes ☒ / no ☐	yes ☒ / no ☐
***California Inventory of Historic Resources* (1976):**		
Directory listing only (PDF format)	yes ☒ / no ☐	yes ☒ / no ☐
Associated documentation[4]	yes ☒ / no ☐	yes ☐ / no ☒

6. Additional Information:

The following sources of information may be available through the Information Center. However, several of these sources are now available on the OHP website and can be accessed directly. The Office of Historic Preservation makes no guarantees about the availability, completeness, or accuracy of the information provided through these sources. Indicate below if the Information Center should review and provide documentation (if available) of any of the following sources as part of this request.

Caltrans Bridge Survey	yes ☐ / no ☒
Ethnographic Information	yes ☐ / no ☒
Historical Literature	yes ☐ / no ☒
Historical Maps	yes ☒ / no ☐
Local Inventories	yes ☐ / no ☒
GLO and/or Rancho Plat Maps	yes ☒ / no ☐
Shipwreck Inventory	yes ☐ / no ☒
Soil Survey Maps	yes ☐ / no ☒

---

[1] In order to receive archaeological information, requestor must meet qualifications as specified in Section III of the current version of the California Historical Resources Information System Information Center Rules of Operation Manual and be identified as an Authorized User or Conditional User under an active CHRIS Access and Use Agreement.

[2] "Other" Reports GIS layer consists of report study areas for which the report content is almost entirely non-fieldwork related (e.g., local/regional history, or overview) and/or for which the presentation of the study area boundary may or may not add value to a record search.

[3] Provided as Excel spreadsheets with no cost for the rows; the only cost for this component is IC staff time. Includes, but not limited to, information regarding National Register of Historic Places, California Register of Historical Resources, California State Historical Landmarks, California State Points of Historical Interest, and historic building surveys. Previously known as the HRI and then as the HPD, it is now known as the Built Environment Resources Directory (BERD). The Office of Historic Preservation compiles this documentation and it is the source of the official status codes for evaluated resources.

[4] Associated documentation will vary by resource. Contact the IC for further details.

[5] Provided as Excel spreadsheets with no cost for the rows; the only cost for this component is IC staff time. Previously known as the Archaeological Determinations of Eligibility, now it is known as the Archaeological Resources Directory (ARD). The Office of Historic Preservation compiles this documentation and it is the source of the official status codes for evaluated resources.

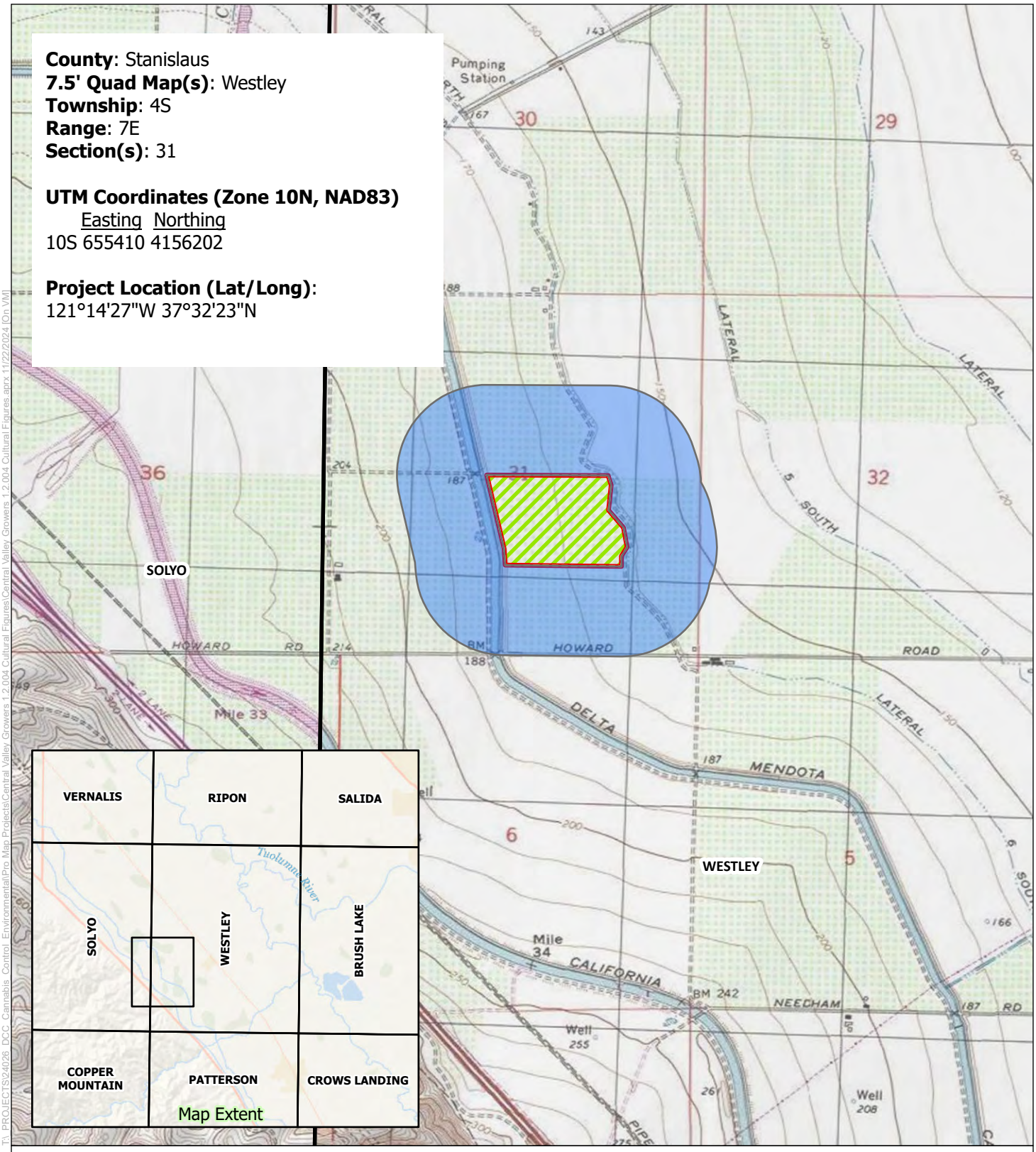


Figure 2
Project Location

MONTROSE ENVIRONMENTAL

Central Valley Growers
Department of Cannabis Control

T:_PROJECTS\24026_DCC_Cannabis_Control_Environmental\Pro Map Projects\Central Valley Growers 1-2.004 Cultural Figures\Central Valley Growers 1-2.004 Cultural Figures.aprx 11/22/2024 (On VM)

CENTRAL CALIFORNIA INFORMATION CENTER

California Historical Resources Information System

Department of Anthropology – California State University, Stanislaus
One University Circle, Turlock, California 95382
(209) 667-3307

Alpine, Calaveras, Mariposa, Merced, Mono, San Joaquin, Stanislaus & Tuolumne Counties

Date: 11/25/2024

Records Search File No.: 13121N
Project: Central Valley Growers, LLC
2789 Howard Road, Patterson, CA 95363

Dean Martorana
Montrose Environmental
1 Kaiser Plaza, Suite 340
Oakland, CA 94612
916-205-6087

Invoice to: sawieder@montrose-env.com

dmartorana@montrose-env.com

The Central California Information Center received your record search request for the project area referenced above, located on the Westley 7.5' quadrangle in Stanislaus County. The following reflects the results of the records search for the project study area and radius:

As per data currently available at the CCaIC, the locations of resources/reports are provided in the following format: ☒ Custom GIS maps ☒ GIS Data/shape files

Summary Data:

Resources within the project area:	None formally reported to the Information Center.
Resources within the 1/4-mile radius:	1: P-50-001904*
Reports within the project area:	None formally reported to the Information Center.
Reports within the 1/4-mile radius:	2: ST-06972, 7779

Resource Database Printout (list):	☐ enclosed	☒ not requested	☐ nothing listed
Resource Database Printout (details):	☒ enclosed	☐ not requested	☐ nothing listed
Resource Digital Database Records:	☒ enclosed	☐ not requested	☐ nothing listed
Report Database Printout (list):	☐ enclosed	☒ not requested	☐ nothing listed
Report Database Printout (details):	☐ enclosed	☒ not requested	☐ nothing listed
Report Digital Database Records:	☒ enclosed	☐ not requested	☐ nothing listed
Resource Record Copies:	☒ enclosed	☐ not requested	☐ nothing listed
Report Copies:	☐ enclosed	☒ not requested	☐ nothing listed

Notes on the Central Valley Project that concern the CCaIC *

CCaIC Report ME/SJ/ST/TO-07779 and Additional Citations A & B; ME-09071 A & B

In the Central California Information Center's area of responsibility the following features are considered part of the Central Valley Project by the Bureau of Reclamation in the reports referenced above:

P-24-001703, P-39-000089, P-50-001904 Delta Mendota Canal: Part of California's Central Valley Project listed in the OHP Multi-County BERD as 2S2; some other segments of the DM listed in Stanislaus County BERD as 6Y; no formal record on file for the Central Valley Project.

Merced County:	B. F. Fisk Dam & San Luis Reservoir Historic District (P-24-002184) (aka Sisk-San Luis Dam) O'Neill Dam and Forebay & O'Neill Pumping Plant (P-24-002008)**B. F. Fisk Dam & William R. Gianelli Pumping-Generating Plant (P-24-002185)** San Luis Canal P-24-001926* San Luis Drain (Wasteway) P-24-001848* San Luis Maintenance and Operations Center (P-24-002186)** Dos Amigos Pumping Plant (P-24-002192) Los Banos and Little Panoche

*Also listed as contributors to the Miller-Lux District P-24-002104
** Also contributors to the B. F. Fisk Dam & San Luis Reservoir Historic District (P-24-002184)

Tuolumne	Melones Dam, New Melones Dam and Power Plant (Powerhouse) P-55-002299/P-05-003793 (All part of New Melones Archaeological/ Historical Districts P-55-007282 & P-05-002075)

The "Central Valley Project", a water conveyance system, is listed in the OHP BERD (under Multi-County listing as 2S2)—but no specific resource record has been submitted to the IC. The U. S. Bureau of Reclamation has submitted a multiple property nomination for the Central Valley Project, which is currently being revamped. Anyone interested in the nomination process contact the Bureau of Reclamation, 2800 Cottage Way, MP-153, Sacramento, CA 95825 for further information.

OHP Historic Properties Directory: New Excel File: Built Environment Resource Directory (BERD)
Dated 9/23/2022
Not all resources listed in the BERD are mapped in GIS, nor do we have records on file for; if you identify additional resources in the BERD that you need copies of, contact the IC.

☐ enclosed ☒ not requested ☐ nothing listed

Archaeological Resource Directory (ARD excerpt): ☐ enclosed ☐ not requested ☒ nothing listed
CA Inventory of Historic Resources (1976): ☐ enclosed ☐ not requested ☒ nothing listed
Caltrans Bridge Survey: ☐ enclosed ☒ not requested ☐ nothing listed
Ethnographic Information: ☐ enclosed ☒ not requested ☐ nothing listed
Historical Literature: ☐ enclosed ☒ not requested ☐ nothing listed
Historical Maps: ☒ enclosed ☐ not requested ☐ nothing listed

Westley (1915) (1952)
Stanislaus County (1906)
See also: http://ngmdb.usgs.gov>topoview

Local Inventories: ☐ enclosed ☒ not requested ☐ nothing listed

GLO and/or Rancho Plat Maps: ☒ enclosed ☐ not requested ☐ nothing listed

T4S R7E 1855 1870
See also: https://glorecords.blm.gov

Shipwreck Inventory: ☒ not available at CaCIC; please go to http://shipwrecks.slc.ca.gov/ShipwrecksDatabase/Shipwrecks_Database.asp

Soil Survey Maps: ☒ not available at CCaIC; please go to http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx

Please forward a copy of any resulting reports from this project to the office as soon as possible. Due to the sensitive nature of archaeological site location data, we ask that you do not include resource location maps and resource location descriptions in your report if the report is for public distribution. If you have any questions regarding the results presented herein, please contact the office at the phone number listed above.

The provision of CHRIS Data via this records search response does not in any way constitute public disclosure of records otherwise exempt from disclosure under the California Public Records Act or any other law, including, but not limited to, records related to archeological site information maintained by or on behalf of, or in the possession of, the State of California, Department of Parks and Recreation, State Historic Preservation Officer, Office of Historic Preservation, or the State Historical Resources Commission.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the CHRIS Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

Should you require any additional information for the above referenced project, reference the record search number listed above when making inquiries. Requests made after initial invoicing will result in the preparation of a separate invoice.

Thank you for using the California Historical Resources Information System (CHRIS). **Note:** Billing will be transmitted separately via email by our Financial Services office* ($197.85), payable within 60 days of receipt of the invoice.

If you wish to include payment by Credit Card, you must wait to receive the official invoice from Financial Services so that you can reference the CMP # (Invoice Number), and then contact the link below:

https://commerce.cashnet.com/ANTHROPOLOGY

Sincerely,

E. A. Greathouse

E. A. Greathouse, Coordinator
Central California Information Center
California Historical Resources Information System

* Invoice Request sent to: ARBilling@csustan.edu, CSU Stanislaus Financial Services

Report Detail: ST-06972

Identifiers

Report No.: ST-06972

Other IDs:	*Type*	*Name*
	NADB-R	1367266

Cross-refs:

Citation information

Author(s): Chotkowski, M. A.

Year: 2008 (Oct)

Title: Letter Report: Section 106 Compliance for Installating a Discharge Pipe on the Delta-Mendota Canal, Stanislaus County, California (Tracking #08-SCAO-319)

Affliliation: Bureau of Reclamation

No. pages: 13

No. maps:

Attributes: Archaeological, Other research

Inventory size: 105 Feet

Disclosure: Not for publication

Collections: No

General notes

Associated resources

No. resources: 0

Has informals: No

Location information

County(ies): Stanislaus

USGS quad(s): Westley

Address:

PLSS:

Database record metadata

	Date	*User*
Entered:	10/2/2013	jay
Last modified:	2/28/2024	jlaw1

IC actions:	*Date*	*User*	*Action taken*
	10/2/2013	jay	Appended records from CCIC NADB database
	2/27/2017	Anthro	JS
	2/28/2024	jlaw1	JLD

Record status:

Report Detail: ST-07779

Identifiers

Report No.: ST-07779
Other IDs:
Cross-refs: Extends into another county as CA-07779
Extends into another county as ME-07779
Extends into another county as SJ-07779
Extends into another county as TO-07779

Citation information

Author(s): Bailey, J., Ph.D. (2009 Draft) and Palmer, L. (2018)
Year: 2018 (Apr)
Title: California's Central Valley Project: Historic Engineering Features to 1956: A Multiple Property Documentation Form, April 2009 (National Register of Historic Places Nomination).
Affliliation: Bureau of Reclamation
No. pages: 352
No. maps:
Attributes: Architectural/Historical, Evaluation, Management/planning
Inventory size:
Disclosure: Not for publication
Collections: No

Sub-desig.: A
Author(s): Bailey, Jim,. Ph.D.
Year: 2009
Title: Reclamation, Managing Water in the West: California's Central Valley Project: Historic Engineering Features to 1956
Affiliation: Bureau of Reclamation
Report type(s): Architectural/Historical, Evaluation, Management/planning
Inventory size:
No. pages: 201
Disclosure: Unrestricted
Collections: No
PDF Pages: 46-246

Sub-desig.: B
Author(s): Palmer, L.
Year: 2018
Title: Central Valley Project (CVP), National Register of Historic Places Determinations of Eligibility, Multiple Counties, California. Bureau of Reclamation, Mid-Pacific Region Division of Environmental Affairs, Cultural Resources Branch, Sacramento.
Central Valley Project (CVP), National Register of Historic Places Determinations of Eligibility, Multiple Counties, California. Bureau of Reclamation, Mid-Pacific Region Division of Environmental Affairs, Cultural Resources Branch, Sacramento.
Affiliation: Bureau of Reclamation
Report type(s): Architectural/Historical, Evaluation
Inventory size:
No. pages: 45
Disclosure: Not for publication
Collections: No
PDF Pages: 1-45

General notes

Includes Delta Mendota Canal.

Associated resources

Primary No.	*Trinomial*	*Name*
P-50-001904		Delta Mendota Canal

No. resources: 1

Report Detail: ST-07779

Has informals: No

Location information

County(ies): Stanislaus
USGS quad(s): Crows Landing, Newman, Patterson, Solyo, Westley
Address:
PLSS:

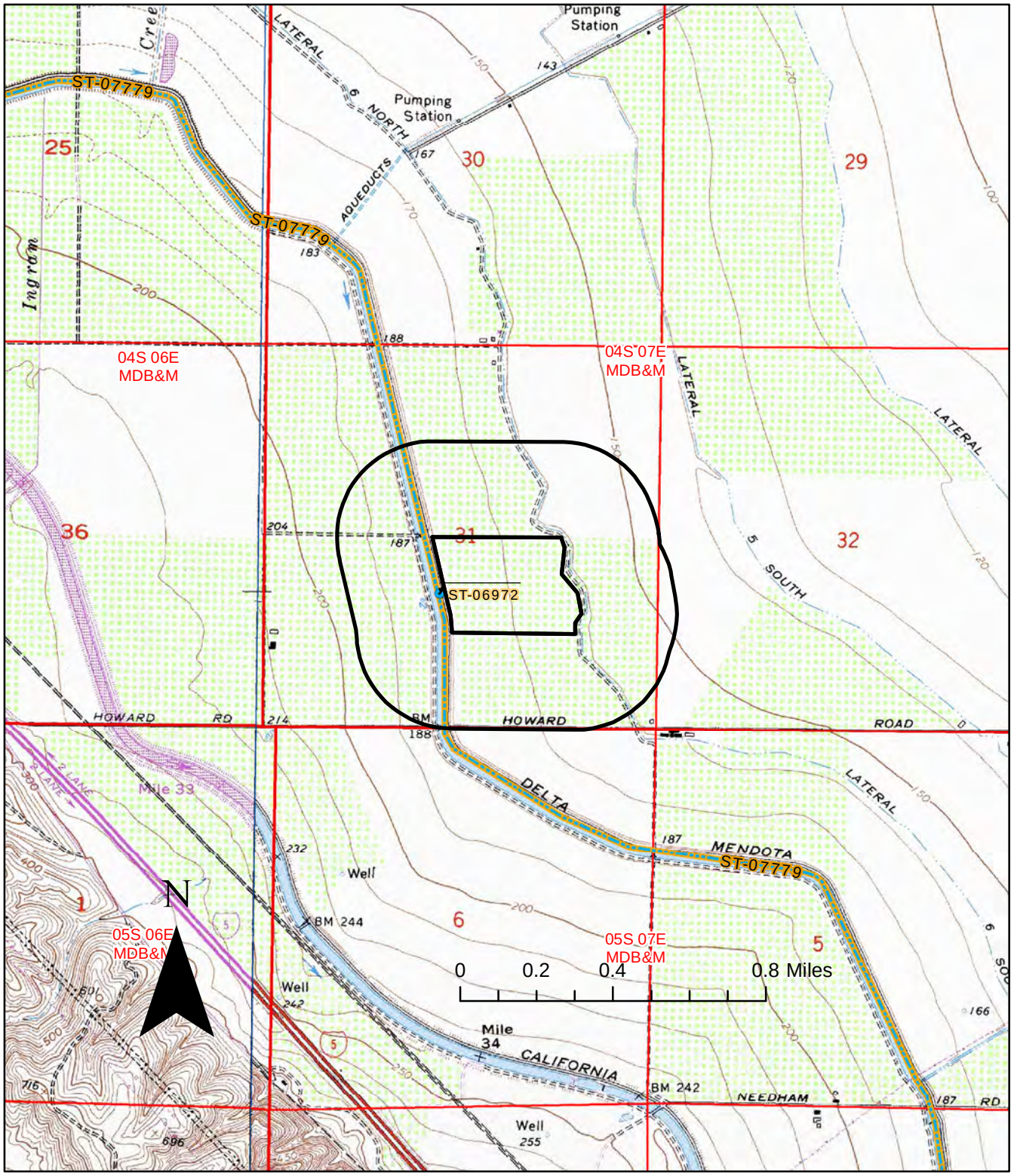
Database record metadata

	Date	*User*
Entered:	10/23/2013	anthro
Last modified:	5/9/2019	rhards

IC actions:	*Date*	*User*	*Action taken*
	1/26/2016	EGreathouse	eg
	4/8/2019	EGreathouse	eg

Record status:

CCaIC 13121N Central Valley Growers, LLC
Reports 1/4-mile radius 1:24,000-scale
Westley USGS 7.5' Quadrangle



Resource Detail: P-50-001904

Identifying information

Primary No.: P-50-001904
Trinomial:
Name: Delta Mendota Canal
Other IDs:

Type	*Name*
Resource Name	Delta Mendota Canal

Cross-refs: Extends into another county as 24-001703
Extends into another county as 39-000089

Attributes

Resource type: Structure
Age: Historic
Information base: Survey
Attribute codes: HP20 (Canal/aqueduct) - Delta-Mendota Canal
Disclosure: Unrestricted
Collections: No
Accession no(s):
Facility:

General notes

HPDF 2S2 (Central Valley Project) Determined eligible for NRHP

Recording events

Date	*Recorder(s)*	*Affiliation*	*Notes*
4/24/2006	Cindy J. Arrington	SWCA Environmental Consultants	
6/11/2004	R. Deis	EDAW, Inc.	
4/1/2010	P. Ambacher & D. Lemon	ICF International	Formerly known as Jones & Stokes Associates. Portions of this record fall in Merced Co.
4/25/2006	Cindy J. Arrington	SWCA Environmental Consultants	
8/13/2007	Carey & Co.	Carey & Co.	
1/6/2003	B. Larson, E. Johnson	JRP historical Consulting Services	
5/16/2006	James Bailey, Historian	US Bureau of Reclamation	Nomination in the National Historic Preservation Act (Multiple property NRHP nomination form; DRAFT)
3/16/2016	Asselin, K.	Applied EarthWorks, Inc.	

Associated reports

Report No.	*Year*	*Title*	*Affiliation*
SJ-07779	2009	California's Central Valley Project: Historic Engineering Features to 1956: A Multiple Property Documentation Form, April 2009 (National Register of Historic Places Nomination).	Bureau of Reclamation
SJ-08257	2015	Letter Report: San Luis and Delta-Mendota Water Authority (SLDMWA) 2015 Delta-Mendota Canal (DMC) Expanded Temporary Reverse Flow Project, Stanislaus County, California (15-SCAO-184).	Bureau of Reclamation
ST-05482	2004	Cultural Resources Inventory and Assessment for the Addendum to the Patterson Wastewater Master Plan and Diablo Grande Sewer Line Final EIR, Stanislaus County, California	EDAW, Inc., for Western Hills Water District
ST-06133	2006	Cultural Resources Inventory for the Westley-Marshall Substation and Transmission Line	SWCA Environmental Consultants for CH2M Hill

		Project, Stanislaus County, California	
ST-06384	2006	Cultural Resources Inventory of Alternative Substations and Transmission Lines of the Westley-Marshall Project, Stanislaus County, California	SWCA Environmental Consultants for CH2M Hill
ST-07260	2010	Letter Report: Proposed Installation by the Patterson Irrigation District of a Discharge Pipeline to the Delta Mendota Canal, Merced County, California (Project No. 09-SCAO-133)	Bureau of Reclamation (letter/memos from BUR to SHPO)
ST-07387	2010	Patterson General Plan Update: Archaeological Resources Sensitivity.	Far Western Anthropoligical Research Group, Inc. and Foothill Resources
ST-07527	2009	San Joaquin Pipeline System Project, Historic Resources Inventory and Evaluation Report.	Carey & Co., Inc., for USACE and SFPUC
ST-07595	2010	Final: Cultural Resources Inventory Report for the Drought Relief Program, ARRA Groundwater Wells Project, San Joaquin, Stanislaus, Merced, and Fresno Counties, CA, ARRA #10-SCAO-021	ICF International, for Bureau of Reclamation
ST-07779	2018	California's Central Valley Project: Historic Engineering Features to 1956: A Multiple Property Documentation Form, April 2009 (National Register of Historic Places Nomination).	Bureau of Reclamation
ST-07826	2012	Reclamation Managing Water in the West, Cultural Resources Inventory for License to Del Puerto Water District for New Discharge Point near Milepost 52.40L on the Delta-Mendota Canal, Stanislaus County, California; Tracking Number: 13-SCAO-030	Bureau of Reclamation
ST-07967	2013	Finding of No Adverse Effect for the Pete Miller Road Bridge Seismic Retrofit Project, Pete Miller Road Bridge (#38C-0202) over the Delta-Mendota Canal, Stanislaus County, California, 10-STA-BRLOZ-5938 (156)	Galvin Preservation Associates (GPA), for Caltrans District 10.
ST-07968	2014	Reclamation Managing Water in the West, MP-153 Cultural Resources Post Field Summary Record, Tracking Number: 14-SCAO-076, Project: Cultural Resources Post Field Report for the Del Puerto Water District New Well Discharge System on the Delta-Mendota Canal	Bureau of Reclamation, Division of Environmental Affairs, Cultural Resources Branch; for USDI BUR
ST-08251	2015	Letter: Drought Relief Project - National Historic Preservation Act (NHPA) Section 106 Consultation for the Proposed San Luis and Delta-Mendota Water Authority (SLDMWA) 2015 Delta-Mendota Canal (DMC) Temporary Reverse Flow Project, Stanislaus County, California (15-SCAO-133)	Bueau of Reclamation
ST-08252	2011	Phase 1 Cultural Resouces Assessment West Patterson Business Park Expansion Project, City of Patterson, Stanislaus County, California	Michael Brandman Associates for City of Patterson
ST-08255	2014	Letter Report: National Historic Perservation Act (NHPA) Section 106 Compliance for the Del Puerto Water District (DPWD) New Well Discharge System on the Delta Mendota Canal (DMC), Stanislaus County, California (14-SCAO-276)	Bureau of Reclamation
ST-08257	2015	Letter Report: San Luis and Delta-Mendota Water Authority (SLDMWA) 2015 Delta-Mendota Canal (DMC) Expanded Temporary Reverse Flow Project, Stanislaus County,	OHP to Bureau of Reclamation, Mid-Pacific Region

Resource Detail: P-50-001904

			California (15-SCAO-184).	
	ST-08265	2015	Letter Report: National Historic Preservation Act (NHPA) Section 106 Compliance for the Del Puerto Water District (DPWD) New Well Discharge on the Delta Mendota Canal (DMC), Stanislaus County, California (15-SCAO-059)	Bureau of Reclamation
	ST-08341	2014	Historic Property Survey Report, North Valley Regional Recycled Water Program (NVRRWP), Vicinity of Patterson, Stanislaus County	Basin Research Associates for U.S. Department of the Interior Bureau Reclamation and RMC Water and Environment
	ST-08594	2016	Cultural Resources Survey for the Orestimba Creek Groundwater Recharge Project, Stanislaus County, California	Applied EarthWorks, Inc., for Central California Irrigation District
	ST-08794	2015	Letter Report Re: National Historic Preservation Act (NHPA) Section 106 Consultation for the City of Patterson Sewer Main under the Delta-Mendota Canal (DMC), Stanislaus County, California (15-SCAO-099)	USDI Bureau of Reclamation, letter report submitted to SHPO
	ST-08993	2016	Reclamation Managing Water in the West: MP-153 Cultural Resources Post Field Summary Record, Project Name: Del Puerto Water District Land Use Authorization for Milepost 31.59 of Delta Mendota Canal, Facility: Delta-Mendota Canal Bridge 31.59, Stanislaus County, California	Bureau of Reclamation Mid-Pacific Region

Location information

County: Stanislaus

USGS quad(s): Howard Ranch, Newman, Patterson, Solyo, Westley

Address:

PLSS: T5S R7E SW¼ of Sec. 22 MDBM
T6S R7E NW¼ of SE¼ of Sec. 1 MDBM
T5S R7E NW¼ of Sec. 21 MDBM
T5S R7E NE¼ of Sec. 27 MDBM
T5S R7E SE¼ of Sec. 35 MDBM
T5S R7E NW¼ of Sec. 5 MDBM
T4S R7E NW¼ of Sec. 31 MDBM
T8S R8E SW¼ of Sec. 15 MDBM
T4S R6E NW¼ of Sec. 25 MDBM
T4S R6E NE¼ of Sec. 22 MDBM
T5S R7E NW¼ of Sec. 9 MDBM
T8S R8E SW¼ of Sec. 15 MDBM
T6S R7E SE¼ of Sec. 1 MDBM
T7S R8E Sec. 16 MDBM

UTMs: Zone 10 660172mE 4149920mN NAD27
Zone 10 664520mE 4145400mN NAD27
Zone 10 658556mE 4151114mN NAD27
Zone 10 660160mE 4150085mN NAD27
Zone 10 660172mE 4149920mN NAD27
Zone 10 660886mE 4148923mN NAD27
Zone 10 662003mE 4147154mN NAD27
Zone 10 656897mE 4155223mN NAD27
Zone 10 654910mE 4157408mN NAD27
Zone 10 671027mE 4121493mN NAD27
Zone 10 643714mE 4157428mN NAD27
Zone 10 651234mE 4160231mN NAD27
Zone 10 657592mE 4152764mN NAD27
Zone 10 670567mE 4122576mN NAD27
Zone 10 663741mE 4145591mN NAD27
Zone 10 624184mE 4182526mN NAD27 (Tracy Discharge, canal headworks)

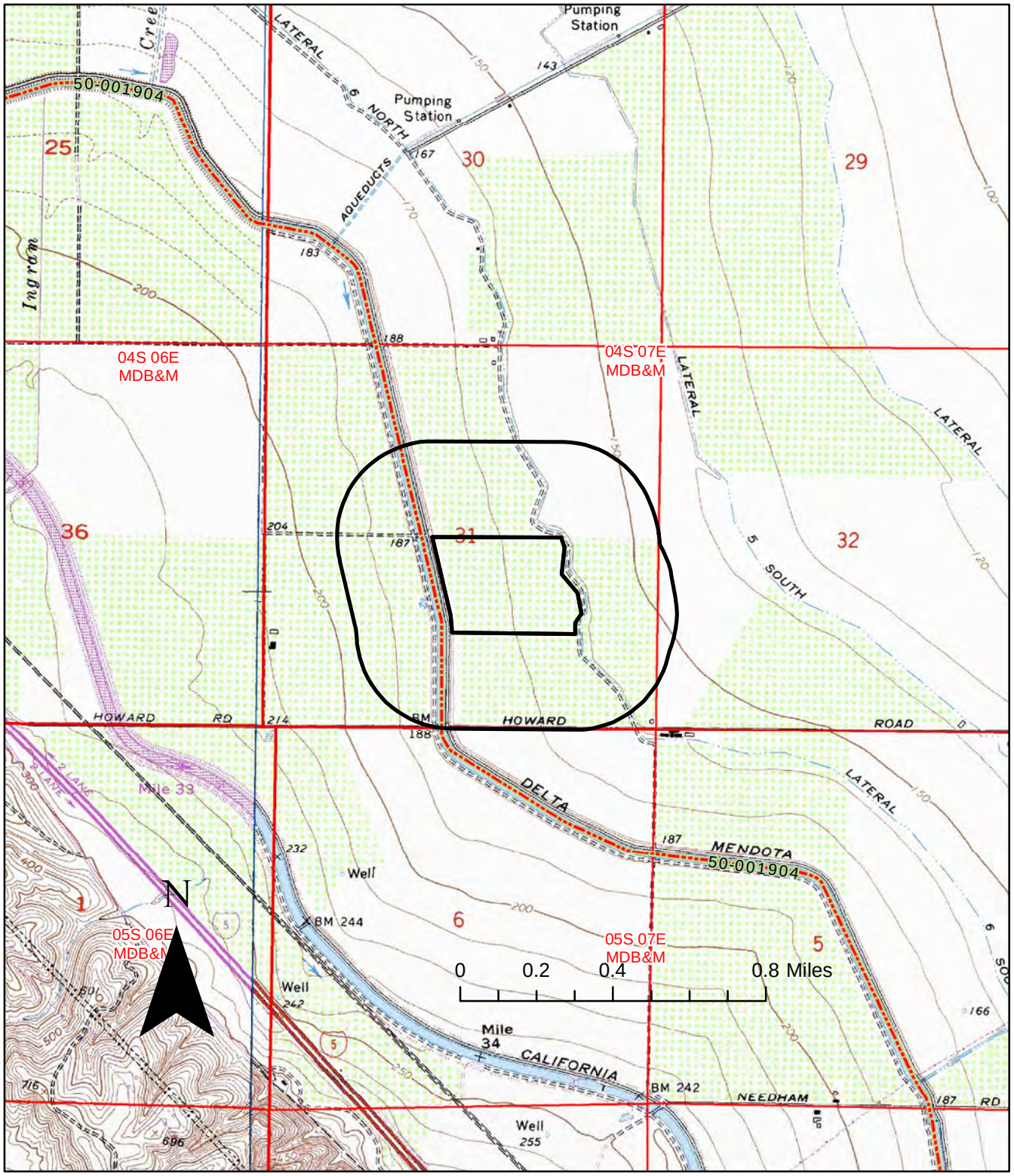
Zone 10 626706mE 4179475mN NAD27 (Grant Line Road, Tracy)
Zone 10 647669mE 4165180mN NAD27 (Hetch-Hetchy Sipon near I-5)
Zone 10 661723mE 4147789mN NAD27 (Sperry Road)
Zone 10 682652mE 4102924mN NAD27 (Highway 152)
Zone 10 734562mE 4073593mN NAD27 (Radial Gates at Bass Avenue, near

Management status

Database record metadata

	Date	*User*	
Entered:	10/7/2010	ccic-admin	
Last modified:	2/12/2024	jlaw1	
IC actions:	*Date*	*User*	*Action taken*
	2/3/2016	Anthro	gr
	5/9/2017	EGreathouse	eg
	11/30/2023	jlaw1	JLD
	12/13/2023	jlaw1	JLD
	2/12/2024	jlaw1	JLD
Record status:			

CCaIC 13121N Central Valley Growers, LLC
Resources 1/4-mile radius 1:24,000-scale
Westley USGS 7.5' Quadrangle



- A listing of any and all known cultural resources that have already been recorded on or adjacent to the APE, such as known archaeological sites;
- Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
- Whether the records search indicates a low, moderate, or high probability that unrecorded cultural resources are located in the APE; and
- If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.

2. The results of any archaeological inventory survey that was conducted, including:

    - Any report that may contain site forms, site significance, and suggested mitigation measures.

      All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code section 6254.10.

3. The result of any Sacred Lands File (SLF) check conducted through the Native American Heritage Commission was negative.

4. Any ethnographic studies conducted for any area including all or part of the APE; and

5. Any geotechnical reports regarding all or part of the APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS are not exhaustive and a negative response to these searches does not preclude the existence of a tribal cultural resource. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the event that they do, having the information beforehand will help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our consultation list remains current.

If you have any questions, please contact me at my email address: Pricilla.Torres-Fuentes@nahc.ca.gov.

Sincerely,

Pricilla Torres-Fuentes

Pricilla Torres-Fuentes
Cultural Resources Analyst

Attachment

Department of Cannabis Control
CALIFORNIA

Gavin Newsom
Governor

Nicole Elliott
Director

January 9, 2025

Sandra Chapman, Chairperson
Southern Sierra Miwuk Nation
P.O. Box 186
Mariposa, CA, 95338

Sent via email

RE: Central Valley Growers, LLC, Stanislaus County, California

Dear Sandra Chapman, Chairperson,

The Department of Cannabis Control (DCC) is evaluating the proposed development of a mixed-light cannabis cultivation facility operated by Central Valley Growers, LLC, (Project) in Stanislaus County, California. Project activities are subject to compliance with both the California Environmental Quality Act (CEQA) and the National Historic Preservation Act (NHPA), as well as other regulations. In accordance with Assembly Bill 52 (AB 52), we are seeking to initiate tribal consultation to ensure that any potential impacts to tribal cultural resources are properly identified and addressed.

The Proposed Project is located on a 53-acre site at 2789 Howard Road, Patterson, CA 95363, between CA Interstate 5 and CA Highway 33, in the Westley area. It would occupy approximately 12 acres of the northwest corner of the 53-acre parcel. The Proposed Project is a commercial mixed-light cultivation operation to allow a 22,000 square-foot canopy within a 29,880 square-foot greenhouse building and office, storage, and processing activities within a 7,470 square-foot warehouse. The Proposed Project would be 37,350 square feet in total. Please see **Figure 1** for the Project's location.

The California Department of Food and Agriculture (CDFA) issued a provisional Specialty Mixed-Light Tier 2 cultivation license to Central Valley Growers, LLC, on June 13, 2020. The Proposed Project was later approved by Stanislaus County on July 16, 2019, and was issued a Use Permit and Development Agreement. On the basis of those state and local approvals, the facility began legal operations.

The Proposed Project structures and improvements would be constructed in four phases. Phase 1 construction has been completed. Phase 1 constructed 5,500 square feet of greenhouse space, 800 square feet of warehouse space used to process harvested cannabis products, a 12 parking spaces, a 400 square foot office trailer, a 50,000-gallon fire water tank, a septic field, utility lines, security fencing, landscaping, and a stormwater detention area. Subsequent phases would expand the facilities to include a total buildout of 29,880 square feet of greenhouse space, 7,470 square feet of warehouse space, a 21 space parking area, two additional 50,000-gallon fire water tanks, additional security fencing, and landscaping.

A record search at the Central California Information Center of the California Historical Resources Information System at California State University, Stanislaus did not identify any previously recorded pre-contact archaeological resource within the Project area or 0.25-mile search radius.

A search of the Sacred Lands Files by the Native American Heritage Commission (NAHC) was also conducted for the Project vicinity, which did not identify a sacred site within the vicinity of the project area. The NAHC suggested that local tribes could have information that may not be on file at the NAHC, and your contact information was provided on their List of Native American Contacts for the area as a traditionally and culturally affiliated California Native American tribal representative. We would appreciate hearing from you if you have any concerns regarding tribal cultural resources (as defined by Public Resources Code 21074) within the Project area so that this information can be further incorporated into project planning, and ensure our work avoids impacts to tribal cultural resources. Please contact DGS in writing at the email address or physical address below, within 30 days of your receipt of this notice. If standard mail is to be used, the letter must be postmarked with a date that is within 30 days of your receipt of this notice.

CA Department of Cannabis Control
Attn: Eva Olin, Senior Environmental Scientist Supervisor
2920 Kilgore Rd
Rancho Cordova, CA 95670
279-217-3691
Eva.olin@cannabis.ca.gov

Sincerely,

Eva Olin
Senior Environmental Scientist Supervisor

Enclosure: Figure 1: Project Location Map

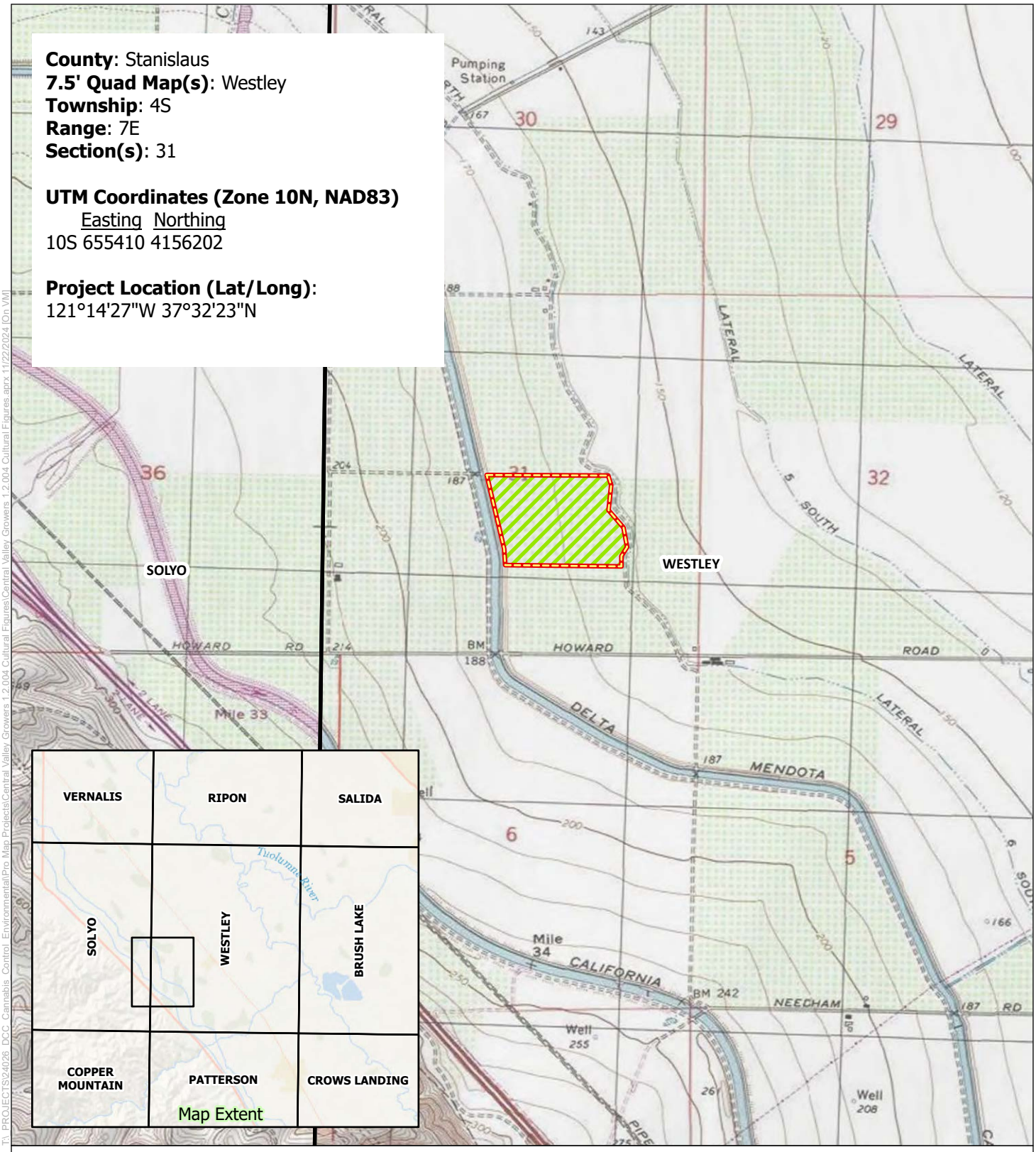


Figure 2
Project Location

MONTROSE ENVIRONMENTAL

Central Valley Growers
Department of Cannabis Control

T:_PROJECTS\24026_DCC_Cannabis_Control_Environmental\Pro Map Projects\Central Valley Growers 1.2.004 Cultural Figures\Central Valley Growers 1.2.004 Cultural Figures.aprx 11/22/2024 (On VM)

Department of Cannabis Control
CALIFORNIA

Gavin Newsom
Governor

Nicole Elliott
Director

January 9, 2025

Cultural Preservation Department,
Wilton Rancheria
9728 Kent Street
Elk Grove, CA, 95624

Sent via email

RE: Central Valley Growers, LLC, Stanislaus County, California

Dear Cultural Preservation Department,

The Department of Cannabis Control (DCC) is evaluating the proposed development of a mixed-light cannabis cultivation facility operated by Central Valley Growers, LLC, (Project) in Stanislaus County, California. Project activities are subject to compliance with both the California Environmental Quality Act (CEQA) and the National Historic Preservation Act (NHPA), as well as other regulations. In accordance with Assembly Bill 52 (AB 52), we are seeking to initiate tribal consultation to ensure that any potential impacts to tribal cultural resources are properly identified and addressed.

The Proposed Project is located on a 53-acre site at 2789 Howard Road, Patterson, CA 95363, between CA Interstate 5 and CA Highway 33, in the Westley area. It would occupy approximately 12 acres of the northwest corner of the 53-acre parcel. The Proposed Project is a commercial mixed-light cultivation operation to allow a 22,000 square-foot canopy within a 29,880 square-foot greenhouse building and office, storage, and processing activities within a 7,470 square-foot warehouse. The Proposed Project would be 37,350 square feet in total. Please see **Figure 1** for the Project's location.

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CA Department of Cannabis Control
Attn: Eva Olin, Senior Environmental Scientist Supervisor
2920 Kilgore Rd
Rancho Cordova, CA 95670
279-217-3691
Eva.olin@cannabis.ca.gov

Sincerely,

Eva Olin
Senior Environmental Scientist Supervisor

Enclosure: Figure 1: Project Location Map

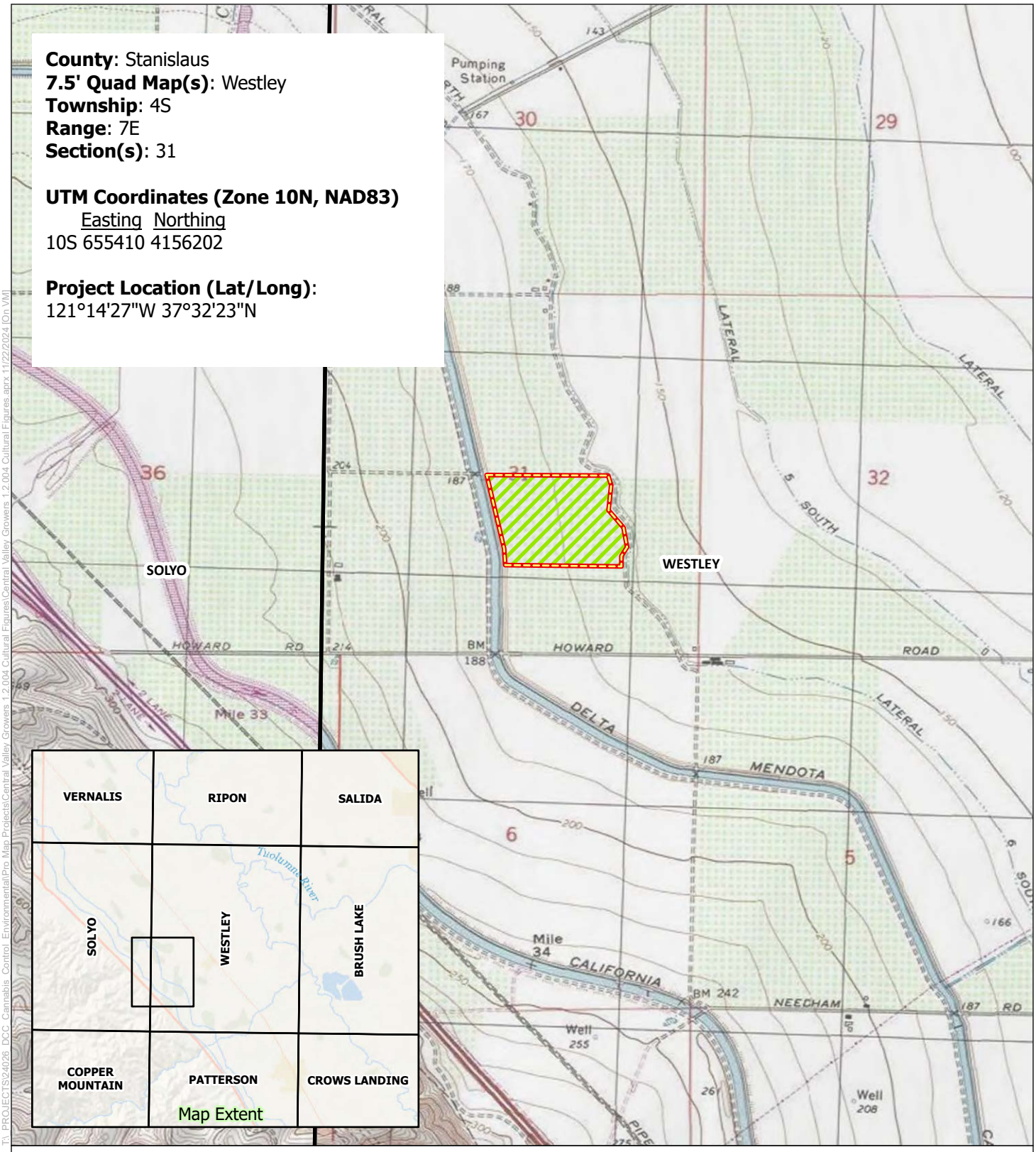


Figure 2
Project Location

MONTROSE ENVIRONMENTAL

Central Valley Growers
Department of Cannabis Control

T:_PROJECTS\24026_DCC_Cannabis_Control_Environmental\Pro Map Projects\Central Valley Growers 1.2.004 Cultural Figures\Central Valley Growers 1.2.004 Cultural Figures.aprx 11/22/2024 (On VM)

Department of Cannabis Control
CALIFORNIA

Gavin Newsom
Governor

Nicole Elliott
Director

January 9, 2025

Jazzmyn Gegere, Director of Cultural Resource Preservation
Southern Sierra Miwuk Nation
P.O. Box 186
Mariposa, CA, 95338

Sent via email

RE: Central Valley Growers, LLC, Stanislaus County, California

Dear Jazzmyn Gegere, Director of Cultural Resource Preservation,

The Department of Cannabis Control (DCC) is evaluating the proposed development of a mixed-light cannabis cultivation facility operated by Central Valley Growers, LLC, (Project) in Stanislaus County, California. Project activities are subject to compliance with both the California Environmental Quality Act (CEQA) and the National Historic Preservation Act (NHPA), as well as other regulations. In accordance with Assembly Bill 52 (AB 52), we are seeking to initiate tribal consultation to ensure that any potential impacts to tribal cultural resources are properly identified and addressed.

The Proposed Project is located on a 53-acre site at 2789 Howard Road, Patterson, CA 95363, between CA Interstate 5 and CA Highway 33, in the Westley area. It would occupy approximately 12 acres of the northwest corner of the 53-acre parcel. The Proposed Project is a commercial mixed-light cultivation operation to allow a 22,000 square-foot canopy within a 29,880 square-foot greenhouse building and office, storage, and processing activities within a 7,470 square-foot warehouse. The Proposed Project would be 37,350 square feet in total. Please see **Figure 1** for the Project's location.

The California Department of Food and Agriculture (CDFA) issued a provisional Specialty Mixed-Light Tier 2 cultivation license to Central Valley Growers, LLC, on June 13, 2020. The Proposed Project was later approved by Stanislaus County on July 16, 2019, and was issued a Use Permit and Development Agreement. On the basis of those state and local approvals, the facility began legal operations.

The Proposed Project structures and improvements would be constructed in four phases. Phase 1 construction has been completed. Phase 1 constructed 5,500 square feet of greenhouse space, 800 square feet of warehouse space used to process harvested cannabis products, a 12 parking spaces, a 400 square foot office trailer, a 50,000-gallon fire water tank, a septic field, utility lines, security fencing, landscaping, and a stormwater detention area. Subsequent phases would expand the facilities to include a total buildout of 29,880 square feet of greenhouse space, 7,470 square feet of warehouse space, a 21 space parking area, two additional 50,000-gallon fire water tanks, additional security fencing, and landscaping.

A record search at the Central California Information Center of the California Historical Resources Information System at California State University, Stanislaus did not identify any previously recorded pre-contact archaeological resource within the Project area or 0.25-mile search radius.

A search of the Sacred Lands Files by the Native American Heritage Commission (NAHC) was also conducted for the Project vicinity, which did not identify a sacred site within the vicinity of the project area. The NAHC suggested that local tribes could have information that may not be on file at the NAHC, and your contact information was provided on their List of Native American Contacts for the area as a traditionally and culturally affiliated California Native American tribal representative. We would appreciate hearing from you if you have any concerns regarding tribal cultural resources (as defined by Public Resources Code 21074) within the Project area so that this information can be further incorporated into project planning, and ensure our work avoids impacts to tribal cultural resources. Please contact DGS in writing at the email address or physical address below, within 30 days of your receipt of this notice. If standard mail is to be used, the letter must be postmarked with a date that is within 30 days of your receipt of this notice.

CA Department of Cannabis Control
Attn: Eva Olin, Senior Environmental Scientist Supervisor
2920 Kilgore Rd
Rancho Cordova, CA 95670
279-217-3691
Eva.olin@cannabis.ca.gov

Sincerely,

Eva Olin
Senior Environmental Scientist Supervisor

Enclosure: Figure 1: Project Location Map

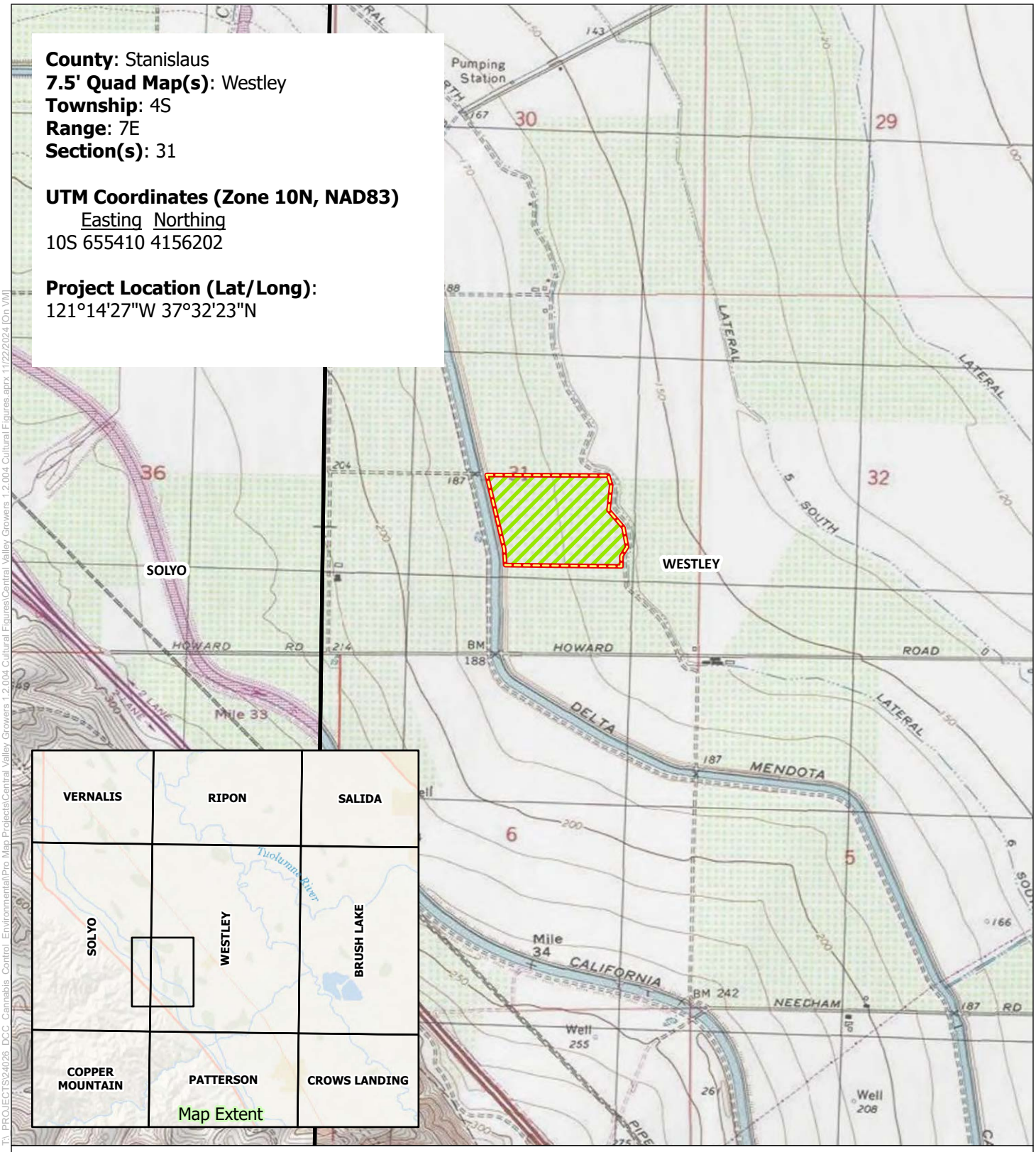


Figure 2
Project Location

MONTROSE ENVIRONMENTAL

Central Valley Growers
Department of Cannabis Control

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Department of Cannabis Control
CALIFORNIA

Gavin Newsom
Governor

Nicole Elliott
Director

January 9, 2025

Herbert Griffin, Executive Director of Cultural Preservation
Wilton Rancheria
9728 Kent Street
Elk Grove, CA, 95624

Sent via email

RE: Central Valley Growers, LLC, Stanislaus County, California

Dear Herbert Griffin, Executive Director of Cultural Preservation,

The Department of Cannabis Control (DCC) is evaluating the proposed development of a mixed-light cannabis cultivation facility operated by Central Valley Growers, LLC, (Project) in Stanislaus County, California. Project activities are subject to compliance with both the California Environmental Quality Act (CEQA) and the National Historic Preservation Act (NHPA), as well as other regulations. In accordance with Assembly Bill 52 (AB 52), we are seeking to initiate tribal consultation to ensure that any potential impacts to tribal cultural resources are properly identified and addressed.

The Proposed Project is located on a 53-acre site at 2789 Howard Road, Patterson, CA 95363, between CA Interstate 5 and CA Highway 33, in the Westley area. It would occupy approximately 12 acres of the northwest corner of the 53-acre parcel. The Proposed Project is a commercial mixed-light cultivation operation to allow a 22,000 square-foot canopy within a 29,880 square-foot greenhouse building and office, storage, and processing activities within a 7,470 square-foot warehouse. The Proposed Project would be 37,350 square feet in total. Please see **Figure 1** for the Project's location.

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CA Department of Cannabis Control
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Eva.olin@cannabis.ca.gov

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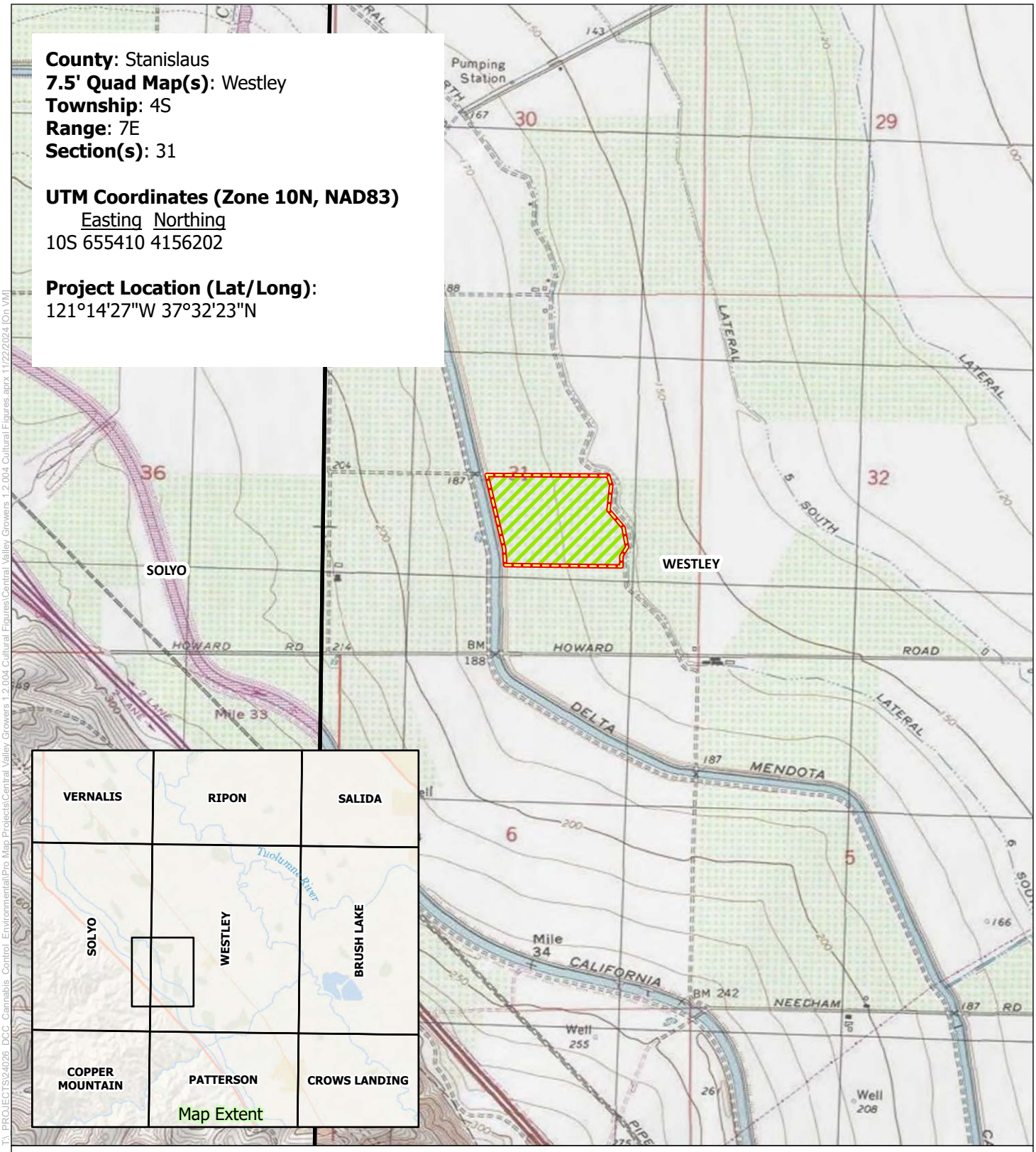


Figure 2
Project Location

MONTROSE ENVIRONMENTAL

Central Valley Growers
Department of Cannabis Control

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Department of Cannabis Control
CALIFORNIA

Gavin Newsom
Governor

Nicole Elliott
Director

January 9, 2025

Katherine Perez, Chairperson
Northern Valley Yokut / Ohlone Tribe
P.O. Box 717
Linden, CA, 95236

Sent via email

RE: Central Valley Growers, LLC, Stanislaus County, California

Dear Katherine Perez, Chairperson,

The Department of Cannabis Control (DCC) is evaluating the proposed development of a mixed-light cannabis cultivation facility operated by Central Valley Growers, LLC, (Project) in Stanislaus County, California. Project activities are subject to compliance with both the California Environmental Quality Act (CEQA) and the National Historic Preservation Act (NHPA), as well as other regulations. In accordance with Assembly Bill 52 (AB 52), we are seeking to initiate tribal consultation to ensure that any potential impacts to tribal cultural resources are properly identified and addressed.

The Proposed Project is located on a 53-acre site at 2789 Howard Road, Patterson, CA 95363, between CA Interstate 5 and CA Highway 33, in the Westley area. It would occupy approximately 12 acres of the northwest corner of the 53-acre parcel. The Proposed Project is a commercial mixed-light cultivation operation to allow a 22,000 square-foot canopy within a 29,880 square-foot greenhouse building and office, storage, and processing activities within a 7,470 square-foot warehouse. The Proposed Project would be 37,350 square feet in total. Please see **Figure 1** for the Project's location.

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The Proposed Project structures and improvements would be constructed in four phases. Phase 1 construction has been completed. Phase 1 constructed 5,500 square feet of greenhouse space, 800 square feet of warehouse space used to process harvested cannabis products, a 12 parking spaces, a 400 square foot office trailer, a 50,000-gallon fire water tank, a septic field, utility lines, security fencing, landscaping, and a stormwater detention area. Subsequent phases would expand the facilities to include a total buildout of 29,880 square feet of greenhouse space, 7,470 square feet of warehouse space, a 21 space parking area, two additional 50,000-gallon fire water tanks, additional security fencing, and landscaping.

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A search of the Sacred Lands Files by the Native American Heritage Commission (NAHC) was also conducted for the Project vicinity, which did not identify a sacred site within the vicinity of the project area. The NAHC suggested that local tribes could have information that may not be on file at the NAHC, and your contact information was provided on their List of Native American Contacts for the area as a traditionally and culturally affiliated California Native American tribal representative. We would appreciate hearing from you if you have any concerns regarding tribal cultural resources (as defined by Public Resources Code 21074) within the Project area so that this information can be further incorporated into project planning, and ensure our work avoids impacts to tribal cultural resources. Please contact DGS in writing at the email address or physical address below, within 30 days of your receipt of this notice. If standard mail is to be used, the letter must be postmarked with a date that is within 30 days of your receipt of this notice.

CA Department of Cannabis Control
Attn: Eva Olin, Senior Environmental Scientist Supervisor
2920 Kilgore Rd
Rancho Cordova, CA 95670
279-217-3691
Eva.olin@cannabis.ca.gov

Sincerely,

Eva Olin
Senior Environmental Scientist Supervisor

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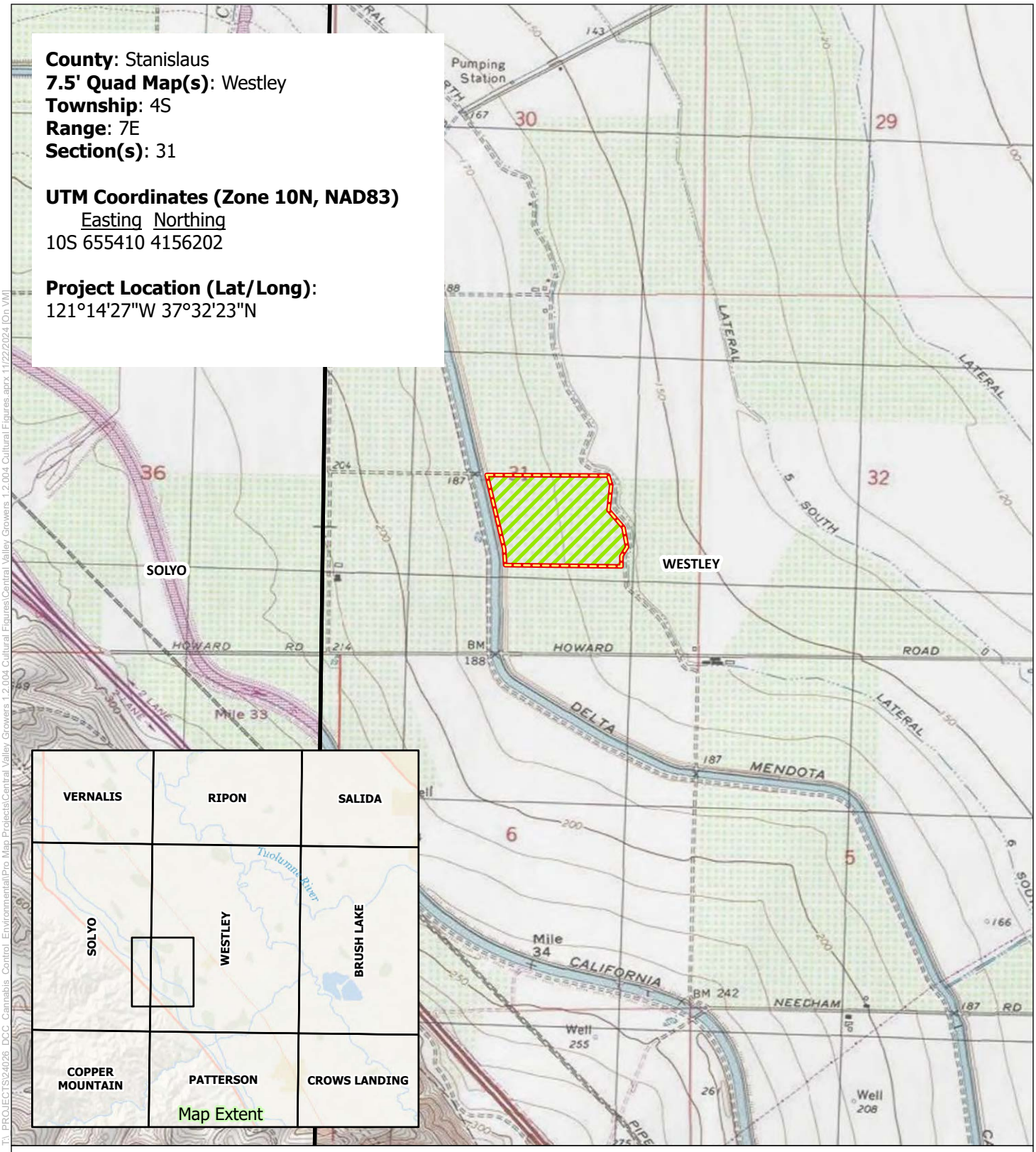


Figure 2
Project Location

MONTROSE ENVIRONMENTAL

Central Valley Growers
Department of Cannabis Control

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Department of Cannabis Control
CALIFORNIA

Gavin Newsom
Governor

Nicole Elliott
Director

January 9, 2025

Richard Massiatt, Councilmember/MLD Tribal Rep.
Muwekma Ohlone Tribe of the SF Bay Area
1169 S. Main Street, Ste. 336
Manteca, CA, 95377

Sent via email

RE: Central Valley Growers, LLC, Stanislaus County, California

Dear Richard Massiatt, Councilmember/MLD Tribal Rep.,

The Department of Cannabis Control (DCC) is evaluating the proposed development of a mixed-light cannabis cultivation facility operated by Central Valley Growers, LLC, (Project) in Stanislaus County, California. Project activities are subject to compliance with both the California Environmental Quality Act (CEQA) and the National Historic Preservation Act (NHPA), as well as other regulations. In accordance with Assembly Bill 52 (AB 52), we are seeking to initiate tribal consultation to ensure that any potential impacts to tribal cultural resources are properly identified and addressed.

The Proposed Project is located on a 53-acre site at 2789 Howard Road, Patterson, CA 95363, between CA Interstate 5 and CA Highway 33, in the Westley area. It would occupy approximately 12 acres of the northwest corner of the 53-acre parcel. The Proposed Project is a commercial mixed-light cultivation operation to allow a 22,000 square-foot canopy within a 29,880 square-foot greenhouse building and office, storage, and processing activities within a 7,470 square-foot warehouse. The Proposed Project would be 37,350 square feet in total. Please see **Figure 1** for the Project's location.

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The Proposed Project structures and improvements would be constructed in four phases. Phase 1 construction has been completed. Phase 1 constructed 5,500 square feet of greenhouse space, 800 square feet of warehouse space used to process harvested cannabis products, a 12 parking spaces, a 400 square foot office trailer, a 50,000-gallon fire water tank, a septic field, utility lines, security fencing, landscaping, and a stormwater detention area. Subsequent phases would expand the facilities to include a total buildout of 29,880 square feet of greenhouse space, 7,470 square feet of warehouse space, a 21 space parking area, two additional 50,000-gallon fire water tanks, additional security fencing, and landscaping.

A record search at the Central California Information Center of the California Historical Resources Information System at California State University, Stanislaus did not identify any previously recorded pre-contact archaeological resource within the Project area or 0.25-mile search radius.

A search of the Sacred Lands Files by the Native American Heritage Commission (NAHC) was also conducted for the Project vicinity, which did not identify a sacred site within the vicinity of the project area. The NAHC suggested that local tribes could have information that may not be on file at the NAHC, and your contact information was provided on their List of Native American Contacts for the area as a traditionally and culturally affiliated California Native American tribal representative. We would appreciate hearing from you if you have any concerns regarding tribal cultural resources (as defined by Public Resources Code 21074) within the Project area so that this information can be further incorporated into project planning, and ensure our work avoids impacts to tribal cultural resources. Please contact DGS in writing at the email address or physical address below, within 30 days of your receipt of this notice. If standard mail is to be used, the letter must be postmarked with a date that is within 30 days of your receipt of this notice.

CA Department of Cannabis Control
Attn: Eva Olin, Senior Environmental Scientist Supervisor
2920 Kilgore Rd
Rancho Cordova, CA 95670
279-217-3691
Eva.olin@cannabis.ca.gov

Sincerely,

Eva Olin
Senior Environmental Scientist Supervisor

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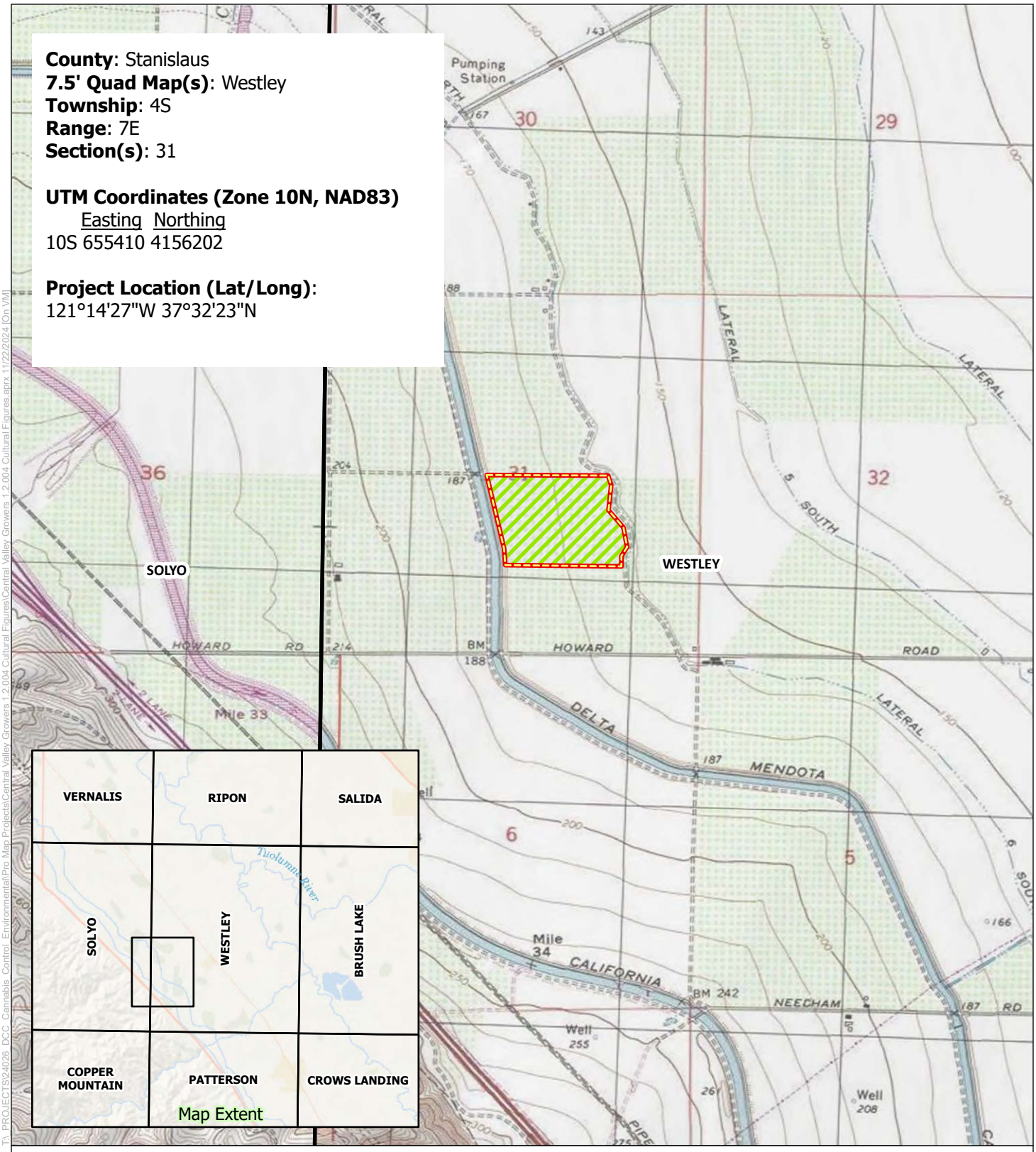


Figure 2
Project Location

MONTROSE ENVIRONMENTAL

Central Valley Growers
Department of Cannabis Control

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Department of Cannabis Control
CALIFORNIA

Gavin Newsom
Governor

Nicole Elliott
Director

January 9, 2025

Charlene Nijmeh, Chairperson
Muwekma Ohlone Tribe of the SF Bay Area
1169 S. Main Street, Ste. 336
Manteca, CA, 95377

Sent via email

RE: Central Valley Growers, LLC, Stanislaus County, California

Dear Charlene Nijmeh, Chairperson,

The Department of Cannabis Control (DCC) is evaluating the proposed development of a mixed-light cannabis cultivation facility operated by Central Valley Growers, LLC, (Project) in Stanislaus County, California. Project activities are subject to compliance with both the California Environmental Quality Act (CEQA) and the National Historic Preservation Act (NHPA), as well as other regulations. In accordance with Assembly Bill 52 (AB 52), we are seeking to initiate tribal consultation to ensure that any potential impacts to tribal cultural resources are properly identified and addressed.

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CA Department of Cannabis Control
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2920 Kilgore Rd
Rancho Cordova, CA 95670
279-217-3691
Eva.olin@cannabis.ca.gov

Sincerely,

Eva Olin
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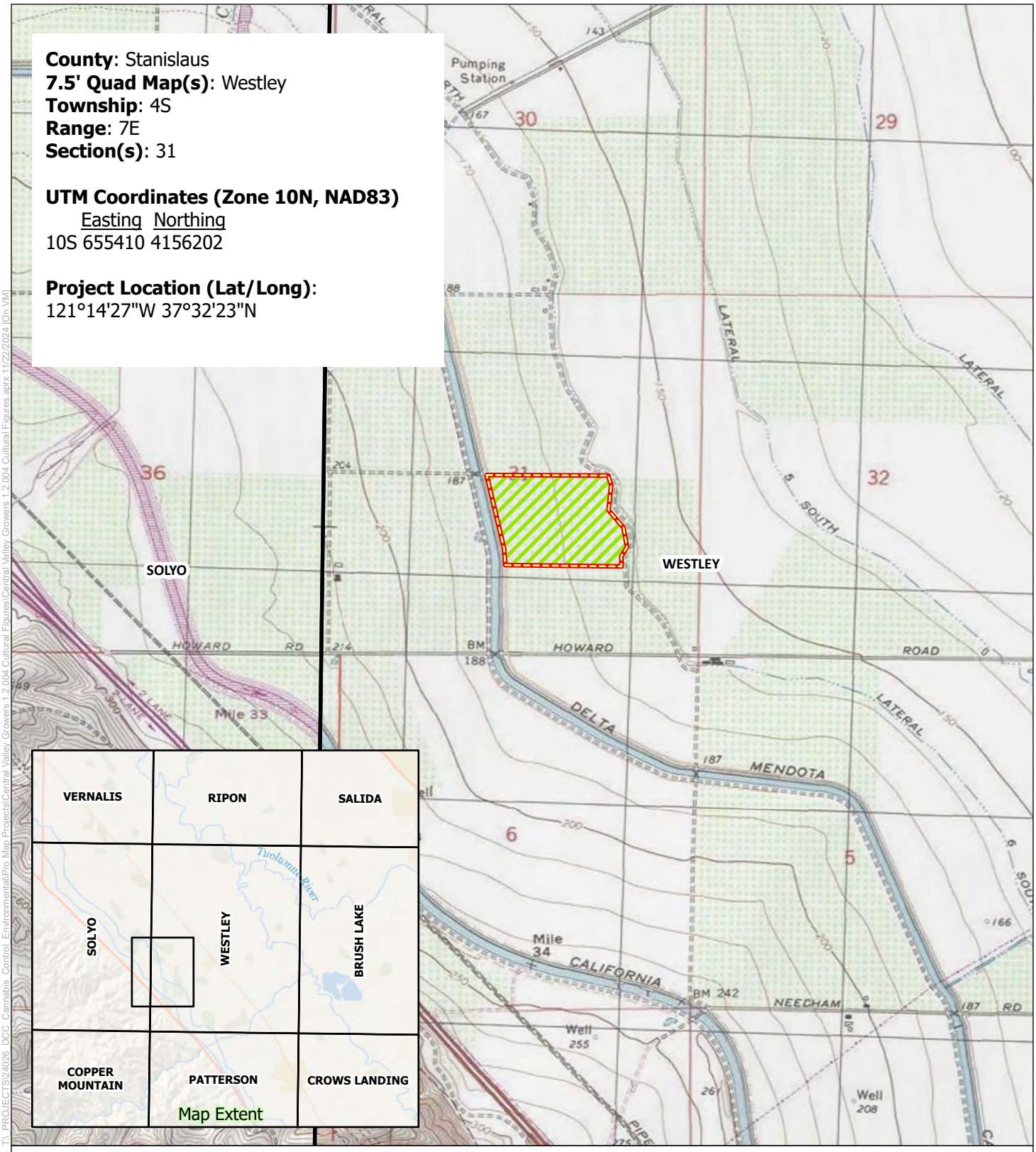


Figure 2
Project Location

MONTROSE ENVIRONMENTAL

Central Valley Growers
Department of Cannabis Control

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Department of Cannabis Control
CALIFORNIA

Gavin Newsom
Governor

Nicole Elliott
Director

January 9, 2025

Neil Peyron, Chairperson
Tule River Indian Tribe
P.O. Box 589
Porterville, CA, 93258

Sent via email

RE: Central Valley Growers, LLC, Stanislaus County, California

Dear Neil Peyron, Chairperson,

The Department of Cannabis Control (DCC) is evaluating the proposed development of a mixed-light cannabis cultivation facility operated by Central Valley Growers, LLC, (Project) in Stanislaus County, California. Project activities are subject to compliance with both the California Environmental Quality Act (CEQA) and the National Historic Preservation Act (NHPA), as well as other regulations. In accordance with Assembly Bill 52 (AB 52), we are seeking to initiate tribal consultation to ensure that any potential impacts to tribal cultural resources are properly identified and addressed.

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Eva.olin@cannabis.ca.gov

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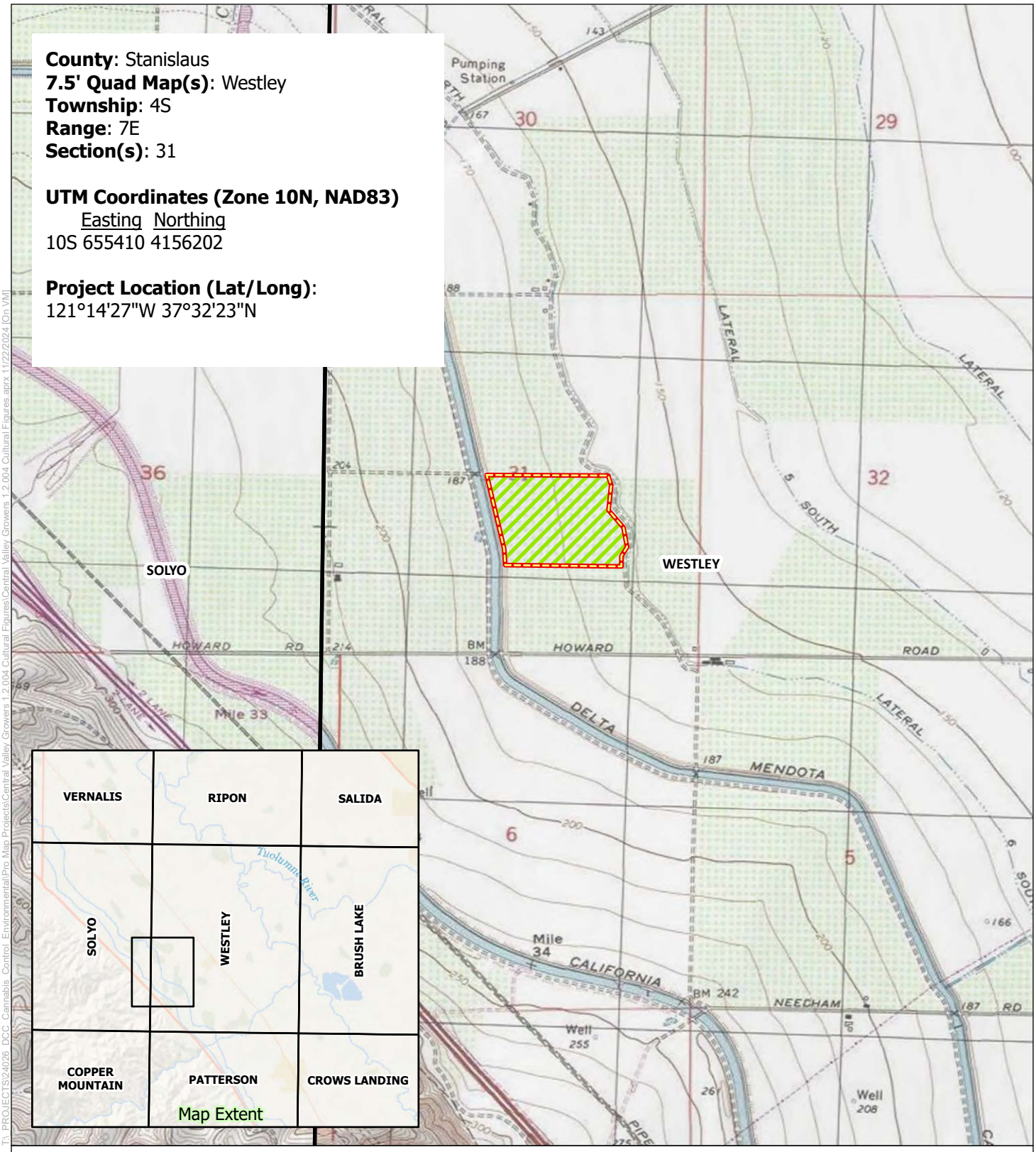


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Department of Cannabis Control
CALIFORNIA

Gavin Newsom
Governor

Nicole Elliott
Director

January 9, 2025

Timothy Perez, Tribal Compliance Officer
Northern Valley Yokut / Ohlone Tribe
P.O. Box 717
Linden, CA, 95236

Sent via email

RE: Central Valley Growers, LLC, Stanislaus County, California

Dear Timothy Perez, Tribal Compliance Officer,

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Eva Olin
Senior Environmental Scientist Supervisor

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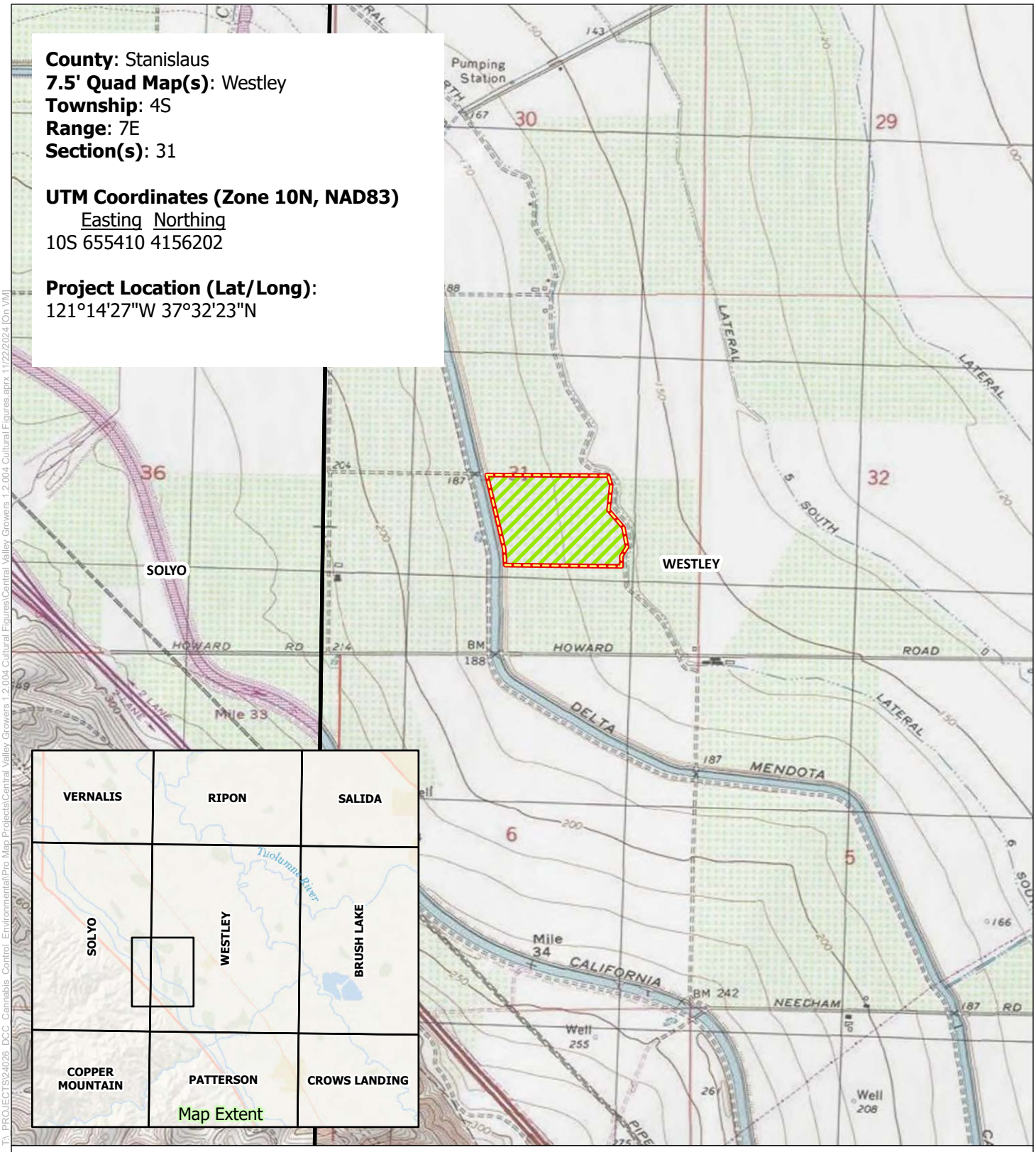


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Department of Cannabis Control
CALIFORNIA

Gavin Newsom
Governor

Nicole Elliott
Director

January 9, 2025

Kenneth Woodrow, Chairperson
Wuksachi Indian Tribe/Eshom Valley Band
1179 Rock Haven Ct.
Salinas, CA, 93906

Sent via email

RE: Central Valley Growers, LLC, Stanislaus County, California

Dear Kenneth Woodrow, Chairperson,

The Department of Cannabis Control (DCC) is evaluating the proposed development of a mixed-light cannabis cultivation facility operated by Central Valley Growers, LLC, (Project) in Stanislaus County, California. Project activities are subject to compliance with both the California Environmental Quality Act (CEQA) and the National Historic Preservation Act (NHPA), as well as other regulations. In accordance with Assembly Bill 52 (AB 52), we are seeking to initiate tribal consultation to ensure that any potential impacts to tribal cultural resources are properly identified and addressed.

The Proposed Project is located on a 53-acre site at 2789 Howard Road, Patterson, CA 95363, between CA Interstate 5 and CA Highway 33, in the Westley area. It would occupy approximately 12 acres of the northwest corner of the 53-acre parcel. The Proposed Project is a commercial mixed-light cultivation operation to allow a 22,000 square-foot canopy within a 29,880 square-foot greenhouse building and office, storage, and processing activities within a 7,470 square-foot warehouse. The Proposed Project would be 37,350 square feet in total. Please see **Figure 1** for the Project's location.

The California Department of Food and Agriculture (CDFA) issued a provisional Specialty Mixed-Light Tier 2 cultivation license to Central Valley Growers, LLC, on June 13, 2020. The Proposed Project was later approved by Stanislaus County on July 16, 2019, and was issued a Use Permit and Development Agreement. On the basis of those state and local approvals, the facility began legal operations.

The Proposed Project structures and improvements would be constructed in four phases. Phase 1 construction has been completed. Phase 1 constructed 5,500 square feet of greenhouse space, 800 square feet of warehouse space used to process harvested cannabis products, a 12 parking spaces, a 400 square foot office trailer, a 50,000-gallon fire water tank, a septic field, utility lines, security fencing, landscaping, and a stormwater detention area. Subsequent phases would expand the facilities to include a total buildout of 29,880 square feet of greenhouse space, 7,470 square feet of warehouse space, a 21 space parking area, two additional 50,000-gallon fire water tanks, additional security fencing, and landscaping.

A record search at the Central California Information Center of the California Historical Resources Information System at California State University, Stanislaus did not identify any previously recorded pre-contact archaeological resource within the Project area or 0.25-mile search radius.

A search of the Sacred Lands Files by the Native American Heritage Commission (NAHC) was also conducted for the Project vicinity, which did not identify a sacred site within the vicinity of the project area. The NAHC suggested that local tribes could have information that may not be on file at the NAHC, and your contact information was provided on their List of Native American Contacts for the area as a traditionally and culturally affiliated California Native American tribal representative. We would appreciate hearing from you if you have any concerns regarding tribal cultural resources (as defined by Public Resources Code 21074) within the Project area so that this information can be further incorporated into project planning, and ensure our work avoids impacts to tribal cultural resources. Please contact DGS in writing at the email address or physical address below, within 30 days of your receipt of this notice. If standard mail is to be used, the letter must be postmarked with a date that is within 30 days of your receipt of this notice.

CA Department of Cannabis Control
Attn: Eva Olin, Senior Environmental Scientist Supervisor
2920 Kilgore Rd
Rancho Cordova, CA 95670
279-217-3691
Eva.olin@cannabis.ca.gov

Sincerely,

Eva Olin
Senior Environmental Scientist Supervisor

Enclosure: Figure 1: Project Location Map

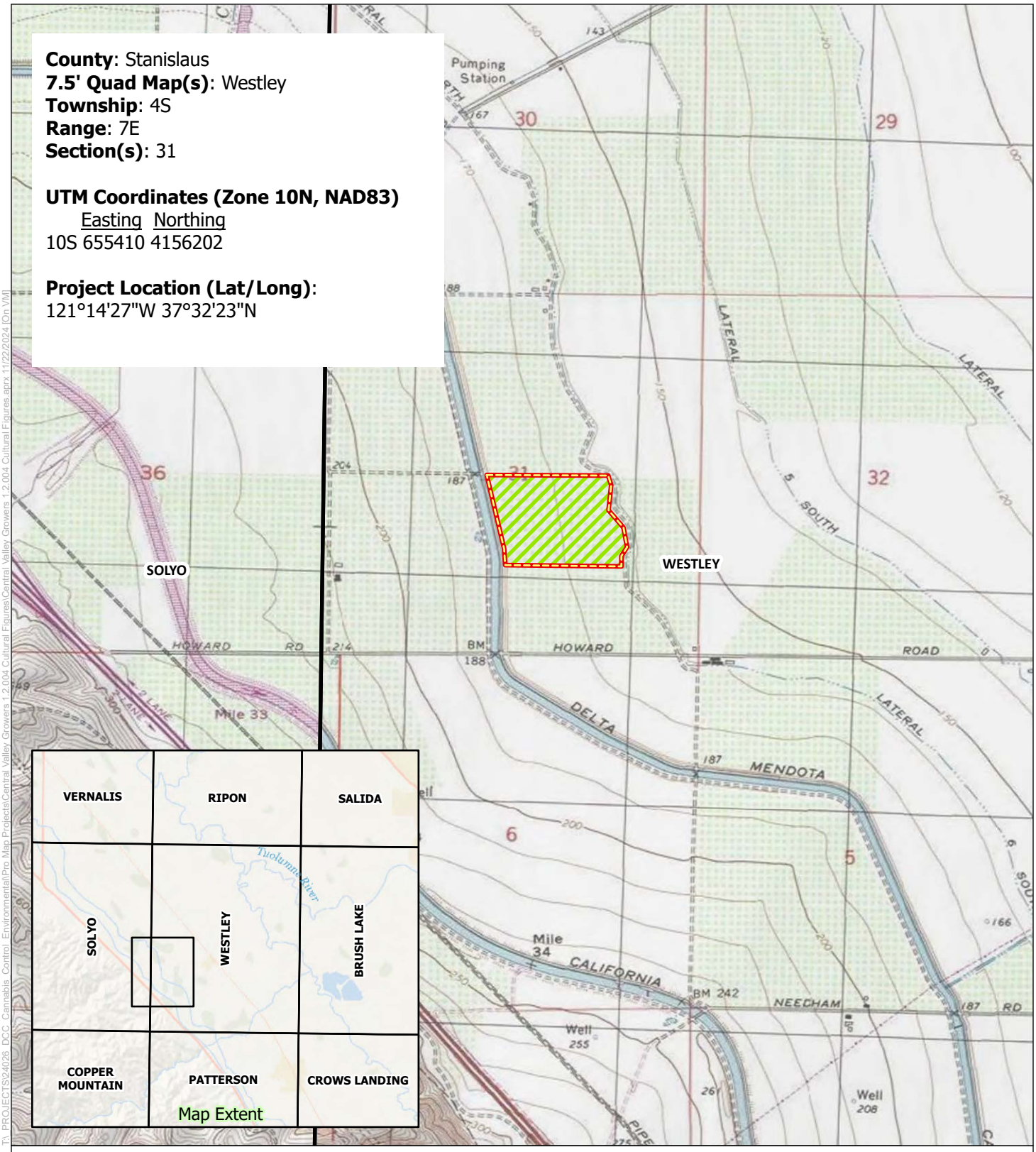


Figure 2
Project Location

MONTROSE ENVIRONMENTAL

Central Valley Growers
Department of Cannabis Control

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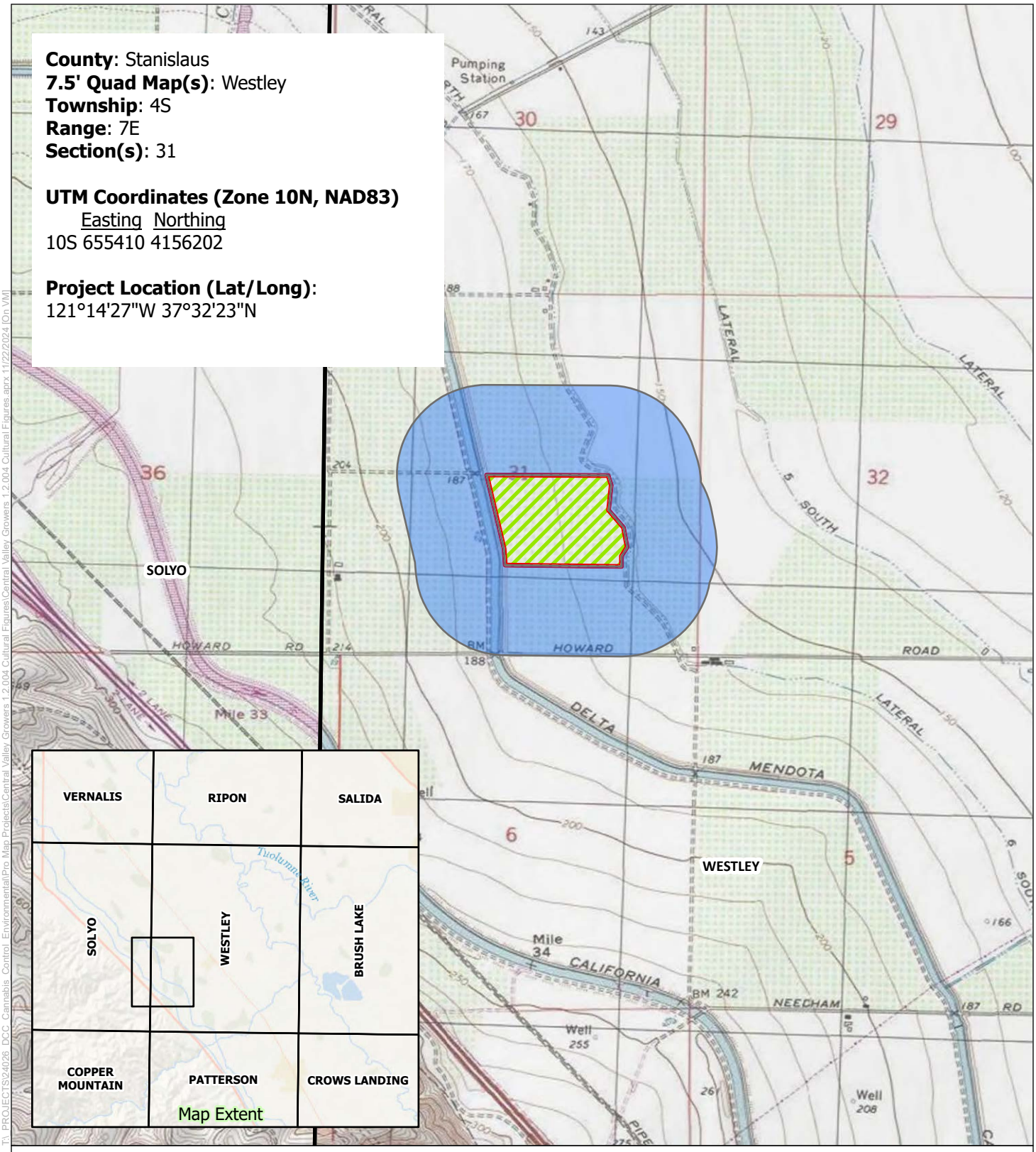


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CENTRAL CALIFORNIA INFORMATION CENTER

California Historical Resources Information System

Department of Anthropology – California State University, Stanislaus
One University Circle, Turlock, California 95382
(209) 667-3307

Alpine, Calaveras, Mariposa, Merced, Mono, San Joaquin, Stanislaus & Tuolumne Counties

Date: 11/25/2024

Records Search File No.: 13121N
Project: Central Valley Growers, LLC
2789 Howard Road, Patterson, CA 95363

Dean Martorana
Montrose Environmental
1 Kaiser Plaza, Suite 340
Oakland, CA 94612
916-205-6087

Invoice to: sawieder@montrose-env.com

dmartorana@montrose-env.com

The Central California Information Center received your record search request for the project area referenced above, located on the Westley 7.5' quadrangle in Stanislaus County. The following reflects the results of the records search for the project study area and radius:

As per data currently available at the CCaIC, the locations of resources/reports are provided in the following format: ☒ Custom GIS maps ☒ GIS Data/shape files

Summary Data:

Resources within the project area:	None formally reported to the Information Center.
Resources within the 1/4-mile radius:	1: P-50-001904*
Reports within the project area:	None formally reported to the Information Center.
Reports within the 1/4-mile radius:	2: ST-06972, 7779

Resource Database Printout (list):	☐ enclosed	☒ not requested	☐ nothing listed
Resource Database Printout (details):	☒ enclosed	☐ not requested	☐ nothing listed
Resource Digital Database Records:	☒ enclosed	☐ not requested	☐ nothing listed
Report Database Printout (list):	☐ enclosed	☒ not requested	☐ nothing listed
Report Database Printout (details):	☐ enclosed	☒ not requested	☐ nothing listed
Report Digital Database Records:	☒ enclosed	☐ not requested	☐ nothing listed
Resource Record Copies:	☒ enclosed	☐ not requested	☐ nothing listed
Report Copies:	☐ enclosed	☒ not requested	☐ nothing listed