County of Sonoma
Permit & Resource Management Department

permit SONOMA

Proposed Mitigated Negative Declaration

Publication Date: November 4, 2022
Public Review Period: 11/4/2022 to 12/5/2022
State Clearinghouse Number:
Permit Sonoma File Number: **PLP17-0040**
Prepared by: Ken Compton
Phone: (707) 565-2829

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

Project Name:	PLP17-0040; Quarry Farm (Cannabis Cultivation Operation)
Project Applicant/Operator:	Quarry Farm LLC, Justin Morgan
Project Location/Address:	585 Trinity Road, Glen Ellen
APN:	053-110-076.
General Plan Land Use Designation:	Land Intensive Agriculture (LIA)
Zoning Designation:	LIA B6-100 LIA B6 100, LG/MTN MR RC50/50 SR
Decision Making Body:	Sonoma County Board of Supervisors
Appeal Body:	NA
Project Description:	See Item III, below

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

Table 1. Summary of Topic Areas

Topic Area	Abbreviation	Yes	No
Aesthetics	VIS		X
Agricultural & Forestry	AG		X
Air Quality	AIR		X
Biological Resources	BIO	X	
Cultural Resources	CUL		X
Energy	ENE		X
Geology and Soils	GEO		X
Greenhouse Gas Emission	GHG		X
Hazards and Hazardous Materials	HAZ		X
Hydrology and Water Quality	HYDRO		X
Land Use and Planning	LU		X
Mineral Resources	MIN		X
Noise	NOISE		X
Population and Housing	POP		X
Public Services	PS		X
Recreation	REC		X
Transportation	TRAF		X
Tribal Cultural Resources	TCR		X
Utility and Service Systems	UTL		X
Wildfire	WILD		X

RESPONSIBLE AND TRUSTEE AGENCIES

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

Table 2. Agencies and Permits Required

Agency	Activity	Authorization
Department of Cannabis Control (DCC)	Cannabis cultivation	State licensing, regulation, and enforcement of commercial cultivation activities, under Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) and DCC regulations (Bus. & Prof. Code, § 26102(a))
Regional Water Quality Control Board - San Francisco Bay (RWQCB)	Cannabis cultivation	Cannabis Cultivation Waste Discharge Regulatory Program or Waiver of Waste Discharge Requirements
State Water Resources Control Board (SWRCB)	Generating stormwater (construction, industrial, or municipal)	National Pollutant Discharge Elimination System (NPDES) requires the submittal of NOI
California Department of Fish and Wildlife (CDFW)	Cannabis cultivation	Lake or Streambed Alteration Agreement or Waiver; Fish and Game Code, Section 1600
Sonoma County Fire Prevention Division	Building and infrastructure construction (e.g., roads and fire suppression improvements)	Sonoma County Fire Safety Ordinance and Hazardous Materials regulations
Bay Area Air Quality Management District (BAAQMD)	Stationary air emissions/ Green House Gas Emissions	BAAQMD Rules and Regulations

ENVIRONMENTAL FINDING:

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

Digitally signed by Ken Compton
DN: cn=Ken Compton, o=PRMD, ou, email=ken.compton@sonoma-county.org, c=US
Date: 2022.11.03 12:39:42 -07'00'

Prepared by: Ken Compton, Planner Date: 11/3/2022

Justin Morgan, Quarry Farm LLC. Date: 11/3/2022

permit SONOMA

Initial Study

I. INTRODUCTION:

Sonoma County has received an application for a Use Permit to allow commercial cannabis cultivation at 585 Trinity Road in Glen Ellen, California. The Use Permit Application requests approval for the construction and operation of a fenced 4.66-acre fenced area that includes a 43,560 square foot outdoor cannabis cultivation area and a 10,890 square foot propagation and vegetative space on a site known as the Quarry Farm in the western portion of a 25.16-acre parcel. The project is operating under the County's Penalty Relief Program (PRP).

As a part of the application, a zone change is proposed to remove the current MR (Mineral Resources) Combining District zoning designation to allow for on site cannabis cultivation. The quarry located on the project parcel ("Trinity Quarry") has ceased operation, with reclamation commenced and ongoing since 2018. All other zoning designations will remain the same.

As a result of inspections, complaints were addressed to the County's Agricultural Department. Issues raised as areas of potential environmental concern include project visibility, concentration of cannabis uses, odor, water use, and pollution. This comment was not in response to a formal public review period or County action.

The project was reviewed by the Sonoma Valley Area Advisory Committee during their regular meeting on January 22, 2020, during which the Committee unanimously recommended approval of the project.

This report is the Initial Study (IS) required by the California Environmental Quality Act (CEQA). The report was prepared by Ken Compton, Project Review Planner I with the County of Sonoma Department of Permit and Resource Management (AKA Permit Sonoma). Information on the project was provided by Quarry Farms, LLC, and their consultants technical reports, documents, maps, and studies referred to in this document are available for review at Permit Sonoma.

Please contact Ken Compton at (707) 565-2829 or Ken.Compton@sonoma-county.org for more information.

II. SITE LOCATION

The project site is located on a 25.16-acre parcel. The project site has a General Plan Land Use Designation of Land Intensive Agriculture (LIA) and is zoned LIA B6-100 and is located along Trinity Road. Vineyards, single family dwellings and the Nuns Canyon Rock Quarry are north of the project parcel. The Mayacamas Mountains are located to the east. There are two additional cannabis cultivation sites, including an approved outdoor cultivation site (UPC17-0048) located approximately 1000 feet northwest of the proposed project, and an approved cannabis cultivation site and processing facility (UPC19-0002) located approximately 200 feet due west of the proposed project. Figures 1 and 2 show the project site vicinity and location.

III. PROJECT OVERVIEW

The project proposes to legalize an existing PRP operation that includes 43,560 square foot outdoor cannabis cultivation area, with the expansion of use to include 10,890 square foot propagation and vegetative space and self-distribution of site grown cannabis on a project site known as the Quarry Farm. A fenced 4.66-acre area is reserved for the total project area, including cultivation, propagation, and vegetation areas. Temporary hoop house structures would be constructed within the fenced 4.66-acre cultivation area and used for vegetative and propagation space. These structures would be erected for no more than 180 days, in compliance with County requirements for hoop houses. The project would use an existing well, which is located on an adjacent parcel and shared with two other lots. The project would require ground disturbance to accommodate for minor widening to gravel road segments and the addition of an ADA compliant concrete parking pad. An ADA portable restroom will be placed near the project fence line and ADA parking area for employee use.

A private road, located off Trinity Road and ending at Weise Road, will serve as the site access route for the project and will be graded for the construction of a new 21-stall gravel parking area. Grading will also be required for the outdoor cannabis site, roadway improvements to connect the private road to the cultivation fence line, and for the installation of fire safe turnouts and turnarounds. These grading activities will result in approximately 293 cubic yards of cut and 186 cubic yards of fill, for a net of 107 cubic yards of cut or disturbed area of 5,759 square feet.

The project will employ 10 employees with additional five seasonal employees for planting and harvest. The site would be closed to the public and would not contain any retail components. No additional structures are proposed nor will the other existing structures on the site be used.

The project is located in a Scenic Resources (SR) designated community separator landscape unit, as designated by the Sonoma County Zoning Ordinance.[1] The project site has a 50-foot Riparian Corridor designated by the Sonoma County General Plan.[2]

IV. EXISTING FACILITY

The project site is currently operating under the Penalty Relief Program ("PRP"), a program that allows for the continued cultivation of cannabis by existing growers following the legalization and subsequent creation of the County Cannabis Ordinance. As such, the project has existing infrastructure for cultivation including a 4.66-acre perimeter fence with motion-activated alarms, canvas grow containers and additional growing pots, and a T-post plant that supports above-ground irrigation lines. A driveway provides access to the cultivation area and includes imported gravels and rock. The formerly operating Trinity Quarry is located on the project parcel and is approximately 850 feet east of Highway 12 and 480 feet north of Trinity Road. The northern portion of the site includes an unnamed seasonal tributary to the Calabazas Creek. Figure 3 shows the overall site plan.

Trinity Quarry Reclamation Project: On September 13, 2013, the County approved a surface mining permit and revised reclamation plan to allow operation of the mine until November 17, 2018 (maximum production of 200 tons/yr., 2 employees limited heavy equipment, no blasting and no more than 1 delivery/pick up per day). After this date, the mine formally ceased operation and the reclamation plan was immediately enacted, which included 2 phases. Phase 1 involved several components including the removal of scrap metal, removal of invasive plants and acacia, recontouring of unstable slopes, and application of mulch and seeds for native grasses and trees. Phase 2 is a 5-year process that includes vegetative monitoring for the planting done in Phase 1 and continued grading, as needed, for redistribution of surface soils and recontouring. Final grading will result in a 9.46-acre foot pond where the existing man-made pond sits, as well as a 12-foot-wide berm at the north end of the pond. Currently, the reclamation is in Phase 2 vegetative monitoring, and can be found officially reclaimed in Spring of 2024 if grass fills and invasive species management is effective.

[1] Sonoma County. "Proposed Scenic Landscape Units," Available at: https://www.arcgis.com/apps/webappviewer/index.html?id=84689931cabc4c3785312f3fcebae18f Accessed September 16, 2022.

[2] Sonoma County. General Plan 2020 Open Space Map. "Sonoma Valley fig. OSRC-5i," Available at: https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Open-Space-and-Resource-Conservation/ Accessed September 16, 2022.

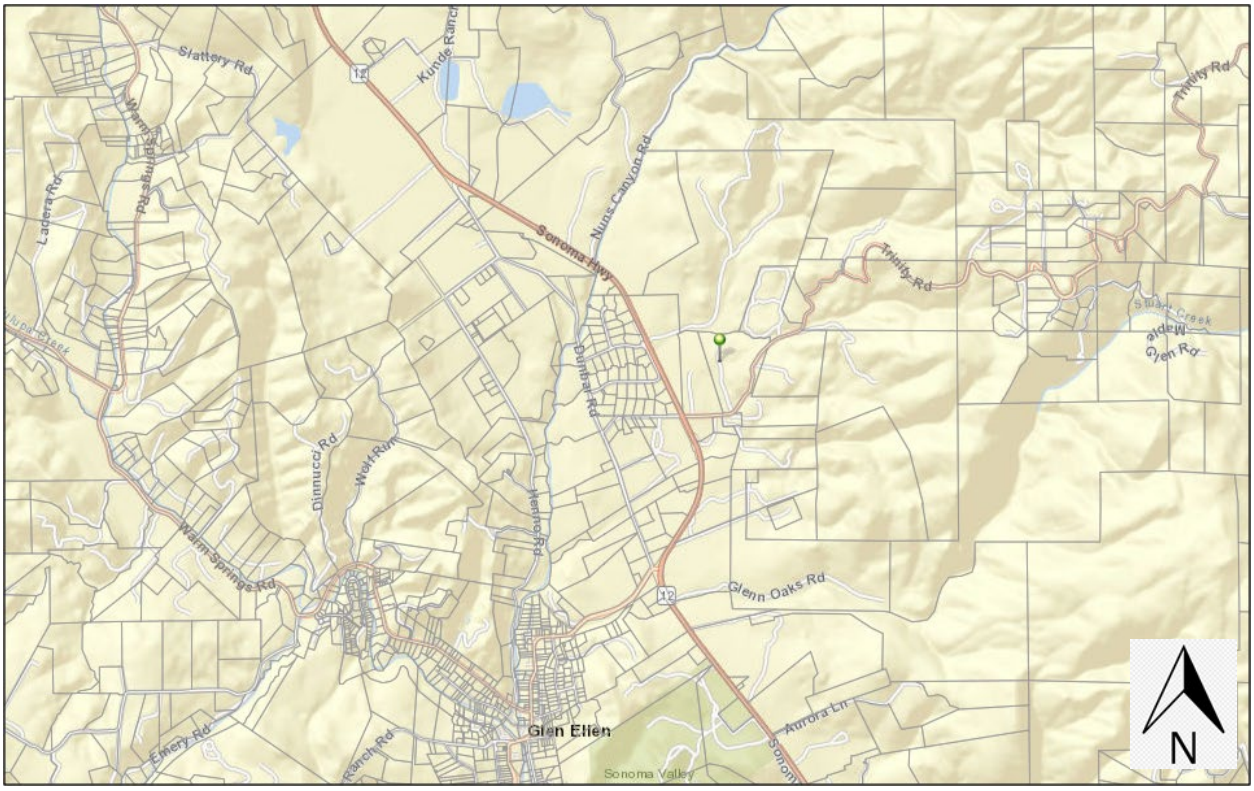


Figure 1. Project Site Vicinity
(Sonoma County GIS, 2022)

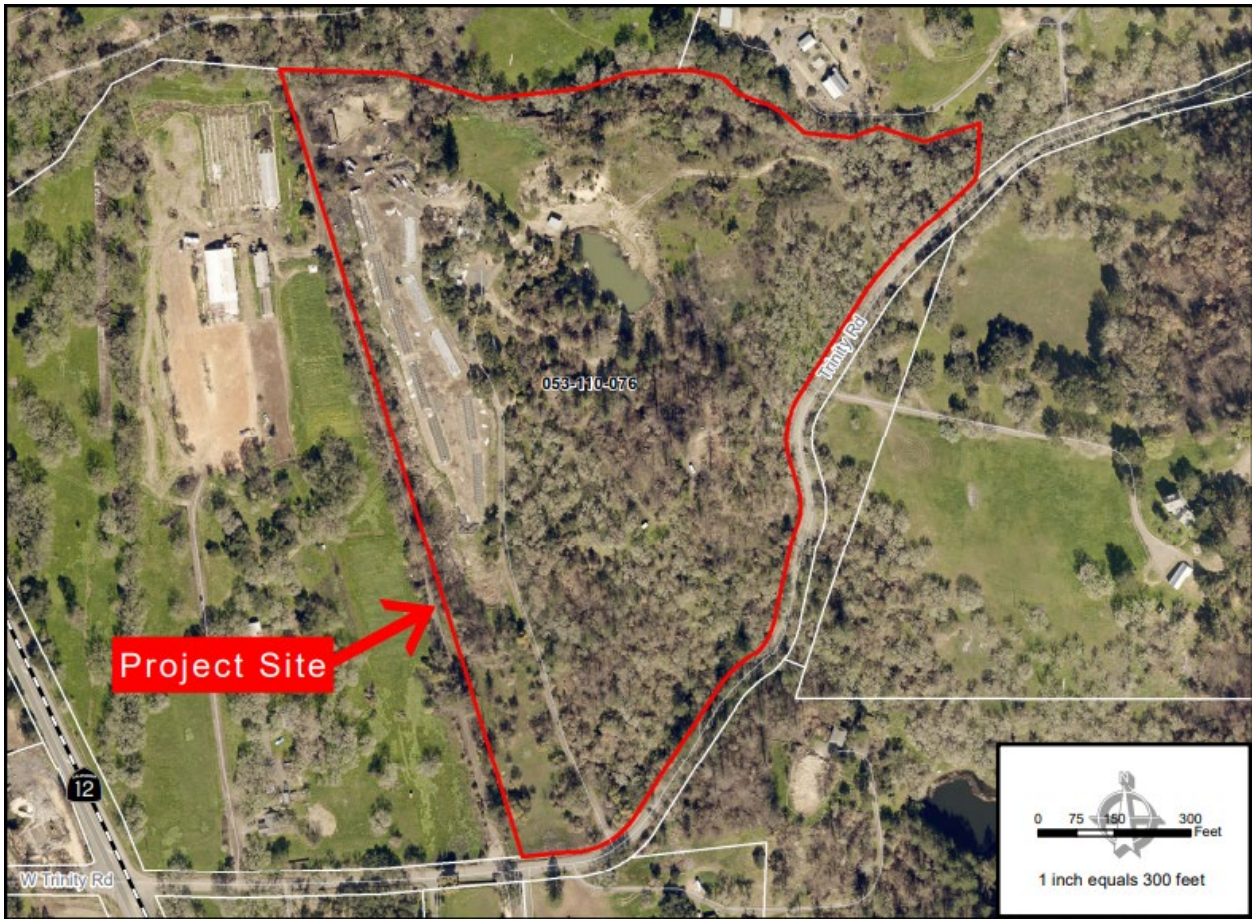
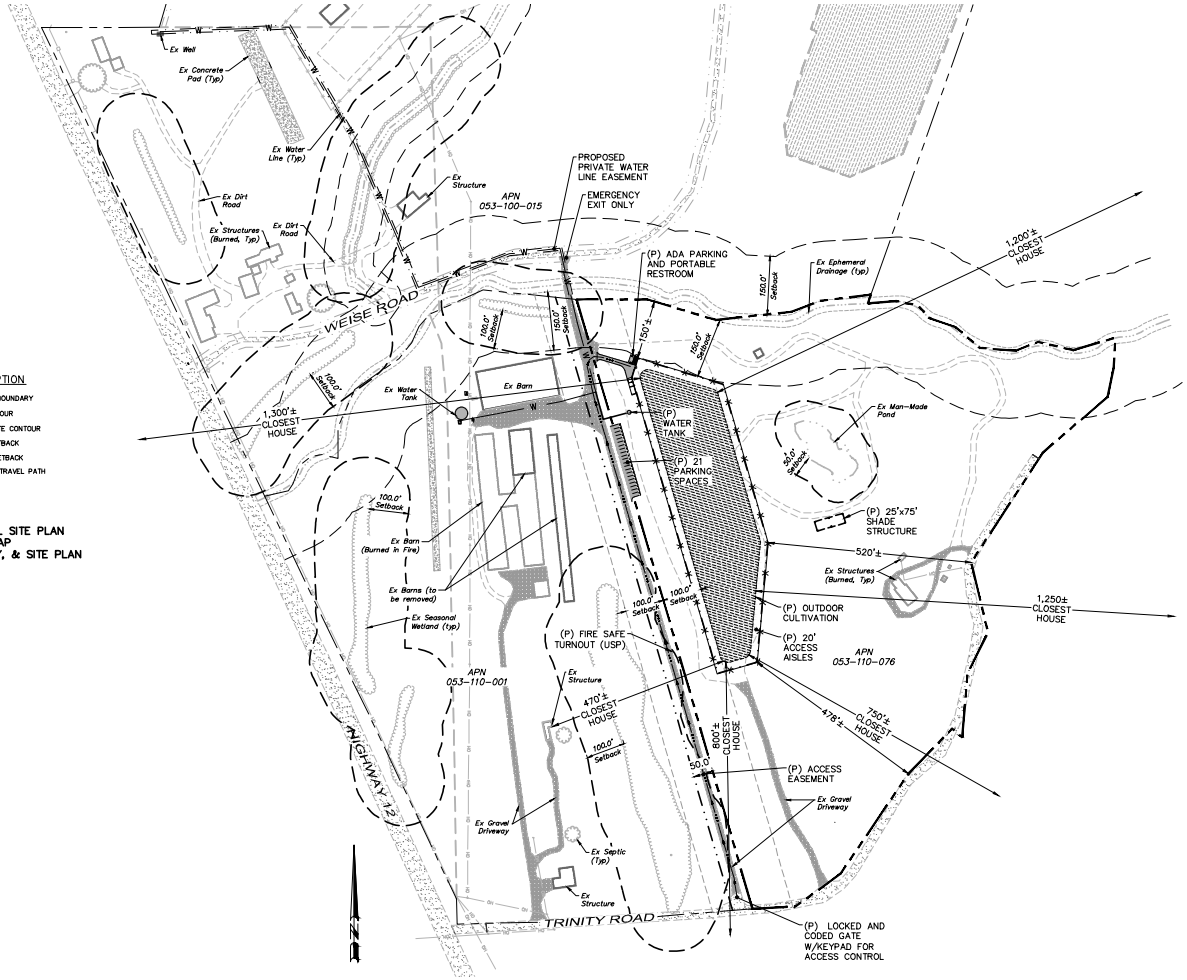
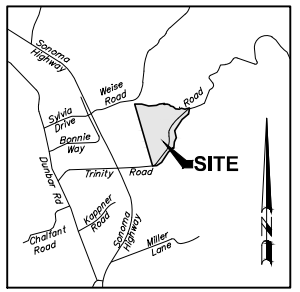


Figure 2. Project Site Location
(Sonoma County GIS, 2018)

LANDS OF GORDENKER TURKEY FARMS, INC.
CONDITIONAL USE PERMIT FOR
OUTDOOR CANNABIS CULTIVATION
585 Trinity Road
Glen Ellen, California
APN 053-110-076



OVERALL SITE PLAN



VICINITY MAP
NOT TO SCALE

ABBREVIATIONS

AAI	ADOBE ASSOCIATES, INC.
ADA	AMERICANS WITH DISABILITIES ACT
ADU	ACCESSORY DWELLING UNIT
APN	ACCESSOR'S PARCEL NUMBER
BLDG	BUILDING
BM	BENCH MARK
CL	CLASS
℄	CENTERLINE
CONC	CONCRETE
DWG	DRAWING
DWY	DRIVEWAY
ESMT	EASEMENT
EX	EXISTING
FH	FIRE HYDRANT
FSS	FIRE SAFE STANDARD
LF	LINEAR FEET
MAX	MAXIMUM
MIN	MINIMUM
NTS	NOT TO SCALE
NO	NUMBER
P	PROPOSED
PP	POWER POLE
RD	ROAD
SF	SQUARE FEET
TYP	TYPICAL
USP	UNDER SEPARATE PERMIT

LEGEND

PROPOSED	EXISTING	DESCRIPTION
		PROPERTY BOUNDARY
	300	INDEX CONTOUR
	290	INTERMEDIATE CONTOUR
		STREAM SETBACK
		WETLAND SETBACK
		VEHICULAR TRAVEL PATH

SHEET INDEX

C1.0 TITLE SHEET & OVERALL SITE PLAN
C2.0 EXISTING CONDITIONS MAP
C3.0 ACCESS, WATER SUPPLY, & SITE PLAN
C4.0 SECURITY PLAN

PURPOSE STATEMENT:

THIS PLAN WAS PREPARED TO FACILITATE THE CANNABIS CULTIVATION DEVELOPMENT AND REQUIREMENTS ASSOCIATED WITH THE CANNABIS LAND USE ORDINANCE AND THE CONDITIONAL USE PERMIT SUBMITTAL.

OWNER INFO

GORDENKER TURKEY FARMS INC.
SYLVIA BERNARD
PO BOX 341, GLEN ELLEN, CA 95442
PHONE: (415)486-0036

OPERATOR INFO

SEE NARRATIVE

ENGINEER:

ADOBE ASSOCIATES INC
1220 NORTH DUTTON AVENUE
SANTA ROSA, CA 95401
PHONE: (707) 541-2300

SURVEY:

HOGAN LAND SERVICES
1702 4TH STREET
SANTA ROSA, CA 95404
PHONE: (707) 544-2104

PROJECT DATUM & BENCHMARK:

1. THIS MAP DOES NOT CONSTITUTE A BOUNDARY SURVEY, BOUNDARY LINES ARE APPROXIMATE AND SHOULD ONLY BE USED FOR THE PLANNING PROCESS.
2. HORIZONTAL CONTROL: BASED ON GPS NORTH.
3. VERTICAL CONTROL: BASED ON CONTOUR DATA PROVIDED BY SONOMA COUNTY.
4. CONTOUR DATA IS PROVIDED BY SONOMA VEG-MAP: LIDAR DATA AND ORTHOPHOTOGRAPHY WERE PROVIDED BY THE UNIVERSITY OF MARYLAND UNDER GRANT NNX13AP69G FROM NASA'S CARBON MONITORING SYSTEM (DR. RALPH DUBAYAH AND GEORGE HURTT, PRINCIPAL INVESTIGATORS). THIS GRANT ALSO FUNDED THE CREATION OF THE DERIVED FOREST COVER AND LAND COVER INFORMATION, INCLUDING A COUNTYWIDE BIOMASS AND CVARBON MAP, A CANOPY COVER MAP, AND DEMs. THE SONOMA COUNTY VEGETATION PLANE COORDINATE SYSTEM, SUCH AS DEMs, HILLSHADES, BUILDING FOOTPRINTS, 1-FOOT CONTOURS, AND OTHER DERIVED LAYERS. THE ENTIRETY OF THIS DATA IS FREELY LICENSED FORE UNRESTRICTED PUBLIC USE, UNLESS OTHERWISE NOTED. ANY USE OF THESE DATA, INCLUDING VALUE-ADDED PRODUCTS, WITHIN REPORTS, PAPERS, AND PRESENTATIONS MUST ACKNOWLEDGE NASA GRANT NNX13AP69G, THE UNIVERSITY OF MARYLAND, AND THE SONOMA VEGETATION MAPPING AND LIDAR PROGRAM AS THEIR SOURCES.
5. THIS PARCEL IS LOCATED WITHIN THE SCENIC RESOURCE AREA.
6. BOUNDARY INFORMATION SHOWN IS PRE AND POST LOT LINE ADJUSTMENT CURRENTLY UNDER REVIEW AT THE COUNTY OF SONOMA PRMD. THE LOT LINE ADJUSTMENT IS UNDER PERMIT NUMBER LLA15-0006.

No.	Date	Revisions Description	Approved

adobe associates, inc.
civil engineering | land surveying | wastewater
1220 N. Dutton Ave, Santa Rosa, CA 95401
P: 707.541.2300 F: 707.541.2301
Website: www.adobeinc.com
"A Service You Can Count On!"

DAVID R. BROWN No. 41833 REGISTERED PROFESSIONAL ENGINEER STATE OF CALIFORNIA
Exp. 3/31/2020
David R. Brown, RCE 41833
My license expires 3/31/2020

LANDS OF GORDENKER TURKEY FARMS
CANNABIS CULTIVATION PERMIT
TITLE SHEET
585 Trinity Road
Glen Ellen, California
APN 053-130-076

SCALE: AS SHOWN
Date: JANUARY 17, 2020
Design by: BPC
Drawn by: BPC
Checked by: NAME

Sheet C1.0
of 4 Sheets
Job 19269

PLP 17-0040

T:\2019 PROJECTS\19269\Entry\Adobe-Design\Const Docs\19269_C1.0_Title Sheet.dwg, Brendon Dyman, 1/17/2020 3:56:13 PM

V. SETTING

The project site is in the northern portion of the Valley of the Moon near the community of Glen Ellen and east of Highway 12. The proposed project is located at 585 Trinity Rd, Glen Ellen, on an approximately 25-acre parcel. The site is developed with a cannabis operation and security fencing. The site is located in an area characterized by large agricultural parcels. The project parcel is zoned Land Intensive Agriculture (LIA) B6-100. The project site is not within the boundaries of a specific plan. The property is served by a private well located at 12201 Highway 12 (APN 053-100-016).

Access to the site is provided via an existing gravel driveway from Trinity Road. The driveway entry is located approximately 700 feet east from Highway 12 and crosses another parcel (APN 053-110-001). An access easement would be conditioned as part of project approval. The gravel driveway is approximately 1,700 feet long with an average slope of two percent. The area around the project site was burned by the Nuns Canyon Fire on October 7, 2017. There are several vineyards in the area.

Existing Uses: The project site is comprised of one approximately 25-acre parcel that is composed of grazing land, developed land, and soils disturbed from the former quarry operation. A man-made pond sits in the central portion of the parcel. The property is developed with an existing cannabis operation, gravel roads, and security fencing.

Topography and Drainage: The site is located in the northern portion of the Valley of the Moon on a primarily flat area at the base of the Mayacamas Mountains. The site generally consists of gently to steeply sloping terrain. Site drainage consists of a man-made pond located to the east of the project site, sheet flow, and surface filtration. Surface water drains to tributaries of Calabazas Creek located approximately one-half mile west of the subject parcel.

The Nuns Canyon Fire burned a majority of the site on October 7, 2017. A residence and several accessory use buildings were destroyed. Clean-up of the site was performed under the guidance of the US Army Corps of Engineers and consisted of debris removal, soil testing and removal, grading, and installation and maintenance of erosion and sediment control materials.

Vegetation: The proposed project would be located in annual grassland and disturbed habitats. A large portion of the parcel was utilized for the former Trinity Quarry, which is currently in reclamation, and will be revegetated with native trees and grasses that are suitable for grazing. The cultivation area was impacted by the 2017 Nuns fire and subsequent clearing of debris.

VI. PROJECT DESCRIPTION

Proposed Buildings and Uses: No structures are proposed for the project. Additional support structures would be added within the cultivation fence near the entrance gate, including enclosures for trash, compost of excess or unusable cannabis, pesticides, and chemical storage. An ADA portable restroom will also be located near these enclosures. The operation would be required to maintain any applicable permits from the Fire Prevention Division, Certified Unified Program Agency (CUPA) of Sonoma County or the Agricultural Commissioner.

Employees and Hours of Operation: The cannabis operation would employ up to 10 regular staff, and five part-time seasonal staff members.

Outdoor harvesting activities would be conducted seven days a week, 24-hours per day, as needed. Deliveries and shipping activities would be limited to the hours of 5:00 AM to 8:00 PM.

Cultivation Operation: The project proposes one 43,560 square foot outdoor cultivation area and one 10,890 square foot outdoor propagation area in temporary, seasonal hoop houses for non-flowering plants, both within a 4.66-acre fenced area on the western side of the parcel.

Under the PRP program, cannabis is currently planted in a mix of containers and directly in the ground, with all plants arranged in rows with access aisles between the rows. Access aisles may be rotated with the planting rows every two years, if feasible, to minimize depletion of the soil fertility in the planting areas. Cultivation, harvesting and other operational activities would comply with and are outside all riparian, biotic and sensitive habitat setbacks.

Outdoor cultivation would occur primarily during the growing season April through November, with harvests typically in late October. Plants would be irrigated on a limited basis by time/sensor-driven drip irrigation to limit water use and prevent surface runoff.

Processing: Processing would not occur onsite. Harvested plants will be transported off the project parcel for the purposes of drying, trimming, and packaging.

Security: Access to the property is controlled by a locked and coded gate west of the project parcel along Trinity Road. Eight-foot-tall metal security fencing is currently installed around the cultivation area and includes include security lighting, cameras, and an alarm system. Access to the cultivation area is controlled by locking gates.

Access and Parking: On-site circulation is provided via an existing gravel driveway from Trinity Road. The driveway entry is located approximately 700 feet east from Highway 12. Emergency vehicle access would occur via two roads within the site, one between Trinity Road and Weise Road, and another on the north side of Weise Road. Both entrances would be gated and quipped with Knox Boxes to allow emergency responders access during an emergency. Both

access roads would have fire truck turnarounds. Access roads are proposed to be improved to include turnouts and turnarounds to meet County standards for emergency vehicle access.

Employee parking is located west of the cultivation area and would contain 21 stalls. The parking area will be constructed along the existing gravel access road and will be located approximately 1000 feet north of the project entrance along Trinity Road. One ADA parking space would be constructed adjacent to the cultivation area.

Sewage Disposal: ADA-compliant portable toilets are proposed for domestic waste for employees.

Water Supply: Water would be supplied by an existing well located on an adjacent parcel (APN 053-100-016), about 290 feet from Highway 12 (WEL17-0247). This water would flow into a central storage facility on an adjoining parcel to the south (APN 053-100-017), where storage capacity would be approximately 150,000 gallons.

Energy Supply: Electrical power for the operation would be supplied by 100% renewable Sonoma Clean Power.

Waste Management: All cannabis waste generated from cultivation, excess production, contamination, or expiration would be securely stored for up to seven days and then rendered unusable and composted for reuse in the cultivation operation. Cannabis green waste would be ground up and mixed with soil and/or mulch to create a mixture that consists of at least 50 percent non-cannabis waste prior to composting.

Landscaping: There is no proposed landscaping plan as the cultivation area would not be visible from public vantage points.

Construction: The proposed construction methods are considered preliminary and are subject to review and approval by Sonoma County. For the purposes of this document, the analysis considers the construction plan described below.

Construction Schedule: Because all facilities are existing, project construction activities are limited to annual construction and demolition of temporary hoop houses for seasonal crop extension, grading of the access road and formalization of the parking and turnaround areas.

Grading and Earthwork: Grading plans were submitted to Permit Sonoma for the project parcel on July 28, 2020, and permit issued March 29, 2021 (GRD20-0176). The project construction for the roadway requires approximately 293 cubic yards of cut and approximately 186 cubic yards of fill. The proposed grading would result in improvements to the gravel access road, including the addition of fire safe turnarounds and road widening for the 21-stall gravel parking area.

During construction, a combination of erosion control best management practices (BMPs) would be used on disturbed areas, including establishing vegetation coverage, hydroseeding, straw mulch, geotextiles, plastic covers, blankets, or mats. Appropriate BMPs, including dust control, would be implemented throughout construction, as needed.

VII. ISSUES RAISED BY THE PUBLIC OR AGENCIES

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

The project planner received responses to the project referral from Sonoma County Environmental Health, Sonoma County Transportation and Public Works Department, Sonoma County Agricultural Commissioner's Office, the Northwest Information Center at Sonoma State University, Permit Sonoma Grading & Storm Water Section, Permit Sonoma Project Review Health Specialist, Permit Sonoma Natural Resources Geologist, Permit Sonoma Fire and Emergency Services, and the California Department of Transportation (Caltrans). The referral responses include several requests for further information and included recommendation for use permit conditions.

Tribal Consultation Under AB52: Referrals were sent to the following Tribes in February 2019:

Cloverdale Rancheria of Pomo Indians
Dry Creek Rancheria Band of Pomo Indians
Lytton Rancheria of California
Federated Indians of Graton Rancheria
Middletown Rancheria Band of Pomo Indians
Mishewal Wappo Tribe of Alexander Valley
Torres Martinez Desert Cahuilla Indians

The Middletown Rancheria of Pomo Indians requested that if new information or evidence of human habitation is found as the project progresses that all work cease, and the tribe be contacted immediately. No other tribe requested further information and no tribe requested formal consultation. The Stewarts Point Rancheria Band of Kashia Pomo Indians commented that project site is located outside their Aboriginal Territory and did not have concerns at this time. The Lytton Rancheria of California did not have comments nor request for further consultation.

VIII. OTHER RELATED PROJECTS

Two additional discretionary cannabis project applications have been submitted for properties located immediately adjacent to the project site. The three proposed cannabis projects are independent except for the use of a shared water system and road access.

Turkey Farm Cannabis Cultivation, Nursery, Greenhouse Project (UPC19-0002/then APNs 053-110-001 & 053-130-009; now APN 053-100-017). This project requested a Use Permit for a 28,560 square foot outdoor cannabis cultivation, 5,000 square-foot indoor wholesale cannabis nursery, and 10,890 square foot mixed-light greenhouse, totaling 1 (one) acre. The project proposed an additional 9,640 square feet of propagation and vegetative production area and included a separate 20,000 square feet of centralized cannabis processing in an existing barn. The project site is located on an adjacent parcel at 101 Trinity Road, Glen Ellen; and was approved by the Board of Supervisors on January 26, 2021.

Terra Luna Farms Cannabis Cultivation Project (UPC17-0048 /APN 053-100-016) The project is for the legalization of an existing cannabis cultivation project, consisting of a 43,560 square foot (1 acre) outdoor cultivation and 10,890 square feet of non-flowering vegetative propagation located within a fenced 2.2-acre area. Support structures for storage and a 3,100 square foot pole barn would be used. The project is located on an adjacent parcel at 12201 Highway 12, Glen Ellen; and was also formerly operating in the County's Penalty Relief Program (PRP). The project was approved by the Board of Supervisors on October 18, 2022.

The two cannabis projects described above, and the proposed PLP-0040 project, are all separate projects. However, given the proximity of the projects, the sites share circulation and irrigation infrastructure. Due to these shared elements, one traffic study and one hydrogeologic report was prepared to analyze potential impacts for all three projects.

IX. EVALUATION OF ENVIRONMENTAL IMPACTS

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

> **No Impact:** The project would not have the impact described. The project may have a beneficial effect, but there is no potential for the project to create or add increment to the impact described.
>
> **Less Than Significant Impact**: The project would have the impact described, but the impact would not be significant. Mitigation is not required, although the project applicant may choose to modify the project to avoid the impacts.

Less Than Significant with Mitigated Incorporated: The project would have the impact described, and the impact could be significant. One or more mitigation measures have been identified that will reduce the impact to a less than significant level.

Potentially Significant Impact: The project would have the impact described, and the impact could be significant. The impact cannot be reduced to less than significant by incorporating mitigation measures. An environmental impact report must be prepared for this project.

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

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

permit SONOMA

1. AESTHETICS

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

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

Comment:
The project site is located in an area designated as SR (Scenic Resources Combining District) and identified as a Community Separator, which, as described by the Sonoma County Zoning Regulations and Sonoma County General Plan, are visually sensitive. These designations are applied to properties to preserve the visual character and scenic resources of the land and to implement Sections 2.1 and 2.3 of the General Plan Open Space Element. That Element includes Goal OSRC-6, which states development should: *"Preserve the unique rural and natural character of Sonoma County for residents, businesses, visitors and future generations."* General Plan Policy OSRC-6a includes design principles related to how consideration and treatment of landscaping, paved areas, and exterior lighting and signage can be applied to help new structures *"blend in with the surrounding landscape."* (p. OS-23)

More particularly, Article 64 of the Sonoma County Zoning Ordinance also lists specific requirements for properties within a Scenic Landscape Unit for the purpose of *"preserv[ing] the visual character and scenic resources of lands in the county and to implement the provisions of Sections 2.1, 2.2 and 2.3 of the general plan open space element."*[3]

The project would be consistent with the provisions in Article 64 Community Separator Requirements (Sec. 26-64-020) because:

(1) Structures shall be sited below exposed ridgelines;
Explanation: The project calls for no new structures, and any new development associated with the project would be sited below exposed ridgelines.

(2) Structures shall use natural landforms and existing vegetation to screen them from public roads. On exposed sites, screening with native, fire resistant plants may be required;
Explanation: The project area is not visible from Trinity Road due to intervening vegetation, and a setback from Trinity Road of 478 feet. See Figures 4-6 below.

(3) Cut and fills are discouraged, and where practical, driveways are screened from public view;

[3] Sonoma County Zoning Regulations. Article 64 Scenic Resources Combining District, https://library.municode.com/ca/sonoma_county/codes/code_of_ordinances?nodeId=CH26SOCOZORE_ART64SRSCRECODI, accessed September 16, 2022.

Explanation: The project will make use of an existing gravel road, which starts at Trinity Road (a public, minor collector, road). Only 293 cubic yards of cut and 186 cubic yards of fill are proposed under the project to accommodate missing segments and provide essential circulation and parking areas. The driveway is screened from public view with existing trees and vegetation.

(4) *Utilities are placed underground where economically practical*
Explanation: Although project plans do not indicate placement of utilities at this time, as required by the County, utilities would be placed underground to the extent practical.

As discussed above, the project complies with visual resource regulations, project components (primarily fencing) would be only minimally visible from off-site public viewsheds, and the project does not propose to add any additional structures. Activities on the site would include agricultural equipment that would be considered typical of parcels in the Land Intensive Agriculture zoning and would not cause a visual distinctive change for the project area. Therefore, the impact to scenic vistas would be less-than-significant.

Significance Level: Less than Significant Impact

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

Comment:
The cultivation area is not located along, or visible from, a state scenic highway (see figures 4 through 6 below). The nearest state scenic highway to the project site is Highway 12, approximately 850 feet west of the cultivation fence line.[4]

Significance Level: Less than Significant Impact

c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Comment:
The site, or any portion thereof, is located within a General Plan designated scenic landscape unit and zoning designation for scenic resources (SR), including community separator. The site vicinity is generally characterized by the natural setting and forms a scenic backdrop within the community separator. This zoning category includes design

[4] Caltrans. Map Viewer website, "California Scenic Highways," Available at: https://www.arcgis.com/home/webmap/viewer.html?layers=f0259b1ad0fe4093a5604c9b838a486a Accessed September 16, 2022.

standards for building and construction within the SR designation, especially for projects that include grading and construction located on prominent hilltops, visible slopes less than 40 percent or where there are significant natural features of aesthetic value that are visible from public roads, or public use areas (i.e. parks, trails etc.). These categories also include building or construction standards for sites on prominent ridgelines that may not be designated as scenic resources but are visible from a designated scenic corridor.

The Open Space Element designates Highway 12 as a Scenic Corridor to preserve important roadside landscapes with high visual quality that contribute to the living environment of residents and the County's tourism economy. The existing visual character of the site is rural agricultural and vegetated oak and fir woodland along Trinity Road, and would not be visible, as it is screened by existing vegetation. Further, the project is entirely on gently sloping elevations and would not require grading or construction activities that would be visible from Highway 12. As discussed in Section 1.b, the project is located along or within a Scenic Corridor and there would be no inadvertent impacts to visual character that would be evident from Highway 12.

The cultivation area, including fencing, gates, and various agricultural equipment, are features associated with agrarian landscapes, are screened by natural vegetation, and would have only minimal offsite visual impact. No new permanent structures are proposed.

Night lighting used for security and safety would be motion-sensor activated to remain off unless needed, and would be designed to be fully shielded, downward casting, and not create intrusion of glare to structures, neighboring properties, or the night sky. The project is minimally visible from any public location or vantage point (see Figures 4-6 below).

Following County Visual Assessment Guidelines, [5] public viewpoints were considered for determining the project's visibility to the public. Based on the Visual Assessment Guidelines, the project location's Site Sensitivity would be considered "High," which is a category applied to rural land use designations with an additional Scenic Resources protection designation, such as Community Separator.

The visual dominance of a project is determined by comparing the contrast of project elements or characteristics of the project with its surroundings. The project includes existing structures (fencing, gates) that are only minimally visible from public viewsheds, are generally agricultural in nature, and would not represent a visually distinctive or substantial change from the current project site. Photos collected from Google Maps in 2021 (Fig. 4-6) corroborate the rural, typical setting for the cultivation site. These support that the project's Visual Dominance would be considered "Inevident," a category applied when a

[5] Sonoma County. "Visual Assessment Guidelines and Procedure," Available at: https://permitsonoma.org/longrangeplans/proposedlong-rangeplans/environmentalreviewguidelines/visualassessmentguidelines last accessed September 16, 2022.

project is generally not visible from public view because of intervening natural land forms or vegetation.

Figure 4. Entrance gate to site off of Trinity Road.
(Google Maps, 2022)

Figure 5. Intersection of Trinity Road from Highway 12, looking east.
(Google Maps, 2022)

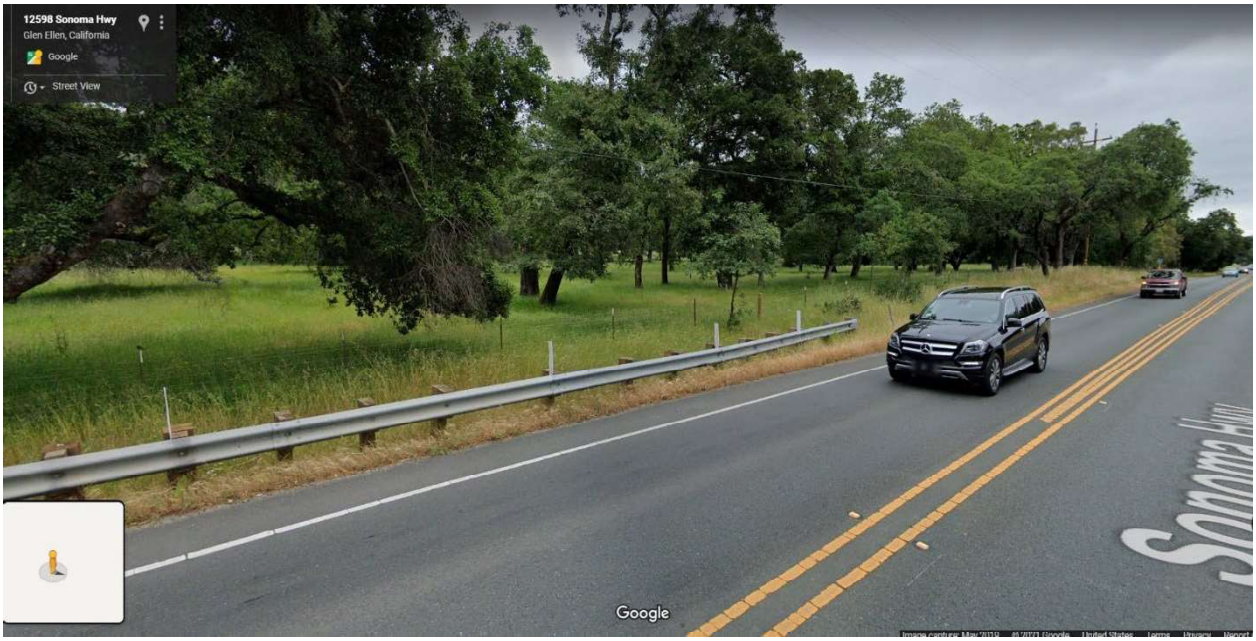


Figure 6. View of project site from Highway 12, looking southeast. (Google Maps, 2022)

Table 3. Thresholds of Significance for Visual Impact Analysis

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

Considering the project site's "High" sensitivity and the project's "Inevident" visual dominance, the project would be considered to have a less-than-significant effect on the existing visual character or quality of the site and its surroundings.

Significance Level: Less than Significant Impact

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

Comment:
As mentioned in section 1.c, the project is not visible from any public vantage point. Any effects of light sources or glare would be reduced due to compliance with the provisions of both Section 26-88-254(f)(19) of the Cannabis Ordinance and Title 4 Section 16304(a)(6) of the Department of Cannabis Control (DCC) regulations, which require all lighting to be fully shielded, downward casting, and designed to prevent spill over onto structures, other properties, or the night sky. Lighting for the project will comply with these design standards and utilize solar powered motion sensors to minimize both power use and visual disturbance. Therefore, light shall not escape at a level that is consistently visible from neighboring properties between sunset and sunrise.

Significance Level: Less than Significant Impact

2. AGRICULTURE AND FOREST RESOURCES

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

Would the project:

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

Comment:
The proposed project area is designated as Farmland of Local Importance and Grazing Land. Therefore, no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance would be converted to a non-agricultural use.

Significance Level: No Impact

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

Comment:
The project site is in the Land Intensive Agriculture (LIA) [6] zoning district with a density of one unit per 100 acres, which allows up to one acre of commercial cannabis cultivation, plus ancillary on-site processing, with a use permit. As a commercial use, cannabis cultivation is an allowable use on parcels zoned LIA as long as conformance with General Plan Policy AR-4a is maintained, which requires a primary agricultural use. Currently the parcel is grazed by cattle on approximately 15 acres with no proposal to remove or modify this activity. There will be no increase in residential densities, as no additional dwellings are proposed. The parcel is not subject to a Williamson Act Contract. Therefore, the project would not conflict with existing zoning for agricultural use, or with a Williamson Act Contract.

Significance Level: Less than Significant Impact

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 4526) or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)?

Comment:
The project site is not in a Timberland Production zoning district as designated by the Permit Sonoma GIS Site Evaluation Tool.[7] The project would not cause a rezoning of forest land.

Significance Level: No Impact

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

Comment:
The project would not result in the loss or conversion of forest land to non-forest use. The site has historically been home to oak and mixed forest woodlands, which experienced damage resulting from the 2017 Nuns Canyon Fire. Revegetation of exposed slopes and soils has been an ongoing activity related to the approved reclamation plan for the former quarry located on the project parcel and includes the replanting of native trees. Further, cannabis cultivation and project construction activities would occur on grassland and disturbed areas with no proposed tree removal.

Significance Level: No Impact

---

[6] Sonoma County. General Plan 2020 Land Use Element, "Natural Resource Land Use Policy, Policy for Resources and Rural Development Areas, Page LU 67-68," Available at: http://sonomacounty.ca.gov/WorkArea/DownloadAsset.aspx?id=2147542561 Accessed September 16, 2022.
[7] Sonoma County. Permit Sonoma GIS, "Cannabis Site Evaluation," Available at: http://sonomamap.maps.arcgis.com/apps/webappviewer/index.html?id=0b784d90045941798d780f288b6f7003 Accessed September 16, 2022.

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

Comment:
The project site is designated as Farmland of Local Importance, and Grazing Land, and is grazed currently by cattle. The cannabis operation would involve a combination of plant cultivation directly in the ground and in raised containers, and would only utilize approximately 4.66 acres of the 25.16-acre parcel. The project does not involve other changes in the environment that could result in conversion of farmland to non-agricultural use or forest land to a non-forest use. There is no other change to land use.

Significance Level: Less Than Significant Impact

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

Would the project:

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

Comment:
The project is located within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD) and within the San Francisco Bay Area Air Basin. According to California standards, the San Francisco Bay Area Air Basin is currently designated as a nonattainment area for particulate matter 2.5 microns or less in diameter (PM2.5), particulate matter 10 microns or less in diameter (PM10), and ozone. Under national standards, the San Francisco Bay Area Air Basin is currently designated as nonattainment for PM2.5 and 8-hour ozone. The Air Basin is in attainment (or unclassified) for all other air pollutants (BAAQMD 2020).

The BAAQMD's 2017 Clean Air Plan (BAAQMD 2017a) is the applicable air quality plan for the San Francisco Bay Area Air Basin. The 2017 Clean Air Plan contains 85 individual control measures in nine economic sectors: stationary (industrial) sources, transportation, energy, buildings, agriculture, natural and working lands, waste management, water, and super-GHG pollutants. Many of these control measures require action on the part of the BAAQMD, the California Air Resources Board (CARB), or local communities, and are not directly related to the actions undertaken for an individual development project. The project would not prevent the BAAQMD from implementing these actions and none apply

directly to the project. The project size would be well below emission threshold screening levels for ozone precursors (see discussion in 3.b below). As a result, the project would not conflict with or obstruct implementation of the 2017 Clean Air Plan.

Significance Level: No Impact

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard?

Comment:
The BAAQMD does not have criteria pollutant screening criteria for outdoor cannabis cultivation projects, nor does it offer a similar land use type for comparison, such as farmland. The project would include 43,560 square feet of outdoor cultivation and 10,890 square feet of outdoor propagation in temporary hoop houses on an approximately 4.66-acre portion of a 25.16-acre site and would include approximately ten full time and five seasonal employees. The project would generate some criteria pollutants, primarily from new vehicle trips. A Trip Generation Analysis was prepared by W-Trans, and subsequently amended on September 18, 2020, and found that the project is expected to generate an average of 46 vehicle trips per day. This small increase in vehicle trips would be far below the BAAQMD screening criteria for ROG and NOx and would not result in substantial traffic which could result in substantial emissions of ozone precursors (ROG and NOx). The BAAQMD screening analysis for a carbon monoxide hotspot is whether a project would increase traffic volumes at a nearby intersection to more than 44,000 vehicles per hour. Traffic counts available for Trinity Road indicate occurrence of approximately 1,080 average daily trips[8], which would equate to an hourly vehicle count far below the screening level. Therefore, no carbon monoxide hotspot exists in the project area.

The project would have no long-term effect on $PM_{2.5}$ and PM_{10}, as ground surfaces would be paved, landscaped or otherwise treated to stabilize bare soils after construction, and dust generation would be minimal. The operation of the project would generate ozone precursors from new vehicle trips and from the use of agriculturally typical equipment such as mowers or tractors, but these would not have a cumulative effect on ozone as the project would not exceed the BAAQMD's thresholds of significance for ozone precursors.

Significance Level: Less than Significant Impact

c) Expose sensitive receptors to substantial pollutant concentrations?

[8] Sonoma County. TPW Unincorporated Sonoma County Traffic Surveys GIS Map. Available at: https://sonomacounty.maps.arcgis.com/apps/webappviewer/index.html?id=5c2f8748449c4dcea7619b723d3463b1 last accessed September 16, 2022.

Comment:
Sensitive air quality receptors include specific subsets of the general population that are susceptible to poor air quality and the potential adverse health effects associated with poor air quality. In general, children, senior citizens, and individuals with pre-existing health issues, such as asthmatics, are considered sensitive receptors. The California Air Resources Board (CARB) consider schools, schoolyards, parks and playgrounds, daycare facilities, nursing homes, hospitals, and residential areas as sensitive air quality land uses and receptors (CARB, 2005). The potential sensitive air quality receptors adjacent to or in close proximity to the perimeter of the proposed project site include an offsite residence is over 475 feet from the proposed outdoor cultivation area.

As described under discussion b), the proposed project does not include significant stationary, mobile, or other sources of emissions. In addition, the proposed project would comply with the property setbacks contained in County Code Section 26-88-254, which require cultivation areas and structures (for cannabis cultivation, drying, trimming, etc.) to be located at least 100 feet from property lines, 300 feet from occupied residences and businesses, and 1,000 feet from schools, public parks, childcare centers, and alcohol and drug treatment facilities. The less than significant nature of the project's emissions sources and the minimum required distance between the proposed facilities and any nearby sensitive receptors would ensure that project construction and operation would not result in substantial concentrations of criteria air pollutants or Toxic Air Contaminants (TACs) at sensitive receptor locations.

Significance Level: Less than Significant Impact

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

Comment:
According to the *2016 Medical Cannabis Land Use Ordinance Negative Declaration* (Sonoma County 2016, page 20): "Cannabis cultivation operations are associated with a strong odor, especially outdoor cultivation operations during the final phase of the growing cycle (typically in late Summer, early Fall). Generally, the larger the size of the cultivation activity and the proximity to sensitive uses, the greater the potential for the odor to be evident. Outdoor cultivation has a greater potential for odor than indoor or mixed light because it is not contained and would not have the opportunity for a filtered ventilation system."

Much of the strong odor associated with cannabis cultivation and processing, as well as commercial cannabis products, comes from a class of aromatic, organic compounds known as terpenes. Terpenes are not specific to cannabis; they are among the most common compounds produced by flowering plants, vary widely between plants, and are responsible for the fragrance of many flowers typically associated with non-objectionable odors, such as

lavender. Different strains of cannabis emit a wide variety of odors with differing levels of potency. The odor may be detectable beyond the cultivation site property boundaries depending on the size of the facility and the specific climatic and topographic conditions that prevail near the cultivation site. In general, cannabis odors tend to lessen during cooler temperatures and worsen with higher temperatures, and wind patterns have the potential to increase or decrease the intensity of cannabis odors depending on whether winds are blowing towards or away from nearby receptors.

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

The proposed project would not result in significant odor impacts for the following reasons:

- The proposed project would not result in the continuous generation of odors. Rather, odors would be intermittent and only generated during certain times of year (e.g., flowering periods and harvesting). No processing would occur on-site.
- The proposed project would comply with all setback requirements contained in County Code Section 26-88-254, which requires cultivation areas and structures (for cannabis cultivation, drying, trimming, etc.) to be located at least 100 feet from property lines,

300 feet from occupied residences and businesses, and 1,000 feet from schools, public parks, childcare centers, and alcohol and drug treatment facilities. The project would be located 100 feet from the nearest property line, 470 feet from nearest residence, and approximately 2,850 feet from the nearest school (Dunbar Elementary). These setbacks exceed County requirements and would serve to dilute and disperse odors over distance from the source and according to prevailing meteorological conditions and reduce odor intensity at nearby receptor locations.

- The proposed project is not bordered by a substantial number of people, and the greatest concentration of nearby residential receptors are located in the opposite direction of the prevailing wind conditions during the peak odor-producing months (July- October). Sensitive receptors near the proposed project include an offsite residence over 470 feet to the west of the proposed outdoor cultivation area, as well as residences south of the project along Trinity Road, the closest of which is over 750 feet away. Although these individual receptors may be affected by potential project odors, the dispersed nature of these limited receptors makes it unlikely that a substantial number of people could be affected at the same time in the event odors are generated by the proposed project.
- Natural vegetation and emissions from vehicle traffic on Highway 12 assist in disbursing and intermixing odors with ambient air, thereby mitigating their concentration in a given area.

There is a potential that multiple cannabis operations in a given area can generate a concentration of odors that could become cumulatively considerable. The closest nearby cultivation is a multi-use operation, including outdoor, indoor, and mixed light cultivation, and a centralized processing facility, located approximately 200 feet away on the neighboring parcel to the west (UPC19-0002). Per Section 26-88-254(g)(2) of the Sonoma County code, all indoor, mixed light, and processing facilities (including uses such as packaging, trimming, drying) are required to be equipped with odor control ventilation and filtration systems to lessen the escape of odors associated with the cultivation, storage, and processing of flowering and harvested plants. The cultivation located on the northwestern parcel (UPC17-0048) is another acre of outdoor cultivation and located approximately 1000 feet away, which provides both a considerable physical distance and a vegetative barrier of mixed forest, grassland, and riparian habitat that separates the two projects.

For these reasons outlined above, the proposed project would not result in the creation of objectionable odors that would be considerably cumulative or affect a substantial number of people.

Significance Level: Less than Significant Impact

4. BIOLOGICAL RESOURCES

The applicant submitted a biological resource assessment prepared by Wiemeyer Ecological Sciences in May 2018 and labeled Biological Assessment. Darren Wiemeyer, a qualified biologist, performed site visits on March 10, March 30, and May 17, 2017. A follow-up site visit was also performed on April 3, 2018, to observe site conditions after the Nuns Canyon fire. The project site has been named the "Quarry Parcel", with a "Study Area" identified and consisting of, which consists of the western half of the parcel and is referred to as the "site" for purposes of the Biological Assessment. As discussed in greater detail below, the study concludes that potentially significant impacts may be reduced to a less than significant level through the application of County standards or by incorporation of mitigation measures. The biological resource analysis was found to be sufficient by the project planner, based on the site-specific information available at the time of the analysis.

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

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

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

The Migratory Bird Treaty Act of 1918 (MBTA): The MBTA (16 USC §§ 703 et seq., Title 50 Code of Federal Regulations [CFR] Part 10) states it is "unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill; attempt to take, capture or kill; possess, offer for sale, sell, offer to barter, barter, offer to purchase, purchase, deliver for shipment, ship, export, import, cause to be shipped, exported, or imported, deliver for transportation, transport or cause to be transported, carry or cause to be carried, or receive for shipment, transportation, carriage, or export any migratory bird, any part, nest, or egg of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or in part, of any such bird or any part, nest or egg thereof…" In short, under MBTA it is illegal to disturb a nest that is in active use, since this could result in killing a bird, destroying a nest, or destroying an egg. The USFWS enforces MBTA. The MBTA does not protect some birds that are non-native or human-introduced or that belong to families that are not covered by any of the conventions implemented by MBTA. In 2017, the USFWS issued a memorandum stating that the MBTA does not prohibit incidental take; therefore, the MBTA is currently limited to purposeful actions, such as directly and knowingly removing a nest to construct a project, hunting, and poaching.

The Clean Water Act (CWA): The CWA is the primary federal law regulating water quality. The implementation of the CWA is the responsibility of the U.S. Environmental Protection Agency (EPA). However, the EPA depends on other agencies, such as the individual states and the U.S. Army Corps of Engineers (USACE), to assist in implementing the CWA. The objective of the CWA is to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters." Section 404 and 401 of the CWA apply to activities that would impact waters of the U.S. The USACE enforces Section 404 of the CWA and the California State Water Resources Control Board (SWRCB) enforces Section 401.

Section 404: The U.S. Army Corps of Engineers (USACE) regulates "Waters of the United States", including adjacent wetlands, under Section 404 of the federal Clean Water Act. Waters of the United States include navigable waters, interstate waters, territorial seas and other waters that may be used in interstate or foreign commerce. Potential wetland areas are identified by the presence of: (1) hydrophytic vegetation, (2) hydric soils, and (3) wetland hydrology. All three parameters must be present, under normal circumstances, for an area to be designated as a jurisdictional wetland under the Clean Water Act. Areas that are inundated for sufficient duration and depth to exclude growth of hydrophytic vegetation are subject to Section 404 jurisdiction as "other waters" and are often characterized by an ordinary high-water mark (OHWM). The discharge of dredged or fill material into a Waters of the U.S. (including wetlands) generally requires a permit from the USACE under Section 404.

"Waters of the State" are regulated by the Regional Water Quality Control Board (RWQCB) under the State Porter-Cologne Water Quality Control Act. Waters of the State are defined by the Porter-Cologne Act as any surface water or groundwater, including saline waters, within the

boundaries of the State. RWQCB jurisdiction includes "isolated" wetlands and waters that may not be regulated by the USACE under Section 404 (such as roadside ditches).

Section 401: Section 401 of the Clean Water Act specifies that any activity subject to a permit issued by a federal agency must also obtain State Water Quality Certification (401 Certification) that the proposed activity will comply with state water quality standards. If a proposed project does not require a federal permit but does involve dredge or fill activities that may result in a discharge to Waters of the State, the Water Board has the option to regulate the dredge and fill activities under its state authority through its Waste Discharge Requirements (WDR) program.

State

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

Fish and Game Code 1600-1602: Sections 1600-1607 of the California Fish and Game Code (CFGC) require that a Notification of Lake or Streambed Alteration Agreement (LSAA) application be submitted to CDFW for "any activity that may substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake." CDFW reviews the proposed actions in the application and, if necessary, prepares a LSAA that includes measures to protect affected fish and wildlife resources, including mitigation for impacts to bats and bat habitat.

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

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

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

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

Porter-Cologne Water Quality Control Act: The intent of the Porter-Cologne Water Quality Control Act (Porter-Cologne) is to protect water quality and the beneficial uses of water, as it applies to both surface and ground water. Under this law, the State Water Resources Control Board develops statewide water quality plans, and the Regional Water Quality Control Boards (RWQCBs) develop basin plans that identify beneficial uses, water quality objectives, and

implementation plans. The RWQCBs have the primary responsibility to implement the provisions of both statewide and basin plans. Waters regulated under Porter-Cologne, referred to as "waters of the State," include isolated waters that are not regulated by the U.S. Army Corps of Engineers (USACE). Projects that require a USACE permit, or fall under other federal jurisdiction, and have the potential to impact waters of the State are required to comply with the terms of the Water Quality Certification Program. If a proposed project does not require a federal license or permit, any person discharging, or proposing to discharge, waste (e.g., dirt) to waters of the State must file a Report of Waste Discharge and receive either Waste Discharge Requirements (WDRs) or a waiver to WDRs before beginning the discharge.

State Water Resources Control Board Cannabis Cultivation Policy: The purpose of the Cannabis Cultivation Policy (Policy) is to ensure that the diversion of water and discharge of waste associated with cannabis cultivation does not have a negative impact on water quality, aquatic habitat, riparian habitat, wetlands, and springs. The Policy establishes principles and guidelines for cannabis cultivation activities to protect water quality and instream flows. Cannabis cultivation legislation enacted California Water Code (Water Code) Section 13149, which directs the State Water Board, in consultation with the CDFW, to adopt interim and long-term principles and guidelines for the diversion and use of water for cannabis cultivation in areas where cannabis cultivation may have the potential to substantially affect instream flows. The legislation requires the State Water Board to establish these principles and guidelines as part of a state policy for water quality control.[9] Additionally, the California Business and Professions Code Section 26060.1(b) requires that these principles and guidelines be included as conditions in cannabis cultivation licenses issued by the California Department of Food and Agriculture (CDFA). The State Water Board has primary enforcement responsibility for the principles and guidelines and shall notify CDFA of any enforcement action taken.[10]

Local

The Sonoma County General Plan 2020 (Sonoma County 2008): Land Use Element and Open Space and Resource Conservation Element both contain policies to protect natural resource lands including, but not limited to, watershed, fish and wildlife habitat, biotic areas, and habitat connectivity corridors. Policy OSRC-8b establishes streamside conservation areas along designated riparian corridors. The policies below provide for protection of biotic habitats both within and outside the designated areas. Following are the types of biotic habitat addressed by the policies in this section that are pertinent to the proposed project:

Special-Status Species Habitat: Special-status species are plant and animals which are listed or candidate species under the Federal or State Endangered Species Acts and other species

[9] Water Code Section 13149(b)(2). The board shall adopt principles and guidelines under this section as part of state policy for water quality control adopted pursuant to Article 3 (commencing with Section13140) of Chapter 3 of Division 7. Water Code Section 13142 outlines specific requirements for a state policy for water quality control, which this Policy implements.

[10] Water Code Section 13149(b)(5).

considered rare enough to warrant special consideration. Reported occurrences of special-status species are compiled by the California Natural Diversity Data Base (CNDDB) of the California Department of Fish and Wildlife (CDFW) and are routinely updated as new information becomes available. Detailed surveys are typically necessary to confirm the presence or absence of special-status species.

Sensitive Natural Communities: CDFW has identified certain natural habitats as sensitive natural communities which are rare and vulnerable to further loss. Sensitive natural communities identified in Sonoma County include coastal salt marsh, brackish water marsh, freshwater marsh, freshwater seeps, native grasslands, several types of forest and woodland (including riparian, valley oak, Oregon white oak, black oak, buckeye, Sargent cypress, and pygmy cypress), old growth redwood and Douglas fir forest, mixed serpentine chaparral, coastal scrub, prairie, bluff, and dunes. Many of these communities support populations of special-status species and are important to native wildlife.

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

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

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

Chapter 11 Grading Ordinance: Section 11-14-070: Removal of trees and other vegetation
Construction grading and drainage shall not remove or disturb trees and other vegetation except in compliance with the department's best management practices for construction grading and drainage and the approved plans and specifications. Construction grading and drainage shall be conducted in compliance with the following requirements:

A. The limits of work-related ground disturbance shall be clearly identified and delineated on the approved plans and specifications and defined and marked on the site to prevent damage to surrounding trees and other vegetation.

B. Trees and other vegetation within the limits of work-related ground disturbance that are to be retained shall be identified and protected from damage by marking, fencing, or other measures.

Would the project:

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

Comment:

Based on site visits conducted by Darren Wiemeyer on March 10, March 30, and May 17, 2017, plus a follow-up site visit performed on April 3, 2018 to ascertain site conditions after the 2017 Nuns Fire, Wiemeyer concluded that site habitats consist of "annual grassland, oak woodland, mixed forest, a perennial pond (Quarry Pond), riparian woodland, and a perennial stream (tributary to Calabazas Creek)."[11] The "perennial" stream identified in the Biological Assessment in the northern part of the site (near Weise Road) was later evaluated by Lucy Macmillan, who determined that because the creek did not have water flowing during her June 25, 2020 site visit, the creek would be more appropriately classified as "an ephemeral drainage that carries water during stormwater events and not a perennial feature." [12]

The Biological Assessment determined that the on-site grassland and ruderal habitat did not support special-status plant species, and much of the ruderal habitat was the result of previous quarry activities and historical and current agricultural practices. Some ruderal habitat was also related to cleanup efforts following the 2017 Nuns Fire, including debris removal, soil testing and removal, grading activities, and installation and maintenance of erosion and sediment control materials. Most of the project site was disturbed by the 2017 Nuns Fire and subsequent cleanup activities.

[11] Wiemeyer Ecological Sciences, 2018. Biological Assessment. May 2018.
[12] Macmillan, Lucy M.S. June 25, 2020. Creek Evaluation at Gordenker Turkey Farm Properties 101 and 585 Trinity Road and 12201 Highway 12 Properties.

During the surveys, no special-status plant species were observed at the project site. The project site is located, and limited to, primarily gravel areas and ruderal habitat that contains minimal grasslands. This area was previously disturbed by historical agricultural practices and due to impacts caused by the 2017 Nuns Fire. Given this, the Biological Assessment (p. 18) determined that the site's "annual grassland and ruderal habitat in proposed development areas do not support special-status plant species and will not result in impacts to special-status plant species." The parcel does contain areas of potentially suitable habitat, particularly the southwestern corner with mixed forest habitat, the northeastern grasslands, and the eastern oak woodland habitat. These areas were characterized as either higher quality grasslands, woodlands, or undisturbed areas. The project does not propose to develop or further disturb these zones and would therefore not result in meaningful impacts to their potential as habitat for special-status species.

The CDFW California Natural Diversity Data Base (CNDDB, April 2018) was queried for a list of all plant and animal species reported from the *Kenwood, Calistoga, St. Helena, Rutherford, Sonoma, Glen Ellen, Cotati, Santa Rosa Mark West Springs* USGS 7.5-minute quadrangles (nine quad search). The Electronic Inventory of Rare and Endangered Vascular Plants of California (CNPS, September 2017) was queried for a list of all plant species reported from the *Kenwood, Calistoga, St. Helena, Rutherford, Sonoma, Glen Ellen, Cotati, Santa Rosa Mark West Springs* USGS 7.5-minute quadrangles.[13]

Special -Status Plant Species: A total of 82 plant species were identified within the region in the California Natural Diversity Database search (CNDDB, April 2018). Many of these plants are not expected to occur within the project area because their primary habitat requirements are lacking (i.e., no fully inundated tidal marsh, freshwater marsh, dunes, chaparral, etc.), and/or the project is far from their known or expected range within the region. No species status plant species were observed during surveys, and no additional surveys were recommended, as all plant species were identifiable during the March and May 2017 and April 2018 surveys, which occurred during the flowering period of most plant species in the region. No special status plant species are known or likely to be present on the site, and no habitat suitable to support species status plants was observed.

Results of the CNDDB search indicated that special-status plant species likely to occur on the project site or in the vicinity of the project site include: Sonoma sunshine (*Blennosperma bakeri*), dwarf downingia (*Downingia pusilla*), Napa false indigo (*Amorpha californica var. napensis*), Cobb Mountain lupine (*Luinus sericatus*), two-fork clover (*Trifolium amoenum*), Jepson's leptosiphon (*Leptosiphon jepsonii*), Franciscan onion (*Allium peninsulare var. franciscanum*), narrow-anthered brodiaea (*Brodiaea leptandra*), and fragrant fritillary (*Fritillaria liliacea*). The Biological Assessment determined that due to lack of suitable habitat, none of these species would likely occur on the project site. The riparian

[13] Wiemeyer Ecological Sciences, 2018. Biological Assessment. May 2018.

woodland and ephemeral tributary have moderate suitability to support special-status plant species because the riparian corridor remains essentially intact with mostly native species, however during the field surveys none were observed, and no development is proposed within the corridor or the 50 feet setback thereof.

The proposed project, including the cultivation area, road improvements, and all additional improvements are located entirely in annual grassland and disturbed ruderal habitat. The annual grassland in these proposed development areas is disturbed from grazing, agricultural practices and fire cleanup activities and are dominated by non-native annual grasses and forbs. The annual grassland and ruderal habitat do not support special-status plant species and will not result in impacts to special-status plant species. Therefore, it has been determined that the proposed project would not impact any special-status plant species.

Special Status Animal Species: Through a search of the California Natural Diversity Database (CNDDB, April 2018) a total of 43 animal species were identified within the region. The following special-status animal species were identified as having potential for being impacted by project activities on-site:

- Shark-shinned hawk (*Accipiter striatus*), CDFW – Watch List: potential loss of foraging habitat due to project but not considered a significant impact; however, construction activities could disturb species if nesting at the site.
- Grasshopper sparrow (*Ammodramu savannarum*), CDFW - Species of Special Concern: potential loss of foraging habitat due to project but not considered a significant impact; however, construction activities could disturb species if nesting at the site.
- Golden eagle (*Aquila chyrysaetos*), CDFW - Fully Protected: no suitable nesting habitat on-site, and species not observed on the site; possible loss of foraging habitat due to project but determined there will be no significant impact.
- Burrowing owl (*Athene cunicularia*), CDFW - Species of Special Concern: limited suitable habitat, and species not observed on the site nor were burrows observed; possible loss of foraging habitat due to project but determined there will be no significant impact.
- Ferruginous hawk (*Buteo regalis*), CDFW - Watch List: very limited suitable habitat and species not observed on the site; potential loss of foraging habitat due to project but determined there will be no significant impact.
- Swainson's hawk (*Buteo swainsonii*), State – Threatened: very limited suitable habitat and species not observed on the site; potential loss of foraging habitat due to project but determined there will be no significant impact.
- Western yellow-billed cuckoo (*Coccyzus americanus occidentalis*), Federal - Threatened; State – Endangered: very limited suitable habitat and species not observed on the site; potential loss of foraging habitat due to project but determined there will be no significant impact.

- White-tailed kite (*Elanus leucurus*), CDFW - Fully Protected: suitable foraging and nesting habitat on-site but species not observed on the site; possible loss of foraging habitat due to project but determined there will be no significant impact, however, construction activities could disturb species if nesting at the site.
- American peregrine falcon (*Falco peregrinus anatum*), Federal – Delisted; State – Delisted; CDFW - Fully Protected: no suitable nesting habitat on-site and species not observed on the site; possible loss of foraging habitat due to project but determined there will be no significant impact.
- Bald eagle (*Haliaeetus leucocephalus*), Federal – Delisted; State – Endangered; CDFW – None: no suitable nesting habitat on-site and species not observed on the site; possible loss of foraging habitat due to project but determined there will be no significant impact.
- Purple martin (*Progne subis*), CDFW – Species of Concern: potentially suitable nesting habitat in the mixed forest areas but very limited nesting habitat in the riparian woodland and oak woodland habitat; species not observed on the site; possible loss of foraging habitat due to project but determined there will be no significant impact, however, construction activities could disturb species if nesting at the site.
- Bank swallow (*Riparia riparia*), State – Threatened: limited yet potentially suitable nesting habitat but species not observed on the site; determined there will be no significant impact.
- Northern spotted owl (*Strix occidentalis caurina*), State and Federal – Threatened; CDFW - Species of Special Concern: limited suitable habitat and species not observed on the site; potential loss of foraging habitat due to project but determined there will be no significant impact.
- American badger (*Taxidea taxus*), CDFW - Species of Special Concern: very limited potentially suitable habitat and no species observed at the site nor were burrows observed; loss of annual grassland and ruderal habitat at the site, but proposed locations for development would be unlikely to become occupied by this species; determined there will be no significant impact.

As discussed, the proposed project will avoid impacts to oak woodland, mixed forest, and riparian woodland habitat at the site. Further, the proposed project will avoid impacts to the reclaimed quarry pond and a majority of the grasslands occurring onsite. The proposed project would result in the continued cultivation of cannabis on approximately 4.66 acres of potentially suitable grassland foraging habitat for these species. However, this fenced area contains a ruderal area that has been disturbed and would not be considered prime farmland or foraging habitats. Further, the majority of the remaining approximately 25-acre parcel would remain undisturbed by project activities. For these reasons, the potential loss of foraging habitat would be small and unlikely to result in significant losses of potential foraging habitats. See Section 4.d below for a discussion of potential for disturbance to nesting birds and proposed mitigation.

Special Bat Species: All special-status bat species, including several bat species which do not have special status, but have potential to occur in habitats at the site, have been included in this evaluation of habitat suitability and discussion of potential impacts. All bat species have state protection during nesting and roosting seasons.

- Pallid Bat (*Antrozous pallidus*) Conservation Status: CDFW – Species of Special Concern
- Townsend's Big-Eared Bat (*Corynorhinus townsendii*) - Conservation Status: State -
- Candidate Threatened; CDFW - Species of Special Concern
- Western red bat (*Lasiurus blossevillii*) – Conservation Status: CDFW – Species of
- Special Concern
- Hoary Bat (*Lasiurus cinereus*) – Conservation Status: None
- Fringed Myotis (*Myotis thysanodes*) – Conservation Status: None
- Long-legged Myotis (*Myotis volans*) – Conservation Status: None
- Yuma Myotis (*Myotis yumanensis*) – Conservation Status: None

Bats are known to utilize a vast variety of habitat types for foraging and several types of structures for nesting and roosting including trees, cliffs, rock outcrops, buildings, bridges, caves, and mines. The habitat at the site provides suitable foraging habitat for bats. The proposed project would result in the loss of approximately 4.66 acres of potentially suitable grassland foraging habitat for bats. However, the majority of the remaining approximately 25-acre parcel would remain undisturbed by project activities. As discussed, this small loss of potential foraging habitat would not be considered a significant impact. Several of the larger trees at the site within the oak woodland, riparian woodland, and mixed forest habitats provide suitable habitat for roosting as they exhibit cavities, fissures, or exfoliating bark, especially in the mixed forest habitat. These trees are not within the proposed project site and will not be removed under the proposed construction. See Section 4.d below for a discussion of potential for disturbance to roosting bats and proposed mitigation.

Amphibians, Reptiles, and Fish:

- California giant salamander (*Dicamptodon ensatus*), CDFW - Species of Special Concern: suitable habitat, though this species typically is found in wetter environments surrounded by forest habitats; species not observed at the site; development setbacks and erosion and sediment control measures during construction activities would prevent significant indirect impacts to this species habitat, therefore, determined there will be no significant impact.
- Western pond turtle *(Emys marmorata*), CDFW - Species of Special Concern: very limited suitable breeding habitat and species not observed at the site; development setbacks and erosion and sediment control measures during construction activities would prevent significant indirect impacts to this species habitat, therefore, determined there will be no significant impact.

- Foothill yellow-legged frog (*Rana boylii*), State – Candidate Threatened; CDFW - Species of Special Concern: suitable habitat but species not observed at the site; development setbacks and erosion and sediment control measures during construction activities would prevent significant indirect impacts to this species habitat, therefore, determined there will be no significant impact.
- California red-legged frog (*Rana draytonii*), Federal – Threatened; CDFW - Species of Special Concern: very limited suitable breeding habitat but the unnamed tributary and riparian woodland provide suitable foraging, refuge and dispersal habitat; species not observed at the site; development setbacks and erosion and sediment control measures during construction activities would prevent significant indirect impacts to this species habitat, therefore, determined there will be no significant impact.
- Red-bellied newt (*Taricha rivularis*), CDFW - Species of Special Concern: the unnamed tributary and riparian woodland provide suitable habitat, but species not observed at the site; development setbacks and erosion and sediment control measures during construction activities would prevent significant indirect impacts to this species habitat, therefore, determined there will be no significant impact.
- Steelhead, or steelhead trout (*Oncorhynchus mykiss*), Federal – Threatened: the unnamed tributary is not a known steelhead stream but exhibits necessary habitat requirements for spawning habitat and more suitable spawning habitat may exist upstream; species not observed at the site; development setbacks and erosion and sediment control measures during construction activities would prevent significant indirect impacts to this species habitat, therefore, determined there will be no significant impact.
- Coho salmon (*Oncorhynchus kisutch*), Federal - Endangered; State – Endangered: the unnamed tributary exhibits necessary habitat requirements for spawning habitat and more suitable spawning habitat may exist upstream, but species not observed at the site; development setbacks and erosion and sediment control measures during construction activities would prevent significant indirect impacts to this species habitat, therefore, determined there will be no significant impact.
- California freshwater shrimp (*Syncaris pacifica*), Federal - Endangered; State – Endangered: potentially suitable habitat but species not known to occur in Calabazas Creek and unlikely to occur in the unnamed tributary; species was not observed at the site; development setbacks and erosion and sediment control measures during construction activities would prevent significant indirect impacts to this species habitat, therefore, determined there will be no significant impact.

As discussed, the proposed project would avoid impacts to stream channels, oak woodland, mixed forest, and riparian woodland habitat, but would result in the continued use, and therefore loss, of approximately 4.66 acres of potentially suitable grassland foraging habitat for birds and bats. However, the majority of the remaining approximate 25 parcel acres would remain undisturbed by project activities and the ongoing quarry reclamation would

continue to create habitat through the seeding of native grasses and trees, and recontouring and vegetation of the former quarry pond. The small continued loss of potential foraging habitat would not be considered a significant impact. While the general operation of the project would not directly result in impacts to special-status species or habitat, secondary impacts can occur due to the limited construction activities proposed for roadway improvements. Ground borne vibrations from heavy machinery, such as construction vehicles associated with grading of the access driveway, could disturb nesting birds and roosting bats. See Section 4.d for discussion and proposed mitigation.

Level of Significance: Less than Significant Impact

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

Comment:
The proposed project is not in a riparian area or other sensitive natural community. While the onsite drainage was previously identified as "perennial" in a biological resources assessment prepared by Weimeyer in 2018, a June 2020 evaluation by Lucy Macmillan, M.S. noted that with the lack of water flow in the creek at that time, the recommended classification for this creek would be an ephemeral drainage that carries water during stormwater events and not a perennial feature. Riparian habitat typically includes woody vegetation that grows along the margins of water features. Riparian habitat primarily exists along the unnamed ephemeral tributary to the east of the cultivation area. Project cultivation areas are 50 feet from the top of the bank from ephemeral drainages, which is adequate to ensure no indirect impacts to drainage channels or associated riparian habitat would occur. No other sensitive vegetation communities are present on the project site. Therefore, the project would not affect riparian habitat or any other sensitive natural community.

Significance Level: Less than Significant Impact

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Comment:
The proposed project would not fill any waterway or wetlands. There would be no removal or hydrological interruption with project approval. The project is not in a wetland area. All development would be approximately 200 feet from the nearest seasonal wetlands, which is adequate to ensure no indirect impacts to wetlands would occur. Therefore, the project would not affect wetland habitat.

Significance Level: Less than Significant Impact

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Comment:
The project proposes to utilize existing fencing around the 4.66-acre cultivation area. While this fencing could impede movement of native terrestrial wildlife, it only represents approximately 14.1% of the larger, 25.16-acre parcel, which is largely undeveloped and provides open movement, and would not impede movement of arboreal species.

The proposed cannabis cultivation project is located in a disturbed portion of annual grassland and disturbed habitats. This grassland habitat has been used for agricultural uses including grazing and is dominated by non-native grasses and forbs which do not provide a suitable habitat for special status species.

Although the project does not propose to remove trees, which could supply habitat for nesting birds or roosting bats, impacts could occur during construction activities if noise or other disturbance were to cause the birds or bats to abandon an active nest or an active roosting site. Because most of the construction impacts from project development would be confined to an area of non-native grassland and ruderal habitat, project impacts on special-status species would largely be limited to potential inadvertent destruction or disturbance of nesting birds on and near the project site as a result of a construction-related site disturbances.

Migratory bird species could potentially occur onsite. Many common bird species including their eggs and young are given special protection under the Migratory Bird Treaty Act of 1918 (Migratory Bird Act). Impacts to migratory birds are typically avoided by removing vegetation and conducting ground-disturbing activities only between September 1 and February 15 to avoid bird-nesting season, by having a qualified biologist verify absence immediately prior to vegetation removal, or by employing exclusionary bird netting during the nesting season. The report prepared by Wiemeyer provided recommendation for such a mitigation strategy (Biological Assessment, p.32) to reduce the potential of the proposed project from causing impacts to nesting birds and roosting bats, thereby reducing such impacts to a less than significant level.

Significance Level before Mitigation: Less than Significant with Mitigation Incorporated

Mitigation Measure BIO-1: Nesting Bird Avoidance or Conduct Preconstruction Surveys

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

a) To avoid impacts on nesting birds or roosting bats, all construction-related activities (including but not limited to mobilization and staging, clearing, grubbing, vegetation removal, fence installation, demolition, and grading) shall occur outside the avian nesting season (generally before February 1 or after August 31). Active nesting is present if a bird is sitting in a nest, a nest has eggs or chicks in it, or adults are observed carrying food to the nest.
b) If construction-related activities are scheduled to occur during the nesting season (generally February 1 through August 31), a qualified biologist shall conduct a habitat assessment and pre-construction nesting bird and roosting bat survey no more than seven (7) days before initiation of work. The qualified biologist conducting the surveys shall be familiar with local nesting birds and roosting bats' ecology. Surveys shall be conducted at the appropriate times of day during periods of peak activity (i.e., early morning or dusk) and shall be of sufficient duration to observe movement patterns. Surveys shall be conducted within the project area and 250 feet of the construction limits for nesting non-raptors and 1,000 feet for nesting raptors, as feasible. If the survey area is found to be absent of nesting birds or roosting bats, no further mitigation would be required. However, if project activities are delayed by more than seven days, an additional nesting bird and roosting bat survey shall be performed.
c) If pre-construction nesting bird and roosting bat surveys result in the location of active nests, no site disturbance (including but not limited to equipment staging, fence installation, clearing, grubbing, vegetation removal, fence installation, demolition, and grading) shall occur until a qualified biologist has established a temporary protective buffer around the nest(s). The buffer must be of sufficient size to protect the nesting site from construction-related disturbance and shall be established by a qualified biologist. No-work buffers are species- and site-specific, as determined by a qualified biologist. Typically, the no-work radius is 100-250 feet for songbirds and owls and up to 0.5 miles for special-status raptors. The nest buffer, where it intersects the project site, shall be staked with orange construction fencing or orange lath staking. Any active nests shall be monitored by a qualified biologist to ensure compliance with the relevant Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGC) requirements. The biologist shall document monitoring efforts and provide documentation to the applicant, County, or other agency upon request. No-work nest protection buffers may be removed and/or reduced if the qualified biologist determines the young have fledged the nest, the nest has otherwise become inactive due to natural cause (i.e. storm events or predation), or if the qualified biologist determines in coordination with CDFW that construction activities are not likely to adversely affect the nest. The qualified biologist and CDFW may agree upon an alternative monitoring schedule depending on the construction activity, season, and species potentially subject to impact.

d) If any maternity roosting is observed during the pre-project survey, a no-work buffer at a size determined by the biologist shall be installed around the roost to protect the roost for the duration of the season. If the biologist documents any long-term and/or permanent bat roosts observed within the project site that are likely to be impacted by project activities, the biologist shall consult with CDFW to determine appropriate minimization measures, including, but not limited to: passive bat exclusion and installation of bat roost boxes.
e) A report of the findings shall be prepared by a qualified biologist and submitted to the County prior to the initiation of construction-related activities that have the potential to disturb any active nests or roosts. The report shall include recommendations required for the establishment of protective buffers as necessary to protect nesting birds and roosting bats. A copy of the report shall be submitted to the County and applicable regulatory agencies prior to the issuance of a grading permit.

Mitigation Monitoring BIO-1: The County shall not issue permit(s) for ground-disturbing activities until after the applicant submits evidence that the site has been surveyed by a qualified biologist to ensure that no active bird nest disturbance or destruction would occur as a result of the project. If the survey determines protective buffers are necessary, the County shall not issue a permit for ground-disturbing activities until the applicant provides evidence that nest protection buffers are fenced off and active nest monitoring has been initiated. Additionally, the County shall review the results of all pre-construction surveys and any measures recommended by the biologist to avoid sensitive habitats or species, which shall be noted on the final project plans. Preconstruction surveys shall be performed within seven (7) days of initiation of project activities.

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

Comment:
The project would not remove any trees protected by the Tree Protection Ordinance (Zoning Code Sec. 26-88-010 (m)), as no trees are proposed for removal. However, the site is located in an area with a special resource protection designation for Riparian Corridors (RC50/25), which requires a minimum setback of 50 feet from development. As discussed in section 4.b, project cultivation activities are approximately 50 feet from the top of the bank of the nearest ephemeral drainage, which complies with the Riparian Corridor setback and is adequate to ensure no indirect impacts to drainage channels or associated riparian habitat would occur. No other special resource protection designations occur on the project parcel (e.g., VOH - Valley Oak Habitat, BH – Biotic Habitat). Therefore, the project would not conflict with any local resource protection policies or ordinances. No impact would occur.

Significance Level: No Impact

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Comment:
Habitat Conservation Plans and natural community conservation plans are site-specific plans to address effects on sensitive species of plants and animals. The project site is not located in an area subject to a habitat conservation plan or natural community conservation plan.

Significance Level: No Impact

5. CULTURAL RESOURCES

Would the project:

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

Comment:
On June 11, 2019, Evans and DeShazo conducted a Cultural Resources Study for the proposed Cannabis Cultivation Project at 585 Trinity Road, Glen Ellen, Sonoma County. The study identified no historic buildings or structures (50 years of age or older) located within the project site.[14] Therefore, as no identified built environmental historical resources are located within the project area, the project would have no impact on such a resource.

Significance Level: Less than Significant

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

Comment:
Cultural resources records search results from the Northwest Information Center (NWIC) of the California Historical Resources Information System (CHRIS), an archaeological field survey, and a Native American Sacred Lands File Search through the Native American Heritage Commission indicate that 19 studies have been conducted within a quarter mile of the study area.[15] Additionally, the NWIC Record Search showed no prehistoric Native American Sites. Archival research indicates that the project site had not been previously

[14] Evans and DeShazo, 2019. Results of a Cultural Resources Study for the Proposed Cultivation Project at 585 Trinity Road, Glen Ellen; June 11, 2019

[15] Evans and DeShazo, 2019. Results of a Cultural Resources Study for the Proposed Cultivation Project at 585 Trinity Road, Glen Ellen; June 11, 2019

subjected to a cultural resources study. According to the NWIC, there are nine cultural resources recorded within 0.25-miles of the Study Area, including two prehistoric archaeological sites, six historic-era built environment resources, and one historic district. The record search, Native American Sacred Lands Inventory, and field survey did not identify the presence of any cultural resources within the Project Area. A review of 19th and 20th century maps historic maps of the Project Area and the soils and geology indicate a low potential for the Project Area to contain buried prehistoric or historic-era archaeological resources.[16] Therefore, the proposed project would result in no substantial adverse change in the significance of archaeological resource as defined in CEQA Guidelines Section 15064.5.

Undiscovered archaeological resources may be accidentally encountered during project implementation. Section 11-14-050 of the Sonoma County Grading Ordinance establishes uniformly applied development standards to reduce the potential for impact to cultural resources to a less than significant level by requiring that all work be halted in the vicinity where human remains or archaeological resources are discovered during construction grading and drainage and that the Director of Permit Sonoma and the County Coroner be notified to ensure compliance with state law regarding the proper disposition of human remains, including those identified as Native American. Similarly, if archaeological resources or suspected archaeological resources are discovered, the Director of Permit Sonoma shall notify the State Historic Preservation Office and Northwest Information Center at Sonoma State University and the permittee shall retain a qualified archeologist to evaluate the find to ensure proper disposition of the archaeological resources or suspected archaeological resources. The director shall provide notice of the find to any tribes that have been identified as having cultural ties and affiliation with the geographic area in which the archaeological resources or suspected archaeological resources were discovered if the tribe or tribes have requested notice and provided a contact person and current address to which the notice is to be sent. The director may consult with and solicit comments from notified tribes to aid in the evaluation, protection, and proper disposition of the archaeological resources or suspected archaeological resources. Archaeological resources may include historic or prehistoric ruins, burial grounds, pottery, arrowheads, midden, or culturally modified soil deposits. Artifacts associated with prehistoric ruins may include humanly modified stone, shell, bone, or other cultural materials such as charcoal, ash, and burned rock indicative of food procurement or processing activities. Prehistoric domestic features may include hearths, fire pits, or floor depressions; mortuary features are typically represented by human skeletal remains.

Additional protection is required for Commercial Cannabis Cultivation, per Section 26-88-254(14) of the County Code, which requires that cultivation sites shall avoid impacts to significant cultural and historic resources by requiring cultivation operations involving

[16] Evans and DeShazo, 2019. Results of a Cultural Resources Study for the Proposed Cultivation Project at 585 Trinity Road, Glen Ellen; June 11, 2019

ground disturbing activities to be referred to the Northwest Information Center and local tribes. All grading and building permits are required to have notes included on the plans regarding actions to be taken if paleontological resources or prehistoric, historic-period, or tribal cultural resources are encountered during ground-disturbing work at the project location, requiring all work in the immediate vicinity to be halted and the operator to immediately notify the agency having jurisdiction of the find. If human remains are encountered, work in the immediate vicinity shall also stop and the operator shall notify the agency having jurisdiction and the Sonoma County Coroner immediately. If the human remains are determined to be of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of the identification.

Significance Level: Less than Significant Impact

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

Comment:
No burial sites are known in the vicinity of the project area. The site would be disturbed by grading and construction activities. However, based on landform age, analysis of the environmental setting, and analysis of sensitivity for buried sites, there is a low potential for buried archaeological site indicators within the study area.[17] In the unlikely event the site contains a burial site, compliance with Sections 11-14-050 and 26-88-254(14) of the Sonoma County Code noted above would ensure necessary steps are taken to protect the resource.

Significance Level: Less than Significant Impact

6. ENERGY

Would the project:

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Comment:
Construction activities would increase energy usage temporarily. Project construction activities include the assembly of temporary hoop houses and grading of the access road and formalization of a new parking area. Portable ADA restrooms would be brought onsite for employee use. Long-term energy demand would result from employees working on the project site and from employee vehicle trips. The proposed cannabis operation would result in minimal energy usage from electricity for irrigation water conveyance, and the security system (which includes alarm, lights, sensors, and cameras).

[17] Evans and DeShazo, 2019. Results of a Cultural Resources Study for the Proposed Cultivation Project at 12201 Highway 12, Glen Ellen; June 11, 2019)

All cannabis projects in Sonoma County are required to prepare a Greenhouse Gas (GHG) Emissions reduction plan. The applicant has prepared such a plan and has indicated that they would purchase 100 percent renewable power from Sonoma Clean Power through PG&E and has proposed to reduce emissions through the use of local hiring for employees and local vendors for deliveries to and from the project site. Therefore, with the minimal amount of construction activities in conjunction with the proposed GHG Emission reduction plan, impacts will be reduced to a less than significant level.

Significance Level: Less Than Significant Impact

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

Comment:
In 2003, the California Energy Commission (CEC), the California Power Authority, and the California Public Utilities Commission (CPUC) jointly adopted an Energy Action Plan (EAP) that listed goals for California's energy future and set forth a commitment to achieve these goals through specific actions (CEC 2003). In 2005, the CEC and CPUC approved the EAP II, which identified further actions to meet California's future energy needs, mainly focused on the energy and natural gas sectors (CEC 2005). Additionally, the CEC also prepared the State Alternative Fuels Plan in partnership with the California Air Resources Board and in consultation with the other state, federal, and local agencies. The alternative fuels plan presents strategies and actions California must take to increase the use of alternative non-petroleum fuels in a manner that minimizes costs to California and maximizes the economic benefits of in-state production (CEC 2007).

The proposed project would require energy use for powering of security equipment such as cameras, lighting, and electronic locking gates, as well as for pumping water from the existing storage tank to the cultivation site. No conflicts with a state or local plan for renewable energy or energy efficiency have been identified.

Significance Level: Less Than Significant Impact

7. GEOLOGY AND SOILS

Would the project:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Comment:
The project is not within a fault hazard zone, as defined by the Alquist-Priolo fault maps.[18]

Significance Level: No Impact

ii. Strong seismic ground shaking?

Comment:
All of Sonoma County is subject to seismic shaking that would result from earthquakes along the San Andreas, Healdsburg-Rodgers Creek, and other faults. The site's proximity to the various faults, indicate that the intensity of ground shaking and damage from anticipated future earthquakes in the project area is categorized as 'Very Strong' according to the County's General Plan Public Safety Element.[19]

All construction activities would be required to meet the California Building Code regulations for seismic safety, including designing all earthwork, cuts and fills, drainage, pavements, utilities, foundations, and structural components in conformance with the specifications and criteria contained in the project final geotechnical report, which shall be completed and submitted to Permit Sonoma prior to project approval. Standard County development procedures include review and approval of construction plans prior to the issuance of a building/grading permit.

In addition, as required by the building code, the geotechnical engineer would be required to submit an approval letter for the engineered grading plans prior to issuance of the grading permit. Also, prior to final issuance of the grading permit and the acceptance of the improvements or issuance of a certificate of occupancy, the geotechnical engineer would be required to inspect the construction work and certify to Permit Sonoma that the improvements have been constructed in accordance with the geotechnical specifications. All work would be subject to inspection by Permit Sonoma for conformance with all applicable code requirements and approved improvement plans.

Significance Level: Less than Significant Impact

[18] California Geologic Survey. California Department of Conservation, "Earthquake Zones of Required Investigation Map," Available at: https://maps.conservation.ca.gov/cgs/EQZApp/app/ Accessed September 16, 2022.
[19] Sonoma County. General Plan 2020, "Earthquake Ground Shaking Hazard Areas Figure PS-1a" Available at: https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Public-Safety-Earthquake-Ground-Shaking-Hazard-Areas/ Accessed September 16, 2022.

iii. **Seismic-related ground failure, including liquefaction?**

Comment:
Strong ground shaking can result in liquefaction, the sudden loss of sheer strength in saturated sandy material, resulting in ground failure. The project site is not located within a high liquefaction hazard area according to the Sonoma County General Plan 2020 Public Safety Element.[20] According to the Association of Bay Area Government's Hazard Viewer, the site is in a liquefaction susceptibility area rated as "Very Low."[21]

Significance Level: Less than Significant Impact

iv. Landslides?

Comment:
Steep slopes characterize much of Sonoma County, particularly the northern and eastern portion of the County. Where these areas are underlain by weak or unconsolidated earth materials landslides are a hazard. The site is minimally sloping, and the ABAG Hazard Viewer maps the project as an area with "Few Landslides."[22] There are no new structures proposed for the project and furthermore the Standard Building Code requirements applicable to the construction of this project would ensure that no substantial risks to life or property would be created from landslides at the proposed project. Therefore, the project is considered to have a negligible potential for landslides or impacts thereof.

Significance Level: Less than Significant Impact

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

Comment:
The project is proposing the construction of temporary hoop houses and grading associated with various roadway improvements. The project construction for the roadway requires a cut of approximately 293 cubic yards and a fill of approximately 186 cubic yards, for a net of 107 cubic yards of cut and a disturbed area of 5,759 square feet.

As discussed in Section 10 (Hydrology and Water Quality), erosion and sediment control provisions of the County Construction Grading and Drainage Ordinance (Zoning Code

[20] Sonoma County. General Plan 2020 Public Safety Element, "Liquefaction Hazard Areas Fig. PS-1c," Available at: https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Public-Safety-Liquefaction-Hazard-Areas/ Accessed September 16, 2022.
[21] Association of Bay Area Governments (ABAG), 2021. Hazard Viewer Map. Available at: https://abag.ca.gov/our-work/resilience/data-research/hazard-viewer Accessed September 16, 2022.
[22] Association of Bay Area Governments (ABAG), 2021. Hazard Viewer Map. Available at: https://abag.ca.gov/our-work/resilience/data-research/hazard-viewer Accessed September 16, 2022.

Chapter 11) and Storm Water Quality Ordinance (Zoning Code Chapter 11A) require submission of an Erosion and Sediment Control Plan and implementation of flow control best management practices to reduce runoff and require treatment of runoff from the two-year storm event. Required inspections by Permit Sonoma staff ensure that all grading and erosion control measures are constructed according to the approved plans.

In addition, the Department of Agricultural Weights and Measures Agricultural Division offers best management practices for cannabis cultivation operations. Erosion control measures include availability of materials such as straw or mulch, which would be adequate for use in covering areas of disturbed soil to be used in event of storms that are likely to produce runoff. These materials can also be used to cover exposed or disturbed areas, or alternatively disturbed areas can be covered using a thick cover crop such as mustard, alfalfa, buckwheat, etc. These ordinance requirements and adopted best management practices are specifically designed to maintain potential water quantity impacts at a less than significant level during and post construction.

There are no new structures proposed for the project and furthermore the Standard Building Code requirements applicable to the construction of this project would ensure that no substantial risks to life or property would be created from soil erosion or loss of topsoil at the proposed project.

Significance Level: Less than Significant Impact

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

Comment:
The project site is not located within a High or Very High Liquefaction Hazard Area or a designated Landslide Hazard Area. The project site is generally flat. There are no new structures proposed for the project and furthermore the Standard Building Code requirements applicable to the construction of this project would ensure that no substantial risks to life or property would be created from landslides or liquefaction at the proposed project. Therefore, the potential impact from landslides or liquefaction would be less than significant.

Significance Level: Less than Significant Impact

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Comment:

Table 18-1-B of the Uniform Building Code is an index of the relative expansive characteristics of soil as determined through laboratory testing. According to the National Resources Conservation Service, soils on the project site consist of Red Hill clay loam 2-15% slopes, which has a moderate to high shrink swell potential.[23] There are no new structures proposed for the project and furthermore the Standard Building Code requirements applicable to the construction of this project would ensure that no substantial risks to life or property would be created from soil expansion at the proposed project.

Significance Level: Less than Significant Impact

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Comment:
The project site is not served by public sewage. The project proposes using ADA-accessible portable toilets onsite for domestic waste from employees, and no new septic system is proposed as part of the project. This cultivation operation would comply with the BMPs issued by the Agricultural Commissioner (see Section 10.a Hydrology for BMPs and LID discussion).

Significance Level: Less than Significant Impact

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

Comment:
A Cultural Resources Survey was prepared on June 11, 2019. During the cultural resources and hydrogeologic studies, no unique paleontological or geologic features were identified.

Paleontological resources include fossil remains, as well as fossil localities and rock or soil formations that have produced fossil material. No surveys for paleontological resources have been conducted for the site. Reference Section 5.b, Cultural Resources for a discussion of the standard conditions of approval for accidental discovery. These conditions would reduce the impact of construction activities on unknown paleontological resources to a less than significant level by addressing discovery of unanticipated buried resources.

According to the geologic map of the Kenwood 7.5' quadrangle, the soil types within the Study Area and the Project Area are associated with the Sonoma Volcanic geologic formation that are from the Miocene age (7.9-5.33 million years ago). The geologic setting

[23] Natural Resources Conservation Service (NRCS), Web Soil Survey Map. Available at: https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx Accessed September 16, 2022.

of the Project Area and the presence of soil associated with a Miocene-age landform suggest that there is little or no potential for buried prehistoric archaeological resources to be present within the Project Area; however, Pleistocene-age alluvial soils are located adjacent to the southwest the Project Area. Based on the soils and geology of the Project Area and the greater Study Area, it appears that the Project Area has a low potential for buried prehistoric archaeological resources to be present.[24]

Significance Level: Less than Significant Impact

8. GREENHOUSE GAS EMISSIONS

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Comment:
Section 15064.4 of the State CEQA Guidelines assists lead agencies in determining the significance of the impacts of GHG emissions. Section 15064.4 gives lead agencies the discretion to assess emissions quantitatively or qualitatively. The CEQA Guidelines do not establish a threshold of significance. Lead agencies are granted discretion to establish significance thresholds for their respective jurisdictions, including looking to thresholds developed by other public agencies or other experts, so long as any threshold chosen is supported by substantial evidence.

Emissions are caused by natural gas combustion, electricity use, on-road vehicles, water use, wine fermentation, carbon sequestration, and existing emissions. The BAAQMD does not include a threshold of significance for construction related GHG emissions; however, the project does not include the new construction of structures or significant roadway improvements.

As discussed in Air Quality Sections 3.a and 3.b, the proposed project would be much smaller in scale than other screened land uses and would be well below the emission threshold for greenhouse gases.

Additionally, BAAQMD released new thresholds of significance for GHG emissions in April 2022 for environmental review that is initiated following their adoption. The thresholds for land use projects are: that buildings must not include natural gas appliances or plumbing and; will not result in wasteful, inefficient, or unnecessary energy usage and; the project

[24] Evans and DeShazo, 2019. Results of a Cultural Resources Study for the Proposed Cultivation Project at 585 Trinity Road, Glen Ellen; June 11, 2019

should not have a significant VMT impact and; the project is consistent with local GHG reduction strategies. The proposed project would not include any new structures or dwellings that would require gas appliances or plumbing, and a VMT analysis prepared by W-Trans indicated a less than significant increase in average daily trips (ADT). See Section 17.a for discussion on ADT and VMT analysis. The project also includes design elements that specifically reduce wasteful emissions through a GHG reduction plan, see Section 8.b for discussion.

Therefore, GHG emissions associated with temporary construction activities and long-term project operation are not anticipated to have a significant impact.

Significance Level: Less than Significant Impact

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

Comment:
The County does not have an adopted Climate Action Plan but has adopted a Climate Change Action Resolution (May 8, 2018) which resolved to reduce GHG emissions by 40% below 1990 levels by 2030 and 80% below 1990 levels by 2050, and noted twenty strategies for reducing GHG emissions, including increasing carbon sequestration, increasing renewable energy use, and reducing emissions from the consumption of good and services. The project has proposed to incorporate many GHG reduction strategies, including: the limited to no use of petrochemical fertilizers, utilization of local vendors for deliveries, and the hiring of local employees for the onsite workforce, thereby reducing vehicle emissions from daily trips.

By incorporating multiple GHG reduction strategies, the project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Significance Level: Less than Significant Impact

9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Comment:
Operation of the project, as well as ongoing maintenance, may involve the intermittent transport, storage, use, and disposal of potentially hazardous materials, including

pesticides, fuels, and other materials commonly used for maintenance. Project hazardous materials would be located within the fence line and locked in an approximately 200 square foot storage area adjacent to the outdoor cultivation.

Pesticide and fertilizer would be stored on pallets and/or shelves to minimize the possibility of spills and leaks going undetected. All liquid pesticides and fertilizers are required to be stored on shelves capable of containing spills or providing appropriate secondary containment. A spill cleanup kit would be kept on-site to respond to any leaks or spills. The project would not involve the disposal or runoff of agricultural chemicals because they are applied at label rates on the cannabis plants. No impacts are anticipated related to the routine transport, use, or disposal of small amounts of agricultural chemicals.

In addition, the project would be required to comply with the operating standards for hazardous materials for cannabis cultivation set forth in Section 26-88-254(g)(4) of the County Code, which requires the maintenance of any applicable permits issued by the Sonoma County Fire Prevention division, Certified Unified Program Agency (CUPA) of Sonoma County Fire and Emergency Services Department, or Agricultural Commissioner, as well as compliance with the applicable requirements for hazardous waste generators and AB 185 (hazardous material handling).

Construction of project infrastructure may involve short-term transport, storage, and use of hazardous materials, but the roads and infrastructure do not propose any long-term operations that would require routine or ongoing transport, use, or disposal of hazardous materials beyond periodic maintenance needs. These normal activities would be subject to applicable local, state, and federal regulations.

Project use of any and all hazardous materials that may be generated, stored, transported, used, or disposed of would be subject to applicable local, state, and federal regulations. With existing General Plan policies and federal, state, and local regulation and oversight of hazardous materials, the potential threat to public health and safety or the environment from hazardous materials transport, use, or disposal would be less than significant.

Significance Level: Less Than Significant Impact

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Comment:
As mentioned in Section 9.a, the scope of the proposed project would include minor construction-related hazardous materials. In addition, the project proposes minimal use of Organic Materials Review Institute approved or California Department of Food and

Agriculture certified organic pesticides, herbicides, or fungicides, and therefore only minor transportation for low-grade pesticides and fertilizers on an as needed basis.

The use of these pesticides, herbicides, or fungicides would entail the use of items deemed to be common, average sized items, similar to those found in usual consumer stores and not of an industrial size or scope. The low need for, and subsequent small scale and transportation of, said items would result in a less than significant impact.

Significance Level: Less Than Significant Impact

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

Comment:
The nearest school is Dunbar Elementary School located at 11700 Dunbar Road, which is approximately 2,850 feet west of the project parcel to the school property boundary, measured in a straight line. There are no existing or proposed schools within one-quarter mile of the project site. The use of small amounts of agricultural chemicals would not result in any off-site hazardous emissions which could affect sensitive receptors at the school.

Significance Level: No Impact

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

Comment:
There are no known hazardous material sites within or adjacent to the project limits, based on review of the following databases on September 16, 2022.

1. The State Water Resources Control Board Geotracker database,[25]
2. The Department of Toxic Substances Control EnviroStor database,[26] and
3. The California Integrated Waste Management Board Solid Waste Information System (SWIS).[27]

Significance Level: No Impact

[25] State Water Resources Control Board. "Geotracker Database," http://geotracker.waterboards.ca.gov/ Accessed September 16, 2022.
[26] The Department of Toxic Substances Control. "EnviroStor Database," http://www.envirostor.dtsc.ca.gov/public/ Accessed September 16, 2022.
[27] Cal Recycle. "Waste Information System (SWIS) Facility/Site Search," https://www2.calrecycle.ca.gov/SolidWaste/Activity Accessed September 16, 2022.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

Comment:
The site is not within the Airport Referral Area as designated by the Sonoma County Comprehensive Airport Land Use Plan.

Significance Level: No Impact

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

Comment:
The project would not impair the implementation of, or physically interfere with the County's adopted emergency operations plan. There is no separate emergency evacuation plan for the County. The project would not result in a significant change in existing circulation patterns, would not generate substantial new traffic, and would have no measurable effect on emergency response routes. Proposed fire safe turnarounds would be added as roadway enhancements southwest of the barn and cultivation area and along the gravel road leading to the proposed parking area.

The project parcel has two potential routes for ingress and egress including Weise Road toward Highway 12 in the west and the access route that connects to Trinity Road in the south. Sonoma County has established evacuation zones and routes, including the project parcel. In the event of an emergency, the current Evacuation Assembly Point is Saint Leo's Church, located south of the project parcel on Agua Caliente Road. The designated evacuation route for the Trinity Road area is to follow Trinity Road west to Highway 12 and then south on the highway to Agua Caliente Road. Evacuation from the project site would be consistent with the designated route and would not add substantial new employee traffic (a maximum of 10 full-time and 5 seasonal employees) to the roadways. Therefore, the project would not interfere with an existing emergency response or evacuation plan. Refer to Section 17 - Transportation, for further discussion of emergency access and project traffic.

Significance Level: Less than Significant Impact

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

Comment:
According to the Sonoma GIS tool the proposed project is located in a State Responsibility Area, with a Fire Hazard Severity Zone (FHSZ) designated as Moderate. The project is located in a rural area, characterized by wooded areas and sparse grasslands, and rural residential properties. See Wildfire Section 20 for a discussion of risks related to wildland fire.

As part of the County's planning referral process, County Fire Prevention reviewed the proposed project as recently as October 14, 2022, and did not note any environmental concerns, see Section 20 – Wildfire for additional discussion on fire standards. As a condition of project approval, the applicant/operator shall submit a written *Fire Safety and Evacuation Plan* (pursuant to California Fire Code Sections 403 and 404) to CalFire for approval. This plan shall include, but not be limited to, fire safety, medical emergencies, and evacuations, and shall also describe provisions for fire watch and medical personnel. The plan shall be subject to re-evaluation by CalFire at any time, when requested in writing by the fire code official. Prior to approval of a grading permit, the County shall review the project *Fire Safety and Evacuation Plan* and ensure that coordination with appropriate County emergency staff is established.

In addition, the project would be required to comply with County Code Fire Safe Standards (Chapter 13) and State Fire Safe Regulations (14 CCR 1270.00 et seq.), which establish minimum wildfire protection standards for the State Responsibility Area (SRA) and very high fire hazard severity zones. Therefore, the project would not be likely to expose people or structures to a significant risk of loss, injury or death involving wildland fires.

Significance Level: Less than Significant Impact

10. HYDROLOGY AND WATER QUALITY

Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Comment:
The project would include grading of approximately 293 cubic yards of cut and 186 cubic yards of fill, for a net fill of 107 cubic yards for the formalization of the emergency turnouts, modifications to the driveway and access roads as determined necessary by the County, and addition of the 21-stall parking area. These improvements and project operations could affect the quantity and/or quality of stormwater runoff.

The proposed cultivation area had been previously disturbed by previous buildings and wildfire. Limited ground-disturbing activities would be anticipated to prepare the area for

cultivation. The cannabis plants would be cultivated using a mix of both in-ground and in raised pots.

Watershed. The project site is located in the Upper Sonoma Creek subwatershed of the Sonoma Creek-Frontal San Pablo Bay Estuaries watershed, which is part of the larger San Pablo Hydrologic Unit. The project site is in a Class 3 groundwater basin (Marginal Groundwater Availability), as classified in the County's Groundwater Availability map. There is a stream (tributary to Calabazas Creek) near Weise Road that carries water during stormwater events. Calabazas Creek flows south and joins Sonoma Creek in Glen Ellen. From there, Sonoma Creek continues its southward flow before emptying in San Pablo Bay, about 16 miles away.

Sonoma Creek has been remapped (divided) into two parts for more consistent section 303 impairment analysis and implementation actions: (1) the southern "tidal" part of the creek connecting to San Pablo Bay (approximately seven miles long and tidally influenced), and (2) the northern "non-tidal" part (approximately 23 miles long and flowing through the Glen Ellen area). The "non-tidal" part of Sonoma Creek is listed by the State Water Resources Control Board (SWRCB) and San Francisco Bay Regional Water Quality Control Board (SFRWQCB) under section 303 of the Clean Water Act as impaired for sedimentation/ siltation, nutrients, and pathogens. A total maximum daily load (TMDL) action plan is currently in place for sedimentation/siltation and pathogens; a TMDL is required for nutrients. The southern "tidal" part of Sonoma Creek has been delisted for sedimentation/ siltation due to this mapping change; however, the southern "tidal" part is listed as impaired for nutrients and pathogens. A TMDL is currently in place for pathogens; a TMDL is required for nutrients. San Pablo Bay is listed under section 303 as impaired for metals, pesticides, and invasive species. A TMDL is currently in place for metals; a TMDL is required for pesticides and invasive species. In addition, Calabazas Creek, a tributary to Sonoma Creek, has been delisted due to incorrect assignment of data (which has been correctly assigned to a similarly named waterbody in Santa Clara County). [28]

Waste Discharge. The SWRCB Cannabis General Order WQ 2019-0001-DWQ (Cannabis General Order) for General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities, effective as of April 16, 2019, requires submittal of a Site Management Plan describing best management practices (BMPs) to protect water quality and may also require a site erosion and sediment control plan, disturbed area stabilization plan, and/or nitrogen management plan, depending on size and site characteristics of the operation. All outdoor commercial cultivation operations that disturb an area equal to or greater than 2,000 square feet of soil

[28] State Water Resources Control Board, Impaired Water Bodies, Final 2014/2016 California Integrated Report (Clean Water Act Section 303(d) List / 305(b) Report), https://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2014_2016.shtml, last accessed September 16, 2022.

are required to enroll or to apply for a waiver of waste discharge (if applicable). Compliance with the Cannabis General Order is a standard condition of approval for all cannabis permits. County conditions of approval require a copy of the Waste Discharge Permit to be submitted prior to issuance of a Certificate of Occupancy or project operation and vesting the Use Permit. The project would require coverage under the SWRCB General Construction Permit because project construction activities would disturb one or more acres of soil.

In addition, Section 26-88-254(g)(9) of the County Code requires that the applicant submit a wastewater management plan, as follows:

> *"A waste water management plan shall be submitted identifying the amount of waste water, excess irrigation and domestic waste water anticipated, as well as disposal. All cultivation operations shall comply with the best management practices issued by the agricultural commissioner and shall submit verification of compliance with the waste discharge requirements of the state water resource control board, or waiver thereof. Excess irrigation water or effluent from cultivation activities shall be directed to a sanitary sewer, septic, irrigation, graywater or bio-retention treatment systems. If discharging to a septic system, a system capacity evaluation by a qualified sanitary engineer shall be included in the management plan. All domestic waste for employees shall be disposed of in a permanent sanitary sewer or on-site septic system demonstrated to have adequate capacity."*

Runoff and storm water control for cannabis cultivation, as addressed in County Code Section 26-88-254(f)(20), requires:

> *"Runoff containing sediment or other waste or by-products shall not be allowed to drain to the storm drain system, waterways, or adjacent lands. Prior to beginning grading or construction, the operator shall prepare and implement a storm water management plan and an erosion and sediment control plan, approved by the agency having jurisdiction. The plan must include best management practices for erosion control during and after construction and permanent drainage and erosion control measures pursuant to Chapter 11 of the county code. All cultivation operators shall comply with the best management practices for cannabis cultivation issued by the agricultural commissioner for management of wastes, water, erosion control and management of fertilizers and pesticides."*

Drainage and Runoff. The cannabis cultivation best management practices for outdoor cultivation prescribed by the County Agriculture Commissioner include measures such as:

- Storing pesticide and fertilizer outside of Riparian Corridor setbacks and at least 100 feet from wellheads and 50 feet from identified wetlands;

- Prohibiting the removal of vegetation within riparian habitat to maintain soil quality along banks;
- Regular inspection for leaks and repairs needed for irrigation systems to prevent waste and runoff;
- Placement of at least 2 inches of mulch (such as straw, bark, wood, etc.) over any exposed or disturbed soils.

In addition, project construction would need to meet all applicable County grading and drainage requirements (County Code Chapter 11--Construction Grading and Drainage Ordinance). Required inspections by Permit Sonoma staff would ensure that water quality standards and erosion control measures would be maintained according to the approved project plans and applicable policy regulations.

Application of these standard County requirements, State stormwater requirements, and County conditions of approval would reduce project stormwater runoff impacts to a less than significant level.

Significance Level: Less than Significant Impact

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

Comment:
The project is located in Groundwater Availability Class 3 (Marginal Groundwater Area). According to Sonoma County General Plan Policy WR-2e and County Policy 8-1-14, the development of property with the intent to use groundwater within a Groundwater Availability Class 3 area requires completion of a Hydrogeologic assessment through Permit Sonoma. The project is not located in a Priority Groundwater Basin as indicated by the Sonoma County GIS Tool.

A hydrogeologic report prepared by PJC & Associates Inc., dated October 27, 2017 (PJC Initial Report), was prepared in accordance with Permit Sonoma Policy and Procedure #8-1-14. The PJC Initial Report assessment included an analysis of three cannabis cultivation projects proposed for adjoining parcels, including use permit applications UPC19-0002, UPC17-0048, and PLP17-0040. The three projects are proposed to share a common irrigation water source located on the southern portion of APN 053-100-016 (12201 Highway 12, UPC17-0048). Water for the project will flow from a well and pumphouse to a 150,000-gallon holding tank for irrigation use and for emergency access in the event of a fire.

Permit Sonoma reviewed the PJC Initial Report and requested additional information and analysis in a letter dated March 14, 2019 (March 2019 Letter). In response the applicant provided a revised hydrogeologic report prepared by PJC & Associates Inc., dated June 28, 2019 (PJC Revised Report). Permit Sonoma reviewed the PJC Revised Report and requested additional information and analysis in a letter dated September 10, 2019. In response, the applicant provided a Supplemental Groundwater Availability Evaluation prepared by PJC & Associates Inc., dated October 17, 2019 (2019 Supplemental Report), that provided a further discussion of potential impacts on streamflow in Calabazas Creek. Permit Sonoma reviewed the 2019 Supplemental Report and requested additional information and analysis in a letter dated November 27, 2019. In response and due to increased estimated water use, the applicant provided a Supplemental Groundwater Availability Evaluation prepared by PJC & Associates Inc., dated December 17, 2021 (2021 Supplemental Report), that provided a further discussion of potential impacts to streamflow in Calabazas Creek.

The 2021 Supplemental Report revised the estimated water use of the project from 2.2 acre-feet per year to 4.5 acre-feet per year. The revision was based on information collected from both an 8-hour well pump test conducted in 2018 and from the Sonoma Ecology Center (SEC) dry season stream flow data for Calabazas Creek during the years 2017, 2018, 2020 and 2021. A similar adjustment was made to the water use of PLP17-0040 which is served by the same project well. The total estimated water use from the project well is thus revised from 8.1 to 12.7 acre-feet per year. This water use is summarized by Table 4 below:

Table 4: Water Use Projections for Outdoor Cannabis Cultivation

Annual Vegetative Water Use	
Average Number of Plants	8,000
Total Water Use (Gallons)	219,949
Average Daily Water (Gallons)	2443.88
Average Daily Water Per Plant (Gallons)	0.31
Annual Non-Vegetative Water Use	
Average Number of Plants	8,000
Total Water Use (Gallons)	806,481
Average Daily Water (Gallons)	5376.54
Average Daily Water Per Plant (Gallons)	0.67
Autoflower Water Use	
Average Number of Plants	25,000
Total Water Use (Gallons)	439,898
Average Daily Water (Gallons)	5498.73
Average Daily Water Per Plant (Gallons)	0.22
Total Expected Water Use (Gallons)	**1,466,328 (4.49 Acre-feet)**

Further, the 2021 Supplemental Report presented an updated analysis and discussion of impacts on streamflow in Calabazas Creek. The report reiterated that the project well is roughly 1000 feet from Calabazas Creek and screened below 200 feet below the ground surface. This information was interpreted to indicate an interaction between the project well and surface water is unlikely. In addition, the SEC stream flow monitoring report for 2020 and 2021 reiterated this and concluded that a relationship between stream flow and groundwater use from the project well was inevident.

The Supplemental Report provided a quantitative estimate of a potential reduction in streamflow of between 0.0051 cubic feet per second (2.3 gallons per minute) and 0.0039 feet per second (1.8 gallons per minute) after six months of pumping at the average pumping rate of 11.8 gallons per minute after 180 days of groundwater pumping at 1.5 times the average annual pumping rate. The revised values of streamflow depletion were less than estimates previously reported because of updated estimates of aquifer storativity. The updated values are considered reasonable given the available information.

The 2021 Supplemental Report reviewed available data from the SEC for the dry season of 2017, 2018, 2020, and 2021. The average recorded minimum streamflow in Calabazas Creek near the project site at Highway 12 and Dunbar Road bridge crossings was roughly 0.076 cubic feet per second. With revised streamflow values and estimates of stream flow depletion, expected groundwater pumping for the project was modeled to reduce streamflow by roughly 6.7% after six months of project pumping. The Supplemental Report concluded that this level of streamflow depletion is negligible and unlikely to occur given the vertical and horizontal separation of the Project Well from Calabazas Creek.

Therefore, the proposed project would not result in a substantial decrease in groundwater supplies or substantial interference with groundwater recharge.

Significance Level: Less than Significant Impact

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which

i. would result in substantial erosion or siltation on- or off-site?

Comment:
Construction activities associated with the proposed project are minor, involving improvements to existing access roads and parking areas, and not anticipated to alter the existing drainage pattern of the site or area in a way that would result in downstream erosion and/or sedimentation. All construction activities are required to adhere to Sonoma

County Code Sections 11-14-040 and 26-88-254 requiring that BMPs be incorporated in project activity to further control surface water runoff.

Runoff and stormwater control requirements for cannabis cultivation prohibit draining of runoff to the storm drain system, waterways, or adjacent lands. Prior to beginning grading or construction, the operator is required to prepare a stormwater management plan and an erosion and sediment control plan, including BMPs for erosion control during and after construction and permanent drainage and erosion control measures, pursuant to Chapter 11 of the County Code. All cultivation operators are required to comply with the BMPs for cannabis cultivation issued by the Agricultural Commissioner for management of wastes, water, erosion control, and management of fertilizers and pesticides, per Section 26-88-254(f)(20) of the County Code.

In accordance with Section 11-14-040 of Chapter 11, drainage facilities and systems are required to prevent or minimize soil loss through the use of storm drain culverts (pipes), storm drain inlets and outlets, storm drain outfalls, energy dissipators, flow dispersion, check dams, rolling dips, critical dips, proper location and sizing of culverts, revegetation of exposed or disturbed slopes, minimizing cross drains through road outsloping, minimizing the use of artificial slopes, and other BMPs referenced or detailed in the County's BMPs for construction grading and drainage.

Significance Level: Less than Significant Impact

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

Comment:
The project proposes the assembly of seasonal, temporary hoop houses. No new structures are proposed for the cultivation operation. The access road would be regraded. The only new impervious surface proposed by the project is one ADA parking space within the fenced cultivation area. Project operations would not result in significant increases to surface runoff or flooding.

Significance Level: Less than Significant Impact.

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

Comment:
Permit Sonoma Grading and Stormwater Section staff reviewed the project referral and provided conditions of approval to ensure project compliance with the County Construction

Grading and Drainage Ordinance (Zoning Code Chapter 11) and the Storm Water Quality Ordinance (Zoning Code Chapter 11A). Grading plans were submitted to Sonoma County for the project parcel on July 28, 2020, and a subsequent permit issued March 29, 2021 (GRD20-0176).

Any proposed grading is subject to review and approval by Permit Sonoma Grading and Stormwater Section staff, which requires that stormwater treatment Best Management Practices (BMPs) be utilized to address the potential for water quality impacts and shall also address water quantity through stormwater flow control BMPs. Stormwater treatment BMPs shall be designed to treat storm events and associated runoff to the 85th percentile storm event, in accordance with County standards. Stormwater treatment BMPs shall be designed to treat storm events and associated runoff to the channel forming discharge storm event which is commonly referred to as the two-year 24-hour storm event. These requirements would be imposed on the approved grading for the proposed project for the expansion and improvement for the existing gravel access road and would include measures such as outsloping or insloping for drainage designs and the use of fiber rolls or wattles to reduce stormwater flow velocities. These measures would ensure that runoff water would not exceed drainage capacity or substantially add to polluted runoff.

Significance Level: Less than Significant Impact

iv. impede or redirect flood flows?

Comment:
There are no blue line streams on the project site and the parcel is not in the 100-year flood zone or Special Flood Hazard Area (SFHA) [29] (i.e., the area that would be inundated by the flood event has a one percent chance of being equaled or exceeded in any given year). Refer to responses 10.c.ii and 10.c.iii above for discussion of hydrological impacts.

Significance Level: Less than Significant Impact

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

Comment:

[29] Sonoma County. General Plan 2020 Public Safety Element. "Flood Hazard Areas Fig. PS-1e," https://permitsonoma.org/longrangeplans/adoptedlong-rangeplans/generalplan/organizationandoverview/publicsafety/publicsafetymaps/publicsafetyfloodhazardareas, last accessed September 16, 2022.

According to Sonoma General Plan Figure PS-1f[30], the project site is not located in an area that would be subject to flooding as a result of levee or dam failure. The project site is not located in a tsunami or seiche zone.

Significance Level: No Impact

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

Comment:
Though the County does not have a comprehensive water quality control plan, it achieves water quality control through enforcement of relevant requirements written into the General Plan and County Code. The project would be required to comply with all applicable water quality control requirements, including those related to cannabis cultivation, construction activities, wastewater discharge, and stormwater runoff.

The project site is not located in a priority groundwater basin as defined under the Sustainable Groundwater Management Act (SGMA). The nearest SGMA basin is the Napa-Sonoma Valley Basin, which nearest boundary is located approximately 1500 feet west of the project site. Though the project would not be subject to a sustainable groundwater plan, compliance with the County requirements discussed above in this section would protect against groundwater depletion or use of groundwater in an unsustainable manner.

The project would not conflict with or obstruct the implementation of a water quality control plan or sustainable groundwater management plan.

Significance Level: Less than Significant Impact

11. LAND USE AND PLANNING

Would the project:

a) Physically divide an established community?

Comment:
The project would not physically divide the community. It does not involve the construction of a large physical structure (such as a major transportation facility) or removal of a primary

[30] Sonoma County. General Plan 2020 Safety Element. "Dam Failure Inundation Hazard Areas, Figure PS-1f," https://permitsonoma.org/longrangeplans/adoptedlong-rangeplans/generalplan/organizationandoverview/publicsafety/publicsafetymaps/publicsafetydamfailureinundationhazardareas, last accessed September 16, 2022.

access route (such as a road or bridge) that could impair mobility within an established community or between a community and outlying areas. All improvements associated with the buildout of the project would be constructed within the boundaries of the project site. The project does not include or propose expansion beyond the parcel boundaries nor does the project include changes to the existing roadway layout.

Significance Level: No Impact

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Comment:
The project would not conflict with any applicable land use plan adopted for the purpose of avoiding or mitigating environmental effects, including the Sonoma County General Plan and Zoning Ordinance. The General Plan Land Use and zoning designation for the parcel are Land Intensive Agriculture (LIA). This land use designation is intended to protect lands best suited for permanent agricultural use and capable of relatively high production per acre of land.

The proposed project would also be generally consistent with goals, policies, and objectives in the Sonoma County General Plan 2020 related to avoiding or mitigating an environmental effect, including:

- Protection against intensive development of lands constrained by natural hazards and proliferation of growth in areas where there are inadequate public services and infrastructure (General Plan Land Use Element 2.7- Natural Resource Land Use Policy): The project site is not constrained by steep slopes, biotic or scenic areas, poor soils or water, geologic hazards, or fire and flood-prone areas. Development on the site is limited to approximately 4.66 acres of the approximately 25-acre parcel and no new public services or infrastructure are needed to serve the project.
- The project is designed in harmony with the natural and scenic qualities of the local area (Policy LU-12g), as no portion of the project would be visible from a public or private road and the project parcel is screened from roads and other properties by existing trees.
- Preservation of biotic and scenic resources (General Plan Goal LU-10, Objective LU-10.1, Goal OSRC-2, Objective OSRC-2.1, Objective OSRC-2.2, Objective OSRC-2.3, Policy OSC-2d, Goal OSCR-3, Policy OSRC-3a, Policy OSRC-3b, Policy OSRC-3c, Goal OSRC-6, Objective OSRC-6.1, and Policy OSRC-6a): The project would be consistent with regulations pertaining to avoiding biotic resources and would also be consistent with regulations designed to maintain the scenic qualities of the area. (See Section 1, Aesthetics, for further discussion).

- Wastewater (General Plan Policy LU0-8a): The project would comply with regional waste discharge requirements and County regulations to minimize stormwater, surface water, and groundwater pollution.
- Maintaining very low residential densities (General Plan Objective LU-12.6): The project does not propose to increase residential density or construct new residences.
- Nighttime lighting and preservation of nighttime skies and visual character of rural areas (General Plan Goal OSRC-4, Objective OSRC-4.1, Objective OSRC-4.2, Policy OSRC-4a, Policy OSRC-4b, and Policy OSRC-4c): The project would use minimal, motion-activated exterior lights which would comply with County requirements related to location, shielding, and light levels. Exterior lighting is existing.
- Renewable Energy (General Plan Policy LU-11b, Goal OSRC-14, and Objective OSRC-14.2): The project would use 100 percent renewable. This is consistent with the County's goals to conserve energy and improve efficiency.
- Protection of Water Resources (General Plan Goal LU-8, Objective LU-8.1, Goal, Policy LU-8a): The project would be consistent with regulations pertaining to protecting Sonoma County's water resources and would be consistent with regulations designed to avoid long-term declines in available groundwater resources or water quality.
- Noise (General Plan Goal NE-1): Project construction and operations, including cannabis cultivation and processing, would not exceed the general plan noise standards Table NE-2 (See Section 12, Noise, for further discussion).

Within the Land Intensive Agriculture land use and zoning designation, commercial cannabis cultivation (up to one acre of cultivation area), including ancillary processing operations, is an allowed land use with a use permit. The proposed project would be consistent with the County Code for the LIA zoning designation as well as the Development Criteria and Operating Standards from the Code intended to avoid and minimize potential environmental impacts (Section 26-88-250 through 254).

The primary use of any parcel within one of the three agricultural land use categories (LIA, LEA, DA) must involve agricultural production and related processing, support services, and visitor serving uses. Allowed non-agricultural land uses must be conducive to continued agricultural production. Livestock grazing occurs and will continue on the project parcel. Cattle are kept in fenced areas on the project parcel, with grazing occurring on approximately 15 acres onsite. A condition of approval will require that the grazing use (or other comparable agricultural use) be continued as long as the permit is active.

As a part of the application, a zone change is proposed to remove the current Mineral Resources (MR) Combining District zoning designation to allow for onsite cannabis

cultivation. The MR designation and uses supersede those allowed in the base zoning designation for agriculturally zoned parcels, such as LIA. Due to the permissive nature of the zoning designation, cannabis cannot be cultivated because it is not specifically identified in the MR Combining District zoning designation, however permitted uses include the "growing and harvesting of plants, flowers, fruits, vegetables, shrubs, vines, trees, hay, grain and other similar food and fiber crops."[31] The commercial cultivation of cannabis is a land use that is by nature a crop, and therefore would be compatible within this framework.

Further, the MR designation creates protections for mineral resources, but in doing so allows for aggregate resource extraction and geological disturbances that can degrade the parcel land for habitat and future uses. The removal of this designation represents a restriction of uses, in that it ceases the allowance of mineral extraction and quarry operations, and would therefore be consistent with CEQA guidelines. The quarry located on the project parcel ("Trinity Quarry") has ceased operation and is currently undergoing reclamation. This reclamation process will result in the reseeding of native grasses and trees, grading and contouring to realign slopes, and the preservation of a man-made pond for future habitat, all of which represent the creation or restoration of habitat back to a pre-quarry state. Following the removal of the MR designation, the base zoning of LIA would continue to apply with all policies and regulations thereof. All other zoning designations will remain the same.

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

Significance Level: Less than Significant Impact

12. MINERAL RESOURCES

Would the project:

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

Comment:

[31] MR Mineral Resources Combining District Section 26-72-010(d).

The project site is not located within a known mineral resource deposit area.[32] Sonoma County has adopted the Aggregate Resources Management Plan that identifies aggregate resources of statewide or regional significance (areas classified as MRZ-2 by the State Geologist).

The Trinity Quarry has operated at the current location since 1919. The quarry traditionally produced road and construction materials, including decorative rock. No quarry activity has occurred since November 2018, and per the Surface Mining and Reclamation Act (SMARA), the quarry is considered abandoned. The California Department of Conservation was notified of the closure as recently as March 8, 2019.

The State Mining and Geology Board does not recognize the subject site as a designated mineral resource of regional or statewide economic significance (State Mining and Geology Board Designation Report No. 17). The project site does not contain any active mines or known mineral resources that would require preservation and/or be impacted by the project.

Significance Level: No Impact

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Comment:
The former onsite quarry site is not identified in the Sonoma County Aggregate Resource Management Plan as a locally important mineral resource.[33] The site is zoned Mineral Resource (MR) due to the former quarry operation. As discussed in section 11b, the project includes a zone change to remove the MR zoning designation due to the cessation of quarry operations and ongoing reclamation through the Reclamation Plan (PLP10-0041) approved in 2013 and amended as recently as December 2020. The quarry was originally expected to exhaust mineral resources by 1995, however the slow pace of mining activity prolonged the site operations. A proposal to extend mining activity was made in 1998, and again in 2010, with the final closure of the mine in November 2018. The site has since been in reclamation, with an expected completion date in Spring of 2024.

Significance Level: Less than Significant Impact

---

[32] Sonoma County. Aggregate Resources Management Plan, Designated In-stream Mining Areas. Available at: https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/Aggregate-Resource-Management/Maps-and-Diagrams/ Accessed September 19, 2022.

[33] Sonoma County. Aggregate Resources Management Plan, Designated In-stream Mining Areas. Available at: https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/Aggregate-Resource-Management/Maps-and-Diagrams/ Accessed September 19, 2022.

13. NOISE

Would the project result in:

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Comment:
Noise may be defined as loud, unpleasant, or unwanted sounds. The frequency (pitch), amplitude (intensity or loudness), and duration of noise all contribute to the effect on a listener or receptor, and whether the receptor perceives the noise as objectionable, disturbing, or annoying. The decibel scale (dB) is a unit of measurement that indicates the relative amplitude of a sound. Sound levels in dB are calculated on a logarithmic basis. An increase of 10 dB represents a tenfold increase in acoustic energy, while 20 dBs is 100 times more intense, 30 dBs is 1,000 more intense, and so on. In general, there is a relationship between the subjective noisiness, or loudness of a sound, and its amplitude, or intensity, with each 10 dB increase in sound level perceived as approximately a doubling of loudness.

There are several methods of characterizing sound. The most common method is the "A-weighted sound level," or dBA. This scale gives greater weight to the frequencies of sound to which the human ear is typically most sensitive. Thus, most environmental measurements are reported in dBA, meaning decibels on the A-scale. The energy contained in a sound pressure wave dissipates and is absorbed by the surrounding environment as the sound wave spreads out and travels away from the noise generating source. Theoretically, the sound level of a point source attenuates, or decreases, by 6dB with each doubling of distance from a point, or stationary, source of a sound, and 3 dB for each doubling of distance from a mobile source of the sound.

Sound levels are also affected by certain environmental factors, such as ground cover (asphalt vs. grass or trees), atmospheric absorption, and attenuation by barriers. When more than one-point source contributes to the sound pressure level at a receiver point, the overall sound level is determined by combining the contributions of each source. Decibels, however, are logarithmic units and cannot be directly added or subtracted together. Under the dB scale, a doubling of sound energy corresponds to a 3 dB increase in noise levels. For example, if one noise source produces a sound power level of 70 dB, two of the same sources would not produce 140 dB – rather, they would combine to produce 73dB.

County noise standards for non-transportation operational noise (as indicated in Table NE-2 of the General Plan) establish a maximum allowable exterior noise exposure of 50 dBA in the daytime (7:00 AM to 10:00 PM) and 45 dBA in the nighttime (10:00 PM to 7:00 AM), as measured using the L50 value (the value exceeded 50 percent of the time, or 30 minutes in any hour – i.e., the median noise level).

Table 5. Maximum Allowable Exterior Noise Exposures for Non-transportation Noise Sources[A]

Hourly Noise Metric, dBA[B]	Daytime (7 AM - 10 PM)	Nighttime (10 PM - 7 AM)
L50 (30 minutes in any hour)	50	45
L25 (15 minutes in any hour)	55	50
L08 (4 minutes 48 seconds in any hour)	60	55
L02 (72 seconds in any hour)	65	60

Source: Sonoma County General Plan Noise Element Table NE-2

(A) Pursuant to General Plan Policy NE-1C, the noise standards apply at the exterior property line of any adjacent noise-sensitive land use.

(B) The sound level exceeded n% of the time in any hour. For example, L50 is the value exceeded 50% of the time or 30 minutes in any hour; this is the median noise level.

As discussed in the 2016 ND (p. 39), "Cannabis operations could cause potential noise impacts through the preparation of land for outdoor cultivation, construction activities for associated structures, noise from on-site power generators, and road noise from related traffic." Outdoor cultivation would make use of typical small-scale farming equipment, such as a small tractor or rototiller. Such equipment would be run only a few times per season during the daytime and would not be expected to exceed General Plan noise standards.

Transportation noise would be generated by employee vehicles (10 full-time and 5 seasonal) and from deliveries to the project site. Most employees would work during daytime hours and deliveries would occur between the hours of 5:00 am to 8:00 pm. Given the low number of vehicle trips and the project site's location adjacent to Highway 12, project transportation noise would not be likely to result in a significant contribution to the existing ambient traffic noise level in the area. Construction noise would be short-term and temporary, associated with minor access road and parking improvements.

The surrounding parcels also serve agricultural operations or cannabis cultivation and processing, which would therefore not impact a significant number of sensitive receptors or residences. The nearest resident would be located approximately 470 feet from the cultivation site. Noise generation from motorized equipment used in small scale agricultural operations, such as lawnmowers, weed trimmers, or forklifts, typically operate at a noise level of up to 90 dBA, which will dissipate over distances and can be influenced by environmental conditions such as reflective surfaces or physical barriers. Under the assumption that no environmental conditions are present, and using the inverse square law to calculate the modified attenuation of sound away from the point source, the dBA for typical equipment that could be used by the outdoor cultivation would be reduced to

approximately 45 dBA at a distance of 470 feet. This would mean that noise generation would be below daytime thresholds and at the nighttime threshold for County noise standards, however given the vegetation and natural landforms, ambient noise from nearby traffic on Highway 12, and the variations in slope that exists between the cultivation site and the offsite residence, this estimate would be highly conservative and higher than actual noise levels measured at a distance of 470 feet. Therefore, project noise impacts from employee and delivery vehicles, temporary construction, and operational farm equipment would be less than significant.

Significance Level: Less than Significant Impact

b) Generation of excessive ground-borne vibration or ground-borne noise levels?

Comment:
The project would include construction activities that may generate minor ground borne vibration and noise from conventional construction equipment, but no intensive vibratory noise would occur, such as pile-driving or jackhammering. All construction noise would be short-term, temporary, and limited to daytime hours. There are no other activities or uses associated with the project that would expose persons to or generate excessive ground borne vibration or ground borne noise levels.

Significance Level: Less than Significant Impact

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Comment:
The project site is not within the Airport Referral Area, as designated by the Sonoma County Comprehensive Airport Land Use Plan.[34] The project site is not within the vicinity of a private airstrip or within two miles of a public airport or public use airport. The project, therefore, would not expose people working in the project are to excessive noise levels.

Significance Level: No Impact

[34] Sonoma County. "Sonoma County Airport Referral Area," Available at: https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/Comprehensive-Airport-Land-Use/Sonoma-County-Airport/ Accessed September 19, 2022.

14. POPULATION AND HOUSING

Would the project:

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Comment:
The proposed project does not include the construction of new housing, nor would it generate significant new demand for housing in the area. A maximum of 15 employees, would be onsite during harvest season. This increase in employment opportunities is not anticipated to result in an indirect increase in population, as it is anticipated that employees would be existing residents of Sonoma County. Therefore, the project would not induce substantial population growth in the area.

Significance Level: Less Than Significant Impact

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

Comment:
No existing people or housing would be displaced by the project and no replacement housing is proposed to be constructed.

Significance Level: No Impact

15. PUBLIC SERVICES

Would the project:

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

Comment:
Construction of the project would not involve substantial adverse physical impacts associated with provision of public facilities or services and the impact would be less than significant. The project would not necessitate the need for construction of any new public facilities or the alteration of any public facilities and would cause no effects on the performance objectives for any public services.

Significance Level: Less Than Significant Impact

i. Fire protection?

Comment:
The project is located within the State Responsibility Area (SRA), under CalFire jurisdiction. The parcel is located in the Glen Ellen Fire Protection District. The nearest fire station to the site is the Glen Ellen Fire Department (serviced by the City of Sonoma) which is 3 minutes (1.6 miles) from the project site.

The County Fire Inspector reviewed the project description and plans as recently as October 14, 2022 and required that the project include fire protection methods such as alarm systems, extinguishers, vegetation management, hazardous materials management, and management of flammable or combustible liquids and gases. These are standard conditions of approval required by the County Code. Because none of the conditions and/or requirements requires the construction of new or expanded fire protection/emergency medical facilities, project impacts on fire protection/emergency medical services would be less than significant.

Significance Level: Less Than Significant Impact

ii. Police?

Comment:
The Sonoma County Sheriff would continue to serve this area. There would be no increased need for police protection resulting from the project.

The proposed project does not include the development of housing. The project would generate up to 10 jobs, increasing to 15 during harvest, as part of the cultivation operation. The project would not include the construction of a substantial number of homes or businesses or an amount of infrastructure and therefore would not induce substantial population growth. Existing police protection facilities would be adequate to serve the proposed project.

Significance Level: Less Than Significant Impact

iii. Schools?

Comment:
Development fees to offset potential impacts on public services, including school impact mitigation fees, are required by Sonoma County Code and state law for new subdivisions

and residential developments. The project does not include residential development and no new schools are reasonably foreseeable as a result. The project would not contribute to an increase in the need for expanded or additional schools.

Significance Level: No Impact

iv. Parks?

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

Significance Level: No Impact

v. Other public facilities?

Comment:
The project would not be served by public sewer or water facilities. Expansion or construction of additional types of public facilities is not anticipated as a result of this project.

Significance Level: No Impact

16. RECREATION

Would the project:

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Comment:
The proposed project would not involve activities that would cause or accelerate substantial physical deterioration of parks or recreational facilities. The proposed project does not include any residential use and as such would not lead to an increase in the use of existing neighborhood or regional parks or other recreational facilities.

Significance Level: No Impact

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Comment:

The project does not involve construction of recreational facilities. See item 16.a above.

Significance Level: No Impact

17. TRANSPORTATION

Would the project:

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities?

Comment:
As discussed in the 2016 ND (p. 44), any increase in traffic generated as a result of cannabis operations was considered to be consistent with the General Plan 2020 and associated EIR, and therefore adoption of Ordinance No. 6198 was determined not to conflict with an applicable transportation/circulation plan. The 2016 ND (p. 44) also noted that while traffic impacts would vary with the type and size of individual cannabis operations (and the number of employees), the greatest traffic generation anticipated would be for employee trips during the planting and harvest operations.

A Traffic Study and subsequent vehicle miles traveled analysis (VMT Analysis) were prepared for the project by W-Trans to address potential changes in traffic resulting from the project and evaluate the proposed project's traffic with those adopted objectives. [35] The Traffic Study also considered the cumulative effects on traffic of the proposed project in conjunction with two other cannabis projects on adjoining parcels: the Turkey Site (101 Trinity Road, UPC19-0002) to the west, and the Terra Luna Site (12201 Highway 12, UPC17-0048) to the north. In addition to traffic analysis, this traffic evaluation also helps the County determine each project's Traffic Mitigation Fee, per Chapter 26, Article 98 of the County Code.

The applicant submitted a traffic study completed by W-Trans in March 2020, called *Traffic Impact Study for the Gordenker Ranch Cannabis Cultivation Project*. W-Trans updated the number of employees and trip generation rates after the initial TIS. The updated TIS identified that the cumulative projects would be located on three unique parcels on the east side of Highway 12 and would be used for cannabis cultivation. The Sonoma County General Plan Circulation and Transit Element includes adopted objectives for roadway system operations.

[35] W-Trans, "Traffic Impact Study for the Gordenker Ranch Cannabis Cultivation Project," prepared for the County of Sonoma, March 20, 2020; W-Trans, "Addendum to the Traffic Impact Study for the Gordenker Ranch Cannabis Cultivation Project – Vehicle Miles Traveled (VMT) Analysis," prepared for Andrew Dobbs-Kramer, PARC Ventures, September 18, 2020.

The following analysis summarizes the key results, findings, and recommendations of the Traffic Study relevant to CEQA requirements. The results of the Traffic Study indicated that the proposed project could be expected to generate up to 46 daily trips (with a maximum of 8 trips during the AM peak hour and 7 trips during the PM peak hour). The total trip generation of the three projects cumulatively was estimated at up to 140 daily trips (with a maximum of 25 trips during the AM peak hour and 22 trips during the PM peak hour). However, these project trip generation numbers for the three projects combined included the 10 full-time employees engaged in the quarry reclamation on the subject parcel at the time of the traffic study. Therefore, after trips associated with that quarry use (31 trips) were deducted from the cumulative totals (because the quarry has ceased operations and undergoing reclamation, to be completed by Spring 2024), the adjusted cumulative trip totals would be adjusted to 109 new daily trips, including 19 trips during the AM peak hour and 17 trips during the PM peak hour.

A further addendum to the Traffic Study was submitted by W-Trans on September 18, 2020 in regards to VMT analysis. This study identified screening criteria provided by the California Governor's Office of Planning and Research (OPR) in the publication *Transportation Impacts (SB 743) CEQA Guidelines Update and Technical Advisory*, 2018, which identified "small projects" as having 110 or fewer trips per day. It was therefore concluded that since the three cultivation projects would have an estimated cumulative trip generation of 109 trips per day, and only 46 trips associated with this project specifically, the project would be screened from further VMT analysis.

The Traffic Study collected data to determine the existing traffic conditions for the project site and its vicinity at one intersection: Highway 12 and Trinity Road. According to the County Maintained Road Postmile System Map,[36] Highway 12 is a State Highway, and Trinity Road is a minor collector. The average daily traffic volume measured by the County along Trinity Road west of Highway 12 is 1,080 vehicles.[37] Weise Road is not county-maintained and does not have traffic volume data available.

Collision History. The Traffic Study (p. 4) reviewed collision data from the California Highway Patrol for the most currently available five-year period (December 1, 2013, through November 30, 2018), during which time collisions at the study intersection were reported. Collision rates at this intersection were compared with statewide data (averages) for similar intersections. Collision rates for this intersection were calculated and are lower than the statewide average, indicating that the intersection is operating acceptably

[36] Sonoma County. General Plan, Road Inventory, "County Maintained Road Postmile System Map," Available at: https://sonomacounty.maps.arcgis.com/apps/webappviewer/index.html?id=e75eb5e4cb314249a6c78a0609146963, last accessed September 19, 2022.
[37] Sonoma County Department of Transportation & Public Works. "Traffic Surveys," Available at: https://www.arcgis.com/apps/webappviewer/index.html?id=5c2f8748449c4dcea7619b723d3463b1 last accessed September 19, 2022.

concerning safety. Because the project is not proposing a substantial increase in traffic, the project is not expected to increase the risk of traffic collisions.

Bicycle Facilities. The Traffic Study (W-Trans p. 5) noted that there are no existing bicycle facilities within the project vicinity and that currently bicyclists share the roadways with motorists or ride on the shoulders of streets in the study area. Per the Sonoma County Bikeway Map, a Class III is proposed along Trinity Road between Highway 12 and the eastern County limits.[38] Caltrans *Highway Design Manual*, *2017* defines a Class III Bike Lane as a route that includes signage for shared use of bicycles and motor vehicles along the same travel lanes (AKA "share the road"). This would serve to designate the route along Trinity Road but would not provide increased infrastructure such as dedicated lanes or physical separations that would require dedications along the project frontage. As discussed, the project would not generate a significant increase in traffic that could adversely impact the shared road design and would only result in increased vehicle and truck trips on approximately 0.10 miles of Trinity Road, which extends for approximately 12 miles toward the Sonoma-Napa County line. Sonoma County Regional Parks did not comment on the subject project (585 Trinity Road, PLP17-0040).

Pedestrian Facilities. The Traffic Study (p. 5) identified no pedestrian facilities in the project vicinity, which is typical for the project's rural location, and determined (p. 17) that because employees would be unlikely to walk to the project site, "the lack of pedestrian facilities serving the project site is consistent with the type of land use and surrounding area and is therefore considered acceptable." In addition, because pedestrians using transit would need to cross Highway 12, the Traffic Study (p. 17) evaluated whether a crosswalk would be necessary at the intersection of Highway 12 and Trinity Road. The Traffic Study (p. 17) determined that "installation of a crosswalk at Trinity Road is not advised as it would generally result in less safe conditions for pedestrians due to the false sense of security associated with crosswalks."

Transit Stops. According to the Traffic Study (p. 5), the project site is served by Sonoma County Transit (SCT), with a southbound stop on Highway 12 close to Trinity Road and a northbound stop on Highway 12 close to Weise Road. The Traffic Study (p. 17) determined that "transit facilities serving the project site are adequate given the rural location of the project site and anticipated demand."

Traffic Conclusions. The project would not generate a substantial increase in traffic, and traffic resulting from the project would not be expected to substantially affect existing traffic operations on the local roadway system. In addition, project operations would not interfere with bicycle, pedestrian, or transit facilities. Therefore, the proposed project

[38] Sonoma County. "Sonoma County Bikeways Map, 2010," Available at: https://permitsonoma.org/longrangeplans/adoptedlong-rangeplans/bicycleandpedestrianplan/bikewaysmap last accessed September 19, 2022.

would not be expected to conflict with any program, plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle, and pedestrian facilities.

Significance Level: Less than Significant Impact

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

Comment:
Traffic impacts under CEQA have traditionally been assessed based on increases in intersection delay measured by Level of Service (LOS). However, with the passage of SB 743, transportation impacts under CEQA are now to be measured based on the vehicle miles traveled (VMT) generated by a project (effective July 1, 2020).

Sonoma County has not yet adopted a VMT standard, nor has the County adopted a policy or threshold of significance regarding VMT. As with other cities and counties throughout the state that have not established VMT standards and thresholds, the Governor's Office of Planning and Research (OPR) *Transportation Impacts (SB 743) CEQA Guidelines Update and Technical Advisory*, 2018 shall be used in the interim to determine if the project's VMT may or may not cause a transportation impact. As discussed in 17.a and according to the guidelines, the screening threshold for small projects indicates that projects that generate or attract fewer than 110 trips per day would cause a less-than-significant transportation impact.

The Addendum to the Traffic Impact Study for the Gordenker Ranch Cannabis Cultivation Project – Vehicle Miles Traveled (VMT) Analysis completed by W-Trans on September 18, 2020, determined the three cumulative cultivation projects would generate 109 trips per day.[39] Further, the subject project would only generate 46 daily trips based on 10 full-time and 5 seasonal employees, indicating a less than significant impact. Additional incorporation of the applicants GHG emission reduction plan would include local hiring practices and use of local vendors to minimize delivery travel, further minimizing VMTs for the project.

Significance Level: Less than Significant Impact

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

Comment:
The project would not increase hazards because it would not change the existing alignment of the roadway.

[39] W-Trans, 2020. "Addendum to the Traffic Impact Study for the Gordenker Ranch Cannabis Cultivation Project – Vehicle Miles Traveled (VMT) Analysis," September 18, 2020.

Significance Level: No Impact

d) Result in inadequate emergency access?

Comment:
Emergency vehicle access would occur via two routes within the site, Weise Road toward Highway 12 in the west and the access route that connects to Trinity Road along the project's wester edge. Both entrances would be gated and would be equipped with Knox Boxes to allow emergency responders full access whenever needed. Both access roads would have fire truck turnarounds. Access roads would be improved as necessary including turnouts and turnarounds to meet County standards for emergency vehicle access. Additionally, project plans would require review by a Department of Fire and Emergency Services Fire Inspector during the building permit process to ensure compliance with emergency access issues.

The project site is accessible from the private access road that parallels the project on the western edge and connects to Weise Road in the north. Weise Road is over 20 feet wide and intersects with Highway 12 to the west. The employee parking lot will be located along the private access road, approximately 1000 feet from the emergency site entrance from Trinity Road, and an additional parking area for the Terra Luna Site (12201 Highway 12, UPC17-0048) will be added along Weise Road approximately 0.3 miles from the emergency entrance along Highway 12. State Fire Safe Regulations (14 CCR 1270.00 et seq.) provide road standards to ensure concurrent civilian evacuation and access for emergency wildfire equipment. Access to the site via the private access road complies with State Fire Safe Regulations, including improvements required in conditions of approval. This driveway is relatively flat, 20 feet wide throughout, and will undergo improvements including fire safe turnouts and turnarounds. Conditions of approval require turnouts and turnarounds; however, emergency ingress and egress would be via Weise Road.

The project does not propose the destruction of roads or bridges.

Due to the low number of employees, Fire Safe Regulations-compliant emergency access via Weise Road, secondary access route off of Trinity Road, and turnout and turnaround improvements, there would be adequate emergency access to the project and the impact would be less than significant.

Significance Level: Less than Significant Impact

18. TRIBAL CULTURAL RESOURCES

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site feature, place,

cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California native American tribe, and that is:

a) 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 5030.1(k), or

b) A resource determined by the lead agency. In its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Comment:
A cultural resources records search results from the Northwest Information Center (NWIC) of the California Historical Resources Information System (CHRIS), an archaeological field survey, and a Native American Sacred Lands File Search through the Native American Heritage Commission indicates that there are no known Traditional Cultural Resources (TCR) or unique archaeological resources associated with TCR's located within the project boundaries.[40]

The following California Native American tribes were notified according to Public Resources Code section 21080.3.1 on February 21, 2019:

- Cloverdale Rancheria of Pomo Indians
- Dry Creek Rancheria Band of Pomo Indians
- Lytton Rancheria of California
- Federated Indians of Graton Rancheria
- Middletown Rancheria Band of Pomo Indians
- Mishewal Wappo Tribe of Alexander Valley
- Torres Martinez Desert Cahuilla Indians

The request for consultation period ended on March 25, 2019. The Middletown Rancheria of Pomo Indians requested that if new information or evidence of human habitation is found as the project progresses that all work cease, and the tribe be contacted immediately. The Stewarts Point Rancheria Band of Kashia Pomo Indians commented that project site is located outside their Aboriginal Territory and did not have concerns at this time. The Lytton Rancheria of California did not have comments nor request for further

[40] Evans and DeShazo, 2019. Results of a Cultural Resources Study for the Proposed Cultivation Project at 12201 Highway 12, Glen Ellen; June 11, 2019)

consultation. No other tribe requested further information and no tribe requested formal consultation. Therefore, the proposed project would result in no substantial adverse change in the significance of TCR's or unique archaeological resources, as defined in CEQA Guidelines Section 15064.5.

As described under Cultural Resources Section 5.c, the grading ordinance applies regarding previously undiscovered TCR's or unique archaeological resources that may be accidentally encountered during project implementation. Impacts regarding tribal cultural resources are less than significant.

Significance Level: Less than Significant

19. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

Comment:
The project site is currently operating under the County's Penalty Relief Program (PRP), and existing infrastructure includes a perimeter fence with motion-activated alarms, canvas grow containers, additional growing pots, and a T-Post plant that supports above-ground irrigation lines. A driveway provides access to the cultivation area and includes imported gravels and rock. The use of an onsite septic system is not proposed for this project and instead would rely on portable ADA units to provide the domestic wastewater disposal. An existing water line currently serves the project and draws water from the existing well (located on the Terra Luna Site, 12201 Highway 12) to an existing 150,000-gallon storage tank. A private water line easement would be obtained to provide water for the project.

No construction is proposed as part of the project, except for formalizing the access roads and parking areas. Additionally, there are no existing stormwater drainage facilities on-site, as Weise Road is a private road, and the project site is located in a rural area with limited public infrastructure. Grading of the site for roads may alter the natural topography and may alter the drainage pattern and increase stormwater runoff. Construction impacts have been analyzed in Section 3 Air Quality, Section 7 Geology and Soils, and Section 10 Hydrology and Water Quality. With the incorporation of BMPs described in Section 10, the project would not increase stormwater flows off-site.

Although the project would include a new impervious surface (1 ADA parking space), the development would only be permitted after Permit Sonoma reviews stormwater drainage

development plans designed by a stormwater engineer to ensure adequate management of stormwater drainage facilities on the site.

Because the project is using an existing well and electrical line, the project would not result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities.

Significance Level: Less Than Significant Impact

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

Comment:
As discussed throughout Section 10.a Hydrology and Water Quality, the project would use water from the existing well for cultivation. The project is located within a Class 3 Groundwater Area. A County-required hydrogeologic report determined that the existing well would provide enough water to sufficiently serve the project and that the project is unlikely to cause a decline in groundwater elevations or deplete groundwater resources over time. Domestic water uses from the existing off-site well would be negligible.

Significance Level: Less than Significant Impact

c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Comment:
The project site is not served by an existing septic system and would rely on ADA portable toilets for staff use. The proposed project would not be served by public wastewater and would not impact the capacity of public facilities.

Significance Level: No Impact

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Comment:
Sonoma County has an existing waste management program that provides solid waste collection and disposal services for the entire County. The program can accommodate the permitted collection and disposal of the solid waste that would result from the proposed project. In addition, Section 26-88-254(g) of the County Code requires that a Waste Management Plan be prepared to address the storage, handling and disposal of all waste

by-products of the cultivation and processing activities in compliance with the Best Management Practices (BMPs) issued by the Agricultural Commissioner. This plan shall specify the volumes and types of waste generated, and the operational measures that are proposed to manage and dispose of or reuse the wastes.

As an outdoor cultivation operation, waste will be generated primarily from harvesting or the destruction of unusable plants, which can vary depending on the conditions and quantity of cultivation in a given harvest year. The applicant has submitted a plan that specifies all excess, damaged, or unwanted cannabis will be handled securely, tracked in an inventory control database per the Department of Cannabis Control (DCC) Track and Trace Program, and composted through a process of mixing harvested plant materials with at least 50% non-cannabis compost, thereby rendering it inert. All garbage and refuse generated from employees, or the operation, is required to be stored in non-absorbent, water-tight, vector-resistant, durable, easily cleanable, galvanized metal or heavy plastic containers with tight-fitting lids. No refuse container is allowed to be filled beyond the capacity to completely close the lid, and all garbage and refuse shall be properly disposed of within a week. All cannabis waste must also be properly stored and secured to prevent access from the public.

Significance Level: Less Than Significant Impact

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

Comment:
The proposed project would comply with federal, state, and local management and reducing statutes and regulations related to solid waste. Refer to 19.d above for information regarding waste management regulations. In addition, Sonoma County has access to adequate permitted landfill capacity to serve the proposed project.

Significance Level: No Impact

20. WILDFIRE

According to the Sonoma GIS tool the proposed project is located in a State Responsibility Area, with a Fire Hazard Severity Zone (FHSZ) designated as Moderate.[41] As noted in the General Plan Public Safety Element (p. PS-14): *the Moderate Fire Hazard Severity Zone includes: a) wildland areas of low fire frequency supporting modest fire behavior; and b)*

[41] Sonoma County. Permit Sonoma GIS, "Cannabis Site Evaluation," Available at: http://sonomamap.maps.arcgis.com/apps/webappviewer/index.html?id=0b784d90045941798d780f288b6f7003 Accessed September 16, 2022.

developed/urbanized areas with a very high density of non-burnable surfaces and low vegetation cover that is highly fragmented and low in flammability.

If located in or near state responsibility areas or lands classified as very high fire severity zones, would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

Comment:
As described above, the Sonoma GIS tool the identifies proposed project as located in a State Responsibility Area, with a Fire Hazard Severity Zone (FHSZ) designated as Moderate.[42] See Hazards section 9(f) regarding the emergency evacuation plan. That assessment serves as the emergency evacuation plan to provide escape routes (in the event of an emergency) for the community, employees, and the owner working onsite.

Implementation of the project would not adversely impact the implementation of an emergency response or emergency evacuation plan. Construction and operation at the site must conform with adopted State standards as determined and implemented by CalFire and Sonoma County Fire officials intended to reduce the risk of wildfire to less than significant. These standards include provisions for emergency vehicle access and turn-around, vegetation management, and fire break maintenance around all structures. Permit Sonoma Fire Prevention staff reviewed the project and conducted a site inspection as recently as October 14, 2022 and did not note any environmental concerns. The private access road and Weise Road would serve as the emergency access routes, would be at least 20 feet in width. The proposed parking lot is located directly off Trinity Road, thereby providing concurrent civilian evacuation and access for emergency wildfire equipment. Conditions of approval further require firesafe turnouts and turnarounds along roads as narrow as 12 feet, creation and submittal of a Fire Protection plan, and the availability of emergency water in the event of a fire. Therefore, the proposed project would not conflict with or impair an adopted emergency response plan or emergency evacuation plan.

Significance Level: Less than Significant Impact

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

Comment:

[42] Sonoma County. Permit Sonoma GIS, "Cannabis Site Evaluation," Available at: http://sonomamap.maps.arcgis.com/apps/webappviewer/index.html?id=0b784d90045941798d780f288b6f7003 Accessed September 16, 2022.

As discussed, the proposed project is located in a State Responsibility Area, with a Fire Hazard Severity Zone (FHSZ) designated as Moderate. Construction and operation at the site must conform with adopted State standards as determined and implemented by CalFire and Sonoma County Fire officials intended to reduce the risk of wildfire to less than significant.

As discussed in section 9.f, Hazards and Hazardous Materials, the project would not impair the implementation of, or physically interfere with, the County's adopted emergency operations plan because traffic associated with the project would be minimal (an estimated 46 average daily trips), the project would not result in a significant change in existing circulation patterns, and project traffic would have no measurable effect on emergency response routes (primarily Highway 12). The project site has an access point off Trinity Road and emergency access off Weise Road through the adjacent parcel (APN 053-100-016) and connects to Highway 12.

There are no residences onsite and none proposed for the project, and few people would be onsite at any given time (a maximum of 15 employees). Therefore, the project would have a less than significant impact regarding the exposure of project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

Significance Level: Less than Significant Impact

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk of that may result in temporary or ongoing impacts to the environment?

Comment:
As discussed, the proposed project is located in a State Responsibility Area, with a Fire Hazard Severity Zone (FHSZ) designated as Moderate. Operation of the proposed project would require maintenance of associated infrastructure; however, it would not exacerbate fire risk or result in temporary or ongoing impacts on the environment. Ongoing vegetation maintenance of the property to reduce wildfire risk would occur throughout the year. As discussed in Sections 10.a and 20.b, the project has prepared a Fire Prevention Plan in accordance with County Code Section 26-88-254(f)(16) and includes measures such as the reduction of fuel loads, increasing turnaround space, installation of a draft fire hydrant, vegetation management, and fire break maintenance. Due to these requirements, the installation or maintenance of associated infrastructure would not exacerbate fire risk or result in temporary or ongoing impacts on the environment.

Significance Level: Less than Significant Impact

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Comment:
The site is located at the base of a hillside area with dense vegetative cover and is therefore subject to wildland fire risk as experienced in the 2017 Nuns Canyon Fire. The slope of the hills to the east is gentle, and drainage patterns suggest surface water is directed west of the project site and away from project improvements. As a former quarry operation, there are exposed soils that are currently undergoing recontouring and revegetation, including a quarry pond, which would reduce risks of soil loss from downslope flooding through the stabilization of onsite soils. Further, the quarry pond will remain as potential habitat, and can capture runoff water traveling downslope toward the west and into the path of the project site.

The Nuns Canyon fire burned through the site on October 8, 2017. A residence and several outbuildings on the eastern portion of the parcel were destroyed, much of the former vegetation was burned and the site is recovering.

Because no new permanent structures are proposed, few people would be onsite (a maximum of 15 employees), and the project site is not located in an area that is highly susceptible to flooding or landslides, the proposed project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

Significance Level: Less than Significant Impact

21. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Comment:
Potential project impacts on special status plant and fish/wildlife species and habitats are addressed in Section 4. With the implementation of the required mitigation measure BIO-1, impacts to nesting birds and roosting bats would be less than significant.

No evidence of cultural deposits from prehistoric or historic areas was observed at any location within the proposed area of disturbance on the project site and there are no documented historical resources on the property. The project would not impact or eliminate important examples of major periods of California history or prehistory and no mitigations were proposed.

Significance Level: Less than Significant Impact

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Comment:
Cumulative impacts are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts" (CEQA Guidelines Section 15355). Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

As discussed in Section VIII. of the Initial Study, Other Related Projects, two cannabis cultivation projects are proposed on adjacent parcels. The Turkey Farm Cultivation and Processing site (UPC19-0002) would be located to the west and the Terra Luna Farms Cultivation Project (UPC17-0048) is located to the northwest. These projects are both currently approved and working through their Conditions of Approval prior to vesting of their use permits.

Project-related construction activities are relatively benign and would result in limited, minimal, and short-term impacts. Further, the relatively large average parcel size in the surrounding area (east of Highway 12) reduces potential for cumulative aesthetic impacts related to additional construction or commercial activity that could occur in the area. Such future uses would be separated enough to diminish the visual impact of the overall viewshed from any particular location.

As discussed in Section 10, Hydrology and Water Quality, the groundwater impacts considered demand and use within a cumulative impact area (CIA) of 1500 feet from the project well and studied both the groundwater impacts and reduction in streamflow for nearby Calabazas Creek. This project well would serve all three of the cultivation operations proposed on the adjoined parcels. The combination of cultivation activities, nearby agricultural uses, and residential demand accounted for approximately 52% of groundwater recharge and 4% of available groundwater storage, indicating that combined project contributions would not result in a cumulatively considerable impact.

As outlined in Sections 3 Air Quality, 4 Biological Resources, 8 Greenhouse Gas Emissions, and 13 Noise, the project would contribute to cumulative impacts, however in all cases cumulative impacts were either inevident or the combination of County standards, BMPs, and mitigation measures would ensure that the project's cumulative contributions would not be considerable.

Significance Level: Less than Significant Impact

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

Comment:
Cannabis operations have the potential to cause substantial adverse impacts on human beings, both directly and indirectly. However, all potential impact and adverse effects on human beings (resulting from air quality/odors, hazards, noise, traffic) were analyzed, and would be less than significant.

Significance Level: Less than Significant Impact

References

1. Sonoma County. “Proposed Scenic Landscape Units,” Available at: https://www.arcgis.com/apps/webappviewer/index.html?id=84689931cabc4c3785312f3fcebae18f Accessed September 16, 2022.
2. Sonoma County. General Plan 2020 Open Space Map. “Sonoma Valley fig. OSRC-5i,” Available at: https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Open-Space-and-Resource-Conservation/ Accessed September 16, 2022.
3. Sonoma County Zoning Regulations. Article 64 Scenic Resources Combining District, https://library.municode.com/ca/sonoma_county/codes/code_of_ordinances?nodeId=CH26SOCOZORE_ART64SRSCRECODI, accessed September 16, 2022.
4. Caltrans. Map Viewer website, “California Scenic Highways,” Available at: https://www.arcgis.com/home/webmap/viewer.html?layers=f0259b1ad0fe4093a5604c9b838a486a Accessed September 16, 2022.
5. Sonoma County. “Visual Assessment Guidelines and Procedure,” Available at: https://permitsonoma.org/longrangeplans/proposedlong-rangeplans/environmentalreviewguidelines/visualassessmentguidelines last accessed September 16, 2022.
6. Sonoma County. General Plan 2020 Land Use Element, “Natural Resource Land Use Policy, Policy for Resources and Rural Development Areas, Page LU 67-68,” Available at: http://sonomacounty.ca.gov/WorkArea/DownloadAsset.aspx?id=2147542561 Accessed September 16, 2022.
7. Sonoma County. Permit Sonoma GIS, “Cannabis Site Evaluation,” Available at: http://sonomamap.maps.arcgis.com/apps/webappviewer/index.html?id=0b784d90045941798d780f288b6f7003 Accessed September 16, 2022.
8. Sonoma County. TPW Unincorporated Sonoma County Traffic Surveys GIS Map. Available at: https://sonomacounty.maps.arcgis.com/apps/webappviewer/index.html?id=5c2f8748449c4dcea7619b723d3463b1 last accessed September 16, 2022.
9. Water Code Section 13149(b)(2). The board shall adopt principles and guidelines under this section as part of state policy for water quality control adopted pursuant to Article 3 (commencing with Section13140) of Chapter 3 of Division 7. Water Code Section 13142 outlines specific requirements for a state policy for water quality control, which this Policy implements.
10. Water Code Section 13149(b)(5).
11. Wiemeyer Ecological Sciences, 2018. Biological Assessment. May 2018.
12. Macmillan, Lucy M.S. June 25, 2020. Creek Evaluation at Gordenker Turkey Farm Properties 101 and 585 Trinity Road and 12201 Highway 12 Properties.
13. Evans and DeShazo, 2019. Results of a Cultural Resources Study for the Proposed Cultivation Project at 585 Trinity Road, Glen Ellen; June 11, 2019.
14. California Geologic Survey. California Department of Conservation, “Earthquake Zones of Required Investigation Map,” Available at: https://maps.conservation.ca.gov/cgs/EQZApp/app/ Accessed September 16, 2022.
15. Sonoma County. General Plan 2020, “Earthquake Ground Shaking Hazard Areas Figure PS-1a” Available at: https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Public-Safety-Earthquake-Ground-Shaking-Hazard-Areas/ Accessed September 16, 2022.
16. Sonoma County. General Plan 2020 Public Safety Element, “Liquefaction Hazard Areas Fig. PS-1c,” Available at: https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Public-Safety-Liquefaction-Hazard-Areas/ Accessed September 16, 2022.
17. Association of Bay Area Governments (ABAG), 2021. Hazard Viewer Map. Available at: https://abag.ca.gov/our-work/resilience/data-research/hazard-viewer Accessed September 16, 2022.
18. Natural Resources Conservation Service (NRCS), Web Soil Survey Map. Available at: https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx Accessed September 16, 2022.

19. State Water Resources Control Board. "Geotracker Database," http://geotracker.waterboards.ca.gov/ Accessed September 16, 2022.
20. The Department of Toxic Substances Control. "EnviroStor Database," http://www.envirostor.dtsc.ca.gov/public/ Accessed September 16, 2022.
21. Cal Recycle. "Waste Information System (SWIS) Facility/Site Search," https://www2.calrecycle.ca.gov/SolidWaste/Activity Accessed September 16, 2022.
22. State Water Resources Control Board, Impaired Water Bodies, Final 2014/2016 California Integrated Report (Clean Water Act Section 303(d) List / 305(b) Report), https://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2014_2016.shtml, Accessed September 16, 2022.
23. Sonoma County. General Plan 2020 Public Safety Element. "Flood Hazard Areas Fig. PS-1e," https://permitsonoma.org/longrangeplans/adoptedlong-rangeplans/generalplan/organizationandoverview/publicsafety/publicsafetymaps/publicsafetyfloodhazardareas, Accessed September 16, 2022.
24. Sonoma County. General Plan 2020 Safety Element. "Dam Failure Inundation Hazard Areas, Figure PS-1f," https://permitsonoma.org/longrangeplans/adoptedlong-rangeplans/generalplan/organizationandoverview/publicsafety/publicsafetymaps/publicsafetydamfailureinundationhazardareas, Accessed September 16, 2022.
25. MR Mineral Resources Combining District Section 26-72-010(d).
26. Sonoma County. Aggregate Resources Management Plan, Designated In-stream Mining Areas. Available at: https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/Aggregate-Resource-Management/Maps-and-Diagrams/ Accessed September 19, 2022.
27. Sonoma County. "Sonoma County Airport Referral Area," Available at: https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/Comprehensive-Airport-Land-Use/Sonoma-County-Airport/ Accessed September 19, 2022.
28. W-Trans, "Traffic Impact Study for the Gordenker Ranch Cannabis Cultivation Project," prepared for the County of Sonoma, March 20, 2020; W-Trans, "Addendum to the Traffic Impact Study for the Gordenker Ranch Cannabis Cultivation Project – Vehicle Miles Traveled (VMT) Analysis," prepared for Andrew Dobbs-Kramer, PARC Ventures, September 18, 2020.
29. Sonoma County. General Plan, Road Inventory, "County Maintained Road Postmile System Map," Available at: https://sonomacounty.maps.arcgis.com/apps/webappviewer/index.html?id=e75eb5e4cb314249a6c78a0609146963, last accessed September 19, 2022.
30. Sonoma County Department of Transportation & Public Works. "Traffic Surveys," Available at: https://www.arcgis.com/apps/webappviewer/index.html?id=5c2f8748449c4dcea7619b723d3463b1 last accessed September 19, 2022.
31. Sonoma County. "Sonoma County Bikeways Map, 2010," Available at: https://permitsonoma.org/longrangeplans/adoptedlong-rangeplans/bicycleandpedestrianplan/bikewaysmap last accessed September 19, 2022.