PLANNING AND BUILDING DEPARTMENT

PLANNING DIVISION

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NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

NOTICE IS HEREBY GIVEN that the County of El Dorado, as lead agency, has prepared a Mitigated Negative Declaration (MND) for the below referenced Project. The Draft MND analyzes the potential environmental effects associated with the proposed Project in accordance with the California Environmental Quality Act (CEQA). This Notice of Intent (NOI) is to provide responsible agencies and other interested parties with notice of the availability of the Draft MND and solicit comments and concerns regarding the environmental issues associated with the proposed Project.

LEAD AGENCY: County of El Dorado, 2850 Fairlane Court, Placerville, CA 95667

CONTACT: County Planner: Evan Mattes, 530-621-5994

PROJECT: Rosewood/CCUP21-0007

PROJECT LOCATION: The property, identified by Assessor's Parcel Number(s) 095-130-051 & 095-130-054, consisting of 2.24 acres, is located on the south side of Omo Ranch Road approximately 2 miles east of the intersection with Mount Aukum Road, in the Somerset area, Supervisorial District 2.

PROJECT DESCRIPTION: Commercial Cannabis Use Permit (CCUP) for the construction and operation of a cannabis cultivation facility on 20.24 acres. The project would consist of approximately 15,000 square feet (sf) of mature mixed-light cannabis cultivation. The cannabis cultivation facility would be constructed in two phases: Phase I would include 10,000 sf of mixed-light cannabis cultivation while Phase II would include the cultivation of an additional 5,000 sf of mature mixed-light cannabis. A 2,880-sf support building would be constructed for storage and to support processing, distribution, and manufacturing, and a 10,000-gallon water storage tank would be installed.

PUBLIC REVIEW PERIOD: The public review period for the Draft MND set forth in CEQA for this project is **30** days, beginning **November 21, 2024**, and ending **December 20, 2024**. Any written comments must be received within the public review period. Copies of the Draft MND for this project may be reviewed and/or obtained in the County of El Dorado Planning and Building Department, 2850 Fairlane Court, Placerville, CA 95667, during normal business hours or online at https://www.eldoradocounty.ca.gov/Services/Businesses/Cannabis-Information/Cannabis-Current-CEQA-Documents

Please direct your comments to: County of El Dorado, Planning and Building Department, County Planner: Evan Mattes, 2850 Fairlane Court, Placerville, CA 95667 or EMAIL: planning@edcgov.us

PUBLIC HEARING: The public hearing for the MND is tentatively scheduled to be heard at the January 23, 2025 Planning Commission meeting. Please check the Planning Commission agenda at https://eldorado.legistar.com/Calendar.aspx for changes to this tentatively scheduled hearing date.

COUNTY OF EL DORADO
PLANNING AND BUILDING DEPARTMENT
KAREN L. GARNER, Director
November 20, 2024

DRAFT MITIGATED NEGATIVE DECLARATION

FILE: CCUP21-0007

PROJECT NAME: Rosewood

NAME OF APPLICANT: Jordan Vettoretti

ASSESSOR'S PARCEL NO.: 095-130-051 & 095-130-054 **SECTION:** 5 **T:** 8N **R:** 12W

LOCATION: The property, identified by Assessor's Parcel Number(s) 095-130-051 & 095-130-054-000, consisting of approximately 20.24 acres, is located south of Omo Ranch Road approximately 2 miles east of the intersection with Mt Aukum Road, in the Somerset area.

☐ **GENERAL PLAN AMENDMENT:** **FROM:** **TO:**

☐ **REZONING:** **FROM:** **TO:**

☐ **TENTATIVE PARCEL MAP** ☐
SUBDIVISION (NAME):

☒ **SPECIAL USE PERMIT TO ALLOW:** Commercial Cannabis Use Permit (CCUP) for the construction and operation of a cannabis cultivation facility on 20.24 acres. The project would consist of approximately 15,000 square feet (sf) of mature mixed-light cannabis cultivation. The cannabis cultivation facility would be constructed in two phases: Phase I would include 10,000 sf of mixed-light cannabis cultivation while Phase II would include the cultivation of an additional 5,000 sf of mature mixed-light cannabis. A 2,880-sf support building would be constructed for storage and to support processing, distribution, and manufacturing, and a 10,000-gallon water storage tank would be installed. There is an existing barn on-site located south of the cultivation area that would be demolished. The applicant would access power from a connection with existing Pacific Gas & Electric (PG&E) infrastructure, as well as from a proposed solar array to be located adjacent to the cultivation site. Two generators would be used for emergency and backup use.

☐ **OTHER:**

REASONS THE PROJECT WILL NOT HAVE A SIGNIFICANT ENVIRONMENTAL IMPACT:

☐ **NO SIGNIFICANT ENVIRONMENTAL CONCERNS WERE IDENTIFIED DURING THE INITIAL STUDY.**

☒ **MITIGATION HAS BEEN IDENTIFIED WHICH WOULD REDUCE POTENTIALLY SIGNIFICANT IMPACTS.**

☐ **OTHER:**

In accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), State Guidelines, and El Dorado County Guidelines for the Implementation of CEQA, the County Environmental Agent analyzed the project and determined that the project will not have a significant impact on the environment. Based on this finding, the Planning Department hereby prepares this MITIGATED NEGATIVE DECLARATION. A period of thirty (30) days from the date of filing this mitigated negative declaration will be provided to enable public review of the project specifications and this document prior to action on the project by COUNTY OF EL DORADO. A copy of the project specifications is on file at the County of El Dorado Planning Services, 2850 Fairlane Court, Placerville, CA 95667.

This Mitigated Negative Declaration was adopted by the _____on _____.

_____
Executive Secretary

Rosewood Lane Cannabis Cultivation Project

Administrative Draft
Initial Study/Mitigated Negative Declaration

Prepared for:

County of El Dorado Planning and Building Department
2850 Fairlane Court
Placerville, CA 95667

Prepared by:

HELIX Environmental Planning, Inc.
1180 Iron Point Road Suite 130
Folsom, CA 95630

October 2024

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LIST OF APPENDICES

ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
AEU	Amador El Dorado Unit
ADT	average daily trips
AFY	acre-feet per year
AL	Agricultural Lands
amsl	above mean sea level
ANSI	American National Science Institute
APCD	Air Pollution Control District
AST	above-ground storage tank
ATV	all-terrain vehicles
Bcf/year	billion cubic feet per year
BMP	Best Management Practices
BRA	Biological Resources Assessment
BTU	British thermal units
CAL FIRE	California Department of Forestry and Fire Protection
Cal OES	California Governor's Office of Emergency Services
CalARP	California Accidental Release Prevention
Cal/OSHA	California Division of Occupational Safety and Health
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
CALGreen	California Green Building Standards Code
CalRecycle	California Department of Resources, Recycling and Recovery
Caltrans	California Department of Transportation
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CBC	California Building Code
CBSC	California Building Standards Code
CCUP	Commercial Cannabis Use Permit
CCR	California Code of Regulations
CDC	California Department of Conservation
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act
cf	cubic feet
CFR	Code of Federal Regulations
CH_4	methane
CHP	California Highway Patrol
CHRIS	California Historical Resources Information System
CIWMB	California Integrated Waste Management Board
CNPS	California Native Plant Society
CNDDB	California Natural Diversity Database
CO	carbon monoxide
CO_2	carbon dioxide
CO_2e	carbon dioxide equivalents
County	El Dorado County
CPUC	California Public Utilities Commission
CRHP	California Register of Historic Places
CRHR	California Register of Historical Resources
CUP	Conditional Use Permit
CUPA	Certified Unified Program Agencies
CWA	Clean Water Act

ACRONYMS AND ABBREVIATIONS (cont.)

dB	decibels
dBa	decibels with A weighing
dbh	diameter at breast height
DCC	Department of Cannabis Control
DPM	diesel particulate matter
DT	Detection Threshold
DTSC	Department of Toxic Substances Control
EDC ALUC	El Dorado County Airport Land Use Commission
EDCAQMD	El Dorado County Air Quality Management District
EIR	Environmental Impact Report
EO	Executive Order
EPS	Environmental Permitting Specialists
ESA	Endangered Species Act
°F	degree Fahrenheit
FAA	Federal Aviation Administration
FDCP	Fugitive Dust Control Plan
FEMA	Federal Emergency Management Agency
FHSZ	Fire Hazard Severity Zone
FMMP	Farmland Mapping and Monitoring Program
FPA	Forest Practices Act
Ft	Feet
FPR	Forest Practice Rules
GHG	greenhouse gas
GWP	Global Warming Potential
GWh	gigawatt hours
H2S	hydrogen sulfide
HAPs	Hazardous Air Pollutants
HFCs	Hydrofluorocarbons
HMBP	Hazardous Materials Business Plan
HR-6	House of Representatives Bill 6
IPCC	Intergovernmental Panel on Climate Change
IBC	Important Biological Corridor
In/sec	inches per second
IS/MND	Initial Study and Mitigated Negative Declaration
kWh	kilowatt hours
LA	Limited Agriculture
LDR	Low Density Residential
LCFS	Low Carbon Fuel Standard
LOS	Level of Service
LRA	Local Responsibility Area
MBTA	Migratory Bird Treaty Act
MCAB	Mountain Counties Air Basin
mPa	micro-Pascals
MR	Mineral Resource
MS4	Municipal Separate Storm Sewer Systems
MT	metric tons
MRZ	Mineral Resource Zone

ACRONYMS AND ABBREVIATIONS (cont.)

NAAQS	National Ambient Air Quality Standards
NEHRP	National Earthquake Hazards Reduction Program
N_2O	nitrous oxide
NAHC	Native American Heritage Commission
NCIC	North Central Information Center
NFIP	National Flood Insurance Program
NF_3	nitrogen trifluoride
NHT	National Historic Trails
NHTSA	National Highway Traffic Safety Administration
NIC	Natural Investigations Company
NIST	National Institute of Standards and Technology
NMFS	National Marine Fisheries Service
NO_2	nitrogen dioxide
NOA	naturally occurring asbestos
NPPA	Native Plant Protection Act
NPDES	National Pollutant Discharge Elimination Program
NR	Natural Resources
NRCS	Natural Resources Conservation Service
NRT	National Recreation Trails
NRHP	National Register of Historic Places
NSAQMD	Northern Sierra Air Quality Management District
NST	National Scenic Trails
NTS	The National Trails System
NSF	National Science Foundation
O_3	ground-level ozone
OEHHA	Office of Environmental Health Hazard Assessment
ORMP	Oak Resources Management Plan
Ozone Attainment Plan	Ozone Attainment Plan and Reasonable Further Progress Plan
OSHA	Occupational Safety and Health Administration
PA	Planned Agriculture
PFCS	perfluorocarbons
PG&E	Pacific Gas and Electric
$PM_{2.5}$	Particulate Matter 2.5
PM_{10}	Particulate Matter 10
PPV	peak particle velocity
PRC	Public Resources Code
QSD	Qualified SWPPP Developer
RCRA	Resource Conservation and Recovery Act
RF	radio frequency
RMP	risk management plan
RMS	root means square
RPF	Registered Professional Forester
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
sf	square feet
SF6	sulfur hexafluoride
SHMA	Seismic Hazards Mapping Act
SMAQMD	Sacramento Metropolitan Air Quality Manage District
SMARA	Surface Mining and Reclamation Act of 1975
SMP	Site Management Plan
SO_2	sulfur dioxide

ACRONYMS AND ABBREVIATIONS (cont.)

SPCC	Spill Prevention, Control, and Countermeasure
SPL	sound pressure level
SRA	State Responsibility Area
SUV	sport utility vehicles
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminants
TCR	Tribal Cultural Resources
THP	Timber Harvest Plan
TPZ	Timber Production Zone
UAIC	United Auburn Indian Community
UBC	Uniform Building Code
USACE	U.S. Army Corps of Engineers
USC	United States Code
USDA	United States Department of Agriculture
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USFS	United States Forest Service
USGS	United States Geological Survey
UST	Underground Storage Tank
UWMP	Urban Water Management Plan
VMT	Vehicle Miles Travelled

EL DORADO COUNTY PLANNING SERVICES
2850 FAIRLANE COURT
PLACERVILLE, CA 95667

INITIAL STUDY
ENVIRONMENTAL CHECKLIST

Project Title: Commercial Cannabis Use Permit CCUP21-0007/Rosewood Lane Cannabis Cultivation Project

Lead Agency Name and Address: El Dorado County, 2850 Fairlane Court, Placerville, CA 95667

Contact Person: Evan Mattes, Senior Planner | **Phone Number:** (530) 621-5355

Applicant's Name and Address: Jason Kipperman; 3987 Missouri Flat Road, Placerville CA 95667

Project Agent's Name and Address: Dale Schafer Law Office; 4010 Foothills Boulevard, Roseville CA 95747

Project Engineer's Name and Address: Jon Westphal, JNW Architects; 6960 Gild Creek Road, Shingle Springs, CA 95682

Project Location: The project site is located in south-central El Dorado County at 3331 Rosewood Lane, Somerset, CA, 95684. The project site is located south of the community of Somerset, and it is generally situated south of Omo Ranch Road. See Figure 1 for the Vicinity Map and Figure 2 for an Aerial Map of the project site in Appendix A.

Assessor's Parcel Numbers (APNs): 095-130-051, 095-130-054 **Acres:** 20.24 acres

Sections: USGS Aukum 7.5-minute Quadrangle, Section 5 of Township: 8N, Range: 12W

General Plan Designation: Agricultural Lands-Agricultural District (AL-A)

Zoning: Planned Agriculture 20-acre Minimum (PA-20)

Description of Project: The project applicant is seeking a Commercial Cannabis Use Permit (CCUP) for the construction and operation of a cannabis cultivation facility on 20.24 acres. The project would consist of approximately 15,000 square feet (sf) of mature mixed-light cannabis cultivation. The cannabis cultivation facility would be constructed in two phases: Phase I would include 10,000 sf of mixed-light cannabis cultivation while Phase II would include the cultivation of an additional 5,000 sf of mature mixed-light cannabis. A 2,880-sf support building would be constructed for storage and to support processing, distribution, and manufacturing, and a 10,000-gallon water storage tank would be installed. There is an existing barn on-site located south of the cultivation area that would be demolished. The applicant would access power from a connection with existing Pacific Gas & Electric (PG&E) infrastructure, as well as from a proposed solar array to be located adjacent to the cultivation site. Two generators would be used for emergency and backup use.

Surrounding Land Uses and Setting:

	Zoning	General Plan	Land Use/Improvements
Project Site	Planned Agriculture (PA-20)	Agricultural Lands (AL)	Sparsely wooded land, single-family residence, other minor infrastructure
North	PA-20	AL	Sparsely to densely wooded land
South	PA-20; PA-40	AL	Undeveloped, densely wooded land
East	Rural Lands (RL-20)	AL	Sparsely to densely wooded land, rural residential properties (single-family residences)
West	Limited Agriculture (LA-20)	AL	Sparsely to densely wooded land

Environmental Setting: The project property is sparsely wooded with a single-family residence on-site and located in a flat portion of a rural, hilly region with land that generally slopes gently downward from south to north. The site has an ornamental pond located 160 ft northeast of the proposed cultivation area. Property elevations are generally highest in the south and lowest in the north with an average of 2,500 ft above mean sea level (amsl).

Drainage within the site generally flows south to north. The proposed project site is bordered to the east by Rosewood Lane, rural residential properties (single-family residences), and wooded to sparsely wooded land; to the north by undeveloped, sparsely to densely wooded land and Omo Ranch Road beyond; to the south by undeveloped, densely wooded land; and to the west by a single-family residence and sparsely to densely wooded land. The project site contains three terrestrial vegetation communities: Ruderal/Disturbed, Annual Grassland, and Mixed Pine-Oak Woodland. These vegetation communities are discussed in further detail in Section 7.IV, Biological Resources.

Other public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement):

1. El Dorado County – Grading permit, Building permit, Demolition permit, Oak Tree Removal permit, Commercial Cannabis Operating Permit
2. Pioneer Fire Protection District – Building plan review
3. Department of Cannabis Control (DCC) – Cultivation License
4. State Water Resources Control Board (SWRCB) – Notice of Applicability under the Cannabis General Order
5. California Department of Fish and Wildlife (CDFW) – General Permit, Lake or Streambed Alteration Agreement
6. Department of Water Resources (DWR) – Well Completion Report

1.0 INTRODUCTION

This document is an Initial Study and Mitigated Negative Declaration (IS/MND) that has been prepared in accordance with the California Environmental Quality Act (CEQA) for the proposed Rosewood Lane Cannabis Cultivation Project (proposed project). This IS/MND has been prepared in accordance with the CEQA Public Resources Code (PRC) Sections 21000 et seq., and the State CEQA Guidelines. Pursuant to the State CEQA Guidelines Section 15367, El Dorado County (County) is the lead agency for CEQA compliance.

An Initial Study is conducted by a CEQA lead agency to determine if a project may have a significant effect on the environment. In accordance with the State CEQA Guidelines Section 150649(a)(1), an Environmental Impact Report (EIR) must be prepared if the Initial Study indicates that the proposed project may have a potentially significant impact on the environment. According to State CEQA Guidelines Section 15070, a Negative Declaration or Mitigated Negative Declaration shall be prepared when either:

a) The Initial Study shows there is no substantial evidence, in light of the whole record before the agency, that the proposed project may have a significant effect on the environment, or

b) The Initial Study identified potentially significant effects, but:

    1) Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed negative declaration is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and

    2) There is no substantial evidence, in light of the whole record before the agency, that the proposed project as revised may have a significant effect on the environment.

If revisions are incorporated into the proposed project in accordance with the State CEQA Guidelines Section 15070(b), a Mitigated Negative Declaration is prepared. This document includes such revisions in the form of mitigation measures. Therefore, this document is a Mitigated Negative Declaration, and it incorporates all of the elements of the accompanying Initial Study.

2.0 PROJECT LOCATION AND SURROUNDING LAND USES

The proposed project would be located on an approximately 20-acre property in south-central El Dorado County at 3331 Rosewood Lane, Somerset, California (38° 34’7.8666”N 120°41’9.366”W). The property consists of two parcels, APNs 095-130-051 and 095-130-054, which are hereby referred to as the “project site”. The proposed project would consist of a cannabis cultivation facility that would be situated on gently sloping land in the center of the project site. The project site is accessible via Rosewood Lane. The property is designated Agricultural Lands (AL) in the County’s General Plan, and it is within the Planned Agriculture, 20-acre minimum (PA-20) zone district.

The project property is bordered to the north by sparsely to densely wooded land; to the east by rural residential properties (single-family residences) and sparsely to densely wooded land; to the south by undeveloped, densely wooded land; and to the west by rural residential properties (single-family residences) and sparsely to densely wooded land. The project property consists of hilly terrain with elevations averaging approximately 2,500 ft amsl. The project would include one cannabis cultivation area within the cannabis cultivation facility. Drainage within the site generally flows south to north; a riverine runs approximately 410 feet east of the project site; however, no permanent watercourses exist in the immediate vicinity of the cultivation area. See Figure 1 for the Vicinity Map and Figure 2 for an Aerial Map of the project site in Appendix A.

3.0 PROJECT DESCRIPTION

The project applicant is applying for a Commercial Cannabis Use Permit (CCUP21-0007) for the construction and operation of a commercial cannabis cultivation facility. The proposed project would include the construction and operation of a mixed-light cannabis cultivation facility (also referred to as the cannabis cultivation premises or premises) that would include 15,000 sf of flowering mixed-light cannabis canopy in a fenced, designated cannabis

cultivation area, an existing water well and proposed water tank for irrigation and storage, support building, and parking spaces. The cannabis cultivation facility would be constructed in two phases: Phase I would include 10,000 sf of mature mixed-light cannabis while Phase II would include the cultivation of an additional 5,000 sf of mature mixed-light cannabis. Construction of the proposed cannabis cultivation premises would result in approximately 0.4 acre of ground disturbance. See Figure 3 for the site plan.

Phase I of the proposed cannabis cultivation operation would be located in the center of the project site and consist of the construction and installation of the following:

- 10,000 sf of mature mixed-light flowering canopy
  - Four (4) 2,880-sf greenhouses for a total of 11,520 sf of greenhouse space to accommodate 10,000 sf of mature mixed-light cannabis cultivation
- 2,880-sf storage and processing building to replace the existing barn and would support processing, distribution, and manufacturing
- Demolition of the existing barn
- Site gates and 7- to 8-ft-tall wildlife exclusionary fence around the cultivation site
- Gravel extension of site access driveways and turnaround for emergency vehicle access
- 10,000-gallon water storage tank
- Septic system
- Solar array to be ground-mounted within the fenced cannabis cultivation premises or installed on the roof of the proposed storage and processing building

Grading would be limited to total cut of 5,250 cubic yards and total fill of 1,400 cubic yards. The remainder is anticipated to be balanced on-site.

Phase II

Phase II would be located immediately adjacent to the footprint of Phase I and would add 5,000 sf of mixed-light cannabis cultivation. The additional 5,000 sf of mixed-light cannabis would be cultivated in one (1) 2,880-sf greenhouse and two (2) 1,800-sf greenhouses for a total of 6,480 sf of greenhouse space to accommodate 5,000 sf of mature mixed-light cannabis cultivation.

The components of the proposed project are described in more detail below.

Cannabis Cultivation Area

Full buildout of the project would include the construction of seven (7) greenhouses totaling 18,000 sf of greenhouse space to accommodate 15,000 sf of mature mixed-light cannabis cultivation. Cannabis would be grown in a mixed-light environment from seed to maturity on the premises and harvested and manufactured on-site. There are anticipated to be three harvest cycles per year, with each cycle lasting approximately one month. The mature plants would then be transported off-site.

Support Structures and Infrastructure

An existing single-family residence is located to the north of the proposed cannabis cultivation area and immediately west of the entrance gate to the project site. The garage and shed associated with the existing single-family residence would not be used for cannabis operations. The existing barn on-site would be demolished and replaced by the proposed 2,880-sf support building as part of Phase I. The proposed support building would be used for storage, processing, distribution, and manufacturing and would contain a bathroom intended to be used for up to 10 employees. A 10,000-gallon water storage tank would be installed to the south of the proposed support building for irrigation and fire suppression, and a proposed septic system would be located north of the proposed cannabis cultivation area. There is an existing septic system consisting of a 2,000-gallon septic tank and a 165-foot long leach line; based on calculations included in the sewer study, the new system would require a design flow of 200 gallons per day and would thus require an additional 1,000-gallon septic tank as well as 40 feet of high capacity infiltrators.

The existing driveway would be extended to provide access to the cultivation area, and a turnaround would be constructed to provide suitable access for emergency vehicles per the County ordinance.

Water would be obtained from an existing on-site well. The well was constructed in May 2000. The well is 580 ft deep and can provide an initial flow rate of 7.5 gallons per minute. This well would provide the main water supply for up to 15,000 sf of flowering mixed-light cannabis canopy at full buildout as well as miscellaneous support and sanitary needs. The proposed project is estimated to demand approximately 225,000 gallons of water annually. There is an existing on-site ornamental pond located approximately 160 feet away from the project site.

The applicant would access power from a connection with existing PG&E infrastructure. The applicant plans to install either a ground-mounted solar array or solar panels on the roof of the proposed support building to provide power for project. The project would rely on PG&E for the remainder of power needs. Two generators would be used for emergency and backup use. An EPA-certified propane-fueled generator would be used for emergency purposes, and a Kohler 59REOZK backup generator would be used as backup; located west of the proposed processing building. The project applicant would use an on-site propane heater for space heating; as needed.

Each of the proposed greenhouses would be equipped with two 54-inch QuietAire exhaust fans. The proposed 2,700-sf greenhouses would each contain one Modine PTP 250k BTU heater, one Quest Dual 150 dehumidifier, four Schaefer VK20 fans, and two Multifan VAF fans. The 1,800-sf greenhouses would contain up to one Modine PTP 250k BTU heater, one Quest Dual 150 dehumidifier, two Schaefer VK20 fans, and one Multifan VAF fan. The proposed processing building would contain up to eight Multifan VAF fans and four Quest Dual 150 dehumidifiers.

Employees and Daily Trips

The project would support up to ten (10) full-time employees, and four (4) of those full-time employees would live in the residence located on the property. It is anticipated that up to an additional 10 temporary employees would be on-site during the peak times of harvest operation or during planting. It is anticipated that no more than 10 employees would be on-site during peak conditions, and the project is anticipated to have up to three harvest cycles per year. According to the *On Site Transportation Review* conducted by Prism Engineering (2021; Appendix L), the project is expected to generate a total of up to 60 trips per day under peak conditions.

Security Plan

Perimeter security for the cannabis cultivation areas would be provided by video surveillance and adequate outside security lighting. A 7 to 8-foot-tall wildlife exclusionary fence with a locked gate would surround the cannabis cultivation premises. The entrance of the property is secured with a locked entry/exit gate. An additional locked entry/exit gate would be installed just east of the proposed emergency vehicle turnaround area. Potential temporary employees, government personnel with business on-site presenting valid identification, and other visitors would be escorted through the limited access areas of the site by the project applicant. In the case of an armed robbery, the applicant would cooperate to the extent necessary to maintain safety while deescalating the situation and would report the incident to authorities as soon as it is safe to do so.

Site Access/Parking

The site can be accessed from the east via Rosewood Lane. There is an existing access road that leads to the proposed gravel turnaround to facilitate emergency vehicle access. The existing gravel driveway would also be extended to the west to provide access to the cannabis cultivation area. Parking would be available immediately east of the proposed cultivation area and north of the proposed support building.

Hazardous Materials and Cannabis Waste

All cannabis waste would be stored and disposed of in accordance with applicable County and State regulations. All waste would be self-removed. The applicant may self-haul cannabis waste to one or more of the following:

- A staffed, fully permitted solid-waste or transformation facility
- A staffed, fully permitted composting facility or staffed composting operation

- A staffed, fully permitted in-vessel digestion facility of staffed in-vessel digestion operation
- A staffed, fully permitted transfer/processing facility or staffed transfer/processing operation
- A staffed, fully permitted chip-and-grind operation

Hazardous materials proposed for on-site use would include organic pesticides and soil amendments, which would be handled and used in accordance with California Department of Food and Agriculture. Soil amendments would be mixed as part of the cannabis operation. Petroleum products, such as gasoline, diesel fuel, and engine oil, as well as fertilizers used on-site would be stored in the proposed support building.

Pest Management Plan

The applicant provided a Pest Management Plan that would be implemented for the proposed project and is included as part of Appendix C, Overall Cultivation Standard Operating Procedure of this Initial Study (JSJ Enterprises 2020). The applicant would use "organic" pest management systems, including biological pest management systems such as ladybugs, neem oil, and beneficial nematodes.

Construction Schedule and Equipment

Project construction would occur immediately upon project approval and acquisition of the required permits from the County and would take approximately 4 months to complete. Phase I would include the construction of four gutter-connected greenhouses, the support building, solar system, access improvements, and wildlife exclusionary fencing as well as the installation of the water tank and septic system and the demolition of the existing barn. Phase II would include the construction of three additional gutter-connected greenhouses. Site grading would be required to establish the on-site facility and would consist of 10,200 cubic yards of cut and 1,400 cubic yards of fill. The remainder would be balanced on-site. According to Appendix E of the California Emissions Estimator Model (CalEEMod) Users' Guide, a project with a construction area of less than 1 acre would be expected to require one rubber-tired dozer, one tractor/loader/backhoe, and one grader (California Air Pollution Control Officers Associate [CAPCOA] 2017). It is estimated that each piece of equipment would operate for 8 hours per day during project construction.

4.0 PUBLIC REVIEW AND REQUIRED APPROVALS

This IS/MND is being circulated for public and agency review for a 30-day period. Written comments on the IS/MND should be submitted by mail or e-mail to the following:

Evan Mattes, Senior Planner
2850 Fairlane Court
Placerville, CA 95667
Evan.Mattes@edcgov.us

Following the close of the written comment period, the IS/MND will be considered by the lead agency (El Dorado County) in a public meeting and will be adopted if it is determined to be in compliance with CEQA.

Public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement) include the following:

- **El Dorado County** – Grading permit, Building permit, Demolition permit, Oak Tree Removal permit, Commercial Cannabis Operating Permit;
- **Pioneer Fire Protection District** – Building plan review;
- **Department of Cannabis Control** – Cultivation License; and
- **State Water Resources Control Board** – Notice of Applicability under the Cannabis General Order.
- **California Department of Fish and Wildlife (CDFW)** – General Permit, Lake or Streambed Alteration Agreement

5.0 DETERMINATION

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** 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 in attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

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

Signature: _____ Date: 11-18-2024

Printed Name: Evan Mattes, Senior Planner For: El Dorado County

Signature: _____ Date: 11/18/24

Printed Name: Aaron Mount, Planning Manager For: El Dorado County

6.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

7.0 EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. If the lead agency has determined that a particular physical impact may occur, the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is a fair argument that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of Mitigation Measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the Mitigation Measures, and briefly explain how they reduce the effect to a less than significant level.

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063(c)(3)(D)). In this case, a brief discussion should identify the following:

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

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

    c. Mitigation Measures. For effects that are "Less Than Significant With Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

    a. the significance criteria or threshold, if any, used to evaluate each question; and

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

ENVIRONMENTAL IMPACTS

I. AESTHETICS

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?			X	
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
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 point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Environmental Setting

The project property is situated in the mid-elevations of the northern Sierra Nevada, in an area of ponderosa pine/mixed oak-conifer forests and areas of rural land. The cannabis cultivation premises consists of mainly ruderal/developed land with non-native grassland. The project would include one relatively flat cannabis cultivation area. The site is located 160 ft away from an ornamental pond and has an average elevation of 2,500 ft amsl.

The project property is bordered to the north by densely wooded land and Omo Ranch Road beyond; to the west by rural residential properties (single family residence) and densely wooded land; to the east by a rural residential property (single family residence) and densely wooded land; and to the south by densely wooded land. The setting is rural, and the project site is not visible from any public vantage points.

Regulatory Setting:

Federal Laws, Regulations, and Policies

No federal regulations are applicable to aesthetics in relation to the proposed project.

State Laws, Regulations, and Policies

In 1963, the California State Legislature established the California Scenic Highway Program, a provision of the Streets and Highways Code, to preserve and enhance the natural beauty of California (Caltrans 2021). The State highway system includes designated scenic highways and those that are eligible for designation as scenic highways.

The nearest officially designated or eligible State scenic corridor in the vicinity of the project site is designated US Route 50, approximately twelve miles north of the project site (Caltrans 2021). The project site is not visible from any point on US Route 50.

Title 3 Section 8304(c) of the California Code of Regulations states: "All outdoor lighting used for security purposes shall be shielded and downward facing."

Section 8304(g) states: "Mixed-light license types of all tiers and sizes shall ensure that lights used for cultivation are shielded from sunset to sunrise to avoid nighttime glare."

Local Laws, Regulations, and Policies

The County has several standards and ordinances that address issues relating to visual resources. Many of these can be found in the County Zoning Ordinance (Title 130 of the County Code). The Zoning Ordinance consists of descriptions of the zoning districts, including identification of uses allowed by right or requiring a special-use permit and specific development standards that apply in particular districts based on parcel size and land use density. These development standards often involve limits on the allowable size of structures, required setbacks, and design guidelines. Included are requirements for setbacks and allowable exceptions, the location of public utility distribution and transmission lines, architectural supervision of structures facing a state highway, height limitations on structures and fences, outdoor lighting, and wireless communication facilities. See below for Section 130.14.170, Outdoor Lighting, of the County Code:

> "All outdoor lighting, including residential outdoor lighting, shall be hooded or screened as to direct the source of light downward and focus onto the property from which it originates and shall not negatively impact adjacent properties or directly reflect upon any adjacent residential property."

Visual resources are classified as 1) scenic resources or 2) scenic views. Scenic resources include specific features of a viewing area (or viewshed) such as trees, rock outcroppings, and historic buildings. They are specific features that act as the focal point of a viewshed and are usually foreground elements. Scenic views are elements of the broader viewshed such as mountain ranges, valleys, and ridgelines. They are usually middle ground or background elements of a viewshed that can be seen from a range of viewpoints, often along a roadway or other corridor.

A list of the County's scenic views and resources is presented in Table 5.3-1 of the El Dorado County General Plan EIR (p. 5.3-3). This list includes areas along highways where viewers can see large water bodies (e.g., Lake Tahoe and Folsom Reservoir), river canyons, rolling hills, forests, or historic structures or districts that are reminiscent of El Dorado County's heritage.

Several highways in El Dorado County have been designated by the California Department of Transportation (Caltrans) as scenic highways or are eligible for such designation. These include U.S. 50 from the eastern limits of the Government Center interchange (Placerville Drive/Forni Road) in Placerville to South Lake Tahoe, all of SR 89 within the County, and those portions of SR 88 along the southern border of the County.

Rivers in El Dorado County include the American, Cosumnes, Rubicon, and Upper Truckee rivers. A large portion of El Dorado County is under the jurisdiction of the United States Forest Service (USFS), which, under the Wild and Scenic Rivers Act, may designate rivers or river sections to be Wild and Scenic Rivers. To date, no river sections in El Dorado County have been nominated for or granted Wild and Scenic River status.

Impact Analysis:

a. **Scenic Vista:** A scenic vista is defined as a viewpoint that provides expansive views of a highly-valued landscape (such as an area with remarkable scenery or a resource that is indigenous to the area) for the benefit of the public. The project site is adjacent to wooded lands in all directions, and no designated scenic vistas exist in the vicinity of the project site. Additionally, the project site would not be visible from any public road or other public viewpoint as views of the cannabis cultivation premises from any public vantage point

would be obscured by vegetation and topography of the site. Therefore, the proposed project would not result in a substantial adverse effect to a scenic vista. Potential impacts would be **less than significant**.

b. **Scenic Resources:** US-50 is classified as an officially designated scenic highway in El Dorado County from Placerville to South Lake Tahoe (Caltrans 2021) and is located approximately 12 miles north of the project site. The proposed project would not be visible from US-50 or any designated or eligible scenic highway. The project would have **no impact** to scenic resources within the proximity of a State scenic highway.

c. **Visual Character:** The proposed project would result in the construction of a new commercial cannabis cultivation facility. The proposed project would include seven greenhouses enclosed by a 7 to 8-foot-high wildlife exclusionary fence. To the east of the proposed cannabis cultivation area would be a proposed fire department turnaround as well as a proposed 2,880-sf building to be used for processing, distribution, and manufacturing. A 10,000-gallon water storage tank with rain catchment capacity would be installed to the south of the proposed processing building. Along the southern edge of the proposed processing building is an existing barn; the barn would be demolished as part of Phase I. The proposed development may result in a change to the visual character of the site by developing areas of ruderal/disturbed land with non-native grassland, and mixed oak-conifer forest. However, the project site is surrounded by other wooded, privately-owned lands and is not visible from public vantage points. Therefore, the construction of the proposed project would not substantially degrade the character of the site or its surroundings or degrade the quality of views from publicly accessible vantage points, Potential impacts would be **less than significant**.

d. **Light and Glare**: The proposed project would result in the development of a new cannabis cultivation facility. Potential sources of light and glare include external new security lighting and greenhouse lighting for plant growth. Security lighting and cameras would be concentrated on select portions of the site, including the entrances of the property and cannabis cultivation area, and would be motion activated. The security lighting would be fully shielded and downward facing and would activate only when motion sensors detect movement as a means to deter and observe any potential intruders. The hours of operation for the proposed project would be from 10:00a.m. – 7:00 p.m., so the potential for any nighttime light or glare related to project operations would be minimized. Pursuant to Section 8304(g) of the California Code of Regulations, supplemental lighting for cultivation would be fully shielded from sunset to sunrise with blackout tarps. The introduction of new sources of light and glare from security purposes may contribute to nighttime light pollution and result in impacts to nighttime views in the area. However, with the implementation of the design standards discussed above and the requirement for the project to comply with County design standards and El Dorado County Code of Ordinances (County Code) Section 130.14.170 (Outdoor Lighting) would reduce potential impacts from the introduction of new light and glare to a level of **less than significant.**

FINDING: The proposed project would result in less than significant or no impacts to scenic vistas, scenic resources, the visual character of the project area, and from new light and glare sources. Additionally, with adherence to the County Code (Section 130.14.170 – Outdoor Lighting), any potential aesthetic impacts from nighttime light pollution would be less than significant.

II. AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Locally Important Farmland (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			**X**	
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?				**X**
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))?				**X**
d. Result in the loss of forest land or conversion of forest land to non-forest use?				**X**
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?			**X**	

Environmental Setting

There are over 100,000 acres of active farmland in El Dorado County (NIC 2020a). Major crops include fruits, and there are over 80 active vineyards in the County (NIC 2020a). Cattle grazed on rangeland also comprise a considerable portion of the County's agricultural production.

The SSURGO database maintained by the United States Department of Agriculture (USDA) and National Resource Conservation Service (NRCS) indicates that the Project vicinity is underlain by soils of the Holland and Shaver Series. Holland Series soils consists of very deep, well drained sandy loam formed in material weathered from granitic rock. Shaver Series soils consist of deep, well drained sandy loam formed in material weathered from decomposed granitic rock. According to the custom Soil Resource Report for this project (NRCS 2022), the following soil map units occur on the project property:

- Holland rocky coarse sandy loam (HhC): covers 87.4 percent of the parcel (17.7 acres);
- Shaver rocky coarse sandy loam (SdE): covers 12.6 percent of the parcel (2.5 acres).

According to the Farmland Mapping and Monitoring Program (FMMP), no Prime or Unique Farmlands or Farmlands of Statewide Importance have been identified on the project site or project property. The project site is classified as Grazing Land (CDC 2023a).

The project site is located within the Central Sierra Lower Montane Forests California level IV ecoregion (Griffith et al. 2016). The ecoregion is dominated by ponderosa pine (*Pinus ponderosa*) and gray pine (*Pinus sabiniana*) habitats, with mixed conifer forests occurring at higher elevations. Montane hardwood forests include canyon live oak (*Quercus chrysolepis*), interior live oak (*Quercus wislizeni*), black oak (*Quercus velutina*), or areas of shabby tanoak (*Notholithocarpus densiflorus*). Lower montane mixed chaparral occurs in many areas, with manzanita (*Arctostaphylos*), chamise (*Adenostoma fasciculatum*), *Ceanothus*, and other shrubs. The project site contains three terrestrial vegetation communities: Ruderal/Disturbed, Mixed Oak-Conifer Forest, and Annual Grassland. Some of grassy understory of the open to dense forest habitat may be suitable for grazing. The property has not been recently used for agriculture except for grazing. The area of the property proposed for development contains mostly ruderal/disturbed land and non-native grassland. Twelve trees are proposed for removal from the property, see Section 7.IV Biological Resources for additional information.

Timber harvesting has historically been a major component of El Dorado County's economy (NIC 2020a), and commercial timber harvesting remains locally important in portions of the County. The site does not have a known recent history of commercial timber harvesting. The property is designated for Agricultural Land (AL) in the County's General Plan, and it is within the Planned Agriculture, 20-acre Minimum (PA-20) zone district.

Regulatory Setting:

Federal Laws, Regulations, and Policies

No federal regulations are applicable to agricultural and forestry resources in relation to the proposed project.

State Laws, Regulations, and Policies

Farmland Mapping and Monitoring Program

The FMMP, administered by the California Department of Conservation (CDC), produces maps and statistical data for use in analyzing impacts on California's agricultural resources (CDC 2023a). FMMP rates and classifies agricultural land according to soil quality, irrigation status, and other criteria. Important Farmland categories are as follows (CDC 2023b):

> ***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 are usually irrigated but might 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.

The project site is classified as Grazing Land (CDC 2023c).

California Land Conservation Act of 1965 (Williamson Act)

The California Land Conservation Act of 1965 (commonly referred to as the Williamson Act) allows local governments to enter into contracts with private landowners for the purpose of preventing conversion of agricultural land to non-agricultural uses (CDC 2023d). In exchange for restricting their property to agricultural or related open space use, landowners who enroll in Williamson Act contracts receive property tax assessments that are substantially lower than the market rate.

Z'berg-Nejedly Forest Practice Act

Logging on private and corporate land in California is regulated by the Z'Berg-Nejedly Forest Practices Act (FPA), which took effect January 1, 1974. The act established the Forest Practice Rules (FPRs) and charged the Board of Forestry to oversee their implementation. CAL FIRE works under the direction of the Board of Forestry and Fire Protection and is the lead government agency responsible for approving logging plans and for enforcing the FPRs. A Timber Harvest Plan (THP) must be prepared by a Registered Professional Forester (RPF) for timber harvest on non-federal timberland, with limited exceptions.

Local Laws, Regulations, and Policies

El Dorado County General Plan Agriculture and Forestry Element

Adopted in 2004 and amended in 2015, this element sets the County's priorities for the continued viability of agricultural and forestry activities. Goals of this element include agricultural land conservation, agricultural production, forest land conservation, and sustainable and efficient forest production (El Dorado County 2015b).

Impact Analysis:

a. **Farmland Mapping and Monitoring Program:** According to the FMMP, no Prime or Unique Farmlands or Farmlands of Statewide Importance have been identified on the project site or project property (CDC 2023c). As a result, implementation of proposed project would have no impact on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as defined by the FMMP (CDC 2023c). The site is designated as Grazing Land, but the project would involve the cultivation of cannabis, which is consistent with agricultural use of the site. The project would not involve the construction of large buildings or other pieces of infrastructure that would render the site unusable for agriculture in the future. Therefore, the proposed project would not convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Locally Important Farmland (Farmland) to non-agricultural use. Potential impacts would be **less than significant**.

b. **Agricultural Uses:** The property is zoned as Rural Land, 20-acre Minimum (RL-20) and not under Williamson Act Contract. Cannabis cultivation is allowed on parcels zoned RL-20 with County approval of a CCUP. Therefore, the proposed project would not conflict with existing zoning for agricultural use and would not impact any properties under a Williamson Act Contract. There would be **no impact**.

c.-d. **Loss of Forest land or Conversion of Forest land:** The site contains two terrestrial vegetation communities: Ruderal/Disturbed and Mixed Oak-Conifer Forest. The site is not zoned or designated as Timber Production Zone (TPZ) or another forest land use. The two cultivation areas within the cannabis cultivation premises would be developed on ruderal/disturbed land with non-native grassland. Areas that are not identified as ruderal/disturbed within the cannabis cultivation premises are classified as mixed oak-conifer forest or annual grassland. 0.096 acre of oak woodland would be impacted by the proposed project, but no commercial tree species are proposed for removal (14 CCR Section 895.1). Impacts to non-commercial oak resources (which are protected by the County Code) are addressed in Section 7.1V, Biological Resources, and in the Oak Tree Removal Study included as Appendix E. Therefore, the proposed project would not conflict with the zoning for, or cause rezoning of, forest land or timberland or result in a substantial loss or conversion of forest land. There would be **less than significant impact** to the loss or conversion of forest land.

e. **Conversion of Prime Farmland or Forest Land:** The proposed project would develop up to 1,500 sf of ruderal/disturbed land into a cannabis cultivation facility on an approximately 20-acre property, leaving over 18 acres of the property as undisturbed. Implementation of the proposed project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use. Therefore, the proposed project would not result in a substantial conversion of agricultural or forest land to non-agricultural or non-forest uses. Potential impacts would be **less than significant.**

FINDING: The proposed project would not conflict with existing zoning for agricultural use, TPZ, or other forest land, impact any properties under a Williamson Act Contract, or result in a substantial loss or conversion of agricultural land or forest land. Less than significant or no impacts would occur related to Agriculture and Forestry Resources.

III. AIR QUALITY

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

Regulatory Setting:

Criteria air pollutants are defined as pollutants for which the federal and state governments have established ambient air quality standards, or criteria, for outdoor concentrations to protect public health. The federal and state standards have been set, with an adequate margin of safety, at levels designed to protect the most sensitive persons from illness or discomfort. 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 the following criteria air pollutants: particulate matter of aerodynamic diameter of 10 micrometers or less (PM_{10}), particulate matter of aerodynamic diameter of 2.5 micrometers or less ($PM_{2.5}$), carbon monoxide (CO), nitrogen dioxide (NO_2), ground-level ozone (O_3), sulfur dioxide (SO_2), and lead. Of these criteria pollutants, particulate matter and ground-level O_3 pose the greatest threats to human health. The California Air Resources Board (CARB) sets standards for criteria pollutants in California that are more stringent than the NAAQS and include the following additional contaminants: visibility-reducing particles, hydrogen sulfide (H_2S), sulfates, and vinyl chloride.

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 as hazardous air pollutants (HAPs) at the federal level. 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.

The proposed project is located within the Mountain Counties Air Basin (MCAB), which is comprised of seven air districts: the Northern Sierra Air Quality Management District (NSAQMD), Placer County Air Pollution Control District (APCD), Amador County APCD, Calaveras County APCD, the Tuolumne County APCD, the Mariposa County APCD, and El Dorado County Air Quality Management District (EDCAQMD).

Air quality in the project area is regulated by the EDCAQMD. CARB and local air districts are responsible for overseeing stationary source emissions, approving permits, maintaining emissions inventories, maintaining air quality stations, overseeing agricultural burning permits, and reviewing air quality-related sections of environmental documents required to comply with CEQA. The EDCAQMD regulates air quality through the federal and State Clean Air Acts, district rules, and its permit authority.

The USEPA and State also designate regions as "attainment" (within standards) or "nonattainment" (exceeds standards) based on the ambient air quality. El Dorado County is in nonattainment status for both federal and state O_3 standards, for the state PM_{10} standard, and for the federal 24-hour $PM_{2.5}$ standard (only western El Dorado County is nonattainment for federal $PM_{2.5}$ standard) and is in attainment or unclassified status for all other pollutants (CARB 2021).

California Code of Regulations Title 3, *Food and Agriculture*, Division 8, *Cannabis Cultivation*, contains the following sections applicable to the project and relevant to the air quality analysis:

> Section 8102(s) states: [Each cultivation license application shall include the following, if applicable:] For indoor and mixed-light license types, identification of all power sources for cultivation activities, including but not limited to, illumination, heating, cooling, and ventilation.
>
> Section 8304(e) states: [All licensees shall comply with all of the following environmental protection measures:] Requirements for generators pursuant to section 8306 of this chapter.
>
> Section 8306 provides requirements for stationary and portable generators greater than 50 horsepower. It requires these to comply with the appropriate Airborne Toxic Control Measure (e.g., USEPA Tier 4 certified engines or equivalent CARB certified engine retrofits) for stationary or portable generators and includes certificates or permits that are acceptable to prove compliance. Additional compliance options are provided for generators below 50 horsepower by 2023, including limiting hours of operation, meeting certain emergency use requirements, or filter and engine requirements.

Impact Analysis:

a. **Air Quality Plan:** As mentioned previously, the MCAB is currently in non-attainment for O_3 (State and federal ambient standards), PM_{10} (State ambient standard), and $PM_{2.5}$ (federal ambient 24-hour standard). The Sacramento Regional 2008 NAAQS (National Ambient Air Quality Standards) 8-Hour Ozone Attainment Plan and Reasonable Further Progress Plan (Ozone Attainment Plan) was developed for application within the Sacramento region, including the MCAB portion of El Dorado County (EDCAQMD et al. 2017). The EDCAQMD and other Sacramento region air districts have submitted a $PM_{2.5}$ Implementation/Maintenance Plan and Re-Designation Requests to fulfill CAA requirements to re-designate the region from nonattainment to attainment of the $PM_{2.5}$ NAAQS (EDCAQMD et al. 2013).

Projects within the MCAB portion of the County must demonstrate Ozone Attainment Plan consistency with the following four indicators:

1. The project does not require a change in the existing land use designation (e.g., a general plan amendment or rezone), or projected emissions of ROG and NO_x from a project equal to or less than the emissions anticipated for the site if developed under the existing land use designation;
2. The project does not exceed the "project alone" significance criterion;
3. The project would be consistent with the control measures for emissions reductions in the Ozone Attainment Plan; and
4. The project complies with all applicable district rules and regulations.

Regarding the first criterion for compliance with the Ozone Attainment Plan, the proposed project does not require a change in its current land use designation. Therefore, the project would not conflict with or exceed the assumptions of the Ozone Attainment Plan.

Regarding the second criterion, as discussed above, MCAB is currently in non-attainment for O_3 (State and federal ambient standards), PM_{10} (state ambient standard), and $PM_{2.5}$ (federal 24-hour ambient standard). As discussed in item b), below, the project would not exceed EDCAQMD significance criteria.

The third criterion is consistency with control measures in the Ozone Attainment Plan. Most of the control strategies in the Ozone Attainment Plan include measures in the categories of transportation and stationary

sources. The non-regulatory control measures include on-road and off-road mobile incentive programs, and an emerging/voluntary urban forest development program. These are followed by the regulatory control measures, which include indirect source rules and a variety of stationary- and area-wide source control measures. The control measures for reducing mobile source emissions include the following statewide measures: new engine standards, reducing emissions from in-use fleet, requiring the use of cleaner fuels, supporting the use of alternative fuels, and pursuing long-term advanced technology measures. The project would not conflict with or hinder any of the control measures for emissions reductions in the Ozone Attainment Plan.

The final criterion is compliance with the EDCAQMD rules and regulations. The EDCAQMD has adopted rules designed specifically to address a variety of air quality impacts through measures that reduce construction and operational related air quality emissions. The project would be required by law to comply with all applicable rules and regulations. Rules designed to control air pollutant emissions, and which may be applicable to the project include:

- Rule 210 related to the discharge of air contaminants;
- Rule 215 related to application of architectural coatings;
- Rule 223 related to fugitive dust;
- Rule 223-1 related to construction generated fugitive dust;
- Rule 223-2 related to asbestos; and
- Rule 224 relates to application of cutback or emulsified asphalt for paving.

Notably, pursuant to Rule 223-1, any activities associated with plans for grading and construction would require a Fugitive Dust Control Plan (FDCP). Such a plan would address grading measures and operation of equipment to minimize and reduce the level of defined particulate matter exposure and/or emissions to a less than significant level.

In summary, the project would not conflict with the land use designation, would not exceed the "project alone" significance criterion, would be consistent with all control measures of the Ozone Attainment Plan, and would comply with applicable EDCAQMD rules. Based on these considerations, the project would not conflict with or obstruct implementation of an applicable air quality plan. The impact would be **less than significant**.

b. **Air Quality Standards and Cumulative Impacts:** The following discussion evaluates the potential for the project's construction and operational emissions to result in a considerable contribution to the region's cumulative air quality impact.

Construction

Construction of the project would result in the addition of pollutants to the local airshed caused by soil disturbance, fugitive dust emissions, and combustion pollutants from on-site construction equipment, as well as from off-site trucks hauling construction materials and worker vehicles commuting to and from the project site. Downed tree branches and brush would be burned in the offseason according to CAL FIRE and Pioneer Fire District rules and regulations.

The EDCAQMD has adopted screening criteria for determining the significance of a project's construction period ozone precursor and particulate matter emissions in Chapter 4 of the Guide to Air Quality Assessment (EDCAQMD 2002).

> Screening of Construction Equipment Based on Fuel Use: If the average daily diesel fuels use for one quarter (3 months) would be less than 337 gallons (from Table 4.1 in the Guide to Air Quality Assessment), ROG and NO_X emissions from construction equipment may be deemed not significant. If ROG and NO_X emissions from diesel equipment are deemed not significant based on fuel usage in Table 4.1, then exhaust emissions of CO and PM_{10} from construction equipment, and exhaust emissions of all constituents from worker commute vehicles, may also be deemed not significant.

> Screening of Fugitive Dust Emissions Based on Incorporation of Mitigation Measures: Mass emissions of fugitive dust PM_{10} need not be quantified, and may be assumed to be not significant, if the project includes mitigation measures that would prevent visible dust beyond the project property lines, in compliance with Rule 403 of the South Coast Air Quality Management District (included in Appendix C-1 of the Guide to Air Quality Assessment).

Construction would occur immediately upon project approval and acquisition of the required permits from the County and other public agencies and would take approximately 4 months to complete. The applicant would use a tractor and box scraper to till the cannabis cultivation areas during construction of the proposed project. As described in Section 3.0, above, the project would disturb up to 1,500 sf which would involve the tilling of the cultivation areas and construction of 11 proposed hoop houses. Conservatively assuming that the small tractor with box scraper to be used during project construction would burn 13.6 gallons per hour, the average daily diesel fuel use would be conservatively 136 gallons per day (assuming a 10-hour day) which is less than the 377 gallons per day screening level. Grading would be required to establish the compound and would be limited to 10,200 cubic yards of cut and 1,400 cubic yards of fill. Therefore, project construction emissions of ROG, NO_X, and other exhaust constituents would be less than significant.

The EDCAQMD Rule 223-1 requires any construction or construction related activities, including the project construction, to submit a Fugitive Dust Control Plan to the EDCAQMD prior to the start of any construction activity for which a grading permit was issued by El Dorado County (EDCAQMD 2005).

Operation

The EDCAQMD has adopted screening criteria for determining the significance of a project's operational ozone precursor emissions in Chapter 5 of the Guide to Air Quality Assessment (EDCAQMD 2002):

> For development projects whose only operational emissions come from increased vehicular traffic, screening based on project size or activity may be used to determine whether the project would exceed the threshold of significance for total emissions from project operation. Table 5.2 from the Guide to Air Quality Assessment provides size or activity cut-points for various types of land uses that the EDCAQMD has determined, based on conservative assumptions, would, if exceeded, result in emissions above the EDCAQMD's thresholds of significance for ROG and NO_X.

The project's proposed commercial cannabis cultivation facility is not included in Table 5.2 of the Guide to Air Quality Assessment. Examples of the development types and sizes in Table 5.2 includes 230 single-family residences, 620,000 sf of manufacturing, and 260,000 square ft of general office space. As described in the Section 7.XVII, Transportation, the project is expected to generate a total of up to 60 daily trips during peak conditions under busiest assumptions but would generate far fewer trips on most days. For comparison, in transportation planning, the trip generation for typical single-family residences is 9 to 10 daily trips (2,070 to 2,300 daily trips for 230 residences). Therefore, the project trip generation of up to 60 daily round trips would be far less than the expected trip generation for any of the development types listed in Table 5.2 and is also below the Policy TC-Xe threshold of 100 daily trips. Therefore, the project's operational emissions of ROG and NO_X would be less than significant.

Impact Conclusion

The proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard, and impacts would be **less than significant**.

c. **Sensitive Receptors:** The State CEQA Guidelines (14 CCR 15000) identify sensitive receptors as facilities that house or attract children, the elderly, people with illnesses, or others that are especially sensitive to the effects of air pollutants. Residences, hospitals, schools, and convalescent facilities are examples of sensitive receptors. The discussion below reviews the significance of emissions within the context of potential impacts to sensitive receptors. The closest sensitive receptor is a single-family rural residence located approximately 789 feet

northeast from the cannabis cultivation premises. Although the project components are not setback a minimum of 800 ft from the northern, western, eastern, and southern boundary, the applicant is seeking a setback reduction waiver from the County to allow for a reduction in the setback requirement. There are no daycare centers, schools, or hospitals, or convalescent facilities located within 1 mile of the project site.

Criteria Pollutants

Specific adverse health effects on individuals or population groups induced by criteria pollutant emissions are highly dependent on a multitude of interconnected variables such as cumulative concentrations, local meteorology and atmospheric conditions, and the number and characteristics of exposed individuals (e.g., age, gender). Criteria pollutant precursors (ROG and NO_X) affect air quality on a regional scale, typically after significant delay and distance from the pollutant source emissions. Health effects related to ozone are, therefore, the product of emissions generated by numerous sources throughout a region. Emissions of criteria pollutants from vehicles traveling to or from the project site (mobile emissions) are distributed nonuniformly in location and time throughout the region, wherever the vehicles may travel. As such, specific health effects from these criteria pollutant emissions cannot be meaningfully correlated to the incremental contribution from the project.

Toxic Air Contaminants

TACs are defined as substances that may cause or contribute to an increase in deaths or in serious illness, or that may pose a present or potential hazard to human health. Health effects from carcinogenic air toxics are usually described in terms of cancer risk. The EDCAQMD recommends an incremental cancer risk threshold of 10 in 1 million (with implementation of best available control technology for toxics). "Incremental cancer risk" is the net increased likelihood that a person continuously exposed to concentrations of TACs resulting from a project over a 9-, 30-, and 70-year exposure period would contract cancer based on the use of standard California Office of Environmental Health Hazard Assessment (OEHHA) risk-assessment methodology (OEHHA 2020). In addition, some TACs have non-carcinogenic effects. EDCAQMD recommends a Hazard Index of 1 or more for acute (short-term) and chronic (long-term) non-carcinogenic effects. The TAC that would potentially be emitted during construction activities associated with development of the proposed project would be diesel particulate matter (DPM).

Diesel engines emit a complex mixture of air pollutants, including both gaseous and solid material. The solid material in diesel exhaust is known as DPM. Almost all DPM is 10 microns or less in diameter and 90 percent of DPM is less than 2.5 microns in diameter. Because of their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lung. In 1998, the CARB identified DPM as a TAC based on published evidence of a relationship between diesel exhaust exposure and lung cancer and other adverse health effects. Due to the relatively short period of construction, the substantial distance to the nearest sensitive receptor, and minimal exhaust PM_{10} emissions generated, project construction would not expose sensitive receptors to substantial concentrations of DPM.

Asbestos dust is a known carcinogen and is classified as a TAC by CARB. Naturally occurring asbestos (NOA) most commonly occurs in ultramafic rock (i.e., igneous and metamorphic rock with low silica content) that has undergone partial or complete alteration to serpentine rock (or serpentinite) and often contains chrysotile asbestos. In addition, another form of asbestos, tremolite, is associated with ultramafic rock, particularly near geologic faults. Some areas of El Dorado County are known to contain NOA. Earthmoving activities in areas containing NOA could result in potentially significant levels of NOA in fugitive dust. El Dorado County provides a map which shows the locations of known areas of NOA, areas likely to contain NOA, and buffer zones for known and likely NOA areas (El Dorado County 2015a). The project site is not located within any area know or likely to contain NOA, or within any NOA buffer zone. In addition, the project would be required to comply with the EDCAQMD Rule 223-2 (Fugitive Dust - Asbestos Hazard Mitigation) which requires either a site-specific Geologic Evaluation, or an Asbestos Dust Mitigation Plan if NOA, serpentine, or ultramafic rock is discovered by the project owner/operator, a professional geologist, or the Air Pollution Control Officer prior to or during construction activity. Therefore, the project construction would not expose sensitive receptors to substantial concentrations of NOA.

Operation of the project would not result in any non-permitted direct emissions of TACs (e.g., those from a stationary source such as diesel generators) or result in substantial diesel vehicle trips (i.e., delivery trucks). Therefore, the project would not result in exposure of sensitive receptors in the vicinity of the project site to substantial TAC concentrations due to operations.

In summary, the project would not expose sensitive receptors to substantial pollutant concentrations, including DPM and NOA, and the impact would be **less than significant**.

d. **Objectionable Odors:** The occurrence and severity of potential odor impacts depend on numerous factors. The nature, frequency, and intensity of the source; wind speed and direction; and the sensitivity of receiving location each contributes to the intensity of the impact. Although offensive odors seldom cause physical harm, they can be annoying, cause distress, and generate citizen complaints.

Common sources of odors include wastewater treatment plants, landfills, transfer stations, composting facilities, refineries, chemical plants, and food processing plants (EDCAQMD 2002). The proposed project would construct a cannabis cultivation facility. During project construction, exhaust from equipment may produce discernible odors typical of most construction sites. Potential odors produced during construction would be attributable to concentrations of unburned hydrocarbons from the tailpipes of construction equipment. However, such odors would disperse rapidly from the project site and generally occur at magnitudes that would not affect substantial numbers of people. The proposed project is anticipated to have up to three harvest cycles per year, with each cycle lasting approximately one month. There is an increased potential for odor emanating from project operation due to the strong fragrance of cannabis during the flowering stage. Environmental Permitting Specialists (EPS) conducted a review of potential odors associated with the proposed project and prepared an Odor Report (included in Appendix B). EPS used an air dispersion model to record 1 year (2021) of hourly wind and temperature data at Somerset and on-site measurements of odor intensity at other locations to conduct this analysis. Modeling completed by EPS at several locations in El Dorado County, including Somerset, found that odor intensity decreases by distance away from the sources of cannabis odors. Specifically, EPS found odor intensity declines by 88 percent over 100 meters or 26.7 percent every 100 ft (EPS 2021). The results of the analysis indicated the maximum odor intensity along the project property lines would be approximately 3.5 Detection Threshold (DT) or lower along the property line assuming odors are reduced to 7 DT adjacent to the greenhouses or the process building. The nearest residence is located over 750 ft to the northeast of the project site and would have an odor intensity that is lower than 3 DT at the property line. Since the odor intensity would be below 7 DT threshold, no odor mitigation is required.

The El Dorado County Cannabis Ordinance, Section 130.41.200 contains a minimum setback of 800 ft from the property line of the site or public right-of-way for allowing cultivation and processing activities. The project components would not be setback by at least 800 ft from the northern, eastern, western, or southern property lines. However, the applicant is seeking a setback reduction waiver from the County. Although the project would not meet the EDC Section 130.41.200 setback requirements, the nearest residence is located over 750 ft to the northeast. Each proposed greenhouse, as well as the proposed processing building, would be equipped with a carbon filtration or equivalent odor control system. The proposed odor control measures would reduce odor intensity below the 7 DT threshold, and odor impacts would be less than significant. The ordinance includes standards for maximum allowable odors measured by the County at the property line using a field olfactometer. Compliance with the County Cannabis Ordinance for odor control would ensure that impacts associated with odors would be **less than significant.**

FINDING: The proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard or expose sensitive receptors to substantial pollutant concentrations, and impact would be less than significant. With adherence to the EDCAQMD applicable rules, the proposed project would have less than significant impacts on air quality and odors.

IV. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		**X**		
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			**X**	
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			**X**	
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?			**X**	
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		**X**		
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				**X**

This biological resource section is based on the project-specific Biological Resources Assessment (BRA) prepared by Natural Investigations Company (NIC), Inc (2020) to assess the project's potential impact to federal and State special-status plants and wildlife species and their habitats and is included as Appendix D of this Initial Study. Additional information about trees comes from the Oak Tree Removal Study prepared by Jose's Tree Service (2020) and included as Appendix E. The results of these reports are summarized in this section.

Environmental Setting:

For the BRA, the project area was defined as the cultivation area plus the ancillary facilities. This 0.5-acre area was the subject of the impact analysis. The entire 20-acre property was defined as the Study Area. The Study Area is defined to identify biological resources adjacent to the project area and is the area subject to potential indirect effects from project implementation.

The Study Area is located within the cis-montane Sierra Nevada mountains geographic subregion, which is contained within the Sierra Nevada Mountains geographic subdivision of the larger California Floristic Province (Baldwin et al. 2012). The Study Area and vicinity is in Climate Zone 2b "Warmer- Summer Intermountain Climate", characterized by milder summers and longer and colder winters than in the Central Valley (Sunset, 2020).

The topography of the Study Area is rolling consisting of north-facing slopes of Coyote Ridge. The elevation ranges from approximately 2,400 feet to 2,550 feet above mean sea level. Natural hydrologic sources for the project area include precipitation and surface runoff from adjacent lands.

Survey Methods

Consulting biologist Tim Nosal, MS. or Dr. Geo Graening conducted a reconnaissance-level field survey on April 20, 2020. Weather conditions were overcast and cool (50s F) with very little breeze. A complete coverage, variable-intensity pedestrian survey was performed. It was modified to account for differences in terrain, vegetation density, and visibility. All visible fauna and flora observed were recorded in a field notebook identified to the lowest possible taxon. Survey efforts emphasized the search for any special-status species that had documented occurrences in the CNDDB within the vicinity of the Study Area and those species on the USFWS species list (Appendix 1 in Appendix D). See Appendix D for a more detailed discussion of survey methods and results; results are summarized below.

Vegetation Communities

The BRA (Appendix D) identified the following terrestrial vegetation communities on the property:

- Ruderal/Disturbed: These areas consist of disturbed or converted natural habitat that is now either in ruderal state, graded, or urbanized with gravel roads. Vegetation within this habitat type consists primarily of nonnative weedy or invasive species lacking a consistent community structure. This habitat type provides limited resources for wildlife and is utilized primarily by species tolerant of human activities. The disturbed and altered condition of these lands greatly reduces their habitat value and ability to sustain rare plants or diverse wildlife assemblages.

- Annual Grassland: Several areas across the Study Area are largely devoid of trees and are characterized by annual grassland habitat. This vegetation is comprised mostly of non-native grasses and native and non-native herbs including wall barley (*Hordeum murinum*), slender wild oat (*Avena barbata*), ripgut brome (*Bromus diandrus*), soft chess (*Bromus hordeaceus*), hedgehog dogtail grass (*Cynosurus echinoides*), filaree (*Erodium spp.),* cat's ear (*Hypochaeris spp*.), Italian thistle (*Carduus pycnocephalus*) and white clover (*Trifolium repens*). This vegetation can be classifies as the Holland Type "Non-native Grassland," and "42.027.00 Wild Oats and Annual Brome Grasslands" (CDFW 2019).

- Mixed Pine-Oak Woodland: Tree dominated habitats that are found throughout the Study Area are characterized by various species of pine and oak. The composition of the pine-oak forest varies across the Study Area, depending upon aspect, slope, soil and site history. Dominant canopy species include ponderosa pine (*Pinus ponderosa*), California black oak (*Quercus kelloggii*), interior live oak (*Quercus chrysolepis*) and gray pine (*Pinus sabiniana*). The shrub layer within this habitat is comprised of white-leaf manzanita pine (*Arctostaphylos viscida*), toyon (*Heteromeles arbutifolia*) and poison oak (*Toxicodendron diversilobum*). Typical plants within the herb layer of this habitat include hedgehog dogtail grass, yarrow (*Achillea millefolium),* nit grass (*Gastridium phleoides*) and winter vetch (*Vicia villosa*). This vegetation can be classified as the Holland Type "Westside Ponderosa Pine Forest" or as "87.010.00 Ponderosa Pine Forest" (CDFW 2019).

Wildlife Observations and Habitat Types

The following animals were detected within the study area during the field survey: northern Pacific treefrog (*Pseudacris regilla*); Botta's pocket gopher (*Thomomys bottae*); Columbian black-tailed deer (*Odocoileus hemionus columbianus*); coyote (*Canis latrans*); dog (*Canis lupis familiaris*); gray fox (*Urocyon cinereoargenteus*); sheep (*Orvis aries*); acorn woodpecker (*Melanerpes formicivorus*); American robin (*Turdus migratorius*); Anna's hummingbird (*Calypte anna*); Canada goose (*Branta canadensis*); cedar waxwing (*Bombycilla cedrorum*); chicken (*Gallus gallus domesticus*); mourning dove (*Zenaida macroura*); Nuttall's woodpecker (*Picoides nuttallii*); sparrow (Emberizidae); spotted towhee (*Pipilo maculatus*); wild turkey (*Meleagris gallopavo*); and common songbirds.

Wildlife habitat types were classified using CDFW's Wildlife Habitat Relationship System. The study area contains the following wildlife habitat types: Montane Hardwood-Conifer; Blue Oak Woodland; Annual Grassland; Pasture; Urban; and Barren.

Special-Status Species and Protected Habitats with Potential to Occur on the Project Site

According to the USFWS, CNDDB, and other literature available regarding the study area, the following special-status species, presented in Table 1, may occur or have documented historical occurrences in the vicinity of the study area.

TABLE 1.
Special-Status Species with Potential to Occur Near the Project Site

Common Name ***Scientific Name***	**Status**[1]	**General Habitat**	**Microhabitat**
Animals			
California red-legged frog *Rana draytonii*	FT/--/CSSC/--	Lowlands and foothills in or near permanent sources of deep water with dense, shrubby or emergent riparian vegetation.	Requires 11-20 weeks of permanent water for larval development. Must have access to estivation habitat.
Foothill yellow-legged frog *Rana boylii*	--/CCT/CSSC/--	Partly-shaded, shallow streams & riffles with a rocky substrate in a variety of habitats.	Need at least some cobble-sized substrate for egg laying. Need at least 15 weeks to attain metamorphosis.
Northern goshawk *Accipiter gentilis*	--/--/CSSC/--	Within, and in vicinity of, coniferous forest. Uses old nests, and maintains alternate sites.	Usually nests on north slopes, near water. Red fir, lodgepole pine, Jeffrey pine, and aspens are typical nest trees.
Great gray owl *Strix nebulosa*	--/CE/--/--	Resident of mixed conifer or red fir forest habitat, in or on edge of meadows.	Requires large diameter snags in a forest with high canopy closure, which provide a cool sub-canopy microclimate.
Bank swallow *Riparia*	--/CT/--/--	Colonial nester; nests primarily in riparian and other lowland habitats west of the desert.	Requires vertical banks/cliffs with fine textured/sandy soils near streams, rivers, lakes, ocean to dig nesting hole.
Long-legged myotis *Myotis volans*	--/--/CSSC/--	Most common in woodland & forest habitats above 4,000 ft. Trees are important day roosts; caves & mines are night roosts.	Nursery colonies usually under bark or in hollow trees, but occasionally in crevices or buildings.
Townsend's big-eared bat *Carynorhinus townsendii*	--/--/CSSC/--	Throughout California in a wide variety of habitats. Most common in mesic sites.	Roosts in the open, hanging from walls and ceilings. Roosting sites limiting. Extremely sensitive to human disturbance.
Fisher - West Coast DPS *Pekania pennanti*	--/CT/CSSC/--	Intermediate to large tree stages of coniferous	Uses cavities, snags, logs & rocky areas for cover &

[1] Regulatory Status is FESA listing/CESA listing/Other state status/CNPS rare plant status. FT=Federally Threatened; CE=California State Listed as Endangered; CT=California State Listed as Threatened; CSSC=California Species of Special Concern; SSC=Species of Special Concern; 1B= CNPS designated rare or endangered plants in California and elsewhere

Common Name *Scientific Name*	Status[1]	General Habitat	Microhabitat
		forests and deciduous-riparian areas with high percent canopy closure.	denning. Needs large areas of mature, dense forest.
Western pond turtle *Emys marmorata*	--/--/CSSC/--	A thoroughly aquatic turtle of ponds, marshes, rivers, streams & irrigation ditches, usually with aquatic vegetation.	Need basking sites and suitable (sandy banks or grassy open fields) upland habitat up to 0.5 km from water for egg-laying
Grady's Cave amphipod *Stygobromus gradyi*	--/--/CSSC/--	Known only from central California.	Known only from springs and caves in the Mother Lode Karst Region.
Tulare cuckoo wasp *Chrysis tularensis*	--/--/CSSC/--	Foothills of the San Joaquin Valley	-
Cosumnes stripetail *Cosumnoperla hypocrena*	--/--/CSSC/--	Found in intermittent streams on western slope of central Sierra Nevada foothills in American & Cosumnes River basins.	-
Grubbs' cave harvestman *Banksula grubbsi*	--/--/CSSC/--	Known only from the type locality, Black Chasm Cave, Volcano, Amador County.	Species is troglobitic.
Plants			
Nissenan manzanita *Arctostaphylos nissenana*	--/--/--/1B.2	Closed-cone coniferous forest, chaparral.	Usually on metamorphics, associated w/ other chaparral species. 450-1100 m.
Brandegee's clarkia *Clarkia biloba ssp. brandegeeae*	--/--/--/4.2	Chaparral, cismontane woodland, lower montane coniferous forest.	Often in roadcuts. 75-915 m.
Parry's horkelia *Horkelia parryi*	--/--/--/1B.2	Chaparral, cismontane woodland.	Openings in chaparral or woodland; especially known from the Ione formation in Amador County. 80-1070 m..
Pleasant Valley mariposa-lily *Calochortus clavatus avius*	--/--/--/1B.2	Lower montane coniferous forest.	Josephine silt loam and volcanically derived soil; often in rocky areas. 305-1700 m.
Red Hills soaproot *Chlorogalum grandiflorum*	--/--/--/1B.2	Cismontane woodland, chaparral, lower montane coniferous forest.	Occurs frequently on serpentine or gabbro, but also on non-ultramafic substrates; often on "historically disturbed" site

Regulatory Setting:

Federal Laws, Regulations, and Policies

Endangered Species Act

The Endangered Species Act (ESA) (16 U.S. Code [USC] Section 1531 *et seq*.; 50 Code of Federal Regulations [CFR] Parts 17 *et seq.*) 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 (NMFS) share responsibility for implementing the federal ESA. In general, USFWS manages terrestrial and freshwater species, whereas NMFS 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 USC Section 1532). Section 7 of the ESA (16 USC Section 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 (16 USC 1539 *et seq*.) provides a process by which nonfederal entities may obtain an incidental take permit from USFWS or NMFS 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 USC, Chapter 7, Subchapter II) protects migratory birds and their nests and eggs; protected species are on a federal list specific to this act (50 CFR Section 10.13). 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 federal Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c), first enacted in 1940, prohibits "taking" bald or golden eagles, including their parts, nests, or eggs. The Act provides civil and criminal penalties for persons who "take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof." The Act defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb." The definition for "disturb" includes injury to an eagle, a decrease in its productivity, or nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior. In addition to immediate impacts, this definition also covers impacts that result from human-induced alterations initiated around a previously used nest site during a time when eagles are not present.

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 CFR Section 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 CFR 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 the 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 would comply with the applicable provisions of the CWA.

State Laws, Regulations, and Policies

California Fish and Game Code

The California Fish and 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 NPPA (California Fish and Game Code Section 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 (California Fish and Game Code Section 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 California Fish and 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.

California Fish and Game Code Section 3503, 3513, and 3800 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.

Streambed Alteration Agreement

Sections 1601 to 1607 of the California Fish and Game Code require that a Streambed Alteration Application be submitted to CDFW for any activity that may substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake. The limit of CDFW jurisdiction is subject to the judgment of the Department; currently, this jurisdiction is interpreted to be the “stream zone”, defined as “that portion of the stream channel that restricts lateral movement of water” and delineated at “the top of the bank or the outer edge of any riparian vegetation, whichever is more landward”.

California Native Plant Protection Act

The California Native Plant Protection Act (California Fish and Game Code Section 1900–1913) prohibits the taking, possessing, or sale of any plants with a state designation of rare, threatened, or endangered (as defined by CDFW). The California Native Plant Society (CNPS) maintains a list of plant species native to California that have low population numbers, limited distribution, or are otherwise threatened with extinction. This information is published in the Inventory of Rare and Endangered Plants of California (CNPS 2020). Potential impacts to populations of CNPS-listed plants receive consideration under CEQA review.

Forest Practice Act

Logging on private and corporate land in California is regulated by the Z'Berg-Nejedly Forest Practice Act, which took effect January 1, 1974. The act established the Forest Practice Rules (FPRs) and charged the Board of Forestry to oversee their implementation. CAL FIRE works under the direction of the Board of Forestry and Fire Protection and is the lead government agency responsible for approving logging plans and for enforcing the FPRs. A Timber Harvest Plan must be prepared by a Registered Professional Forester for timber harvest on non-federal timberlands, with limited exceptions.

Cannabis Cultivation Program

Title 3 CCR Section 8102 states:

> [Each application for a cultivation license shall include the following, if applicable]:

(w) A copy of any final lake or streambed alteration agreement issued by the CDFW, pursuant to sections 1602 or 1617 of the Fish and Game Code, or written verification from the CDFW that a lake and streambed alteration agreement is not required

(dd) If applicable, the applicant shall provide evidence that the proposed premises is not located in whole or in part in a watershed or other geographic area that the State Water Resources Control Board or the Department of Fish and Wildlife has determined to be significantly adversely impacted by cannabis cultivation pursuant to section 8216.

Section 8216 states:

If the State Water Resources Control Board or the Department of Fish and Wildlife notifies the department in writing that cannabis cultivation is causing significant adverse impacts on the environment in a watershed or other geographic area pursuant to section 26069, subdivision (c)(1), of the Business and Professions Code, the department shall not issue new licenses or increase the total number of plant identifiers within that watershed or area while the moratorium is in effect.

Section 8304 states:

All licensees shall comply with all of the following environmental protection measures:

(a) Compliance with section 13149 of the Water Code as implemented by the State Water Resources Control Board, Regional Water Quality Control Boards, or CDFW;

(b) Compliance with any conditions requested by the CDFW or the State Water Resources Control Board under section 26060.1(b)(1) of the Business and Professions Code;

(c) All outdoor lighting used for security purposes shall be shielded and downward facing.

Section 8304(g) states:

Mixed-light license types of all tiers and sizes shall ensure that lights used for cultivation are shielded from sunset to sunrise to avoid nighttime glare.

Local Laws, Regulations, and Policies

The County General Plan also includes policies that contain specific, enforceable requirements and/or restrictions and corresponding performance standards that address potential impacts on special-status plant species or create opportunities for habitat improvement. The El Dorado County General Plan designates the Important Biological Corridor (IBC) (Exhibits 5.12-14, 5.12-5 and 5.12-7, El Dorado County, 2003). Lands located within the overlay district are subject to the following provisions, provided that they do not interfere with agricultural practices:

- Increased minimum parcel size;
- Higher canopy-retention standards and/or different mitigation standards/thresholds for oak woodlands;
- Lower thresholds for grading permits;
- Higher wetlands/riparian retention standards and/or more stringent mitigation requirements for wetland/riparian habitat loss;
- Increased riparian corridor and wetland setbacks;
- Greater protection for rare plants (e.g., no disturbance at all or disturbance only as recommended by U.S. Fish and Wildlife Service/ CDFW);
- Standards for retention of contiguous areas/large expanses of other (non-oak or non-sensitive) plant communities;
- Building permits discretionary or some other type of "site review" to ensure that canopy is retained;
- More stringent standards for lot coverage, floor area ratio (FAR), and building height; and
- No hindrances to wildlife movement (e.g., no fences that would restrict wildlife movement).

The project site is not located in an area subject to these additional provisions (El Dorado County 2003).

El Dorado County

El Dorado County Code and General Plan Policies pertaining to the protection of biological resources include protection of rare plants, setbacks to riparian areas, and mitigation of impacted oak woodlands. Policy 7.4.4.4 of the General Plan establishes the native oak tree canopy retention and replacement standards. Impacts to oak woodlands have been addressed in the El Dorado County General Plan EIR, available for review online at https://www.edcgov.us/Government/planning/pages/final_environmental_impact_report_%28eir%29.aspx or at El Dorado County Planning Services offices located at 2850 Fairlane Court, Placerville, CA, 95667. Mitigation in the form of General Plan policies has been developed to mitigate impacts to less than significant levels. The County's oak resources reporting and impact mitigation requirements are outlined in El Dorado County's Oak Resources Management Plan (ORMP) and codified in County Ordinance No. 5061.

El Dorado County Oak Resources Conservation Ordinance (No. 5061)

The El Dorado County Oak Resources Conservation Ordinance was adopted to establish standards for implementing the County's ORMP. The Ordinance protects native oak resources as oak canopy or as an individual tree and states that an impact is defined for individual native oak trees as the physical destruction, displacement or removal of a tree or portions of a tree caused by poisoning, cutting, burning, relocation for transplanting, bulldozing or other mechanical, chemical, or physical means. For oak woodlands, tree and land clearing apply when they are associated with land development, including, but not limited to, grading, clearing, or otherwise modifying land for roads, driveways, building pads, landscaping, utility easements, fire-safe clearance and other development activities. If a project is determined to have an impact to individual native oak trees or oak woodlands the project is required to mitigate for that impact through one of the following: pay-in-lieu fees, purchase and deed-restrict oak woodland off-site, or plant replacement oaks on- or off-site. Several exemptions exist, including cutting of oaks for the property owner's personal use, so long as the oaks are not a Heritage Tree (a native oak tree 36 inches diameter or more at breast heigh [dbh] or a multi-stemmed tree having a total aggregate dbh of 36 inches or more) nor a valley oak (*Quercus lobata*). A landowner may remove up to eight trees from a single parcel per year under this exemption, provided that the total dbh of trees removed from a single parcel does not exceed 140 inches (County Code 130.39.050 (J.)).

Impact Analysis:

a. **Special-Status Species:** During the field survey, no special-status animal species were detected within the project area. State and federal databases did not report any special-status animal species in the study area. Project implementation would not directly impact any known special-status animal species; however, special-status animal species could move into the project area between the time the field survey was completed and the start of construction. Without mitigation, this would be a potentially significant impact. With implementation of mitigation measures BIO-1 and BIO-2, the impacts would be reduced to a less than significant level.

Special-status amphibians and reptiles were reported to be present in the general vicinity of the study area. There is a moderate potential for special-status amphibians, such as California red-legged frog and foothill yellow-legged frog to occur in the intermittent channel 350 ft west of the project area. There is an ornamental pond 160 feet northeast of the cultivation area. It is possible for special-status species to move into the project area from either the intermittent channel or the on-site pond. This would be a potentially significant impact without mitigation. Implementation of mitigation measure BIO-1 would reduce potential impacts to a less than significant level.

Special-status bird and bat species were reported in databases (CNDDB and USFWS) in the vicinity of the project area. The project area contains a few oak trees, and the project area is adjacent to forest resources, so there is a moderate potential for birds of prey and bat species to utilize trees in the study area. The project area, and adjacent trees and utility poles, contain suitable nesting habitat for various bird species, so there is a moderate potential for birds of prey and bat species to occur in the project area. However, no nests or roosts were observed during the field survey. If construction activities are conducted during the nesting season, then nesting birds could be directly impacted by tree removal and indirectly impacted by

noise, vibration, and other construction-related disturbance, project construction is considered a potentially significant adverse impact to nesting birds. Implementation of mitigation measure BIO-2 would reduce potential impacts to a less than significant level.

The project area contains non-native grassland and ruderal/disturbed habitats. The habitats have a low potential for harboring special-status plant species for various reasons. Aggressive non-native grasses and forbs dominate the ground cover. The soils of the project area are not specialized, such as those soils that contain serpentine, ultramafic, or volcanic components. State and federal databases do not report any special-status plant species in the project area. Therefore, project implementation would not directly impact any known special-status plant population.

Mitigation Measure BIO-1: Special-Status Amphibians

A pre-construction survey for special-status species shall be performed by a qualified biologist to ensure that special-status species are not present in the project area. The focal species of the surveys are any California red-legged frog or foothill yellow-legged frog. To prevent special-status amphibians and other wildlife from entering work areas, barriers shall be erected by the applicant before ground disturbance occurs. Specifically, wildlife exclusion fencing shall be erected around work areas, especially those facing the intermittent channel; this typically consists of 3-foot-tall fencing made from erosion control fabric attached to wire mesh on posts, with the bottom keyed into the ground and the top bent away from work areas. Wildlife exclusion fencing shall also be incorporated into the perimeter fences of the cultivation compounds.

If any special-status species are detected, construction shall be delayed, and the appropriate wildlife agency (CDFW and/or USFWS) shall be consulted and project impacts and mitigation reassessed as necessary.

Monitoring Requirement: This mitigation measure shall be noted on grading and construction plans. The Planning Department shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit.

Monitoring Responsibility: El Dorado County Planning and Building Department.

Mitigation Measure BIO-2: Pre-Construction Survey for Special-Status Species

A pre-construction survey for special-status species shall be performed by a qualified biologist to ensure that special-status species are not present in the project area. The focal species of the pre-construction surveys are any roosting bats, nesting raptors. and fisher.

If construction activities would occur during the nesting season (February 15th through August 31st), a pre-construction survey for the presence of special-status bird species or any nesting bird species shall be conducted by a qualified biologist. Nesting bird surveys shall be tailored so that they capture the appropriate survey buffer for spotted owl and other special-status raptors known to be present in the area. If active nests are identified in these areas, CDFW and/or USFWS shall be consulted to develop measures to avoid "take" of active nests prior to the initiation of any construction activities. Avoidance measures may include establishment of a buffer zone using construction fencing or the postponement of vegetation removal until after the nesting season, or until after a qualified biologist has determined the young have fledged and are independent of the nest site.

Monitoring Requirement: This mitigation measure shall be noted on grading and construction plans. The Planning Department shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit.

Monitoring Responsibility: El Dorado County Planning and Building Department.

Implementations of these required mitigation measures would reduce potential impacts on any species identified as a candidate, sensitive, or special-status species to **less than significant with mitigation.**

b, c. **Riparian Habitat and Wetlands:** As discussed in the BRA, the project area and study area are not within any designated listed species' critical habitat. The project area does not contain habitat for special-status species, but the study area contains an intermittent channel along the western property line that provides habitat for special-status species. However, because the cannabis cultivation premises is setback greater than 350 ft from this channel, vegetative buffers are present, and minimal ground disturbance is proposed, implementation of the proposed project would not impact any special-status habitats. As cited in the BRA, it is recommended that a formal delineation of jurisdictional waters be performed before construction work, or ground disturbance is performed within 50 feet of any wetland or drainage.

Potential direct impacts to water resources would not occur by modification or destruction of stream banks or riparian vegetation or the filling of wetlands or channels that could cause increased erosion and sedimentation in water bodies due to soil disturbance. The cultivation areas have been designed with large setbacks from watercourses (greater than 350 ft), situated on flatter areas (ridgetops), and include vegetative buffers. As a result of these design avoidance measures, no direct impacts to water resources would occur.

Potential adverse impacts to water resources could occur during operation of cultivation activities through the discharge of sediment or other pollutants (fertilizers, pesticides, human waste, etc.) into receiving waterbodies. However, the project proponent is required to file a Notice of Applicability under the State Water Resources Control Board's (SWRCB) Cannabis General Order WQ 2019-0001-DWQ. Compliance with this Order would ensure that the cultivation operation would not significantly impact water resources by using a combination of BMPs, buffer zones, sediment and erosion controls, site management plans, inspections and reporting, and regulatory oversight.

Riparian setbacks apply to all land disturbance, cannabis cultivation activities, and facilities (e.g., material or vehicle storage, diesel powered pump locations, water storage areas, and chemical toilet placement). The proposed project is compliant with the setback requirements of the SWRCB Cannabis General Order WQ 2019-0001-DWQ which requires a minimum setback of 100 ft from intermittent watercourses or wetlands.

Therefore, potential impacts to riparian habitat or other sensitive natural community would be **less than significant.**

d. **Migration Corridors:** The project site is within important habitat identified for migratory deer herds. In the Integrated Natural Resources Management Plans (INRMP) Inventory Map, *Important Habitat for Migratory Deer Herds*, the project site is mapped within the California Department of Fish and Game (CDFG)-Designated Critical Winter Range for the Grizzly Flat Herd (Koenigs 2010). Although the project site would be located in an important habitat for migratory deer herds, the project would not have a significant impact on animal movement because the majority of the open space within the project property would still be available for animal movement as the proposed project would disturb no more than 15,000 sf (approximately 0.4 acres) of the total 20.24-acre parcel.

Implementation of the proposed project would include the installation of a seven-foot-tall wildlife exclusionary security fence around the cultivation compound that would preclude access by some species. The fenced cultivation area would be surrounded by open space allowing wildlife to move around this small, fenced area. Thus, implementation of the project would have a less than significant impact on wildlife movement.

Implementation of the project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. Potential impacts would be **less than significant.**

e. **Local Policies:** The project applicant would comply with the El Dorado County Oak Resources Conservation Ordinance. As described in Appendix E, the proposed project would impact 0.096 acres of oak woodland and require the removal of 12 trees (Jose's Tree Service 2021). Therefore, 12 trees require mitigation for this project, and this site contains an oak woodland of black oaks and canyon live oaks. The site does not have any valley oaks or heritage oaks that are in good health. An Arborist Report was prepared in compliance with the County's Oak Resources Conservation Ordinance (Oak Ordinance; County Code Chapter 130.39) and is included as Appendix E to this Initial Study. The results of the report conclude that approximately 0.096 acre of oak woodland on-site would be impacted which is less than 50% of the oak woodland on-site and would require mitigation at a 1:1 ratio.

Trees within the oak woodland may be removed entirely or impacted by construction activities within the root protection zone (RPZ). This would be a potentially significant impact without mitigation. Project activities that would impact oak woodlands include clearing trees to make room for cultivation. The County's oak resources reporting and impact mitigation requirements are outlined in El Dorado County's ORMP and codified in County Ordinance No. 5061. In accordance with County Ordinance No. 5061, the project applicant is required to mitigate for impacts to individual native oak trees and oak woodland through one of the following: pay-in-lieu fee, purchase and deed restrict oak woodland off-site, or plant replacement oaks on- or off-site. The project would be compliant with the County's ORMP (Ordinance No. 5061).

Mitigation Measure BIO-3: Oak Resource Protection

A RPZ shall be established around retained trees. The RPZ shall extend 20 feet beyond the dripline where possible given grading limits. The RPZ around retained trees near the limit of grading will be much smaller.

The RPZ shall be marked with a minimum 4-foot-high orange construction fence hung on posts (such as T-posts) before clearing occurs. The fence shall not be supported by trees or other vegetation. The fence shall remain in place until construction is complete.

There shall be no driving, parking, or storage of supplies or equipment within the RPZ. Entry of construction personnel into the RPZ is not allowed except for maintenance of the fence or other activities undertaken for the protection of trees.

The tree canopy along the RPZ boundary shall be inspected prior to vegetation clearing in the area of grading. The canopy of trees to be removed shall be pruned where it is intertwined with the canopy of retained trees, or wherever felling of trees to be removed may damage the canopy of retained trees. The canopy of retained trees that overhangs the area to be graded shall be pruned to the minimum height required for construction.

Apply 2-4 inches of organic mulch over the root system prior to construction. Mulch should not be placed against the trunk as it promotes fungal growth. Mulch moderates soil temperature, maintains soil moisture, reduces soil compaction, enhances root growth, and reduces competition with weeds.

Prune dead or damaged limbs from the tree. The removal of dead limbs is beneficial to the tree and reduces safety concerns of dead branches falling during construction.

Limb pruning of retained trees should be conducted by an arborist or tree worker that is ISA certified and licensed by the State of California for tree service. Pruning shall be conducted in accordance with American National Standard Institute (ANSI) A300 Pruning Standard and adhere to the most recent edition of ANSI Z133. L.

Do NOT thin out the canopy or do any additional pruning. It is more beneficial for a tree to have the most amount of foliage possible in order to promote new root growth.

Monitoring Requirement: This mitigation measure shall be noted on grading and construction plans. The Planning Department shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit.

Monitoring Responsibility: El Dorado County Planning and Building Department.

Mitigation Measure BIO-4: Protection During Vegetative Clearing

Brush clearing along the RPZ boundary may be necessary in some areas for installation of a fence. Brush along the RPZ boundary, outside areas to be graded, shall be cut near ground level, not removed by the roots. Brush shall be cut and removed so that trees in the RPZ are not harmed. Brush shall not be disposed of in the RPZ.

Trees in the area of grading shall be felled in a direction away from the RPZ.

Monitoring Requirement: This mitigation measure shall be noted on grading and construction plans. The Planning Department shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit.

Monitoring Responsibility: El Dorado County Planning and Building Department.

Mitigation Measure BIO-5: Protection During Project Operation

Most absorbing roots of trees are in the top 12 inches of the soil. If grading cuts or excavation is necessary within the RPZ, root pruning should be conducted beforehand along the cut/excavation limit. Roots should be pruned to the same depth, and no more, as adjacent excavation, up to one foot below existing grade. Roots should be pruned by a method that cuts them cleanly such as a rock saw, vibrating knife, narrow trencher with sharp blades, or hand excavation and sawing. Roots should not be severed with backhoes, excavators, bulldozers, graders, or other rough grading equipment that may pull or shatter tree roots. No root pruning is necessary for fill.

Most of the trees in the areas of avoided oak woodland are mature. All of them have been growing under the natural moisture regime without irrigation and are adapted to dry summer/fall conditions. Extra irrigation water should not be applied to the trees, especially within a few feet of the trunk.
Monitoring Requirement: This mitigation measure shall be noted on grading and construction plans. The Planning Department shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit.

Monitoring Responsibility: El Dorado County Planning and Building Department.

Mitigation Measure BIO-6: Oak Woodland In-Lieu Fee

The project applicant shall pay an in-lieu fee to the Oak Woodland Conservation Fund at a 1:1 mitigation ratio for impacts to oak woodlands per acre impacted and a 3:1 mitigation ratio per dbh inch for impacted Heritage trees.

Monitoring Requirement: An Administrative Permit mitigating the removal of oak trees shall be applied for and approved prior to issuance of building and grading permits.

Monitoring Responsibility: El Dorado County Planning and Building Department.

No other local policies or ordinances protecting biological resources are applicable to the proposed project. Thus, with compliance with the County's Oak Ordinance and mitigation measures BIO-3 through BIO-6, impacts would be **less than significant with mitigation incorporated.**

f. **Adopted Habitat Conservation Plans**: The study area is not within the coverage area of any adopted Habitat Conservation Plan or Natural Community Conservation Plan. Therefore, the proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or another approved governmental habitat conservation plan. There would be **no impact**.

FINDING: No special-status species or sensitive habitats were identified on the project site. Implementation of Mitigation Measure BIO-1 would prevent special-status amphibians and other wildfire from entering the construction area. Mitigation Measure BIO-2, Pre-Construction Survey for Special-Status Species, would avoid potential impacts to special-status species, nesting raptors, nesting birds, or other migratory birds. Compliance with the County's ORMP (codified in County Ordinance No. 5061) and Mitigation Measures BIO-3, BIO-4, BIO-5, and BIO-6 would mitigate impacts to protected oaks tree and oak woodland on the project site. Potential impacts to Biological Resources would be **less than significant with mitigation.**

V. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?			**X**	
b. Cause a substantial adverse change in the significance of archaeological resource pursuant to Section 15064.5?			**X**	
c. Disturb any human remains, including those interred outside of formal cemeteries?			**X**	

Environmental Setting:

A Cultural Resources Assessment prepared by Natural Investigations Company regarding the proposed project site is included as Appendix F to this Initial Study.

According to a letter from the North Central Information Center (NCIC 2022) page 1 [internal citations omitted]:

> In this part of El Dorado County, archaeologists locate prehistoric-period habitation sites on elevated landforms near streams (Moratto 1984:173). This region is known as the ethnographic-period territory of the Plains Miwok. The Plains Miwok inhabited the lower reaches of the Mokelumne and Cosumnes River and both banks of the Sacramento River from Rio Vista to Freeport (Wilson and Towne 1978:398). The proposed project search area is situated in the Sierra Nevada about 545 ft northwest of the North Fork of the Cosumnes River. Given the extent of known cultural resources and the environmental setting, there is low potential for locating prehistoric-period cultural resources in the immediate vicinity of the proposed project area.
>
> Within the search area, the 1874 GLO plat of T9N, R13E shows no evidence of nineteenth-century historical activity. The 1953 Sly Park 7.5' USGS topographical map shows evidence of a twentieth century ditch and flume in the vicinity. Given the extent of known cultural resources and patterns of local history, there is low potential for locating historic-period cultural resources in the immediate vicinity of the proposed project area.

European American settlement of El Dorado County began in earnest in 1848 with the discovery of gold at Sutter's Mill on the American River (NIC 2020b). Some mining camps in the area developed into permanent towns. Timber harvesting, farming, and ranching developed in the region along with the mines. Eventually, the importance of mining declined, travel became more efficient with the modernization of roads such as U.S. 50 in the 1920s and 30s, and the need for waystations was reduced. Timber production also declined in the early 20th century. The economy in much of El Dorado County became increasingly focused on residential, retail, and recreational uses. Wine production has also seen a rise in the County in the past few decades. Today, the largest industries in the County are health care and social assistance, retail trade, accommodation and food service, and various educational services. There are over 100,000 acres of active farming land, and some of the highest paying industries are utilities, mining, quarrying, oil and gas extraction, as well as manufacturing.

Regulatory Setting:

Federal Laws, Regulations, and Policies

The National Register of Historic Places

The National Register of Historic Places (NRHP) is the nation's master inventory of known historic resources. The NRHP is administered by the National Park Service and includes listings of buildings, structures, sites, objects, and districts that possess historic, architectural, engineering, archaeological, or cultural significance at the national, State, or local level. The criteria for listing in the NRHP include resources that:

A. Are associated with events that have made a significant contribution to the broad patterns of history (events);

B. Are associated with the lives of persons significant in our past (persons);

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 (architecture); or

D. Have yielded or may likely yield information important in prehistory or history (information potential).

State Laws, Regulations, and Policies

The California Register of Historic Places

The California Register of Historic Places (CRHP) program encourages public recognition and protection of resources of architectural, historical, archeological and cultural significance, identifies historical resources for State and local planning purposes, determines eligibility for state historic preservation grant funding and affords certain protections under CEQA. The criteria for listing in the CRHP include resources that:

A. Are associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.

B. Are associated with the lives of persons important to local, California, or national history.

C. Embody the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values.

D. Have yielded, or have the potential to yield, information important to the prehistory or history of the local area, California or the nation.

The State Office of Historic Preservation sponsors the California Historical Resources Information System (CHRIS), a statewide system for managing information on the full range of historical resources identified in California. CHRIS provides an integrated database of site-specific archaeological and historical resources information. The State Office of Historic Preservation also maintains the California Register of Historical Resources (CRHR), which identifies the State's architectural, historical, archeological, and cultural resources. The CRHR includes properties listed in or formally determined eligible for the National Register and lists selected California Registered Historical Landmarks.

PRC (Section 5024.1[B]) states that any agency proposing a project that could potentially impact a resource listed on the CRHR must first notify the State Historic Preservation Officer and must work with the officer to ensure that the project incorporates "prudent and feasible measures that would eliminate or mitigate the adverse effects."

California Health and Safety Code Section 7050.5 requires that, in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human

remains are discovered has determined that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

Section 5097.98 of the California PRC stipulates that whenever the commission receives notification of a discovery of Native American human remains from a county coroner pursuant to subdivision (C) of Section 7050.5 of the Health and Safety Code, it shall immediately notify those persons it believes to be most likely descended from the deceased Native American. The decedents may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American remains and may recommend to the owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The descendants shall complete their inspection and make their recommendation within 24 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

CEQA and State CEQA Guidelines

Section 21083.2 of the State CEQA Guidelines requires that the lead agency determine whether a project may have a significant effect on unique archaeological resources. A unique archaeological resource is defined 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.

Measures to avoid, conserve, preserve, or mitigate significant effects on these resources are also provided in the State CEQA Guidelines under Section 21083.2.

Section 15064.5 of the State 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. Historic resources are those that are:

- Listed in, or determined to be eligible for listing in, the CRHR (PRC Section 5024.1[k]);
- Included in a local register of historic resources (PRC Section 5020.1) or identified as significant in an historic resource survey meeting the requirements of PRC Section 5024.1(g); or
- Determined by a lead agency to be historically significant.

State CEQA Guidelines Section 15064.5 also prescribes the processes and procedures found under Health and Safety Code Section 7050.5 and PRC 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.

State 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.

Cannabis Cultivation Program:

California Code of Regulations Title 3 § 8304(d) states:

> [All licensees shall comply with all of the following environmental protection measures:] (d) Immediately halt cultivation activities and implement section 7050.5 of the Health and Safety Code if human remains are discovered.

Impact Analysis:

a. **Historic Resources:** A records search of the North Central Information Center (NIC 2020b) was conducted for the proposed project.

The NCIC records search, which was conducted on March 23, 2020, indicated that zero prior studies had been completed that cover a portion of the project site. Additionally, five cultural resources study reports on file at the NCIC office cover a portion of the broader search area (i.e., between 0 and 0.25 mile from the project site). The record search and previous studies indicated that the proposed project area contains zero (0) recorded prehistoric period resources and zero (0) recorded historic-period cultural resources. Based on the results of the NCIC records search and its indication that the site was not sensitive with respect to cultural resources, a pedestrian survey of the site was deemed unnecessary. Standard Conditions of Approval (below) imposed by the County on the project would address the accidental discovery of any previously unidentified resources during construction and result in potential project impacts that would be **less than significant**.

b. **Archaeological Resources:** Based on the absence of known significant unique archaeological resources within the Area of Potential Effect, archaeological clearance for the project as proposed is recommended. Standard Conditions of Approval (below) imposed by the County on the proposed project would address the accidental discovery of any previously unidentified archaeological resources during construction. Potential project impacts would be **less than significant**.

c. **Human Remains:** The records search completed for this project did not identify known human remains in the Area of Potential Effect (NCIC 2020). In the unlikely event that human remains are discovered during construction, the County's standard Conditions of Approval (below) requiring compliance with CEQA Guidelines Section 15064.5(e) would result in project impacts that are **less than significant**.

Conditions of Approval:

1. Heritage Resources: In the event a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the project proponent shall ensure that all such activities cease within 50 ft of the discovery until an archaeologist can examine the find in place and determine its significance. If the find is determined to be significant and authenticated, then the archaeologist shall determine the proper method(s) for handling the resource or item. Grading and construction activities may resume after the appropriate measures are taken or the site is determined not to be of significance.

2. Discovery of Human Remains: In the event of the discovery of human remains, all work shall cease and the County coroner shall be immediately notified pursuant to subdivision(C) of Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or in his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendant of the deceased Native American.

   Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archeological standards or practices, where the Native American

human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in Section 5097.98 of the Public Resources Code, with the most likely descendants regarding their recommendations. The descendants shall complete their inspection and make their recommendation within 48 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials or other proper method(s) for handling the remains in accordance with Section 5097.98(b-h). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken.

FINDING: The implementation of standard Conditions of Approval imposed by the County would reduce potential impacts to Cultural Resources to less than significant.

VI. ENERGY

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Result in potential significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			**X**	
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			**X**	

Environmental Setting:

This section provides an evaluation of existing energy production and consumption conditions, as well as potential energy use and related impacts from the proposed project. The following discussion is consistent with and fulfills the intent of Appendix F Energy, from the State CEQA Guidelines.

The units of energy used in this section are the British thermal units (BTU) and kilowatt hours (kWh). A BTU is the quantity of heat required to raise the temperature of one pound of water one degree Fahrenheit (°F) at sea level. Because the other units of energy can all be converted into equivalent BTU, the BTU is used as the basis for comparing energy consumption associated with different resources. A kWh is a unit of electrical energy, and one kWh is equivalent to approximately 3,413-BTU, taking into account initial conversion losses (i.e., from one type of energy, such as chemical, to another type of energy, such as mechanical) and transmission losses. Natural gas consumption is described typically in terms of cubic feet (cf) or therms; one cubic foot of natural gas is equivalent to approximately 1,050-BTU, and 1-therm represents 100,000-BTU.

California Energy Overview:

Electricity

California's electricity needs are satisfied by a variety of entities, including investor-owned utilities, publicly owned utilities, electric service providers and community choice aggregators. In 2020, the California power mix totaled 272,576 gigawatt hours (GWh). In-state generation accounted for 190,913 GWh, or 70 percent, of the State's power mix. The remaining electricity came from out-of-state imports (CEC 2021a). Table 2 below provides a summary of California's electricity sources as of 2020.

TABLE 2.
California Electricity Sources 2020

Fuel Type	Percent of California Power (%)
Coal	2.74
Large Hydro	12.21
Natural Gas	37.06
Nuclear	9.33
Oil	0.01
Other (Petroleum Coke/Waste Heat)	0.19
Renewables (excluding Large Hydro)	33.09

Fuel Type	Percent of California Power (%)
Unspecified	5.36

Source: CEC 2021a

Natural Gas

Natural gas provides the largest portion of the total in-state capacity and electricity generation in California, with nearly 45 percent of the natural gas burned in California used for electricity generation in a typical year. Much of the remainder is consumed in the residential, industrial, and commercial sectors for uses such as cooking, space heating, and as an alternative transportation fuel. In 2012, total natural gas demand in California for industrial, residential, commercial, and electric power generation was 2,313 billion cf per year (bcf/year), up from 2,196 bcf/year in 2010 (CEC 2021b).

Transportation Fuels

Transportation accounts for a major portion of California's energy budget. Automobiles and trucks consume gasoline and diesel fuel, which are nonrenewable energy products derived from crude oil. Gasoline is the most used transportation fuel in California, with 97 percent of all gasoline being consumed by light-duty cars, pickup trucks, and sport utility vehicles (SUVs). In 2015, 15.1 billion gallons of gasoline were sold in California (CEC 2021c). Diesel fuel is the second most consumed fuel in California, used by heavy-duty trucks, delivery vehicles, buses, trains, ships, boats, and farm and construction equipment. In 2015, 4.2 billion gallons of diesel were sold in California (CEC 2021d).

Regulatory Setting:

Federal Laws, Regulations, and Policies

Energy Independence and Security act of 2007

House of Representatives Bill 6 (HR 6), the federal Energy Independence and Security Act of 2007, established new standards for a few equipment types not already subjected to a standard, and updated some existing standards. Perhaps the most substantial new standard that HR 6 established was for general service lighting that was to be deployed in two phases. First, phased in between 2012 through 2014, common light bulbs were required to use about 20 to 30 percent less energy than previous incandescent bulbs. Second, by 2020, light bulbs were to consume 60 percent less energy than bulbs at the time the bill was passed; this requirement effectively phased out the incandescent light bulb.

Energy Improvement and Extension Act of 2008

The formerly entitled "Renewable Energy and Job Creation Act of 2008," or Division B of HR 1424, was signed into law by President Bush in October 2008. The signed bill contained $18 billion in incentives for clean and renewable energy technologies, as well as for energy efficiency improvements.

State Laws, Regulations, and Policies

California Integrated Energy Policy

Senate Bill 1389, passed in 2002, requires the California Energy Commission (CEC) to prepare an Integrated Energy Policy Report for the governor and legislature every 2 years, and to provide an update in the year between reports. The report analyzes data and provides policy recommendations on trends and issues concerning electricity and natural gas, transportation, energy efficiency, renewable energy, and public interest energy research. The 2019 Integrated Energy Policy Report covers a broad range of topics, including decarbonizing buildings, integrating renewables, energy efficiency, energy equity, integrating renewable energy, updates on California electricity reliability, climate adaptation activities for the energy sector, natural gas assessment, transportation energy demand forecast, and the California Energy Demand Forecast.

California Building Standards Code (California Code of Regulations, Title 24)

The 2019 Building Energy Efficiency Standards, comprising Title 24, Parts 1 and 6, of the California Code of Regulations, is mandatory statewide. Local government agencies may adopt and enforce energy efficiency standards for newly constructed buildings, additions, alterations, and repairs provided the California Energy Commission finds that the standards would require buildings to consume no more energy than permitted by Title 24, Part 6. Such local standards may include adopting the requirements of Title 24, Part 6 before their effective date, requiring additional energy conservation measures, or setting stricter energy budgets. Title 24, Part 11 contains additional energy measures that are applicable to the project under the California Green Building Standards Code (CALGreen).

Cannabis Cultivation Program

Title 3 of the California Code of Regulations Section 8102(s) states:

> Each application for a cultivation license shall include the following, if applicable: For indoor and mixed-light license types, identification of all power sources for cultivation activities, including but not limited to, illumination, heating, cooling, and ventilation;

Section 8305 provides requirements for certain mixed-light cannabis cultivator licensees to ensure that, by 2023, their electrical power meets the average electricity greenhouse gas emissions intensity required by their local utility provider. That section includes options for the purchase of carbon offset credits if such standards are not met.

Section 8306 provides requirements for stationary and portable generators greater than 50 horsepower. It requires these to comply with the appropriate Airborne Toxic Control Measure for stationary or portable generators and includes certificates or permits that are acceptable to prove compliance. Additional compliance options are provided for generators below 50 horsepower by 2023, including limiting hours of operation, meeting certain emergency use requirements, and filter and engine requirements.

Local Laws, Regulations, and Policies

El Dorado County General Plan

The El Dorado County General Plan Public Services and Utilities Element encourages energy efficiency development within the County by imposing two policies:

- *Policy 5.6.2.1*- Require energy conserving landscaping plans for all projects requiring design review or other discretionary approval.

- *Policy 5.6.2.2*- All new subdivisions should include design components that take advantage of passive or natural summer cooling and/or winter solar access, or both, when possible.

Impact Analysis:

a. **Energy Consumption:** The proposed project would involve the construction of a cannabis cultivation facility. While construction activities would result in the temporary consumption of energy resources in the form of vehicle and equipment fuels (gasoline and diesel fuel) and electricity/natural gas (directly or indirectly), such consumption would be short-term and temporary and would thus not have the potential to result in wasteful, inefficient, or unnecessary consumption of energy resources. Regarding long-term operation of the project, the proposed project would be powered by a PG&E connection. The applicant would use sun grown methods as well as supplemental lighting, and security lighting would be powered by PG&E. Regarding long-term operation, the project is proposing to add ground mounted solar panels located near the cultivation site. Use of an on-site generator would be limited to power outage events. The project would be subject to statewide mandatory energy requirements as outlined in Title 24, Part 6, of the California Code of Regulations. Title 24, Part 11, contains additional energy measures that are applicable to the project under CALGreen. Prior to project approval, the project applicant would be required to ensure that the project would

meet Title 24 requirements applicable at that time, as required by State regulations through their plan review process. Therefore, impacts related to energy use would be **less than signific**

b. **Energy Plans and Efficiency Standards:** Part 6 of Title 24 of the California Code of Regulations was established in 1978 and serves to enhance and regulate California's building standards. Part 6 establishes energy efficiency standards for residential and non-residential buildings constructed in California to reduce energy demand and consumption. Part 6 is updated periodically (every 3 years) to incorporate and consider new energy efficiency technologies and methodologies. Title 24 also includes Part 11, CALGreen. CALGreen institutes mandatory minimum environmental performance standards for all ground-up, new construction of commercial, low-rise residential, and State-owned buildings, as well as schools and hospitals. The proposed project would meet Title 24 and CALGreen standards to reduce energy demand and increase energy efficiency. Overall, the project would not conflict with existing energy standards and regulations; therefore, impacts during construction and operation of the project would be **less than significant**.

FINDING: Conformance with statewide mandatory energy requirements as outlined in Title 24, Parts 6 and 11, of the California Code of Regulations would reduce potential impacts to energy resources to less than significant.

VII. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			**X**	
ii) Strong seismic ground shaking?			**X**	
iii) Seismic-related ground failure, including liquefaction?				**X**
iv) Landslides?			**X**	
b. Result in substantial soil erosion or the loss of topsoil?			**X**	
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?			**X**	
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) creating substantial risks to life or property?			**X**	
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			**X**	
f. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?			**X**	

Environmental Setting

The project property is located in a mountainous region, with land that generally slopes upward from north to south with an average elevation of 2,500 ft above mean sea level (amsl). The project would include one cannabis cultivation area within the premises. Vegetation in the area proposed for development is mixed trees (pine, cedar, and oak) and interspersed with areas of ruderal/disturbed areas with non-native grassland.

According to the custom Soil Resource Report for this project (NRCS 2022), the following soil map units occur on the project property:

- Holland very rocky coarse sandy loam, 5 to 15 percent slopes (HhC): covers 87.4 percent of the parcel;
- Shaver very rocky coarse sandy loam, 15 to 50 percent slopes (SdE): covers 12.6 percent of the parcel;

Regulatory Setting:

Federal Laws, Regulations, and Policies

National Earthquake Hazards Reduction Act

The National Earthquake Hazards Reduction Act of 1977 (Public Law 95-124) and creation of the National Earthquake Hazards Reduction Program (NEHRP) established 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: US Geological Survey (USGS), National Science Foundation (NSF), Federal Emergency Management Agency (FEMA), and National Institute of Standards and Technology (NIST). Since its inception, NEHRP has shifted its focus from earthquake prediction to hazard reduction. The current program objectives (NEHRP 2022) are to:

1. Develop effective measures to reduce earthquake hazards;

2. Promote the adoption of earthquake hazard reduction activities by federal, state, and local governments; national building standards and model building code organizations; engineers; architects; building owners; and others who play a role in planning and constructing buildings, bridges, structures, and critical infrastructure or "lifelines";

3. Improve the basic understanding of earthquakes and their effects on people and infrastructure through interdisciplinary research involving engineering; natural sciences; and social, economic, and decision sciences; and

4. Develop and maintain the USGS seismic monitoring system (Advanced National Seismic System); the NSF-funded project aimed at improving materials, designs, and construction techniques (George E. Brown Jr. Network for Earthquake Engineering Simulation); and the global earthquake monitoring network (Global Seismic Network).

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.

State Laws, Regulations, and Policies

Alquist–Priolo Earthquake Fault Zoning Act

The Alquist–Priolo Earthquake Fault Zoning Act (Public Resources Code Section 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 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 are required to have a geologic investigation conducted to demonstrate that the proposed buildings would not be constructed across active faults.

Historical seismic activity and fault and seismic hazards mapping in the project vicinity indicate that the area has relatively low potential for seismic activity (El Dorado County 2003). No active faults have been mapped in the project area, and none of the known faults have been designated as an Alquist-Priolo Earthquake Fault Zone.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) of 1990 (Public Resources Code Sections 2690–2699.6) establishes statewide minimum public safety standards for mitigation of earthquake hazards. While the Alquist–Priolo Act addresses surface fault rupture, the SHMA 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, and 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.

Mapping and other information generated pursuant to the SHMA is to be made available to local governments for planning and development purposes. The State requires: (1) local governments to incorporate site-specific geotechnical hazard investigations and associated hazard mitigation, as part of the local construction permit approval process; and (2) the agent for a property seller or the seller if acting without an agent, must disclose to any prospective buyer if the property is located within a Seismic Hazard Zone. Under the SHMA, 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 CCR, 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

The CEQA 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 resource management is also addressed in PRC 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.

Impact Analysis:

a. Seismic Hazards:

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

There are no earthquake faults delineated on Alquist-Priolo Fault Zone maps within the project property (CDC 2023e). Since the project property is not traversed by a known active fault and is not within 200 ft of an active fault trace, surface fault rupture is not considered to be a significant hazard for the project site. The project would not expose people or structures to substantial adverse effects from a fault rupture. Potential impacts from implementation of the proposed project would be **less than significant.**

ii) **Ground Shaking:** The potential for seismic ground shaking in the project area would be considered low for the reason stated under question i) above. Any potential impacts due to seismic risks would be addressed

through compliance with the Uniform Building Code (UBC). All structures would be built to meet the construction standards of the UBC for the appropriate seismic zone. Project impacts would be **less than significant**.

iii) **Ground Failure:** Because the project site is considered an area with low potential for seismic activity, there is minimal to no potential for seismic-related ground failure, including liquefaction (CDC 2023e). There would be **no impact**.

iv) **Landslide:** The project property is located in a mountainous region, with land that generally slopes upward from north to south. The project would include one relatively flat cannabis cultivation area. There is a small riverine located approximately 410 ft east of the project site. Site elevations are generally highest in the south and lowest in the north, and elevations average to about 2,500 ft amsl. These slopes do have landslide potential; however, the slopes on the project premises are gentle and have low landslide potential. The proposed project would comply with the El Dorado County Grading, Erosion, and Sediment Control Ordinance. The owner/applicant would till the cultivation areas as necessary using a small tractor; however, total ground disturbance would not exceed 22,000 sf. Grading would be limited to 10,200 cubic yards of cut and 1,400 cubic yards of fill. Potential impacts from implementation of the proposed project would be **less than significant**.

b. **Soil Erosion:** All grading activities on-site would be required to comply with the El Dorado County Grading, Erosion, and Sediment Control Ordinance including the implementation of pre- and post-construction best management practices (BMPs). BMPs to be employed include, but are not limited to, installation of straw waddles as appropriate. This would serve to limit the amount of exposed soil and slow water movement, reducing the amount of soil particles and other contaminants potentially mobilized by stormwater. Further, waddles and vegetation would help filter out contaminants before stormwater reaches any watercourses. Although the proposed grading activities would not exceed 0.5 acre, provisions contained in the County of El Dorado Grading, Erosion, and Sediment Control Ordinance would be met. Project impacts would be **less than significant**.

c. **Geologic Hazards:** According to the NRCS custom Soil Resource Report for the proposed project, the site is composed of two soil map units, and the entirety of the project premises would be developed on soils classified under the Hotaw soils series (NRCS 2021). The Hotaw soils series are noted to have moderate to high erosive qualities (USDA 2018). The project site would also be relatively flat, thus potential project impacts would be **less than significant**.

d. **Expansive Soils:** Expansive soils are those that greatly increase in volume when they absorb water and shrink when they dry out. When buildings are placed on expansive soils, foundations may rise each wet season and fall each dry season. This movement may result in cracking foundations, distortion of structures, and warping of doors and windows. The following soils were mapped on the project site: Holland very rocky coarse sandy loam, 5 to 15 percent slopes (HhC); Shaver very rocky coarse sandy loam, 15 to 50 percent slope (SdE). 48he These soils are well-drained and the Rockland, Holland and Hotaw series do have clay materials, meaning the soils have shrink-swell capabilities and the potential to be expansive. However, the proposed project would not include any habitable structures.. If the project were to expand in the future, any proposed buildings would require building permits from the El Dorado County Building Department. Any future proposed buildings would be designed and constructed by a qualified engineer, and with County issuance of building permits following the building plan check review., Impacts from development on potentially expansive soils would be **less than significant**.

e. **Septic Capability:** The project site includes a single family residence that serves the structures on the property. The property is located in a rural area of El Dorado County with the single-family residence to the north of the cultivation site. This “granny flat” would be modified into an employee lounge complete with a restroom. A proposed septic tank would be located north of the cultivation site, with a leach field to the northeast. Potential impacts would be **less than significant.**

f. **Paleontological Resource:** No previous surveys conducted in the project area have identified the project site as sensitive for paleontological resources or other geologically sensitive resources, nor have testing or ground

disturbing activities performed to date uncovered any paleontological resources or geologically sensitive resources. Additionally, the project site is not located within the Mehrten Formation. Therefore, impacts relating to paleontological resources would be **less than significant**.

FINDING: A review of the soils and geologic conditions on the project site determined that the project would not result in a substantial adverse effect. The proposed project would comply with the El Dorado County Grading, Erosion, and Sediment Control Ordinance. For this Geology and Soils resource section, impacts would be less than significant or have no impact.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			**X**	
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			**X**	

Environmental Setting:

Cumulative greenhouse gas (GHG) emissions are believed to contribute to an increased greenhouse effect and global climate change, which may result in sea level rise, changes in precipitation, habitat, temperature, wildfires, air pollution levels, and changes in the frequency and intensity of weather-related events. While criteria air pollutants and TACs are pollutants of regional and local concern (see Section 7.III, Air Quality, above); GHGs are global pollutants. The primary land-use related GHGs are carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O). The individual pollutant's ability to retain infrared radiation represents its global warming potential (GWP) and is expressed in terms of CO_2 equivalents (CO_2e); therefore, CO_2 is the benchmark having a GWP of 1. To comply with international reporting standards, GWPs established by the Intergovernmental Panel on Climate Change Fourth Assessment Report is used in this analysis: CH_4 – GWP of 25– N_2O - GWP of 298 (IPCC 2007). Emissions are expressed in annual metric tons (MT) of CO_2e. Other GHGs include hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF_6), and nitrogen trifluoride (NF_3). While these compounds have significantly higher global warming potentials (ranging in the thousands), these typically are not a concern in land-use development projects and are usually only used in specific industrial processes.

GHG Sources

The primary anthropogenic source of CO_2 is the burning of fossil fuels; the two largest sources being coal to produce electricity and petroleum in combustion engines. The primary sources of anthropogenic CH_4 are natural gas systems losses (during production, processing, storage, transmission, and distribution), enteric fermentation (digestion from livestock), and landfill off-gassing. The primary source of anthropogenic N_2O is agricultural soil management (fertilizers), with fossil fuel combustion a very distant second. In El Dorado County, the primary source of GHG is fossil fuel combustion mainly in the transportation sector (estimated at 70 percent of countywide GHG emissions). A distant second are residential sources (approximately 20 percent), and commercial/industrial sources are third (approximately 7 percent). The remaining sources are waste/landfill (approximately 3 percent) and agricultural (<1 percent) (EDCAQMD 2021).

Regulatory Setting:

Federal Laws, Regulations, and Policies

At the federal level, USEPA has developed regulations to reduce GHG emissions from motor vehicles and has developed permitting requirements for large stationary emitters of GHGs. On April 1, 2010, USEPA and the National Highway Traffic Safety Administration (NHTSA) established a program to reduce GHG emissions and improve fuel economy standards for new model year 2012-2016 cars and light trucks. On August 9, 2011, USEPA and the NHTSA announced standards to reduce GHG emissions and improve fuel efficiency for heavy-duty trucks and buses.

State Laws, Regulations, and Policies

Executive Order (EO) S-3-05 (June 2005) established California's GHG emissions reduction targets and laid out responsibilities among the state agencies for implementing the EO and for reporting on progress toward the targets. This EO established the following targets:

- By 2010, reduce GHG emissions to 2000 levels;
- By 2020, reduce GHG emissions to 1990 levels; and
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

In 2006, Governor Arnold Schwarzenegger signed Assembly Bill (AB) 32, the *California Climate Solutions Act of 2006,* formally known as the Global Warming Solutions Act (Stats. 2006, ch. 488) (Health & Safety Code, Section 38500 et seq.). AB 32 provided initial direction on creating a comprehensive multi-year program to limit California's GHG emissions at 1990 levels by 2020 and initiate the transformations required to achieve the State's long-range climate objectives. One specific requirement of AB 32 is for CARB to prepare a "scoping plan" for achieving the maximum technologically feasible and cost-effective GHG emission reductions by 2020 (Health and Safety Code, Section 38561(a)) and to update the plan at least once every 5 years.

EO B-30-15 (April 2015) identified an interim GHG reduction target in support of targets previously identified under EO S-3-05 and AB 32. EO B-30-15 set an interim target goal of reducing GHG emissions to 40 percent below 1990 levels by 2030 to keep California on its trajectory toward meeting or exceeding the long-term goal of reducing GHG emissions to 80 percent below 1990 levels by 2050 as set forth in EO S-3-05. Senate Bill (SB) 32 was adopted in 2016, which codified the 2030 emissions reduction goal of EO B-30-15 by requiring CARB to ensure that statewide GHG emissions are reduced to 40 percent below 1990 levels by 2030.

California Code of Regulations Title 3, *Food and Agriculture*, Division 8, *Cannabis Cultivation*, contains the following sections applicable to the project and relevant to the greenhouse gas emissions analysis:

> Section 8102(s) states: [Each cultivation license application shall include the following, if applicable:] For indoor and mixed-light license types, identification of all power sources for cultivation activities, including but not limited to, illumination, heating, cooling, and ventilation.
>
> Section 8305 provides requirements for certain mixed-light cannabis cultivator licensees to ensure that, by 2023, their electrical power meets the average electricity greenhouse gas emissions intensity required by their local utility provider. That section includes options for the purchase of carbon offset credits if such standards are not met.

Impact Analysis:

a. **GHG Emissions:** The project would result in GHG emissions associated with short-term construction and long-term operations.

Construction

Construction GHG emissions would be generated by exhaust from construction equipment, on-road hauling trucks, and worker commuting trips. Construction for the proposed project would be short-term and temporary, approximately 4 months in total. All construction equipment and commercial trucks would be maintained to meet current emissions standards as required by the CARB. Neither the EDCAQMD nor El Dorado County have adopted criteria or guidance for determining the significance of a project's construction GHG emissions.

Operation

A project's operational GHG sources would include: mobile emissions from vehicles traveling to and from the project site; emissions from tractor use for road maintenance; engine exhaust from chainsaws, and

mowers; burn piles from seasonal dead/dying brush; emissions from organic pesticides and soil amendments; water sources from the energy required to source, treat and convey water used by the project; and solid waste sources from emissions associated with the collection, and disposal of solid waste. Downed tree branches and brush would be burned in the offseason according to CAL FIRE and Pioneer Fire District rules and regulations. For most development projects, mobile emissions are the dominant source of GHGs.

Neither the EDCAQMD nor El Dorado County have adopted criteria or guidance for determining the significance of a project's operational GHG emissions. Because the project site is located within the south-central third of El Dorado County near the Sacramento Metropolitan Air Quality Manage District's (SMAQMD's) jurisdictional boundary, the guidance and screening criteria from the SMAQMD for a land use development project's GHG emissions were used in this analysis. The SMAQMD provides a table of operational screening levels with land uses and sizes below which a project's operational GHG emissions would not be expected to result in GHG emissions that would have a significant effect on the environment. A cannabis cultivation facility is not included in the Operational Screening Levels table. However, the relative size of land uses in the table can indicate whether the project's mobile GHG emissions would be significant. As described in the Section 7.XVII, Transportation, the project is expected to generate a total of up to 60 daily trips during peak conditions under busiest assumptions but would generate far fewer trips on most days. For comparison, in transportation planning, the trip generation for typical single-family residences is 9 to 10 daily trips (504 to 560 daily trips for 56 residences). Therefore, the project trip generation of 60 daily round trips would be far less than the expected trip generation for any of the development types listed in the SMAQMD Operational Screening levels table. Water sourced from public utilities results in GHG emissions from the energy required to source, treat, and transport the water over long distances. The proposed project would use water from an on-site well, eliminating GHG emissions related to treating and pumping water off-site except for a small amount of emissions associated with the electricity to run the well pump. Therefore, the project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, and the impact would be **less than significant**.

b. **GHG Reduction Plans:** There are numerous State plans, policies, and regulations adopted for the purpose of reducing GHG emissions. The principal overall State plan and policy is AB 32, the California Global Warming Solutions Act of 2006. The quantitative goal of AB 32 is to reduce GHG emissions to 1990 levels by 2020. SB 32 requires further reductions of 40 percent below 1990 levels by 2030. Statewide plans and regulations such as GHG emissions standards for vehicles (AB 1493), the low carbon fuel standard (LCFS), and regulations requiring an increasing fraction of electricity to be generated from renewable sources are being implemented at the statewide level; as such, compliance at the project level is not addressed. As previously discussed, a comparison of the project with the SMAQMD Operational Screening levels table indicated that the project's GHG emissions would not result in significant impact. Therefore, implementation of the project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions, and the impact would be **less than significant**.

FINDING: The project would not conflict with State or local GHG reduction plans or regulations. The proposed project would result in less than significant impacts to GHG emissions.

IX. HAZARDS AND HAZARDOUS MATERIALS

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

Regulatory Setting:

Hazardous materials and hazardous wastes are subject to extensive federal, State, and local regulations to protect public health and the environment. These regulations provide definitions of hazardous materials; establish reporting requirements; set guidelines for handling, storage, transport, and disposal of hazardous wastes; and require health and safety provisions for workers and the public. The major federal, State, and regional agencies enforcing these regulations are USEPA and the Occupational Safety and Health Administration (OSHA); California Department of Toxic Substances Control (DTSC); California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA); California Governor's Office of Emergency Services (Cal OES); and EDCAQMD.

Federal Laws, Regulations, and Policies

Comprehensive Environmental Response, Compensation, and Liability 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

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, transportation, 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 received authority to implement the RCRA program in August 1992. DTSC is responsible for implementing the RCRA program in addition to California's own hazardous waste laws, which are collectively known as the Hazardous Waste Control Law.

Energy Policy Act of 2005

Title XV, Subtitle B of the Energy Policy Act of 2005 (the Underground Storage Tank Compliance Act of 2005) contains amendments to Subtitle I of the Solid Waste Disposal Act, the original legislation that created the Underground Storage Tank (UST) Program. As defined by law, a UST is "any one or combination of tanks, including pipes connected thereto, that is used for the storage of hazardous substances and that is substantially or totally beneath the surface of the ground." In cooperation with USEPA, SWRCB oversees the UST Program. The intent is to protect public health and safety and the environment from releases of petroleum and other hazardous substances from tanks. The four primary program elements include leak prevention (implemented by Certified Unified Program Agencies [CUPAs], described in more detail below), cleanup of leaking tanks, enforcement of UST requirements, and tank integrity testing.

Spill Prevention, Control, and Countermeasure Rule USEPA's Spill Prevention, Control, and Countermeasure (SPCC) Rule (40 CFR, Part 112) apply to facilities with a single above-ground storage tank (AST) 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 facilities to prepare, amend, and implement SPCC Plans.

Occupational Safety and Health Administration

OSHA is responsible at the federal level for ensuring worker safety. OSHA sets federal standards for implementation of workplace training, exposure limits, and safety procedures for the handling of hazardous substances (as well as other hazards). OSHA also establishes criteria by which each state can implement its own health and safety program.

Code of Federal Regulations (14 CFR) Part 77

14 CFR Part 77.9 is designed to promote air safety and the efficient use of navigable airspace. Implementation of the code is administered by the Federal Aviation Administration (FAA). If an organization plans to sponsor any construction or alterations that might affect navigable airspace, a Notice of Proposed Construction or Alteration (FAA Form 7460-1) must be filed (if required). The code provides specific guidance regarding FAA notification requirements.

State Laws, Regulations, and Policies

Safe Drinking Water and Toxic Enforcement Act of 1986 – Proposition 65

The Safe Drinking Water and Toxic Enforcement Act of 1986, more commonly known as Proposition 65, protects the state's drinking water sources from contamination with chemicals known to cause cancer, birth defects, or other reproductive harm. Proposition 65 also requires businesses to inform the public of exposure to such chemicals in the products they purchase, in their homes or workplaces, or that are released into the environment. In accordance with Proposition 65, the California Governor's Office publishes, at least annually, a list of such chemicals. OEHHA, an agency under the California Environmental Protection Agency (CalEPA), is the lead agency for implementation of the Proposition 65 program. Proposition 65 is enforced through the California Attorney General's Office; however, district and city attorneys and any individual acting in the public interest may also file a lawsuit against a business alleged to be in violation of Proposition 65 regulations.

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. CalEPA and other state agencies set the standards for their programs, while local governments (CUPAs) implement the standards. For each county, the CUPA regulates/oversees the following:

- Hazardous materials business plans;
- California accidental release prevention plans or federal risk management plans;
- The operation of USTs and ASTs;
- Universal waste and hazardous waste generators and handlers;
- On-site hazardous waste treatment;
- Inspections, permitting, and enforcement;
- Proposition 65 reporting; and
- Emergency response.

Hazardous Materials Business Plans

Hazardous materials business plans are required for businesses that handle hazardous materials in quantities greater than or equal to 55 gallons of a liquid, 500 pounds of a solid, or 200 cf of compressed gas, or extremely hazardous substances above the threshold planning quantity (40 CFR, Part 355, Appendix A). Business plans are required to include an inventory of the hazardous materials used/stored by the business, a site map, an emergency plan, and a training program for employees. In addition, business plan information is provided electronically to a statewide information management system, verified by the applicable CUPA, and transmitted to agencies responsible for the protection of public health and safety (i.e., local fire department, hazardous material response team, and local environmental regulatory groups).

California Division of Occupational Safety and Health

Cal/OSHA assumes primary responsibility for developing and enforcing workplace safety regulations in California. Cal/OSHA regulations pertaining to the use of hazardous materials in the workplace (CCR Title 8) include requirements for safety training, availability of safety equipment, accident and illness prevention programs, warnings about exposure to hazardous substances, and preparation of emergency action and fire prevention plans.

Hazard communication program regulations that are enforced by Cal/OSHA require workplaces to maintain procedures for identifying and labeling hazardous substances, inform workers about the hazards associated with hazardous substances and their handling, and prepare health and safety plans to protect workers at hazardous waste sites. Employers must also make material safety data sheets available to employees and document employee information and training programs. In addition, Cal/OSHA has established maximum permissible radiofrequency (RF) energy exposure limits for workers (Title 8 CCR Section 5085[b]) and requires warning signs where RF energy might exceed the specified limits (Title 8 CCR Section 5085 [c]).

California Accidental Release Prevention

The purpose of the California Accidental Release Prevention (CalARP) program is to prevent accidental releases of substances that can cause serious harm to the public and the environment, to minimize the damage if releases do occur, and to satisfy community right-to-know laws. In accordance with this program, businesses that handle more than a threshold quantity of regulated substance are required to develop a risk management plan (RMP). This RMP must provide a detailed analysis of potential risk factors and associated mitigation measures that can be implemented to reduce accident potential. CUPAs implement the CalARP program through review of RMPs, facility inspections, and public access to information that is not confidential or a trade secret.

California Department of Forestry and Fire Protection Wildland Fire Management

The Office of the State Fire Marshal and CAL FIRE administer State policies regarding wildland fire safety. Construction contractors must comply with the following requirements in the Public Resources Code during construction activities at any sites with forest-, brush-, or grass-covered land:

- Earthmoving and portable equipment with internal combustion engines must be equipped with a spark arrestor to reduce the potential for igniting a wildland fire (Public Resources Code Section 4442).
- Appropriate fire-suppression equipment must be maintained from April 1 to December 1, the highest-danger period for fires (Public Resources Code Section 4428).
- On days when a burning permit is required, flammable materials must be removed to a distance of 10 ft from any equipment that could produce a spark, fire, or flame, and the construction contractor must maintain the appropriate fire suppression equipment (Public Resources Code Section 4427).
- On days when a burning permit is required, portable tools powered by gasoline fueled internal combustion engines must not be used within 25 ft of any flammable materials (Public Resources Code Section 4431).

California Highway Patrol

California Highway Patrol (CHP), along with Caltrans, enforce and monitor hazardous materials and waste transportation laws and regulations in California. These agencies determine container types used and license hazardous waste haulers for hazardous waste transportation on public roads. All motor carriers and drivers involved in transportation of hazardous materials must apply for and obtain a hazardous materials transportation license from CHP.

Cannabis Cultivation Program

Title 3 of the California Code of Regulations Section 8102(q) states:

> [Each cultivation license application shall include the following, if applicable:] Evidence that the applicant has conducted a hazardous materials record search of the EnviroStor database for the proposed premises. If hazardous sites were encountered, the applicant shall provide documentation of protocols implemented to protect employee health and safety;

Section 8106(a)(3) states:

> (a) The cultivation plan for each Specialty Cottage, Specialty, Small, and Medium licenses shall include all of the following:
>
> (3) A pest management plan which shall include, but not be limited to, the following:
> (A) Product name and active ingredient(s) of all pesticides to be applied to cannabis during any stage of plant growth;
> (B) Integrated pest management protocols, including chemical, biological, and cultural methods the applicant anticipates using to control or prevent the introduction of pests on the cultivation site©nd

(C) A signed attestation that states the applicant shall contact the appropriate County Agricultural Commissioner regarding requirements for legal use of pesticides on cannabis prior to using any of the active ingredients or products included in the pest management plan and shall comply with all pesticide laws.

Section 8304(f) states:

[All licensees shall comply with all of the following environmental protection measures:] Compliance with pesticide laws and regulations pursuant to section 8307 of this chapter.

Section 8307 contains requirements regarding compliance with pesticide laws and regulations. It also contains measures to protect pollinators, water bodies, and wildlife.

Local Laws, Regulations, and Policies

A map of the fuel loading in the County (General Plan Figure HS-1) shows the fire hazard severity classifications of the State Responsibility Areas (SRAs) in El Dorado County, as established by CAL FIRE. The classification system provides three classes of fire hazards: Moderate, High, and Very High. The County's Fire Hazard Ordinance (Chapter 8.08) requires defensible space as described by the State Public Resources Code, including the incorporation and maintenance of a 30-foot fire break or vegetation fuel clearance around structures in fire hazard zones. The County's requirements on emergency access, signing and numbering, and emergency water are more stringent than those required by State law. The Fire Hazard Ordinance also establishes limits on campfires, fireworks, smoking, and incinerators for all discretionary and ministerial developments.

Impact Analysis:

a. **Hazardous Materials:** The proposed project would involve cultivation and propagation of cannabis. Hazardous materials associated with the proposed operation of a cannabis cultivation facility include organic pesticides, soil amendments, gasoline, diesel fuel, and engine oil. All hazardous materials used on-site would be stored in a designated area that would be repurposed for petroleum and agricultural product storage. Flammable materials storage would be kept in a designated area. Any uses of hazardous materials would be required to comply with all applicable federal, State, and local standards associated with the handling and storage of hazardous materials. The proposed project would also be subject to the requirements of the SWRCB Cannabis General Order. The SWRCB Cannabis General Order program has "standard conditions" applicable to cannabis operations that address impacts from the storage and use of hazardous materials which include the following requirements:

- Cannabis cultivators shall not apply restricted materials, including restricted pesticides or herbicides, or allow restricted materials to be stored at the cannabis cultivation site. Cannabis cultivators shall implement integrated pest management strategies where possible to reduce the need and use of pesticides or herbicides and the potential for discharges to waters of the State.
- Cannabis cultivators shall keep and use absorbent materials designated for spill containment and spill cleanup equipment on-site for use in an accidental spill of fertilizers, petroleum products, hazardous materials, and other substances which may degrade waters of the State.
- Implementation of spill prevention, control, and countermeasures (SPCC) and have appropriate cleanup materials available onsite.

The applicant provided a Pest Management Plan that would be implemented for the proposed project and is included as part of Appendix C in this Initial Study. The applicant would use cultural, biological, and chemical pest-management control methods. For cultural pest management control methods, seeds would begin with healthy pest free stock and soft sedimentary rock would be used in early season and throughout the growing season to remove unwanted material. Predator nematodes would also be applied periodically to the soil, starting in the preseason, to kill any larva and adult pests that live in the soil. Predator mites would be used on mother plants as their offspring to knock back any pests that were in the environment. For biological pest management control methods, the applicant would use ladybugs.

Lastly, for chemical pest management control methods, the applicant would use organic pesticides and plant training to help combat powdery mildew and other fungus.

With appropriate storage, handling, and application BMPs that comply with the requirements of the federal, State, and local regulations, it is not anticipated that the use of these materials at the facility would pose a significant hazard. The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials and therefore, impacts would be **less than significant**.

b. **Hazardous Conditions:** As discussed under question a), organic pesticides, soil amendments, gasoline, diesel fuel, and engine oil would be stored and used at the site. Use of such materials would be required to comply with all applicable local, State, and federal standards associated with the handling and storage of hazardous materials, including the standard conditions contained in the SWRCB Cannabis General Order. Standard conditions include implementation of spill prevention, control, and countermeasures and the maintenance of appropriate cleanup materials on-site.

With implementation of appropriate storage, handling, and application BMPs, it is not anticipated that the use of these materials would pose a significant hazard. In the event of reasonably foreseeable upset and accident conditions, it is unlikely that these hazardous materials would be released in a manner that would create a significant hazard to the public or the environment. Project impacts would be **less than significant**.

c. **Hazardous Materials near Schools:** There are no schools within three miles of the project site. The project would be required to ensure that hazardous chemicals and solid wastes are handled per County, State, and federal regulations. As such, the proposed project would have **no impact**.

d. **Hazardous Sites:** The following databases were reviewed for the proposed project and surrounding area to identify potential hazardous contamination sites: the California DTSC EnviroStor database (DTSC 2021); California State Water Resources Control Board's Geotracker database (CA SWRCB 2021); and the U.S. EPA's Superfund National Priorities List (USEPA 2024). Based on review of these databases, the project site is not included on a list of or near any hazardous materials sites pursuant to Government Code Section 65962.5. Therefore, there would be **no impact**.

e. **Aircraft Hazards, Private Airstrips:** According to the County's Zoning Map and the El Dorado County Airport Land Use Compatibility Plan, the project site is not within any airport safety zone or airport land use plan area (EDC ALUC 2012). The project site is not located in the vicinity of a public or private airstrip. The closest airstrip to the project site is the private Perryman Airport-7CL9, located approximately 9 miles due northwest of the project site. As such, the project would not be subject to any land use limitations contained within any adopted Comprehensive Land Use Plan, and there would be no immediate hazard for people working in the project area or safety hazard resulting from airport operations and aircraft over-flights in the vicinity of the project site**.** Therefore, there would be **no impact**.

f. **Emergency Plan:** The Pioneer Fire Protection District requirements would be incorporated as Conditions of Approval. No applicable emergency plan would be affected by the project as proposed. Additionally, a gravel cul-de-sac turnaround is located at the end of the driveway for fire vehicle access and maneuvering and a water storage tank for emergency purposes. An evacuation plan would be prepared for the project site, and workers on-site would monitor conditions in the area during periods of high fire danger to ensure early evacuations if needed. Impacts would be **less than significant**.

g. **Wildfire Hazards:** The project is located in a High Fire Hazard Severity Zone (FHSZ) of a State Responsibility Area (SRA) (CAL FIRE 2021). The Pioneer Fire Protection District is primarily responsible for structure fire protection services to the project site, and CAL FIRE is primarily responsible for wildland fire suppression. CAL FIRE's nearest station is the CAL FIRE Amador El Dorado Unit (AEU) headquarters located approximately 19 miles north of the project site at 2840 Mt Danaher Rd, Camino, CA. The Pioneer Fire Protection District also provides all risk, partly staffed/partly

volunteer emergency services to the project area, and their nearest stations are Station 31, located at 7960 Grizzly Flat Rd, Somerset, CA; and Station 32, located at 4770 Sand Ridge Rd, Placerville, CA (Pioneer Fire Protection District 2022). Given that Pioneer Fire Protection District's resources are closer, they would likely provide an initial response to most types of emergencies that may occur on the project site; CAL FIRE resources may also respond, especially in the case of larger or more complex incidents. The degree of hazard in wildland areas depends on variables like temperature, wind, and moisture, the amount of dryness and arrangement of vegetation, slope steepness, proximity to human activities, accessibility of firefighting equipment, and fuel clearance around structures. The County's General Plan Safety Element precludes development in areas of high wildland fire hazard unless such development can be adequately protected from wildland fire hazards as demonstrated in a Fire Plan prepared by a qualified professional as approved by the El Dorado County Fire Prevention Officers Association and approved by the local Fire Protection District and/or CAL FIRE. Such a plan was prepared for this project and is included as Appendix G to this Initial Study (Philips Consulting Services 2024).

The applicant would take several measures to reduce potential wildfire hazards, as recommended by the Fire Plan. The Project applicant would maintain a 100-ft defensible space perimeter around all structures on their property. A Rosewood Commercial Cannabis Operating Permit Fuel Hazardous Fuel Reduction Program has been prepared and will be followed. Fuel reduction strategies would include the mowing of grasses and trimming of trees and other vegetation, removal of understory fuels over 1-foot in height, removal of dead vegetation and tree limbs, and other methods as described in the Fire Plan. A 10,000-gallon water tank for the Pioneer Fire District would be installed slightly south of the cannabis cultivation area. Additionally, a pond is located on the project site to provide water for fire suppression, if needed. Additionally, vegetation would be mowed, masticated, or cut to ground level each May for effective fuel reduction. Defensible space around the structures, including the cannabis cultivation premises, would extend a minimum of 100 ft from the structure to resist ignition and be kept clear of the dead vegetation. These measures would be included as Conditions of Approval for the proposed project. Impacts would be **less than significant**.

FINDING: The proposed project would not expose the public or environment to hazards relating to the use, storage, transport, or disposal of hazardous materials. Additionally, conformance with the County's Conditions of Approval would reduce potential emergency plan and wildfire hazard impacts to less than significant. Therefore, impacts would be less than significant or no impact would occur for hazards and hazardous materials.

X. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?			**X**	
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			**X**	
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or -off-site?			**X**	
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			**X**	
e. 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?			**X**	
f. Otherwise substantially degrade water quality?			**X**	
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			**X**	
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			**X**	
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			**X**	
j. Inundation by seiche, tsunami, or mudflow?			**X**	

A preliminary drainage report was prepared by Cartwright Norcal in May 2021 to analyze the pre-development and post-development stormwater flows for the project to ensure no adverse impacts occur to downstream drainage facilities (Cartwright Norcal 2021). The report is included as Appendix H.

Environmental Setting

Based on the El Dorado County mean annual rainfall map, the project's mean annual rainfall is approximately 38 inches (Cartwright Norcal 2021). Most precipitation is concentrated in the winter and early spring months, with summers being almost completely dry. The project property is located in a mountainous region, with land that generally slopes downward from south to north. The project property is situated in the mid-elevations of the northern Sierra Nevada, in an area of ponderosa pine/mixed oak-conifer forests and areas of rural land. The cannabis cultivation premises consists of mainly ruderal/developed land with non-native grassland. The project would include one relatively flat cannabis cultivation area. The site is located next to an ornamental pond, and has an average elevation of 2,500 ft amsl.

The project property is bordered to the north by densely wooded land and Omo Ranch Road beyond, to the west by rural residential properties (single family residence) and densely wooded land; to the east by a rural residential property (single family residence) and densely wooded land; to the south by densely wooded land; and to the west by rural residential properties (single family residence) and densely wooded land. Drainage within the project site generally flows south to north. No permanent watercourses exist in the immediate vicinity of the cultivation area. The geology of the Western Slope portion of El Dorado County is principally hard, crystalline, igneous, or metamorphic rock overlain with a thin mantle of sediment or soil. Groundwater in the region is found in fractures, joints, cracks, and fault zones within the bedrock mass. These discrete fracture areas are typically vertical in orientation rather than horizontal as in sedimentary or alluvial aquifers. Recharge is predominantly through precipitation infiltrating into the fractures and water from the seasonal creek when inundated. Movement of this groundwater is very limited due to the lack of porosity in the bedrock. Existing demand for groundwater in the vicinity of the site is low given the rural and undeveloped nature of much of the surrounding land. The project site is not located within any mapped 100-year flood areas as shown on Firm Panel Number 06017C1025E, revised September 26, 2008 (FEMA 2008). **Regulatory Setting:**

Federal Laws, Regulations, and Policies

Clean Water Act

The CWA is the primary federal law that protects the quality of the nation's surface waters, including lakes, rivers, and coastal wetlands. The key sections pertaining to water quality regulation for the proposed project are CWA Section 303 and Section 402.

Section 303(d) — Listing of Impaired Water Bodies

Under CWA Section 303(d), states are required to identify "impaired water bodies" (those not meeting established water quality standards), identify the pollutants causing the impairment, establish priority rankings for waters on the list, and develop a schedule for the development of control plans to improve water quality. USEPA then approves the State's recommended list of impaired waters or adds and/or removes waterbodies.

Section 402—NPDES Permits for Stormwater Discharge

CWA Section 402 regulates construction-related stormwater discharges to surface waters through the National Pollutant Discharge Elimination Program (NPDES), which is officially administered by USEPA. In California, USEPA has delegated its authority to the SWRCB, which, in turn, delegates implementation responsibility to the nine RWQCBs, as discussed below in reference to the Porter-Cologne Water Quality Control Act.

The NPDES program provides for both general (those that cover a number of similar or related activities) and individual (activity- or project-specific) permits. General Permit for Construction Activities: Most construction projects that disturb 1.0 or more acres are required to obtain coverage under 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). The General Permit requires that the applicant file a public notice of intent to discharge stormwater and prepare and implement a SWPPP. 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 BMPs that would 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 monitor construction activities and report compliance to ensure that BMPs are correctly implemented and are effective in controlling the discharge of construction-related pollutants.

Municipal Stormwater Permitting Program

El Dorado County is covered under two SWRCB Regional Boards. The West Slope Phase II Municipal Separate Storm Sewer Systems (MS4) NPDES Permit is administered by the CVRWQCB (Region Five). The Lake Tahoe Phase I MS4 NPDES Permit is administered by the Lahontan RWQCB (Region Six). The proposed project site falls under the jurisdiction of the CVRWQCB. The current West Slope MS4 NPDES Permit was adopted by the SWRCB on February 5, 2013. The Permit became effective on July 1, 2013, for a term of five years and focuses on the enhancement of surface water quality within high priority urbanized areas. The Phase II NPDES permit became effective on July 1, 2013. By July 1, 2015, this State-mandated permit required the County to address storm water runoff from new development and redevelopment projects, both during construction and after construction occurs.

On May 19, 2015, the El Dorado County Board of Supervisors formally adopted revisions to the Storm Water Quality Ordinance (Ordinance 4992). Previously applicable only to the Lake Tahoe Basin, the ordinance establishes legal authority for the entire unincorporated portion of the County. The purposes of the ordinance are to 1) protect health, safety, and general welfare, 2) enhance and protect the quality of Waters of the State by reducing pollutants in storm water discharges to the maximum extent practicable and controlling non-storm water discharges to the storm drain system, and 3) cause the use of BMPs to reduce the adverse effects of polluted runoff discharges on Waters of the State.

State Laws, Regulations, and Policies

Porter–Cologne Water Quality Control Act

The Porter–Cologne Water Quality Control Act (known as the Porter–Cologne Act), passed in 1969, dovetails with the CWA (see discussion of the CWA above). It established the SWRCB and divided the State into nine regions, each overseen by an RWQCB. SWRCB is the primary State agency responsible for protecting the quality of the State's surface water and groundwater supplies; however, much of the SWRCB's daily implementation authority is delegated to the nine RWQCBs, which are responsible for implementing CWA Sections 401, 402, and 303[d]. In general, SWRCB manages water rights and regulates statewide water quality, whereas RWQCBs focus on water quality within their respective regions.

The Porter–Cologne Act requires RWQCBs to develop water quality control plans (also known as basin plans) that designate beneficial uses of California's major surface-water bodies and groundwater basins and establish specific narrative and numerical water quality objectives for those waters. Beneficial uses represent the services and qualities of a waterbody (i.e., the reasons that the waterbody is considered valuable). Water quality objectives reflect the standards necessary to protect and support those beneficial uses. Basin plan standards are primarily implemented by regulating waste discharges so that water quality objectives are met. Under the Porter–Cologne Act, basin plans must be updated every 3 years.

Cannabis Cultivation Program:

Applicants for a cannabis cultivation license are required to provide to DCC a final copy of proof of a lake or streambed alteration agreement issued by CDFW or written verification that an agreement is not necessary (3 CCR Section 8102(v)).

Title 3 of the California Code of Regulations Section 8102 states, in part:

> Each application [for a cultivation license] shall include the following, if applicable:

(p) For all cultivator license types except Processor, evidence of enrollment in an order or waiver of waste discharge requirements with the State Water Resources Control Board or the appropriate Regional Water Quality Control Board. Acceptable documentation for evidence of enrollment can be a Notice of Applicability letter. Acceptable documentation for a Processor that enrollment is not necessary can be a Notice of Non-Applicability;

(v) Identification of all of the following applicable water sources used for cultivation activities and the applicable supplemental information for each source pursuant to section 8107 of this chapter:

(1) A retail water supplier;

(2) A groundwater well;

(3) A rainwater catchment system;

(4) A diversion from a surface waterbody or an underground stream flowing in a known and definite channel.

(w) A copy of any final lake or streambed alteration agreement issued by the CDFW, pursuant to sections 1602 or 1617 of the Fish and Game Code, or written verification from the CDFW that a lake and streambed alteration agreement is not required;

(dd) If applicable, the applicant shall provide evidence that the proposed premises is not located in whole or in part in a watershed or other geographic area that the State Water Resources Control Board or the Department of Fish and Wildlife has determined to be significantly adversely impacted by cannabis cultivation pursuant to section 8216.

Section 8107(b) states:

If the water source is a groundwater well:

(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.

Section 8216 states:

If the State Water Resources Control Board or the Department of Fish and Wildlife notifies the department in writing that cannabis cultivation is causing significant adverse impacts on the environment in a watershed or other geographic area pursuant to section 26069, subdivision (c)(1), of the Business and Professions Code, the department shall not issue new licenses or increase the total number of plant identifiers within that watershed or area while the moratorium is in effect.

Section 8304 (a and b) states:

All licensees shall comply with all of the following environmental protection measures:

(a) Compliance with section 13149 of the Water Code as implemented by the State Water Resources Control Board, Regional Water Quality Control Boards, or CDFW;

(b) Compliance with any conditions requested by the CDFW or the State Water Resources Control Board under section 26060.1(b)(1) of the Business and Professions Code;

Section 8307 contains requirements regarding compliance with pesticide laws and regulations. It also contains measures to protect pollinators, water bodies, and wildlife.

Impact Analysis:

Water Quality Standards: There is potential for the proposed project to result in degradation of water quality during both the construction and operational phases. The cannabis plants would be grown in raised beds in rows and would use drip irrigation using water from the existing on-site well. The hoop houses would be approximately 7.5 ft tall, and the beds would be 25 ft by 80 ft. Permanent greenhouse structures would be built in the future. The project property is situated in the mid-elevations of the northern Sierra Nevada, in an area of ponderosa pine/mixed oak-conifer forests and areas of rural land. The cannabis cultivation premises consists of mainly ruderal/developed land with non-native grassland. The project would include one relatively flat cannabis cultivation area. The site is located 160 ft away from an on-site ornamental pond. The project property is bordered to the north by densely wooded land and Omo Ranch Road beyond, to the west by rural residential properties (single family residence) and densely wooded land; to the east by a rural residential property (single family residence) and densely wooded land; to the south by densely wooded land; and to the west by rural residential properties (single family residence) and densely wooded land. The cannabis cultivation premises is setback more than 350 ft from the nearest watercourse so it would not likely cause degradation of water quality due to runoff from the development or operation of the cultivation operation. During construction, localized indirect impacts to water resources could occur from oil and grease from construction equipment, and increased erosion and sedimentation due to soil disturbance. During operation, localized impacts could occur due to a discharge of sediment or other pollutants, fertilizers, pesticides, and human waste. The project proponent would be required to enrolled under the SWRCB Cannabis General Order WQ 2019-0001-DWQ. One of the requirements is to prepare a Site Management Plan (SMP), which includes identifying potential sources of water quality violations or waste discharge requirements, corrective actions including implementing and monitoring BMPs, and documenting water usage and timing to ensure the water use is not impacting water quality objectives and beneficial uses. The project applicant would be required to prepare and implement a SMP.

With implementation of measures required by the SMP and adherence to the County Code, impacts would be **less than significant**.

b. **Groundwater Supplies:** Water from an existing well located east of the cultivation site would be used for irrigation. Tanks would be installed to store 5,000 gallons of water. A 1,000 or 2,000-gallon mixing tank would be used to deliver nutrients to plants; drip irrigation would be employed. The well was constructed on site on April 24, 2000, by a previous owner. The well can provide an initial flow rate of 7.5 gallons per minute, first water was recorded to be approximately 40 feet below the surface and the well is 580-feet deep. The well would provide the main water supply for the 15,000 sf of flowering mixed-light cannabis canopy and miscellaneous support and sanitary needs. The proposed project would have three harvest cycles per year at full buildout, with each harvest cycle lasting approximately one month. The project premises is not over a critically over drafted groundwater basin, and therefore it is not anticipated that the project would deplete groundwater supplies. There is adequate water supply to irrigate the proposed project. A hydrology analysis completed as part of the preliminary drainage report indicates that there would be a 4.7% increase in impervious area due to proposed development, which would increase the pre-developed 10-year peak flow by roughly 24% (Cartwright Norcal 2021). As this is a minor increase in peak flow, it is not expected to cause any negative downstream impacts, and the proposed project would not introduce substantial impervious surfaces that would interfere with groundwater recharge in the area of the proposed project. Therefore, impacts to groundwater supplies and recharge would be **less than significant**.

c-f. **Drainage Patterns:** The overall project drainage begins at Coyote Ridge and sheet flows down to Rosewood Lane and the proposed development. After Rosewood Lane, the flows appear to continue sheet flowing north towards Omo Ranch Road. Rosewood Lane is proposed to be resurfaced with new gravel. The property has a small riverine located 410 ft east of the project site. Drainage within the site generally flows south to north. The cannabis cultivation areas would be developed on previously disturbed/ruderal land and would only disturb the cultivation areas using a small tractor. Drainage within the site would

percolate into the surrounding pervious surfaces to reduce any potential runoff. Additionally, the project applicant would install waddles and other preventative measures along the western edge of the terraced cannabis cultivation area to minimize sediment laden runoff and erosion.

The project would not disturb one (1) or more acre of soil, and therefore, would not be required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity Construction General Permit Order 2009-0009 DWQ. However, the project would be required to comply with the SWRCB Cannabis General Order WQ 2019-0001-DWQ requirements. With the implementation of the General Permit Order 2009-0001 DWQ, impacts would be **less than significant** for questions c), d), e), and f).

g-j. **Flood-related Hazards:** The project site is not located within any mapped 100-year flood areas as shown on Firm Panel Number 06017C1025E, revised September 26, 2008 (FEMA 2008), and would not result in the construction of any structures that would impede or redirect flood flows. No dams are located in the project area that could result in potential hazards related to dam failures. The project site would not be at risk for tsunami impact as the site is approximately 120 miles inland from the coast. According to USGS, mudflows or debris flows start on steep slopes and travel to canyon bottoms, stream channels, and areas near the outlets of canyons during intense rainfall. Debris flows commonly begin in swales on steep slopes, making areas downslope from the swale particularly hazardous (USGS 2000). Due to the site's elevation, relatively flat project area and absence of nearby wetlands, the proposed project would not be at significant risk of exposure to mudflows. The project is not located near a lake or large body of standing water, so there is no risk of seiche. Therefore, impacts would be **less than significant** for questions g), h), i), and j).

FINDING: With adherence to federal, State, and local regulations, the proposed project would have a less than significant impact on hydrology and water quality.

XI. LAND USE PLANNING

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Physically divide an established community?				**X**
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?			**X**	

Environmental Setting:

The project property is zoned Planned Agriculture, 20-acre Minimum (PA-20) and designated Agricultural Land (AL) in the El Dorado County General Plan. The intent of the PA-20 zone is to identify those lands that are suitable for limited residential development based on topography, access, groundwater or septic capability, and other infrastructural requirements. This zone may be applied where resource-based industries in the vicinity may impact residential uses. Commercial support activities that are compatible with the available infrastructure may be allowed within this zone to serve the surrounding rural and agricultural communities. Although agricultural uses are allowed, these lands generally do not support exclusive agricultural use. This zone is applied to those lands to allow uses which supplement the agricultural use.

The purpose of the AL General Plan land use designation is to establish areas for residential and agricultural development. These lands typically have limited infrastructure and public services and would remain for the most part in their natural state. This category is appropriate for lands that are characterized by steeper topography, high fire hazards, and limited or substandard access as well as “choice” agricultural soils. The AL designation shall be used as a transition between Low Density Residential (LDR) and the Natural Resource (NR) designation. Clustering of residential units under allowable densities is encouraged as a means of preserving large areas in their natural state or for agricultural production. Typical uses include single family residences, agricultural support structures, a full range of agricultural production uses, recreation, and mineral development activities. The allowable density for this designation is one dwelling unit per 10 to 160 acres.

Regulatory Setting:

California State law requires that each city and county adopt a general plan "for the physical development of the city and any land outside its boundaries which bears relation to its planning." Typically, a general plan is designed to address the issues facing the city or county for the next 15-20 years. The general plan expresses the community's development goals and incorporates public policies relative to the distribution of future public and private land uses. The El Dorado County General Plan was adopted in 2004. The County’s 2013-2021 Housing Element was adopted in 2013.

Impact Analysis:

a. **Divide Established Community:** The proposed project would involve the development of a cannabis cultivation facility with appurtenant uses located on a privately-owned property within a rural area in south-central El Dorado County. The project property is not within or in the vicinity of an established community. Further, the proposed project would not develop any new roadways or involve any development that could divide an established community. Therefore, the project would have **no impact**.

a. **Land Use Consistency:** The proposed project would conform to both the PA-20 zoning and AL land use designation with the issuance of a conditional use permit (CUP) as cannabis is an agricultural use and agriculture is allowed on lands zoned AL with the issuance of a CUP. Additionally, Commercial Cannabis businesses in unincorporated El Dorado County are required to apply for and obtain a Commercial Cannabis Use Permit (CCUP). Therefore, with County approval of the CCUP, the proposed project would be in conformance with the County Code, and impacts would be **less than significant**.

FINDING: The proposed project would not divide an established community, and with County approval of a CCUP, would be in conformance with the County Code. Therefore, less than significant or no impact to land use and planning goals would occur.

XII. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				**X**
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?				**X**

Environmental Setting:

The western portion of El Dorado County is divided into five, 15-minute quadrangles (Folsom, Placerville, Georgetown, Auburn, and Camino & Mokelumne Hill) mapped by the State of California Division of Mines and Geology showing the location of MRZs (CDC 2001). Those areas which are designated MRZ-2a contain discovered mineral deposits that have been measured or indicate reserves calculated. Land in this category is considered to contain mineral resources of known economic importance to the County and/or State. Review of the mapped areas of the County indicates that project site does not contain any mineral resources of known local or statewide economic value.

Regulatory Setting:

Federal Laws, Regulations, and Policies

No federal laws, regulations, or policies apply to mineral resources and the proposed project.

State Laws, Regulations, and Policies

Surface Mining and Reclamation Act

The Surface Mining and Reclamation Act of 1975 (SMARA) requires that the State Mining and Geology Board identify, map, and classify aggregate resources throughout California that contain regionally significant mineral resources. Designations of land areas are assigned by California Department of Conservation (CDC) and California Geological Survey following analysis of geologic reports and maps, field investigations, and using information about the locations of active sand and gravel mining operations. Local jurisdictions are required to enact planning procedures to guide mineral conservation and extraction at particular sites and to incorporate mineral resource management policies into their general plans.

The California Mineral Land Classification System represents the relationship between knowledge of mineral deposits and their economic characteristics (grade and size). The nomenclature used with the California Mineral Land Classification System is important in communicating mineral potential information in activities such as mineral land classification, and usage of these terms are incorporated into the criteria developed for assigning mineral resource zones. Lands classified Mineral Resource Zone (MRZ)-2 are areas that contain identified mineral resources. Areas classified as MRZ-2a or MRZ-2b (referred to hereafter as MRZ-2) are considered important mineral resource areas.

Local Laws, Regulations, and Policies

El Dorado County in general is considered a mining region capable of producing a wide variety of mineral resources. Metallic mineral deposits, including gold, are considered the most significant extractive mineral resources. Exhibit 5.9-6 of the General Plan shows the MRZ-2 areas within the County based on designated Mineral Resource (-MR) overlay areas. The -MR overlay areas are based on mineral resource mapping published in the mineral land classification reports referenced above. The majority of the County's important mineral resource deposits are concentrated in the western third of the County. The proposed project site is not located within this region.

According to General Plan Policy 2.2.2.7, before authorizing any land uses within the -MR overlay zone that would threaten the potential to extract minerals in the affected area, the County shall prepare a statement specifying its reasons for considering approval of the proposed land use and shall provide for public and agency notice of such a statement consistent with the requirements of Public Resources Code section 2762. Furthermore, before finally approving any such proposed land use, the County shall balance the mineral values of the threatened mineral resource area against the economic, social, or other values associated with the proposed alternative land uses. Where the affected minerals are of regional significance, the County shall consider the importance of these minerals to their market region as a whole and not just their importance to the County.

Where the affected minerals are of Statewide significance, the County shall consider the importance of these minerals to the State and nation as a whole. The County may approve the alternative land use if it determines that the benefits of such uses outweigh the potential or certain loss of the affected mineral resources in the affected regional, Statewide, or national market.

Impact Analysis:

a, b. **Mineral Resources.** The project site is not mapped as being within an MRZ by the CDC or in the County General Plan (CDC 2001). **No impact** would occur for questions a) and b).

FINDING: No impacts to mineral resources are expected either directly or indirectly from implementation of the proposed project.

XIII. NOISE

Would the project result in:	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			**X**	
b. Generation of excessive groundborne vibration or groundborne noise levels?			**X**	
c. For a project within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				**X**

This noise section is based on the project-specific Environmental Noise Assessment prepared by Saxelby Acoustics, LLC (2021) to assess the project's potential impacts to the nearest sensitive receptor (residence) and is included as Appendix I of this Initial Study. The results of this report are summarized in this section.

Existing Noise Setting:

The project property is located in a rural area approximately 12 miles directly south of SR 50 and about 16 miles south of the community of Somerset. The ambient noise environment in the immediate project vicinity is defined primarily by sparse traffic on the local roadway network and typical noise associated with surrounding rural residences.

Background:

Noise Terminology and Metrics

All noise level or sound level values presented herein are expressed in terms of decibels (dB), with A weighting (dBA) to approximate the hearing sensitivity of humans. Time-averaged noise levels are expressed by the symbol LEQ, with a specified duration.

The amplitude of pressure waves generated by a sound source determines the loudness of that source. Sound pressure amplitude is measured in micro-Pascals (mPa). One mPa is approximately one hundred billionth (0.00000000001) of normal atmospheric pressure. Sound pressure amplitudes for different kinds of noise environments can range from less than 100 to 100,000,000 mPa. Because of this wide range of values, sound is rarely expressed in terms of mPa. Instead, a logarithmic scale is used to describe sound pressure level (SPL) in terms of dBA. The threshold of hearing for the human ear is about 0 dBA, which corresponds to 20 mPa.

Because decibels are logarithmic units, SPL cannot be added or subtracted through standard arithmetic. Under the decibel scale, a doubling of sound energy corresponds to a 3 dBA increase. In other words, when two identical sources are each producing sound of the same loudness, the resulting sound level at a given distance would be 3 dBA higher than from one source under the same conditions. For example, if one automobile produces an SPL of 70 dB when it passes an observer, two cars passing simultaneously would not produce 140 dBA—rather, they would combine to

produce 73 dBA. Under the decibel scale, three sources of equal loudness together produce a sound level 5 dBA louder than one source.

Under controlled conditions in an acoustical laboratory, the trained, healthy human ear is able to discern 1 dBA changes in sound levels, when exposed to steady, single-frequency ("pure-tone") signals in the mid-frequency (1,000 Hz–8,000 Hz) range. In typical noisy environments, changes in noise of 1 to 2 dBA are generally not perceptible. It is widely accepted, however, that people begin to detect sound level increases of 3 dB in typical noisy environments. Further, a 5 dBA increase is generally perceived as a distinctly noticeable increase, and a 10 dBA increase is generally perceived as a doubling of loudness.

Groundborne Vibration Terminology and Metrics

Groundborne vibration consists of rapidly fluctuating motions or waves transmitted through the ground with an average motion of zero. Sources of groundborne vibrations include natural phenomena and anthropogenic causes (e.g., explosions, machinery, traffic, trains, construction equipment). Vibration sources may be continuous (e.g., factory machinery) or transient (e.g., explosions). Several different methods are typically used to quantify vibration amplitude. One is the peak particle velocity (PPV); another is the root mean square (RMS) velocity. The PPV is defined as the maximum instantaneous positive or negative peak of the vibration wave. For the purposes of this analysis, a PPV descriptor with units of inches per second (in/sec) is used to evaluate construction-generated vibration for building damage and human complaints. Generally, a PPV of less than 0.08 in/sec does not produce perceptible vibration. At 0.10 PPV in/sec, continuous vibrations may begin to annoy people, and it is the level at which there is a risk of architectural damage (e.g., cracking of plaster) to historical buildings and other vibration-sensitive structures. A level of 0.30 PPV in/sec is commonly used as a threshold for risk of architectural damage to standard dwellings (Caltrans 2013).

Regulatory Setting:

El Dorado County General Plan

The El Dorado County General Plan Public Health, Safety, and Noise Element contains Goal 6.5: "Ensure that County residents are not subjected to noise beyond acceptable levels." The following objective and policies from the General Plan would be applicable to the project (El Dorado County 2004):

Objective 6.5.1: Protection of Noise-Sensitive Development. Protect existing noise-sensitive developments (e.g., hospitals, schools, churches and residential) from new uses that would generate noise levels incompatible with those uses and, conversely, discourage noise-sensitive uses from locating near sources of high noise levels.

Policy 6.5.1.2 Where proposed non-residential land uses are likely to produce noise levels exceeding the performance standards of Table 6-2 at existing or planned noise sensitive uses, an acoustical analysis shall be required as part of the environmental review process so that noise mitigation may be included in the project design.

Policy 6.5.1.7 Noise created by new proposed non-transportation noise sources shall be mitigated so as not to exceed the noise level standards of Table 6-2 for noise sensitive uses.

Policy 6.5.1.11 The standards outlined in Tables 6-3, 6-4, and 6-5 shall not apply to those activities associated with actual construction of a project as long as such construction occurs between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, and 8:00 a.m. and 5:00 p.m. on weekends, and on federally recognized holidays. Further, the standards outlined in Tables 6-3, 6-4, and 6-5 shall not apply to public projects to alleviate traffic congestion and safety hazards.

Table 6-2, Noise Level Performance Protection Standards for Noise Sensitive Land Uses Affected by Non- Transportation Sources, of the General Plan establishes noise level standards for sensitive land uses. For rural

areas, the noise standard limits are: 50 dBA L_{EQ} and an L_{MAX} of 60 dBA from 7:00 a.m. to 7:00 p.m.; 45 dBA L_{EQ} and an L_{MAX} of 55 dBA from 7:00 p.m. to 10:00 p.m.; and 40 dBA L_{EQ} and an L_{MAX} of 50 dBA from 7:00 a.m. to 7:00 p.m.

Table 6-4, Maximum Allowable Noise Exposure for Non-Transportation Noise Sources in Rural Centers – Construction Noise, of the General Plan establishes construction noise level standards (that occurs outside the hours specified in Policy 6.5.1.11) of: 55 dBA L_{EQ} and an L_{MAX} of 75 dBA from 7:00 a.m. to 7:00 p.m.; 50 dBA L_{EQ} and an L_{MAX} of 65 dBA from 7:00 p.m. to 10:00 p.m.; and 45 dBA L_{EQ} and an L_{MAX} of 60 dBA from 7:00 a.m. to 7:00 p.m.

Each of the noise levels specified above shall be lowered by five dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises. These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g., caretaker dwellings).

The County can impose noise level standards which are up to 5 dB less than those specified above based upon determination of existing low ambient noise levels in the vicinity of the project site.

In Community areas the exterior noise level standard shall be applied to the property line of the receiving property. In Rural Areas the exterior noise level standard shall be applied at a point 100 ft away from the residence. The above standards shall be measured only on property containing a noise sensitive land use as defined in Objective 6.5.1. This measurement standard may be amended to provide for measurement at the boundary of a recorded noise easement between all affected property owners and approved by the County.

For the purposes of the Noise Element, transportation noise sources are defined as traffic on public roadways, railroad line operations and aircraft in flight. Control of noise from these sources is preempted by Federal and State regulations. Control of noise from regulated public facilities is preempted by California Public Utilities Commission (CPUC) regulations. All other noise sources are subject to local regulations. Non-transportation noise sources may include industrial operations, outdoor recreation facilities, HVAC units, schools, hospitals, commercial land uses, other outdoor land use, etc.

El Dorado County Municipal Code

The El Dorado County Municipal Code, Chapter 9.16, Noise, defines and prohibits loud or raucous noise:

Section 9.16.040 – Loud and raucous noises—Definitions.

Loud and raucous noise means:

1. Any noise made by the motor of any automobile, truck, tractor, motorcycle, or aircraft of any kind not reasonably required in the operation thereof under the circumstances and shall include, but not be limited to, backfiring, motor racing, and the buzzing by airplanes;

2. The sound of the discharge of any explosive except by or with the permission of any appropriate State or local licensing agency;

3. The human voice or any record or recording thereof when amplified by any device whether electrical or mechanical or otherwise to such an extent as to cause it to unreasonably carry on to public or private property or to be heard by others using the public highways, public thoroughfares, or public buildings;

4. Any sound not included in the foregoing, which is of such volume, intensity, or carrying power as to interfere with the peace and quiet of persons upon public or private property or other users of the public highways, thoroughfares, and buildings.

Section 9.16.040 – Loud and raucous noises—Prohibited.

Except as otherwise provided in this chapter, it is unlawful for any person to willfully make, emit, or transmit or cause to be made, emitted, or transmitted any loud and raucous noise upon or from any public highway or

public thoroughfare or from any aircraft of any kind whatsoever, or from any public or private property to such an extent that it unreasonably interferes with the peace and quiet of another's private property.

The El Dorado County Municipal Code, Chapter 130, Zoning, is the El Dorado County Zoning Ordinance and establishes the following regarding noise:

Chapter 130.37 of the County Zoning Ordinance complies with General Plan Goal 6.5 (Acceptable Noise Levels), and supplements County Code Chapter 9.16 (Noise) by establishing standards concerning acceptable noise levels for both noise-sensitive land uses and for noise-generating land uses. Per Chapter 130.37, "The following noise sources shall be exempt from the standards of this Chapter: I. Construction (e.g., construction, alteration or repair activities) during daylight hours provided that all construction equipment shall be fitted with factory installed muffling devices and maintained in good working order." Table 130.37.060.1 contains noise standards for projects which require an acoustic analysis.

Impact Analysis:

a. Generation of Noise:

Construction

Construction of the project would generate noise from the use of a small tractor. Chapter 130.37 of the County Zoning Ordinance complies with General Plan Goal 6.5 (Acceptable Noise Levels), and supplements County Code Chapter 9.16 (Noise) by establishing standards concerning acceptable noise levels for both noise-sensitive land uses and for noise-generating land uses. Per Chapter 130.37, "The following noise sources shall be exempt from the standards of this Chapter: I. Construction (e.g., construction, alteration or repair activities) during daylight hours provided that all construction equipment shall be fitted with factory installed muffling devices and maintained in good working order." (El Dorado County 2018). A County Condition of Approval would restrict construction activities to the daylight hours specified in the zoning ordinance. The applicant would maintain compliance with the relevant requirements of Chapter 130.37, and construction of the project would not result in the generation of a substantial temporary increase in ambient noise levels in excess of the standards established in the General Plan Noise Element.

Operation

Sources of noise resulting from long-term operation of the project would include worker commute vehicles traveling to and from the project site, trucks used for occasional supply deliveries or product shipments, chain saws and mowers for cultivation upkeep, a tractor with box scraper to maintain areas where vehicles drive and park, greenhouse ventilation fans, and occasional noise from testing/maintaining backup generators.

Each of the proposed greenhouses would be equipped with two 54-inch QuietAire exhaust fans. The proposed 2,700-sf greenhouses would each contain one Modine PTP 250k BTU heater, one Quest Dual 150 dehumidifier, four Schaefer VK20 fans, and two Multifan VAF fans. The 1,800-sf greenhouses would contain up to one Modine PTP 250k BTU heater, one Quest Dual 150 dehumidifier, two Schaefer VK20 fans, and one Multifan VAF fan. The proposed processing building would contain up to eight Multifan VAF fans and four Quest Dual 150 dehumidifiers. A single Kohler 50REOZK backup generator would be located to the west of the proposed processing building.

Based on the SoundPLAN noise model of the project included in Appendix I, the proposed equipment would generate noise levels up to 35 dBA L_{eq} at a distance of 100 feet from the nearest residence, which is located approximately 580 feet northwest of the proposed cultivation site (Saxelby Acoustics, LLC 2021). These noise levels would comply with the El Dorado County nighttime (10:00 p.m. to 7:00 a.m.) noise standard of 40 dBA L_{eq}. All equipment would be operated with doors and windows closed, and the backup generator would be equipped with the manufacturer's sound isolation enclosure. Noise generated by fans or other sources would be monitored for compliance with County noise and worker protection standards, and operation of the project would not result in the generation of a substantial temporary increase in ambient noise levels in excess of the standards

established in the General Plan Noise Element. In typical outdoor environments, changes in sound levels of 1 to 2 dBA are generally not perceptible. A sound level change of 3 dBA is considered a barely perceptible increase and a sound level change of 5 dBA is considered a readily perceptible increase. Due to the logarithmic nature of the decibel scale, a doubling of sound levels is an increase in 3 dBA. Therefore, in order for traffic noise to increase by 3 dBA (a barely perceptible increase), the traffic volume would have to double. The project is expected to generate a total of up to 60 round trips per day under peak conditions under busiest assumptions but would generate far fewer trips on most days. Traffic counts are not available for the roads in the project vicinity. For transportation planning, the trip generation for typical single-family residences is 9 to 10 ADT. The project site would be accessed from Rosewood Lane.

Impact Summary

With adherence to the County Condition of Approval to restrict the hours of construction, the project would not result in 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, and the impact would be **less than significant**.

b. **Excessive Groundborne Vibration and Noise Levels:** Construction activities known to generate excessive ground-borne vibration, such as pile driving, would not be conducted to implement the proposed project. The activities that would cause noise would be made from a chain saw, mower, tractor with box scraper, and truck. Therefore, the project would not result in generation of excessive ground borne vibration levels, and the impact would be **less than significant**.

c. **Aircraft Noise:** The project is not located within an airport land use plan or in the immediate vicinity of a private airstrip. The closest airstrip to the project site is the Eagle Ridge Ranch Airport-6CA6, located approximately 45 miles due southeast of the project site. Therefore, the project would not expose people residing or working in the project area to excessive noise levels from airports, and there would be **no impact**.

FINDING: With adherence to the County Condition of Approval to restrict construction hours, the project would not result in a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards. The project would not result in generation of excessive groundborne vibrations levels. The project would not expose people residing or working in the project area to excessive noise levels from airports.

XIV. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Induce substantial unplanned population growth in an area, either directly (i.e., by proposing new homes and businesses) or indirectly (i.e., through extension of roads or other infrastructure)?				**X**
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				**X**

Regulatory Setting:

No federal or State laws, regulations, or policies apply to population and housing for the proposed project.

Local Laws, Regulations, and Policies

The El Dorado County General Plan (adopted 2004) limits residential density on lands designated for AL. Up to one single family dwelling unit per 10 to 160 acres is allowed on AL lands. In October of 2013, the El Dorado County Board of Supervisors adopted the 2013-2021 Housing Element to the Adopted General Plan.

Impact Analysis:

a. **Population Growth:** The proposed project does not include the construction of any new homes; however, it does include the construction of a cannabis cultivation facility. It is not anticipated that the facility would create any new jobs as the owner/applicant would be the sole employee. As such, the proposed project would not induce substantial population growth or result in a demand for new housing. **No impact** would occur.

b. **People or Housing Displacement:** There is currently no residence located on the project property. Therefore, no existing housing or residents would be displaced by the proposed project. **No impact** would occur.

FINDING: The proposed project would not induce substantial growth either directly or indirectly and would not displace housing or residents. Less than significant or no impact would occur to population and housing.

XV. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Fire protection?			**X**	
b. Police protection?			**X**	
c. Schools?			**X**	
d. Parks?			**X**	
e. Other government services?			**X**	

Regulatory Setting:

No relevant federal laws, regulations, or policies are applicable to this section.

State Laws, Regulations, and Policies

California Fire Code

The California Fire Code (Title 24 CCR, Part 9) establishes minimum requirements to safeguard public health, safety, and general welfare from the hazards of fire, explosion, or dangerous conditions in new and existing buildings. Chapter 33 of CCR contains requirements for fire safety during construction and demolition.

California Public Resources Code Division 4: Forests, Forestry and Range and Forage Lands

The project is located in a Very High Fire Hazard Severity Zone of a State Responsibility Area (CAL FIRE 2021). SRAs are defined by California PRC Section 4102 as areas of the State in which the Board of Forestry and Fire Protection has determined that the financial responsibility for preventing and suppressing fires lies with the State of California. SRAs are lands in California where CAL FIRE has legal and financial responsibility for wildfire protection. SRA lands typically are unincorporated areas of a county, are not federally owned, have wildland vegetation cover, have housing densities lower than three units per acre, and have watershed or range/forage value.

California PRC Sections 4291 *et seq*. requires that brush, flammable vegetation, or combustible growth within 100 ft of buildings be removed. Vegetation that is more than 30 ft from the building, less than 18 inches high, and important for soil stability, may be maintained as may single specimens of trees or other vegetation that is maintained so as to manage fuels and not form a means of rapid transmission of fire from nearby vegetation to a structure. Requirements regarding hazardous vegetation and fuel management are also contained in Sections 4906 and 4907 of the CFC.

California PRC Section 4290 requires CAL FIRE to adopt regulations implementing minimum fire safety standards for defensible space that would be applicable to lands within the SRA and lands within very high FHSZs of Local Responsibility Areas (LRA). Additional regulations regarding defensible space can be found in Title 14, Sections 1270.00 *et seq*. of the California Code of Regulations.

Impact Analysis:

a. **Fire Protection:** The proposed project is located within a Very High Fire Hazard Severity Zone of a SRA. The Pioneer Fire Protection District is primarily responsible for structure fire protection services to the project site, and CAL FIRE is primarily responsible for wildland fire suppression. CAL FIRE's nearest station is the CAL FIRE Amador El Dorado Unit (AEU) headquarters located approximately 15.5 miles northwest of the project site at 2840 Mt Danaher Rd, Camino, CA. The Pioneer Fire Protection District also provides all risk, partly staffed and partly volunteer emergency services to the project area, and their nearest station is Station 34, located 3.0 miles east of the site at 2400 Omo Ranch Road, Fiddletown, CA (Pioneer Fire Protection District 2022). Given that Pioneer Fire Protection District's resources are closer, they would likely provide an initial response to most types of emergencies that may occur on the project site; CAL FIRE resources may also respond, especially in the case of larger or more complex incidents. The project would be subject to review by the Fire District to ensure all required fire protection measures are incorporated into the building plans. A 5,000-gallon water tank for the Pioneer Fire District would be installed slightly south of the cannabis cultivation area. An ornamental pond is located on the premises for fire suppression, if needed. While a new cannabis cultivation facility project could potentially require fire services, it would not result in the need for new fire personnel or facilities, as existing levels of fire service can be provided adequately with existing personnel out of existing facilities. Additionally, Fire Department fees would be collected as part of the building permit process. Therefore, the impact would be **less than significant**.

b. **Police Protection:** Law enforcement services for the project area are provided by the El Dorado County Sheriff's Office. Their nearest facility is a station located 12 miles northwest of the site at 200 Industrial Drive, Placerville, CA (El Dorado County Sheriff's Office, 2022). Development of the project site could potentially result in a need for police protection services to respond to any potential incidents that may occur at the site. With the current law enforcement services in the area and the implementation of site security measures, including security fencing, onsite presence, motion sensor lights, and camera surveillance, the proposed project would not result in a substantial impact to police protection in the area and the impact would be **less than significant**.

c-e. **Schools, Parks, and Government Services:** Operation of the proposed project would not induce population growth that would substantially contribute to increased demand on schools, parks, or other governmental services that could, in turn, result in the need for new or expanded facilities. Therefore, the project's impact to these services would be **less than significant** for questions c), d), and e).

FINDING: The project would not result in a significant increase of public services to the project. Any increased demand to services would be addressed through the payment of established impact fees and impacts to public services would be less than significant.

XVI. RECREATION

	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			**X**	
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			**X**	

Regulatory Setting:

Federal Laws, Regulations, and Policies

National Trails System

The National Trails System Act of 1968 authorized The National Trails System (NTS) in order to provide additional outdoor recreation opportunities and to promote the preservation of access to the outdoor areas and historic resources of the nation. The Appalachian and Pacific Crest National Scenic Trails were the first two components, and the System has grown to include 20 national trails.

The National Trails System includes four classes of trails:

1. National Scenic Trails (NST) provide outdoor recreation and the conservation and enjoyment of significant scenic, historic, natural, or cultural qualities. The Pacific Crest Trail falls under this category. The Pacific Crest Trail passes through the Desolation Wilderness area in eastern El Dorado County.

2. National Historic Trails (NHT) follow travel routes of national historic significance. The National Park Service has designated two National Historic Trail (NHT) alignments that pass through El Dorado County, the California National Historic Trail, and the Pony Express National Historic Trail. The California Historic Trail is a route of approximately 5,700 miles including multiple routes and cutoffs, extending from Independence and Saint Joseph, Missouri, and Council Bluffs, Iowa, to various points in California and Oregon. The Pony Express NHT commemorates the route used to relay mail via horseback from Missouri to California before the advent of the telegraph.

3. National Recreation Trails (NRT) are in, or reasonably accessible to, urban areas on federal, State, or private lands. In El Dorado County, there are 5 NRTs.

4. Connecting or side trails, which provide additional points of public access to national recreation, national scenic or national historic trails or which provide connections between such trails.

State Laws, Regulations, and Policies

California Parklands Act

The California Parklands Act of 1980 (Public Resources Code Section 5096.141-5096.143) recognizes the public interest for the state to acquire, develop, and restore areas for recreation and to aid local governments to do the same. The California Parklands Act also identifies the necessity of local agencies to exercise vigilance to see that the parks,

recreation areas, and recreational facilities they now have are not lost to other uses.

California Recreational Trail Act

The California state legislature approved the California Recreational Trail Act of 1974 (Public Resources Code Section 2070-5077.8) requiring that the Department of Parks and Recreation prepare a comprehensive plan for California trails. The California Recreational Trails Plan is produced for all California agencies and recreation providers that manage trails. The Plan includes information on the benefits of trails, how to acquire funding, effective stewardship, and how to encourage cooperation among different trail users.

Quimby Act

The 1975 Quimby Act (California Government Code Section 66477) requires residential subdivision developers to help mitigate the impacts of property improvements by requiring them to set aside land, donate conservation easements, or pay fees for park improvements. The Quimby Act gave authority for passage of land dedication ordinances to cities and counties for parkland dedication or in-lieu fees paid to the local jurisdiction. Quimby exactions must be roughly proportional and closely tied (nexus) to a project's impacts as identified through traffic studies required by CEQA. The exactions only apply to the acquisition of new parkland; they do not apply to the physical development of new park facilities or associated operations and maintenance costs.

The County implements the Quimby Act through §16.12.090 of the County Code. The County Code sets standards for the acquisition of land for parks and recreational purposes, or payments of fees in lieu thereof, on any land subdivision. Other projects, such as ministerial residential or commercial development, could contribute to the demand for park and recreation facilities without providing land or funding for such facilities.

Local Laws, Regulations, and Policies

The 2004 El Dorado County General Plan Parks and Recreation Element establishes goals and policies that address needs for the provision and maintenance of parks and recreation facilities in the county, with a focus on providing recreational opportunities and facilities on a regional scale, securing adequate funding sources, and increasing tourism and recreation-based businesses. The Recreation Element describes the need for 1.5 acres of regional parkland, 1.5 acres of community parkland, and 2 acres of neighborhood parkland per 1,000 residents.

Impact Analysis:

a, b. **Parks and Recreational Services:** The proposed project would not induce a significant increase in permanent population that would contribute to increased demand on recreation facilities or contribute to increased use of existing facilities such that physical deterioration of the facility would occur. The proposed project would be located in rural, south-central El Dorado County, and the closest park or recreational facility is the Orchard Hill Park, located approximately 14 miles northwest of the site. The proposed project would have no impact on this facility or others in the vicinity of the site. Impacts to recreation would be **less than significant**.

FINDING: No significant impacts to park or recreational facilities would result from implementation of the proposed project.

XVII. TRANSPORTATION

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

Environmental Setting:

The site can be accessed from the east via an existing gravel driveway that leads from Rosewood Lane. The project site is located in a rural area that receives low vehicular traffic. The project site is located approximately 35 minutes' drive (approximately 19 miles) southeast of Placerville and approximately 15 minutes' drive (approximately 9.1 miles) south of Somerset.

Regulatory Setting:

Federal Laws, Regulations, and Policies

No federal laws, regulations, or policies apply to transportation/traffic and the proposed project.

State Laws, Regulations, and Policies

Caltrans manages the state highway system and ramp interchange intersections. This State agency is also responsible for highway, bridge, and rail transportation planning, construction, and maintenance.

Local Laws, Regulations, and Policies

According to the transportation element of the County General Plan, Level of Service (LOS) for County-maintained roads and state highways within the unincorporated areas of the county shall not be worse than LOS E in the Community Regions or LOS D in the Rural Centers and Rural Regions. Level of Service is defined in the latest edition of the Highway Capacity Manual (Transportation Research Board, National Research Council). There are some roadway segments that are excepted from these standards and are allowed to operate at LOS F, although none of these are located in the Lake Tahoe Basin. According to Policy TC-Xe, "worsen" is defined as any of the following number of project trips using a road facility at the time of issuance of a use and occupancy permit for the development project:

A. A two percent increase in traffic during a.m., p.m. peak hour, or daily
B. The addition of 100 or more daily trips, or
C. The addition of 10 or more trips during the a.m. or p.m. peak hour.

Impact Analysis:

a. **Conflict with Transportation Plan:** The applicant would reside on site and manage day to day operations. The owner would use a pickup truck to bring non-cannabis materials to and from the premises. The project is expected to generate a total of up to 60 daily trips per day under peak conditions under busiest assumptions but would generate far fewer trips on most days. Vehicles accessing the site would approach from Rosewood Lane; those commuting from outside the local community may reach Rosewood Lane via Mt. Aukum Road and Omo Ranch Road. On Rosewood Lane, a sufficient level of sight distance exists on both directions of the driveway to facilitate safe turns to and from the site. Given the already low traffic volume in the area, the small number of increased trips resulting from the project would not result in a significant impact.

Given the rural nature of the site, the low population density of the area, the low traffic volumes existing, and the low increases anticipated, bicycle or pedestrian use of public roadways would not be impeded. Therefore, the proposed project would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities, and impacts would be **less than significant**.

b. **Vehicle Miles Travelled (VMT):** Current direction regarding methods to identify VMT and comply with State requirements is provided by the 2021 CEQA Guidelines Section 15064.3. 15064.3(b)(3) provides this direction for small projects:

> Qualitative Analysis. If existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project's vehicle miles traveled qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. For many projects, a qualitative analysis of construction traffic may be appropriate.

Conservatively, after full project buildout is complete and during the most intensive harvesting period of the year, it is estimated that there would be a maximum number of 60 daily round trips per day during peak conditions. This includes any expected seasonal workers who would only be utilizing the site for a very limited portion of the year. Therefore, the project is conservatively expected to generate up to 60 daily trips under busiest assumptions but would generate far fewer trips on most days.

Given the low level of existing traffic volume in the area, and the adequacy of existing infrastructure to accommodate additional volume, the project's impact would be **less than significant**.

c. **Design Hazards:** No design features associated with the proposed project would increase hazards. No changes would be made to existing public roads, and sufficient line of sight and low traffic volumes exist in the area to safely accommodate vehicles travelling to and from the project site. The driveway leading to the site from Rosewood would be surfaced with gravel and would be 20 ft wide. Additionally, the applicant would use a tractor with box scraper to maintain areas where vehicles drive and park. Five (10 ft by 22 ft) parking spaces would be constructed adjacent to the cultivation area. A cul-de-sac turnaround is located at the end of the driveway and would be surfaced with gravel to facilitate emergency vehicle turnarounds, as needed. Further, although the project is a farming operation, no farm vehicles or equipment (e.g., tractors) would be transported on public roads, as the site would be a small, self-contained operation, so the projects impact would be **less than significant.**

d. **Emergency Access:** The proposed project site would have adequate access for emergency vehicles. A cul-de-sac turnaround is located at the end of the driveway and would be surfaced with gravel for emergency purposes. The driveway would be kept clear of ladder fuels, and dead, downed, and dying vegetation for at least 50 ft on either side. Therefore, impacts would be **less than significant**.

FINDING: The proposed project would not exceed traffic or VMT thresholds, introduce hazardous transportation design features, or obstruct emergency vehicle access, and impacts to transportation would result in less than significant or no impacts.

XVIII. TRIBAL CULTURAL RESOURCES

Would the 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:	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			X	
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.			X	

Environmental Setting:

Records of AB 52 consultation by the County are included as Appendix J to this Initial Study. Formal invitations to participate in AB 52 consultation on the proposed project were sent by the County to seven tribal representatives on October 15, 2021. The representatives included:

- Pamela Cubbler, Colfax-Todds Valley Consolidated Tribe
- Sara Setshwaelo, Ione Band of Miwok Indians
- Cosme Valdez, Nashville-El Dorado Miwok-Maidu-Nishinam Tribe
- Regina Cuellar, Shingle Springs Band of Miwok Indians
- Don Ryberg, Tsi-Akim Maidu
- Gene Whitehouse, United Auburn Indian Community of the Auburn Rancheria
- Darrel Cruz, Washoe Tribe of Nevada and California

Anna Starkey with the United Auburn Indian Community (UAIC) of the Auburn Rancheria provided a written response via email on November 9, 2021. Ms. Starkey's written response via email declined consultation on the project and stated that the United Auburn Indian Community has no concerns regarding this project. No further correspondence was received from Ms. Starkey.

The tribes did not provide any information about TCRs in the project area to the County, thereby concluding AB 52 consultation.

Regulatory Setting:

Federal Laws, Regulations, and Policies

No federal laws, regulations, or policies apply to Tribal Cultural Resources (TCRs) and the proposed project.

State Laws, Regulations, and Policies

Assembly Bill (AB) 52

AB 52, which was approved in September 2014 and effective on July 1, 2015, 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. The bill, chaptered in CEQA Section 21084.2, also specifies that a project with an effect that may cause a substantial adverse change in the significance of a TCR is a project that may have a significant effect on the environment.

Defined in Section 21074(a) of the Public Resources Code, 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 as follows:

- 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

- 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 pursuant to 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 TRCs with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource.

Impact Analysis:

a.i),ii) **Tribal Cultural Resources.** As noted above, formal invitations to participate in AB 52 consultation on the proposed project were sent by the County to seven tribal representatives on October 15, 2021. As of November 9, 2021, one of the seven tribes provided a written response declining consultation as the tribe does not have any concerns regarding this project. The tribe did not provide any information about TCRs in the project area to the County, thereby concluding AB 52 consultation.

With adherence to the Condition of Approval referenced in 7.V. Cultural Resources, the potential impact from inadvertent discovery of TCRs would be **less than significant.**

FINDING: With adherence to the Condition of Approval above, the potential impact from inadvertent discovery of TCRs would be less than significant.

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunication facilities, the construction or relation of which could cause significant environmental effects?			**X**	
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry or multiple dry years?			**X**	
c. Result in the 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 providers existing commitments?			**X**	
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?			**X**	
e. Comply with federal, state and local management and reduction statutes and regulations related to solid waste?			**X**	

Regulatory Setting:

Federal Laws, Regulations, and Policies

Energy Policy Act of 2005

The Energy Policy Act of 2005, intended to reduce reliance on fossil fuels, provides loan guarantees or tax credits for entities that develop or use fuel-efficient and/or energy efficient technologies (USEPA 2014). The act also increases the amount of biofuel that must be mixed with gasoline sold in the United States (USEPA 2014).

State Laws, Regulations, and Policies

California Integrated Waste Management Act of 1989

The California Integrated Waste Management Act of 1989 (Public Resources Code, Division 30) required all California cities and counties to implement programs to reduce, recycle, and compost wastes by at least 50 percent by 2000 (Public Resources Code Section 41780). The state, acting through the California Integrated Waste Management Board (CIWMB), 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.

California Solid Waste Reuse and Recycling Access Act of 1991

The California Solid Waste Reuse and Recycling Access Act of 1991 (Public Resources Code Sections 42900-42911) requires that all development projects applying for building permits include adequate, accessible areas for collecting and loading recyclable materials.

California Integrated Energy Policy

Senate Bill 1389, passed in 2002, requires the CEC to prepare an Integrated Energy Policy Report for the governor and legislature every 2 years, and to provide an update in the year between reports. The report analyzes data and provides policy recommendations on trends and issues concerning electricity and natural gas, transportation, energy efficiency, renewable energy, and public interest energy research. The 2019 Integrated Energy Policy Report covers a broad range of topics, including decarbonizing buildings, integrating renewables, energy efficiency, energy equity, integrating renewable energy, updates on Southern California electricity reliability, climate adaptation activities for the energy sector, natural gas assessment, transportation energy demand forecast, and the California Energy Demand Forecast.

Title 24–Building Energy Efficiency Standards

The California Green Building Standards Code (CALGreen) (CCR Title 24, Part 11) is a code with mandatory requirements for new residential and nonresidential buildings (including industrial buildings) throughout California. The code is Part 11 of the California Building Standards Code in Title 24 of the CCR (CBSC 2019). The current 2019 Standards for new construction of, and additions and alterations to, residential and nonresidential buildings went into effect on January 1, 2020.

CALGreen contains requirements for storm water control during construction; construction waste reduction; indoor water use reduction; material selection; natural resource conservation; site irrigation conservation; and more. The code provides for design options allowing the designer to determine how best to achieve compliance for a given site or building condition. The code also requires building commissioning, which is a process for the verification that all building systems, like heating and cooling equipment and lighting systems, are functioning at their maximum efficiency.

Urban Water Management Planning Act

California Water Code Sections 10610 *et seq.* require that all public water systems providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-ft per year (AFY), prepare an urban water management plan (UWMP).

Cannabis Cultivation Program

California Code of Regulations Title 3 Section 8102(s) states:

> [Each application for a cultivation license shall include the following, if applicable:] For indoor and mixed-light license types, identification of all power sources for cultivation activities, including but not limited to, illumination, heating, cooling, and ventilation

Section 8108 includes options for acceptable management of cannabis waste, including onsite composting, collection by a local or contracted waste agency, or self-hauling to certain approved destinations.

Section 8308 includes additional requirements for cannabis waste management, including reporting requirements.

Impact Analysis:

a. **Construction of New/Expansion of Existing Utilities**: A well was constructed on-site on April 24, 2024, by a previous owner. This well would provide the main water supply for the proposed cultivation operation

and miscellaneous support and sanitary needs. The project's power needs would be provided by PG&E. A PG&E Meter with 200 amps on the main panel is existing at the entrance of the site. The proposed project would not require relocation of existing utilities. There is an existing septic system consisting of a 2,000-gallon septic tank and a 165-foot long leach line; based on calculations included in the sewer study (Duncan 2021, Appendix K), the new system would require a design flow of 200 gallons per day and would thus require an additional 1,000-gallon septic tank as well as 40 linear feet of high capacity infiltrators (Duncan 2021). However, because the existing septic system and proposed expansion would be limited to private use by the project applicant, the proposed project would not require expansion of existing public utilities. Therefore, the proposed project would have a **less than significant impact**.

b. **Sufficient Water Supply:** As noted above, the water supply for the proposed project would come from a well that was constructed on site on April 24, 2000, by a previous owner. This well would provide the main water supply for the proposed cultivation operation and miscellaneous support and sanitary needs. The proposed project is anticipated to demand a total of approximately 225,000 gallons of water per year once both phases are operational. In comparison, the average single-family home in the area uses approximately 123,800 gallons of water annually (El Dorado Irrigation District 2022). The well is 580 ft deep and can provide an initial flow rate of 7.5 gallons per minute. There is adequate water supply to irrigate the proposed project, and impacts would be **less than significant**.

c. **Wastewater Treatment:** There are no public wastewater treatment systems serving the project site. This impact would be **less than significant**.

d,e. **Solid Waste Disposal and Requirements:** El Dorado Disposal distributes municipal solid waste to Forward Landfill in Stockton and Kiefer Landfill in Sacramento. Pursuant to El Dorado County Environmental Management Solid Waste Division staff, both facilities have sufficient capacity to serve the County. Recyclable materials are distributed to a facility in Benicia and green wastes are sent to a processing facility in Sacramento. County Ordinance No. 4319 requires that new development provide areas for adequate, accessible, and convenient storing, collecting, and loading of solid waste and recyclables. On-site solid waste collection would be self-hauled to a manned fully permitted solid-waste landfill or transformation facility for non-organic waste. The project would not produce substantial volumes of waste, and compliance with existing regulations for diversion would minimize the materials sent to local landfills. Impacts would be **less significant** for questions d) and e).

FINDING: No significant utility and service system impacts would be expected with the project, either directly or indirectly, and impacts would be less than significant.

XX. WILDFIRE

Would the project:				
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?			**X**	
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?			**X**	
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?			**X**	
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?			**X**	

Environmental Setting:

The proposed project site is bordered to the north by Hawkeye Road, rural residential properties (single family residence), and wooded to sparsely wooded land; to the east by, undeveloped, sparsely wooded land; to the south by, undeveloped densely wooded land; and to the west by Stephanie Lane and Guardian Court, rural residential properties (single family residence), and sparsely wooded land. The project would be located in a Very High Fire Hazard Severity Zone of an SRA (CAL FIRE 2021). The Pioneer Fire Protection District would be primarily responsible for structure fire protection services to the project site, and CAL FIRE is primarily responsible for wildland fire suppression. CAL FIRE's nearest station is the CAL FIRE Amador El Dorado Unit (AEU) headquarters located approximately 15.5 miles northwest of the project site at 2840 Mt Danaher Rd, Camino, CA. The Pioneer Fire Protection District also provides partly staffed and partly volunteer emergency services to the project area, and their nearest stations are Station 34, located 2.9 miles east of the site at 2400 Omo Ranch Road, Fiddletown, CA (Pioneer Fire Protection District 2022). Given that Pioneer Fire Protection District's resources are closer, they would likely provide an initial response to most types of emergencies that may occur on the project site; CAL FIRE resources may also respond, especially in the case of larger or more complex incidents. A 5,000-gallon water tank for the Pioneer Fire District would be installed slightly south of the cannabis cultivation area. An ornamental pond is located on the premises for fire suppression, if needed.

Regulatory Setting:

Federal Laws, Regulations, and Policies

No federal laws, regulations, or policies apply to this section, as the project site not on or adjacent to federal land and does not receive direct protection from a federal agency.

State Laws, Regulations, and Policies

The project is located in a Very High Fire Hazard Severity Zone of a State Responsibility Area (CAL FIRE 2021). SRAs are defined by California PRC Section 4102 as areas of the State in which the Board of Forestry and Fire Protection has determined that the financial responsibility for preventing and suppressing fires lies with the State of

California. SRAs are lands in California where CAL FIRE has legal and financial responsibility for wildfire protection. SRA lands typically are unincorporated areas of a county, are not federally owned, have wildland vegetation cover, have housing densities lower than three units per acre, and have watershed or range/forage value.

California PRC Sections 4291 *et seq*. require that brush, flammable vegetation, or combustible growth within 100 ft of buildings be removed. Vegetation that is more than 30 ft from the building, less than 18 inches high, and important for soil stability, may be maintained as may single specimens of trees or other vegetation that is maintained so as to manage fuels and not form a means of the transmission of fire from other nearby vegetation to a structure. Requirements regarding hazardous vegetation and fuel management are also contained in Sections 4906 and 4907 of the California Fire Code.

California PRC Section 4290 requires CAL FIRE to adopt regulations implementing minimum fire safety standards for defensible space that would be applicable to lands within the SRA and lands within very high FHSZs of Local Responsibility Areas (LRA). Additional regulations regarding defensible space can be found in Title 14, Sections 1270.00 *et seq*. of the California Code of Regulations.

Local Laws, Regulations, and Policies

El Dorado County Municipal Code

El Dorado County Municipal Code Chapter 8.09. - Vegetation Management and Defensible Space contains requirements for wildfire prevention and enforcement of such measures within the unincorporated areas of the county. That chapter reaffirms relevant state statutes and regulations and adds additional requirements and mechanisms of enforcement.

El Dorado County General Plan

The El Dorado County General Plan (El Dorado County 2004) includes the following relevant policies:

Policy 5.7.2.1 Prior to approval of new development, the responsible fire protection district shall be requested to review all applications to determine the ability of the district to provide protection services. The ability to provide fire protection to existing development shall not be reduced below acceptable levels as a consequence of new development. Recommendations such as the need for additional equipment, facilities, and adequate access may be incorporated as conditions of approval.

Policy 6.2.1.1 Implement Fire Safe ordinance to attain and maintain defensible space through conditioning of tentative maps and in new development at the final map and/or building permit stage.

Policy 6.2.2.1 Fire Hazard Severity Zone Maps shall be consulted in the review of all projects so that standards and mitigation measures appropriate to each hazard classification can be applied. Land use densities and intensities shall be determined by mitigation measures in areas designated as high or very high fire hazard.

Policy 6.2.2.2 The County shall preclude development in areas of high and very high wildland fire hazard or in areas identified as wildland-urban interface (WUI) communities within the vicinity of Federal lands that are a high risk for wildfire, as listed in the Federal Register Executive Order 13728 of May 18, 2016, unless such development can be adequately protected from wildland fire hazard, as demonstrated in a WUI Fire Safe Plan prepared by a qualified professional as approved by the El Dorado County Fire Prevention Officers Association. The WUI Fire Safe Plan shall be approved by the local Fire Protection District having jurisdiction and/or California Department of Forestry and Fire Protection. (Resolution 124-2019, August 6, 2019)

Policy 6.2.3.1 As a requirement for approving new development, the County must find, based on information provided by the applicant and the responsible fire protection district that, concurrent with

development, adequate emergency water flow, fire access, and fire fighting personnel and equipment would be available in accordance with applicable State and local fire district standards.

Policy 6.2.3.2 As a requirement of new development, the applicant must demonstrate that adequate access exists, or can be provided to ensure that emergency vehicles can access the site and private vehicles can evacuate the area.

Policy 6.2.4.1 Discretionary development within high and very high fire hazard areas shall be conditioned to designate fuel break zones that comply with fire safe requirements to benefit the new and, where possible, existing development.

Impact Analysis:

a. As discussed under question g) in Section IX, Hazards and Hazardous Materials, the project applicant would prepare and implement an evacuation plan and wildfire prevention measures as Conditions of Approval in the case of an emergency. A cul-de-sac turnaround is located at the end of the driveway for emergency vehicle access and would be surfaced with gravel. The driveway would be kept clear of ladder fuels, and dead, downed, and dying vegetation for at least 50 ft on either side. It is anticipated that no more than one personnel would be on site under most circumstances and no more than 10 personnel under peak conditions, and that these individuals could quickly evacuate in case of an emergency. Given low traffic volume and population in the area, evacuation of the site is not expected to cause issues of traffic or impair the evacuation of the surrounding area. With adherence to the Conditions of Approval, impacts would be **less than significant**.

b, d. Because the project site is within an SRA High Fire Hazard Severity Zone, a project-specific Fire Plan was prepared for the proposed project (Phillips Consulting Services 2024) and is included as Appendix G to this Initial Study. Implementation of the proposed project would not alter any roadways, access points, or otherwise degrade traffic operations and access to the area in such a way as to interfere with an emergency response or evacuation plan. The proposed project would be required to adhere to all fire prevention and protection requirements and regulations of El Dorado County including the El Dorado County Fire Hazard Ordinance and the Uniform Fire Code, as applicable. Downed tree branches and brush would be burned in the offseason according to CAL FIRE and Pioneer Fire District rules and regulations. As a Condition of Approval, the proposed project would be required that vegetation would be mowed, masticated, or cut to ground level each May for effective fuel reduction. Defensible space around the structures, including the cannabis cultivation premises, would extend 100 ft from the structures to resist ignition and be kept clear of the dead vegetation. An evacuation plan would be prepared for the project site, and workers on site would monitor conditions in the area during periods of high fire danger to ensure early evacuations if needed.

A cul-de-sac turnaround is located at the end of the driveway to facilitate turnarounds, as needed, including for emergency vehicles. An emergency water storage tank would be installed and approved by the Pioneer Fire Department. The proposed project is located adjacent to sloping terrain, but all proposed developments would be located on relatively flat areas. Therefore, the project would not pose a significant landslide risk in post-fire conditions. Additionally, the project site is not located within any mapped 100-year flood areas as shown on Firm Panel Number 06017C0800E, revised September 26, 2008 (FEMA 2008), and due to the site's high elevation and upslope location relative to the surrounding topography, the site would not be at risk of post-fire flooding. Therefore, project impacts would be **less than significant** for questions b) and d).

c. **Installation or Maintenance of Infrastructure.** As discussed under question g) in Section 7.IX, Hazards and Hazardous Materials, the Fire Plan found that vegetation would be mowed, masticated, or cut to ground level each May for effective fuel reduction. Defensible space around the structures, including the cannabis cultivation premises, would extend 200 ft to resist ignition and be kept clear of the dead vegetation. Vegetation would be mowed or masticated annually for 50 ft from both edges of all internal access roads used for the proposed project. An evacuation plan would be prepared for the project site, and workers on site would monitor conditions in the area during periods of high fire danger to ensure early evacuations if needed. These measures would be implemented as Conditions of Approval for the proposed project. However, the proposed project would not include or require the installation or maintenance of additional infrastructure that would exacerbate fire risk. Therefore, impacts would be **less than significant**.

FINDING: As conditioned and with adherence to the County Code, Conditions of Approval, CAL FIRE requirements, wildfire impacts would be less than significant.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Does the project:	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			X	
b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Impact Analysis:

a. No substantial evidence contained in the project record has been found that would indicate that this project would have the potential to significantly degrade the quality of the environment. As conditioned or mitigated, and with adherence to County permit requirements, this project would not have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of California history, pre-history, or tribal cultural resources. Any impacts from the project would be **less than significant** due to the design of the project and required standards that would be implemented prior to project construction or with the building permit processes and/or any required project specific improvements on the property.

b. Cumulative impacts are defined in Section 15355 of the State CEQA Guidelines as *two or more individual effects, which when considered together, would be considerable or which would compound or increase other environmental impacts.*

The cumulative analysis is based on consideration of past, present, and probable future projects in the vicinity of the proposed project. The projects considered in the cumulative analysis include those that would be constructed concurrently with the proposed project and those that would be in operation at the same time as the proposed project. The cumulative projects considered in this analysis are limited to projects that would result in similar impacts as the proposed project due to their potential to collectively contribute to significant cumulative impacts, and the cumulative project identified for this analysis is the Single Source, Inc. Cannabis Project. Single Source, Inc. Cannabis Project is a proposed cannabis cultivation and operations project that is located approximately 3.24 miles west of the project site. The Single Source, Inc. Project proposes the cultivation of 87,120 sf of outdoor cannabis canopy. Preparation of the CEQA document is underway for the Single Source, Inc. Project and has not been released for public review yet.

Due to the small size of the proposed project, types of activities proposed, and site-specific environmental conditions, which have been disclosed in the Project Description and analyzed in Sections 7.I through 7.XX for the proposed project, there would be no significant cumulative impacts anticipated related to aesthetics, agriculture and forestry resources, air quality, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards/hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation, tribal cultural resources, utilities and service systems, and wildfire that would be cumulatively considerable. Mitigation measures for the proposed project would reduce potential impacts related biological resources such that no contributions to cumulative impacts would be expected. Therefore, the proposed project would not contribute to potentially significant cumulative impacts, and impacts would be **less than significant**.

c. As conditioned and with compliance with the County Code, the proposed project would be anticipated to have a less than significant project-related environmental effect on human beings, either directly or indirectly. Therefore, impacts would be **less than significant**.

FINDINGS: The proposed project would not result in significant environmental impacts, exceed applicable environmental standards, or significantly contribute to cumulative environmental impacts.

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