

**ATTACHMENT 1
CEQA Addendum**

**CEQA ADDENDUM TO THE
ENVIRONMENTAL IMPACT REPORT FOR THE COMMERCIAL CANNABIS
LAND USE ORDINANCE**

*Commercial Cannabis Land Use Ordinance Environmental Impact Report (EIR)
(State Clearinghouse # 2017042022), January 2016*

APN 216-381-053-000 is located in Humboldt County, in the Alderpoint area, on the East side of Rancho Sequoia Road, approximately 1.25 miles from the intersection of Alderpoint Road and Rancho Sequoia Road, then approximately 0.4 miles along a private drive, to the property known to be in Section 05 of Township 04 South, Range 05 East, Humboldt Base & Meridian.

**Prepared By
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Background

Modified Project Description and Project History -

The Commercial Cannabis Land Use Ordinance (CCLUO) updated the County's existing Commercial Medical Marijuana Land Use Ordinance (Section 313-55.4 and 314-55.4 of Chapter 3 of Division 1 of Title III of the County Code) and repealed the Medical Cannabis Testing and Research Laboratories provisions and on-site consumption prohibition found in Sections 313-55.3.15, 314-55.3.15, 313-55.3.11.7, and 314-55.3.11.7 of Division 1 of Title III of the County Code, respectively. These regulations established land use regulations for the commercial cultivation, processing, manufacturing, distribution, testing, and sale of cannabis within the County. These regulations were developed in concert with the Final Environmental Impact Report (EIR) that was adopted for the ordinance in order to implement the mitigation measures of the EIR. The EIR addressed the broad environmental impacts that could be expected to occur from the adoption and implementation of the ordinance. The EIR specified that the regulations established in the CCLUO would mitigate the impacts of new cannabis operations by establishing regulations for an unregulated land use to help prevent and reduce environmental impacts that are known to result from unpermitted cultivation operations. The EIR prepared for the CCLUO also established local land use regulations to allow for commercial cannabis operations in the unincorporated area of the County that ensured the health and safety of residents, employees, County visitors, neighboring property owners, and end users of cannabis. The proposed project is consistent with all regulations within the CCLUO and all mitigation measures of the EIR. New commercial cannabis cultivation operations were included in the environmental analysis for the EIR. The current project was contemplated by the EIR and compliance with the provisions of the CCLUO will fully mitigate all environmental impacts of the project to a less than significant level.

A Zoning Clearance Certificate for a small cultivator of 2,000 square feet of outdoor commercial cannabis cultivation in hoop houses and a 200 square foot nursery.

The proposed cultivation area is estimated to use 30,000 gallons of water per year (13.6 gallons / square foot). The cultivator plans to hand water each plant during the cultivation cycle. Irrigation water will be sourced from a rainwater catchment system from the tank tops themselves and an existing agricultural building. The collected water will be sequestered to a series of hard sided storage tanks totaling a minimum of 37,500 gallons. All cannabis operations are power free except for the use of drying fans and artificial lighting within the ancillary nursery powered by an existing PG&E connection. Proposed activities would not increase ambient noise by greater than 3 decibels.

A review of the California Natural Diversity Database (CNDDDB) found that no species of concern have been mapped on or near the subject parcel. The nearest Northern Spotted Owl activity center mapped in the CNDDDB was over three (3) miles away. No other special

status plant or animal species or sensitive natural communities are anticipated to be impacted by the project, however, should construction activities commence during nesting bird season (March 1 – September 1), preconstruction surveys will be required for ground-dwelling songbird species that have the potential to occur in and adjacent to the project sites. The surveys will be required within seven (7) days prior to the initiation of construction and shall extend in a 200-foot radius from the project area.

This project falls within the aboriginal territory of the Bear River Band of the Rohnerville Rancheria. The Tribal Historic Preservation Officer for the Bear River Band requested that a cultural monitor be present during all ground disturbing activities and that the standard inadvertent archaeological discovery protocols be in place for any ground disturbing activities of the proposed project.

Purpose - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously certified Environmental Impact Report (EIR) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for a subsequent EIR or Negative Declaration have occurred. Section 15162 states that when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous EIR; B) significant effect previously examined will be substantially more severe than shown in the previous EIR; C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the original EIR recommended mitigations. The proposal to authorize the continued operation of a new cannabis cultivation site consisting of 2,000 square feet of cultivation and a 200 square foot nursery is fully consistent with the impacts identified and adequately mitigated in the original EIR. The project as conditioned to implement responsible agency recommendations results in no significantly adverse environmental effects beyond those identified in the EIR. Compliance with the CCLUO ensures consistency with the adopted EIR and provides for mitigation of all project-related impacts to a less than significant level.

In reviewing the application for consistency with the adopted EIR, the County considered the following information and studies, among other documents:

- *Operations Plan* received May 6, 2024
- *Site Plan* received May 6, 2024
- *Biological Report* completed September 21, 2021
- *Noise Assessment* completed March 2021

Other CEQA Considerations

Staff suggest no changes to the revised project.

EXPLANATION OF DECISION NOT TO PREPARE A SUPPLEMENTAL MITIGATED NEGATIVE DECLARATION OR ENVIRONMENTAL IMPACT REPORT

See **Purpose** statement above.

In every impact category analyzed in this review, the projected consequences of the current project proposal are either the same or less than significantly increased than the initial project for which the EIR was adopted. Based upon this review, the following findings are supported:

FINDINGS

1. The proposed project will permit new cannabis cultivation in compliance with county and state requirements intended to adequately mitigate environmental impacts.
2. The circumstances under which the project was approved have not changed substantially. There are no new significant environmental effects and no substantial increases in the severity of previously identified effects.

3. For the current proposed project, there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted as complete.

CONCLUSION

Based on these findings it is concluded that an Addendum to the certified EIR is appropriate to address the requirements under CEQA for the current project proposal. All of the findings, mitigation requirements, and mitigation and monitoring program of the EIR, remain in full force and effect on the original project.

There are no new significant environmental effects and no substantial increases in the severity of previously identified effects. For the current proposed project, there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted as complete.