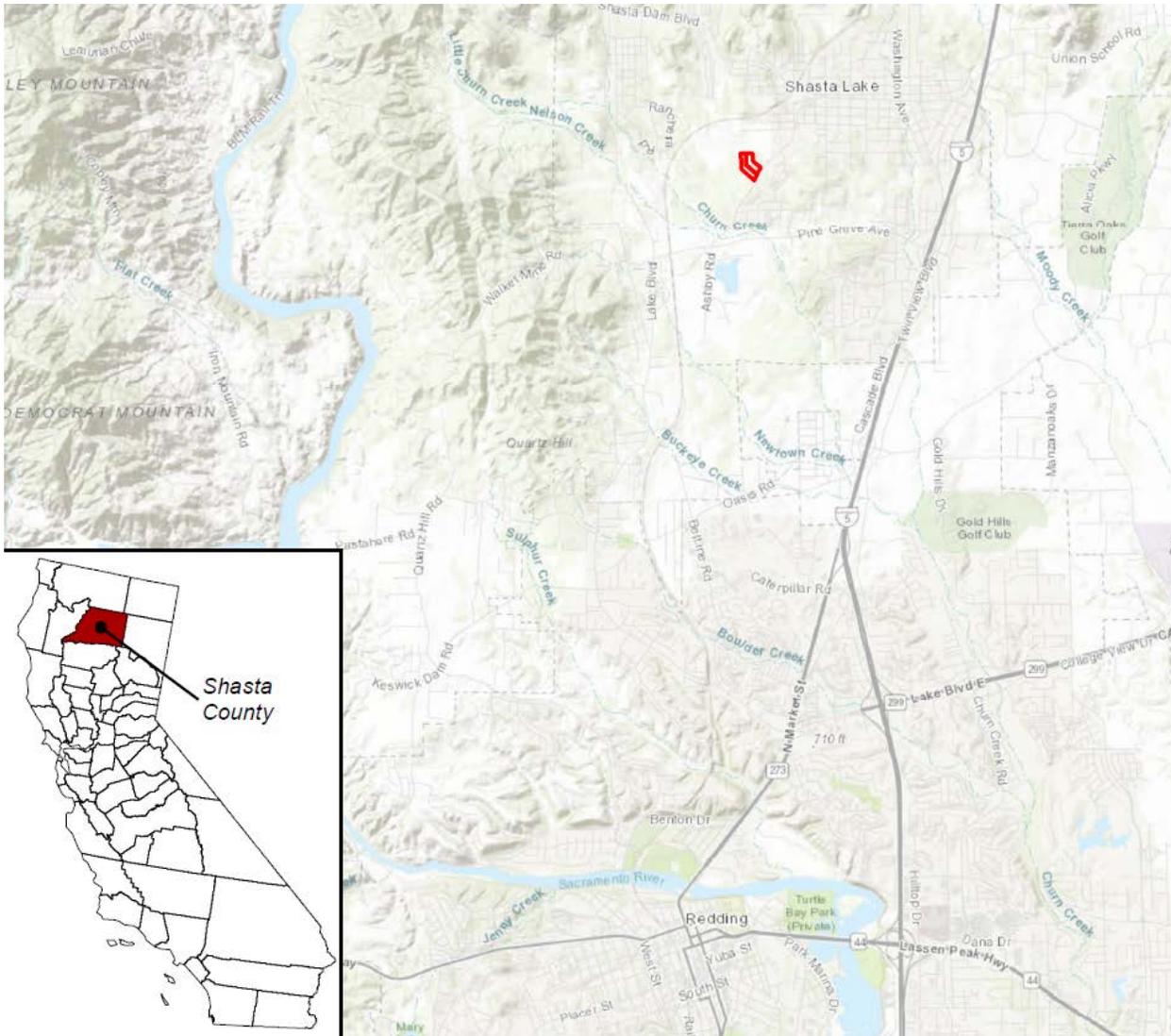


Use Permit 19-01

Ashby Road Cannabis Campus

Initial Study and Negative Declaration



Lead Agency:
City of Shasta Lake
Planning Division
P.O. Box 777
Shasta Lake, CA 96019

August 13 2020

Environmental Checklist Form

1. **Project title:** Use Permit 19-01 Ashby Cannabis Campus

2. **Lead agency name and address:** City of Shasta Lake
P.O. Box 777
Shasta Lake, CA 96019

3. **Contact person and phone number:** Peter Bird
Associate Planner
530.275.7416

4. **Project location:** The project is located on Ashby Road between Woodley Avenue and Arlene Court, Assessor's Parcel Numbers 006-020-056 and 006-020-057, within the City of Shasta Lake, Shasta County, California.

This location corresponds to the northeast quarter of Section 36, Township 33 North, Range 5 West MDM. Latitude: 40° 40' 24.15" N; Longitude: 122° 22' 56.22" W, as estimated from the U.S. Geological Survey 7 ½-minute Shasta Dam Quadrangle topographical map.

5. **Project sponsor's name and address:** Manzanita Ranch Estates, LLC / Vito Chimienti
10721 E. Tollhouse Rd.
Clovis, CA 93619

6. **General Plan designation:** Industrial

7. **Zoning:** Light Industrial – Design Review

8. **Project description:**

Ashby Road Cannabis Campus – Manzanita Ranch Estates, LLC (MRE) proposes to develop a commercial cannabis cultivation, distribution, and manufacturing operation (Project) at the site, identified as Shasta County APNs 006-020-056 and 006-020-057, located off of Ashby Road in the City of Shasta Lake, California. The proposed project will consist of two, Type 3, Tier 2 "Medium Mixed-Light" cultivation areas, an up to 10,080 square foot distribution facility, and an up to 20,000 square foot non-volatile manufacturing facility. Access roads will be installed providing vehicular access to the project area at the site, entering the site off of Ashby Road near the southeastern portion of the site.

Each proposed cultivation area will be comprised of six 5,040 square foot cultivation facilities on concrete slabs with metal and polycarbonate roofing and walls. One proposed cultivation area will be located on each parcel comprising the site. The proposed distribution facility will be comprised of two, 5,040 square foot buildings on a concrete slab with insulated metal roofs and walls. One of the 5,040 square foot buildings of the distribution facility will be primarily used for processing raw cannabis material (drying, curing, trimming, grading, and packaging cannabis into large batches for testing), and the other will be primarily used for cannabis product distribution activities (storing, testing, packaging, labeling, transferring, and transporting). The proposed manufacturing facility will consist of an up to 20,000 square foot metal building on a concrete slab, and will be primarily used for non-volatile cannabis manufacturing activities (extraction, infusion, testing, packaging, and labeling).

MRE plans to develop the proposed cannabis cultivation, distribution, and manufacturing operation in two phases. Phase one will be preparation and construction of the proposed cultivation and distribution facilities on APN 006-020-056; phase two will be the preparation and construction of the proposed cultivation and manufacturing facilities on APN 006-020-057.

The Project would be accessed via the proposed 24-foot wide paved access road off of Ashby Road. The proposed access road would completely bisect the site, connecting the industrial parcels north and west of the Project to Ashby Road.

All site developments, including access roads and parking areas, will be located at a distance of 50 feet or greater from the top of bank of Churn Creek North Branch. The installation and maintenance of barrier fencing along the 50-foot development setback buffer from site developments to the top of bank of Churn Creek North Branch will establish protection of riparian forest associated with Churn Creek North Branch during site developments. An undetermined number of trees are proposed to be removed as a result of the proposed project. Tree protection measures will be implemented at the site to protect the trees to be preserved and tree replacement is proposed for the trees to be removed. A Tree Removal and Replacement Plan will be in compliance with the City Shasta Lake Tree Conservation Ordinance Chapter 12.36.

A Stormwater Pollution Prevention Plan (SWPPP) has been prepared and submitted for review and approval to the State of California Water Resources Control Board. The SWPPP will be implemented prior to commencing construction activities at the site. As part of SWPPP and pre-field activities, adequate erosion and sediment controls will be installed and maintained during construction activities.

The project will avoid the archeological preservation area.

9. Surrounding land uses and setting:

The site is located within the city limits of the City of Shasta Lake, Shasta County, California, approximately 2,000 feet to the southwest of the intersection of Ashby Road and El Cajon Avenue. The site consists of two contiguous, undeveloped parcels, totaling approximately 12.86-acres of land, identified as Shasta County Assessor's Parcel Numbers (APN) 006-020-056, and 006-020-057. APN 006-020-056 is an approximately 6.76-acre parcel of land, and APN 006-020-057 is an approximately 6.10-acre parcel of land. The site is zoned Light Industrial (ML). The site was historically used as a rural homestead. There are currently no structures on the site.

The topography of the site is gently rolling terrain, generally sloping overall from the east to west, with elevations ranging from approximately 775 to 900 feet above mean sea level (msl).

There is a seasonal drainage which is a tributary to Churn Creek located on the southernmost portion of the site (locally known as Churn Creek North Branch). The City of Shasta Lake Wastewater Treatment Facility (WWTF) located to the south/southwest of the site, treats and discharges effluent to Churn Creek. Contracted reclamation uses of the WWTF include Sierra Pacific Industries (SPI) to the north of the site. Surface water runoff on the site flows in a variety of directions, depending on location. On the northern portions of the site within the project area, surface water flows in a southerly direction, eventually flowing into Churn Creek North Branch. On the southern portions of the site, surface water runoff generally flows southwest, eventually flowing into Churn Creek North Branch.

10. Other public agencies whose approval is required:

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is reduced to less than significant through the use of mitigation measures as indicated by the checklist on the following pages.

- | | | |
|--|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input checked="" type="checkbox"/> Air Quality / Greenhouse Gas Emissions |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Hydrology/Water Quality |

- | | | |
|---|---|--|
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise |
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input checked="" type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Mandatory Findings of Significance | | |

DETERMINATION: ON THE BASIS OF THIS INITIAL EVALUATION:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Peter Bird
Associate Planner

Date August 13, 2020

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Checklist Answers:

- a) There are no scenic vistas visible from this area that would be impacted by the proposed grading. The nearest scenic vista, located approximately 3.2 miles northwest of the site, is oriented in a northeasterly direction to view the Sacramento River, Shasta Dam, and Mount Shasta. This site is separated for the Project by a small mountain range. There is no line of site to the Project. There would be no impact and no mitigation is required.
- b) The proposed project will be located to the rear of the parcel. A buffer of existing trees will be preserved and maintained, serving as a natural screen for the site. There are no scenic resources on-site. The nearest scenic highway is located 1.6 miles northwest of the project site. There is no line of site from the highway to the Project site. There would be no impact and no mitigation is required
- c) See discussion under Section 1.a and 1.b. Impacts are less than significant and no mitigation is required.
- d) All new lighting is subject to the provisions of City of Shasta Lake Municipal Code (CSLMC) 17.84.050, which requires all interior and exterior lighting to be designed and located to confine direct lighting to the premises. Outdoor lighting is also required to be shielded and downward facing. The Code further states no lighting shall be of the type or in a location that constitutes a hazard to vehicular traffic, either on private property or abutting streets. The project is designed with black out curtains to ensure light produced during night time hours will be completely confined to the structure. This is verified during review of building permit applications. Impacts are less than significant and no mitigation is required.

Mitigation Measures Relating to Aesthetics:

None Required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>2. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.) In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by 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:</p>				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Checklist Answers:

- a) Prime Farmland is land that has been used for irrigated agricultural production and meets the physical and chemical criteria for Prime Farmland as determined by the U.S. Department of Agriculture, Natural Resources Conservation Service. Unique Farmland is farmland of lesser quality soils used for the production of the state's leading agricultural crops. Farmland of Statewide Importance is similar to Prime Farmland but generally includes steeper slopes or less ability to store soil moisture.

According to the *Important Farmland in California* map published by the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP), there is no Prime, Unique or Farmland of Statewide Importance mapped within the City; therefore, there would be no impact and no mitigation is required.

- b) According to the Shasta Lake General Plan and Zoning Map, there are no agricultural zone districts within the City. There are no Williamson Act contracts for the project site; therefore, there would be no impact.

- c) The project would not result in any development that would convert existing forest or timberland zoning; therefore, there would be no impact and no mitigation is required.
- d) The project does not include any area designated as forest land; therefore, there would be no impact and no mitigation is required.
- e) See discussion under Sections 2.a-d above. The project site is not located in close proximity to forest land or farmland as shown on the maps prepared by the California Department of Conservation. There would be no impact and no mitigation is required.

Mitigation Measures Relating to Agriculture and Forestry Resources:

None Required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Checklist Answers:

- a) The Shasta County Air Quality Management District (AQMD) has permit authority over all stationary sources of air pollutants in Shasta County and acts as the primary reviewer of environmental documents as they pertain to air quality issues. The Shasta County AQMD develops rules and regulations to implement locally the requirements of the federal and California Clean Air Acts and other air quality legislation.

The project site is located within the Northern Sacramento Valley Air Basin (NSVAB), which encompasses Shasta, Tehama, Glenn, Butte, Colusa, Sutter and Yuba counties. The quantity of air pollutant emissions generated within the NSVAB is small compared to the more densely populated areas to the south. However, the NSVAB is still susceptible to the build-up of air pollution because pollution generated in the broader Sacramento and San Francisco Bay areas is often transported northward into the NSVAB and trapped by the mountain ranges to the west, north and east.

Shasta County, including the City of Shasta Lake, is designated non-attainment status for state air quality standards regarding ozone (O₃). The proposed project, however, would not release emissions that would result in a cumulatively considerable net increase of O₃. The impacts from short-term construction and grading activities and emissions generated from vehicular trips by construction personnel associated with development could result in short-term air quality effects.

The project would not exceed any air quality standards established by the state, City of Shasta Lake Air Quality Element of the General Plan or Shasta County AQMDs established thresholds; therefore, there would be no impact

- b) See discussion under Section 3.a above. With the application of following standard Best Management Practices (BMPs) as conditions required for all approved projects that include grading within the City, impacts are anticipated to be less than significant and no mitigation is required. Additionally, subject to CSLMC §05.05.060.C, all commercial cannabis facilities *“shall be designed to provide sufficient odor absorbing ventilation and exhaust systems so that any odor generated inside the location is not detected outside the building, on adjacent properties or public rights-of-way, or within any other unit located within the same building as the facility, if the use occupies only a portion of a building.”* Impacts are less than significant and no mitigation is required.
- Suspend all grading operations when winds (as instantaneous gusts) exceed 20 miles per hour.
 - Water active construction sites at least twice daily, as directed by the Public Works Department.
 - Apply non-toxic soil stabilizers according to the manufacturer’s specification to all graded areas which will be inactive for ten days or more.
 - Provide temporary traffic control (flag person), as appropriate, during all phases of construction to improve traffic flow.
 - All public roadways used by the project contractor shall be maintained free from dust, dirt and debris caused by construction activities. Streets shall be swept at the end of the day if visible soil materials are carried onto adjacent public paved roads. Wheel washers shall be used where vehicles enter and exit unpaved roads onto paved roads, or trucks and any equipment shall be washed off prior to leaving the site with each trip.
 - An adequate vehicle access point, such as a crushed rock entrance sufficient to prevent the transport of dirt, mud, and debris offsite, shall be required.
 - All trucks hauling dirt, sand, soil or other loose materials should be covered or should maintain at least two feet of freeboard (minimum vertical distance between the top of the load and the top of the trailer), in accordance with the requirements of California Vehicle Code Section 23114. This provision is enforced by local law enforcement agencies.
 - Construction activities that could affect traffic flow shall be scheduled for off-peak hours. Heavy truck trips involved in the hauling of soil to the site shall be limited to the hours of 9:00 A.M. to 4:00 P.M., Monday through Friday. Hauling activity may occur on Saturday from 8:00 A.M. to 6:00 P.M. No work is allowed on Sundays.
 - Exposed stockpiles of soil and other fill material shall either be covered, watered or have soil binders added to inhibit dust and wind erosion.
- c) See discussion under Section 3.a above. During the construction phase the project may exceed the threshold level A for ROG and NO_x. With implementation of the grading permit performance standards discussed in Section 3.b and Mitigation Measure AQ-1, AQ-2, AQ-3 and AQ-4, impacts are considered to be less than significant when the incorporated mitigation measures are implemented.

- d) See discussion under Section 3.a and b above. Land uses considered sensitive receptors typically include residences, schools, playgrounds, childcare centers, hospitals, convalescent homes and retirement homes. Existing sensitive receptors in proximity to the project site include single-family dwelling units and a school approximately 1,200 feet to the east; however, as discussed under section 3.a and b, short term construction activities will not exceed air quality standards because of application of required Best Management Practices. Therefore, impacts are anticipated to be less than significant and no mitigation is required.
- e) See Discussion under 3.b above. There would be no impact and no mitigation is required.

Mitigation Measures Relating to Air Quality:

AQ-1: During all construction activities, all architectural coatings applied shall contain a low content of volatile organic compounds (VOC) (i.e., 100 grams/liter) as required by the California Green Building Code.

AQ-2: All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. Equipment maintenance records shall be kept on-site and made available upon request by the City of Shasta Lake or Shasta County AQMD.

AQ-3: Off-road construction equipment shall not be left idling for periods longer than 5 minutes when not in use.

AQ-4: All portable equipment, including generators and air compressors rated over 50 brake horse power, shall be registered in the Portable Equipment Registration Program (<https://ww2.arb.ca.gov/our-work/programs/portable-equipmentregistration-program-perp>), or permitted through the SCAQMD as a stationary source.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
4. BIOLOGICAL RESOURCES. 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 Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands, as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal wetlands, etc.), through direct removal, filling, hydrological interruption or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Checklist Answers:

- a) The Biological Resource Assessment prepared for the project indicated the potential to impact species identified as candidate, sensitive, or special status species located in the project area. Potential impacts to bats, the western pond turtle, the yellow-legged frog, and nesting birds exist as a direct result of the project. With the implementation of the proposed mitigation measures, impacts are considered to be less than significant.
- b) The Biological Resource Assessment prepared for the project indicates the presence of riparian habitat. This area is candidate habitat for sensitive or special status species in the project area. Mitigation measure BR-1 requires the developer to install a fence delineating a 50 foot buffer between the top of bank of Churn Creek North Branch and construction activities. With the implementation of the proposed mitigation measure, impacts are considered to be less than significant.
- c) The analysis of wetland and other jurisdictional waters prepared by Wiemeyer Ecological Sciences, September 27, 2019, indicates potential presence of Waters of the United States on the project site. No direct removal, filling, hydrological interruption or other means to adversely affect protected wetlands are proposed with this project. Furthermore, all construction activities are subject to the stormwater pollution prevention plan prepared for the project. See discussion under 4.b. With the implementation of the proposed mitigation measure, impacts are considered to be less than significant.
- d) The Biological Resource Assessment prepared for the project confirmed migratory fish species do not access the site. Pursuant to the proposed mitigation measures, the project will not interfere substantially with the movement of any native resident wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. With the implementation of the proposed mitigation measure, impacts are considered to be less than significant.
- e) Use permit approvals within the City require compliance with the standards set forth within City of Shasta Lake Municipal Code (CSLMC) Section 12.36 (Tree Conservation) to address tree preservation and replacement. The ordinance requires replacement of each protected tree (any living tree, except gray pine, having at least one trunk of ten inches or more diameter at breast height), that is removed. Additionally, industrially zoned parcels must plant one tree for every 2,000 feet of gross floor area of new buildings.

Per CSLMC §12.36.070.B, “the planning commission may allow for a different tree-planting requirement as a condition of a discretionary permit upon a finding that the alternate standard is consistent with the intent of this chapter.” This could include credit towards the above noted planting standards for significant

trees (such as mature valley oaks) that are preserved, or replanting oak trees with acorns as directed by CDFW.

In order to satisfy the intent of the City's Tree Conservation Ordinance, the Final Tree Replacement Plan shall identify one or a combination of the measures identified in BR 10 (i.e., planting three fifteen (15) gallon trees for each protected tree removed; planting larger replacement trees to count as two replacement trees; planting replacement trees at an off-site location approved by the City; paying an in-lieu fee to the City to purchase trees that would be planted on public property; and/or recording deed restrictions to prohibit future development in an area of the property that contains protected trees in proportion to the number of protected trees proposed for removal)

The Final Tree Replacement Plan must be approved by the City prior to issuance of a grading permit or any clearing activity for the proposed Project. Implementation of the Tree Replacement Plan would be verified by the City's Planning Division prior to issuing a Certificate of Occupancy for any of the buildings.

In addition to direct removal, earthwork in the vicinity of trees has the potential to damage trees and their roots, resulting in eventual death. BR-12 requires temporary construction fencing to be installed and maintained at least six feet outside of the dripline of all trees to be preserved. No vehicle parking or materials stockpiling would be allowed within the fenced area. If work must occur within the fenced area, the work must be completed under the supervision of a certified arborist. Implementation of BR-10 and BR-11 would ensure that the proposed Project's impacts on protected trees are less than significant.

The proposed tree replacement plan for this Project may include a replacement ratio of 1:1 for every protected tree removed, a credit of 2:1 for the preservation of every healthy protected tree that exceeds 20 inches at breast height, and establishment of an open space easement on site for the preservation of trees.

- f) Currently, there are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other approved habitat conservation plans that include this area. There would be no impact and no mitigation is required.

Mitigation Measures Relating to Biological Resources

BR-1: Prior to commencement of any earth disturbance (e.g., clearing, grading, trenching, etc.), all construction personnel shall receive training from a qualified biologist regarding protective measures for special-status animal species and their habitats that could exist in the study area. If new personnel are added to the project, the City shall ensure that they receive the mandatory training before starting work. At a minimum, the training shall include the following:

- a. A review of the special-status species that could occur in the project area, the habitats where the species could occur, the laws and regulations that protect these species, and the consequences of noncompliance with those laws and regulations.
- b. Procedures to be implemented in the event that special-status species are encountered during construction.
- c. A review of sensitive habitats that occur in the project area.
- d. A review of applicable mitigation measures, standard construction measures, best management practices, and regulatory agency permit conditions that apply to the protection of special-status species and sensitive habitats.

BR-2: To prevent the inadvertent entrapment of wildlife, the construction contractor shall ensure that at the end of each workday trenches and other excavations that are over one-foot deep have been backfilled or covered with plywood or other hard material. If backfilling or covering is not feasible, one or more wildlife escape ramps constructed of earth fill or wooden planks shall be installed in the open trench.

Pipes shall be inspected for wildlife prior to capping, moving, or placing backfill over the pipes to ensure that animals have not been trapped. If animals have been trapped, they shall be allowed to leave the area unharmed.

BR-3: All construction-related activities, including staging, stockpiling of soils, and storage of construction equipment and materials, shall maintain a minimum 50-foot buffer from the upland edge of all wetlands and other waters of the U.S. and State.

The City, in consultation with the California Department of Fish and Wildlife, may approve a smaller buffer. Prior to commencement of any earth disturbance (e.g., clearing, grading, trenching, etc.), a qualified biologist, in consultation with the project engineer, shall delineate the buffer zones with construction tape and/or pin flags that shall remain in place until construction is complete. The buffer areas shall be periodically inspected by a qualified biologist throughout project construction to ensure the construction tape and/or pin flags are properly maintained.

BR-4: In order to avoid impacts to nesting birds and raptors protected under the federal Migratory Bird Treaty Act and California Fish and Game Code §3503 and §3503.5, including their nests and eggs, a qualified biologist shall perform a pre-construction survey within 48 hours prior to tree removal and/or ground breaking at the site if construction activities will take place between February 1 and August 31.

If nesting birds are found, the qualified biologist shall establish suitable buffers prior to tree removal and/or ground breaking activities. To prevent encroachment, the established buffer(s) shall be clearly marked by highly visibility material. The established buffer(s) shall remain in effect until the young have fledged or the nest has been abandoned as confirmed by the qualified biologist.

To more effectively identify active nests and to facilitate project scheduling, it is recommended that initial nesting surveys begin as early as February when the foliage on the trees are at a minimum.

BR-5: A qualified biologist shall perform a pre-construction survey for western pond turtles 300 feet from the edge of riparian forest habitat within 48 hours prior to ground breaking at the site. If western pond turtles are found, the qualified biologist shall establish suitable buffers and/or relocation of individuals prior initiation of construction activities. The qualified biologist shall remain on-site for the duration of construction.

BR-6: In the event that western pond turtles enter a 100-foot buffer of on-going construction activities, a qualified biologist shall be contacted and construction activities shall be halted within 50 feet of the turtle until the turtle is confirmed to have left the project area or is relocated by the qualified biologist.

BR-7: A qualified biologist shall perform a pre-construction survey for yellow-legged frogs 300 feet from the edge of riparian forest habitat within 48 hours prior to ground breaking at the site. If yellow-legged frogs are found, the qualified biologist shall establish suitable buffers and/or relocation of individuals prior to initiation of construction activities.

BR-8: In order to avoid impacts to tree-roosting bats, one of the following measures shall be implemented:

- a. Prior to commencement of tree removal, a qualified biologist (i.e., an experienced bat biologist holding a California Department of Fish and Wildlife [CDFW] Scientific Collecting Permit) shall conduct a tree habitat assessment to identify trees with suitable bat roosting habitat (e.g., cavities, crevices, exfoliating bark, etc.). Trees determined to have suitable roosting habitat shall be removed only outside of the maternity season and winter season during the following times, or as otherwise approved/recommended by a qualified bat biologist.
 - i. Between approximately March 1 (or after evening temperatures rise above 45°F, and/or no more than ½ " of rainfall within 24 hours occurs), and April 15; or
 - ii. Between approximately September 1 and October 15 (or before evening temperatures fall below 45°F, and/or more than ½" of rainfall within 24 hours occurs).

Trees shall be removed using the following two-step process to allow bats the opportunity to abandon the roost prior to tree removal. The two-step removal of bat habitat trees shall be conducted over two consecutive days.

On day 1, non-habitat features (i.e., branches without cavities, crevices, or exfoliating bark) on bat habitat trees, shall be removed by hand (e.g., using chainsaws), and

chippers shall be used wherever possible; this will cause a level of noise and vibration disturbance sufficient to cause bats to choose not to return to the tree for a few days after they emerge to forage. A qualified biologist experienced with two-step removal procedures shall instruct and provide initial supervision of tree cutting crews on day 1 so that they do not accidentally remove potential habitat features, which could result in direct mortality of bats.

On the following day, the trees are removed. Any new tree cutting crew members added to the crew shall require instruction and initial supervision by a qualified biologist.

- b. If trees are removed outside of the time periods described under BR-8(a) above (or a time period otherwise approved/recommended by a qualified biologist), the following steps shall be taken prior to tree removal:
 - i. A night emergence survey shall be conducted by a qualified biologist during acceptable weather conditions (taking into consideration rain, high winds, and night temperatures) to identify the presence of bats.
 - ii. Alternatively, if conditions allow, the qualified biologist shall physically inspect roosts for the presence or absence of bats. The results of the survey shall be submitted to CDFW upon completion.

If no active roosts are found no further action is required. If a roost is determined to be occupied, a suitable non-disturbance buffer, determined by the qualified biologist in consultation with CDFW, shall be established until the young are capable of flight, as determined through additional monitoring by a qualified bat biologist. The survey shall be conducted no more than one week prior to the initiation of tree removal. If tree removal is delayed or suspended for more than one week after the survey, a subsequent survey shall be conducted.

BR-9: Prior to any clearing for the Project the Final Tree Replacement Plan must be approved by the City.

BR-10: To account for the loss of potentially suitable bat roosting habitat as a result of the removal of trees at the site, the client will install a total of ten (10) two-chambered rocket-style bat houses spaced at least 200 feet away from human habited areas including the entrance, parking lot, Ashby Road. Designs and guidelines for this style of bat house can be located at http://www.batcon.org/pdfs/BHBuildersHdbk13_Online.pdf

BR-11: Any one or combination of the following replacement standards shall be implemented to ensure adequate replacement of protected trees (any living tree, except gray pine, having at least one trunk of ten inches or more diameter at breast height):

- a. Three fifteen-gallon trees shall be planted on-site for each protected tree removed. The size of a fifteen-gallon replacement tree may be increased to a 24-inch box and count as two replacement trees. The Tree Replacement Plan shall identify the species, size, and location of all replacement trees. The replacement trees shall be native trees where appropriate. Acorns may be used when planting native oaks. The preservation of every healthy protected tree that exceeds 20 inches at breast height shall be counted as a credit of 2:1 for the purpose of calculating the total number of replacement trees required; and/or
- b. An alternative site(s) within the City limits shall be identified for additional tree planting that is required to satisfy the tree replacement ratio. Alternative sites may include, but are not limited to, local parks, schools, and public rights-of-way; and/or
- c. An in-lieu fee shall be paid to the City to purchase trees that will be planted on public property, such as parks, schools, public rights-of-way, or at other public facilities. The in-lieu fee shall be based on the fair market value of the number of trees required as replacement trees that cannot be accommodated elsewhere; and/or

- d. Deed restrictions shall be recorded to prohibit future development in an area of the property that contains protected trees in proportion to the number of trees proposed for removal, with credit given for implementation of one or more of the above measures.

BR-12: Temporary construction fencing shall be installed and maintained at least six feet outside of the dripline of all oak trees to be preserved. The fencing around this “root protection zone” shall be maintained throughout construction.

- a. No vehicle parking or materials stockpiling shall occur within the root protection zone.
- b. To the extent feasible, no construction activities (including grading, cutting, and trenching), shall occur within the root protection zone. If trenching or other work must occur within the root protection zone, the work shall be completed under the supervision of a certified arborist.

BR-13: The results of all required surveys shall be submitted to the City (pbird@cityofshastalake.org) and the Department of Fish and Wildlife (R1CEQARedding@wildlife.ca.gov).

BR-14: The potential for introduction and spread of noxious weeds shall be avoided/minimized by:

- a. Using certified weed-free erosion control materials, mulch, and seed.
- b. Limiting import or export of fill material to material that is known to be weed free.
- c. Requiring the construction contractor to thoroughly wash all equipment at a commercial wash facility prior to entering the job site and upon leaving the job site.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
5. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion of Checklist Answers:

- a) There are no historical resources listed in the California Register of Historical Resources or any local register of historical resources within the City. In addition, the City has determined there are no resources which the City has identified as historically significant that would be impacted by the proposed project; therefore, there would be no impact and no mitigation is required.
- b) See Existing records at CSU-Chico document that the entire APE had been subjected to previous archaeological investigation, and that one prehistoric site (P-45-3249) had been recorded within the APE, and subjected to archaeological testing. Findings generated by the testing efforts recommended that the site does not constitute a significant historical resource or unique archaeological resource, and that monitoring of ground disturbance within, and within a 10-meter perimeter of the site would be warranted

to ensure that any previously unevaluated cultural materials that may contribute to historical significance would be adequately addressed. Consequently, no significant historical resources or unique archaeological resources were identified within the APE during the present survey. The present evaluation and recommendations are based on the findings of an inventory-level surface survey only. There is always the possibility that important unidentified cultural materials could be encountered on or below the surface during the course of future development activities. This possibility is particularly relevant considering the constraints generally to archaeological field survey, and particularly where past ground disturbance activities have partially obscured historic ground surface visibility, as in the present case. In the event of an inadvertent discovery of previously unidentified cultural material, archaeological consultation should be sought immediately. With the implementation of the proposed mitigation measures, impacts are considered to be less than significant.

- c) See discussion under Section 5.a and 5.b above. There are no known paleontological resources or unique geological features in the project area and no mitigation is required.
- d) See discussion under Section 5.a and 5.b above. With the implementation of the proposed mitigation measures, the impacts are considered less than significant.

Mitigation Measures Relating to Cultural Resources

CR-1: In the event of any inadvertent discovery of cultural resources (i.e., burnt animal bone, midden soils, projectile points or other humanly-modified lithics, historic artifacts, etc.), all work within 50 feet of the find shall be halted until a professional archaeologist can evaluate the significance of the find in accordance with PRC §21083.2(g) and §21084.1, and CEQA Guidelines §15064.5(a). If any find is determined to be significant by the archaeologist, the City shall meet with the archaeologist to determine the appropriate course of action. If necessary, a Treatment Plan prepared by an archeologist outlining recovery of the resource, analysis, and reporting of the find shall be prepared. Information related to the find and Treatment Plan will be conveyed to the Wintu Tribe of Northern California & Toyon Wintu Center. The Treatment Plan shall be reviewed and approved by the City prior to resuming construction.

CR-2: A minimum of two weeks in advance of any ground-disturbing activities (e.g., tree removal, clearing, grading, trenching, etc.), the Wintu Tribe of Northern California & Toyon-Wintu Center shall be notified and offered the opportunity for a Native American representative to voluntarily monitor ground-disturbing activities.

CR-3: In the event that cultural resources or human remains of Native American descent are identified during earth disturbance, the Wintu Tribe of Northern California & Toyon Wintu Center shall be notified and provided the opportunity for a Native American monitor to be present in the area where tribal cultural resources and/or human remains have been identified. Costs associated with Native American monitoring where tribal cultural resources have been identified on the project site shall be the responsibility of the applicant.

CR-4: In the event that human remains are encountered during construction activities, the City shall comply with §15064.5 (e) (1) of the CEQA Guidelines and PRC §7050.5. All project-related ground disturbances within 100 feet of the find shall be halted until the County coroner has been notified. If the coroner determines that the remains are Native American, the coroner will notify the NAHC to identify the most likely descendants of the deceased Native Americans. Project-related ground disturbance in the vicinity of the find shall not resume until the process detailed in §15064.5 (e) has been completed.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
7. GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death, involving:				

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Checklist Answers:

- a) i. A review of available geologic and fault maps indicate no faults are mapped across the project site and the project site is not located within an Alquist-Priolo Special Studies Zone. The *Fault Activity Map of California and Adjacent Areas* prepared by the California Department of Mines and Geology, dated 2010, reveals that portions of the potentially active Battle Creek fault are located approximately 22 miles south of the project site. In addition, the closest active fault, which is related to faults along the Foothills Fault Zone, is located approximately 32 miles southeast of the subject property.

The Foothills Fault Zone is estimated to have a slip rate well below the minimum of 0.1 mm/yr, which can be characterized as a low-activity fault system. Based on the U.S. Geologic Survey (USGS) / California Geologic Survey (CGS) Probabilistic Seismic Hazards Assessment (PSHA), the project site is located in an area of low peak ground acceleration (PGA) (California Geologic Survey 2006). The grading would have no impact and no mitigation is required.

- ii. The City of Shasta Lake is located in Seismic Design Category D(o) per the 2016 California Building Code (CBC). This indicates that the area is subject to earthquakes that may cause minor to moderate structural damage. An earthquake history compiled for the City of Shasta Lake General Plan indicated that over a 120-year period, no deaths related to earthquakes have been recorded, and reported building damage has never been more than minor. All construction in the City of Shasta Lake is subject to the 2016 California Building Code for Seismic Zone D(o), which is designed to prevent structural damage from earthquakes of moderate intensity. The grading would have no impact and no mitigation is required.

- iii. See discussion under 6 a (ii) above. While construction to standards in SDC D(o) cannot completely remove the potential for damage due to liquefaction, the standards reduce this impact to a level of less than significant; therefore, no mitigation is required.
 - iv. Although landslides occur throughout areas of Shasta County, landslides are not considered major hazards in the City of Shasta Lake. Landslides can be caused by both non-seismic and seismic activities. Excessive soil saturation can also trigger landslides. All proposed grading located on steep slopes has been analyzed and certified by the project engineer and engineering geologist. No visible signs of landslides are evident in the immediate area. The project's impact would be less than significant and no mitigation is required.
- b) The potential for erosion exists when vegetative cover is removed from natural ground surfaces due to grading activities associated with construction or fires. Compliance with §15.08 of the City of Shasta Lake Municipal Code requires all grading projects to employ BMPs to mitigate potential for erosion and runoff. The project's impact would be less than significant and no mitigation is required.
 - c) The subject area is located in a developed area of the City. The topography of the site is moderately sloped to level ground and analysis of the site by Realm Engineering indicates soil stability. There have been no incidents of landslide, lateral spreading, subsidence, liquefaction or collapse on the project site or surrounding properties. The project is not located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project. There would be no impact and no mitigation is required.
 - d) Expansive soils are those that greatly increase in volume when they absorb water and shrink when they dry out. As stated in Section 6.c above, there have been no issues of lateral spreading or subsidence in the area. The subject soils are not described as expansive soils in the "Soil Survey of Shasta County Area, California" (1974). There would be no impact and no mitigation is required.
 - e) The project will be served by City sewer. There would be no impact and no mitigation is required.

Mitigation Measures Relating to Geology and Soils

None Required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) According to the Environmental Protection Agency (www.epa.gov/climatechange) some greenhouse gases such as carbon dioxide occur naturally and are emitted to the atmosphere through natural processes and human activities. Other greenhouse gases (e.g., fluorinated gases) are created and emitted solely through human activities. The main greenhouse gases that enter the atmosphere because of human activities include the following:

Carbon Dioxide (CO₂): Carbon dioxide enters the atmosphere through the burning of fossil fuels (oil, natural gas, and coal), solid waste, trees and wood products, and also as a result of other chemical

reactions (e.g., manufacture of cement). Carbon dioxide is also removed from the atmosphere (or “sequestered”) when it is absorbed by plants as part of the biological carbon cycle.

Methane (CH₄): Methane is emitted during the production and transport of coal, natural gas, and oil. Methane emissions also result from livestock and other agricultural practices and by the decay of organic waste in municipal solid waste landfills.

Nitrous Oxide (N₂O): Nitrous oxide is emitted during agricultural and industrial activities, as well as during combustion of fossil fuels and solid waste.

Fluorinated Gases: Hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride are synthetic, powerful greenhouse gases that are emitted from a variety of industrial processes. Fluorinated gases are sometimes used as substitutes for [ozone-depleting substances](#) (i.e., CFCs, HCFCs, and halons). These gases are typically emitted in smaller quantities, but because they are potent greenhouse gases, they are sometimes referred to as High Global Warming Potential gases (“High GWP gases”).

Primary contributors of GHGs resulting from new development include CO₂, CH₄ and N₂O. Sources include direct emissions (construction-related activities, on-site heavy duty equipment, and offsite haul truck and worker commute trips); operation-related activities (vehicle trips) and indirect emissions (electricity [generated elsewhere], water consumption, solid waste generation/disposal).

GHG impacts were assessed in accordance with methodologies recommended by CARB and the SCAQMD. Where quantification was required, GHG emissions were modeled using CalEEMod, version 2016.3.2. CalEEMod is a statewide land use emissions computer model designed to quantify potential GHG emissions associated with both construction and operations from a variety of land use projects. Project construction-generated GHG emissions were primarily calculated using CalEEMod model defaults for Shasta County. Operational air pollutant emissions were based on the Project site plans and automobile trip rates and distances calculated by the traffic engineering firm, T. Kear Transportation Planning & Management, Inc. (2019). The proposed Project will result in indirect GHG emissions associated with the generation of electricity. CO₂ intensity factors associated with Pacific Gas & Electric’s electricity production was used as a comparable substitute for the City of Shasta Lake Electric Utility.

Construction-related activities that would generate GHG emissions include worker commute trips, haul trucks carrying supplies and materials to and from the Project site, and off-road construction equipment (e.g., dozers, loaders, excavators). Table 4-2 (below) illustrates the specific construction-generated GHG emissions that would result from construction of the Project. As shown in Table 4-2, Project construction would result in the generation of approximately 650 metric tons of CO₂e over the course of construction. Generation of these GHG emissions would cease once construction is complete. The amortized construction emissions have been added to the annual average operation emissions.

Emissions Source	CO₂e (Metric Tons/Year)
Construction in Year One	209
Construction in Year Two	110
Construction in Year Three	264
Construction in Year Four	67
Project Construction Total	650

Source: CalEEMod version 2016.3.2. Refer to Attachment B for Model Data Outputs

Operation of the Project would result in GHG emissions predominantly associated with motor vehicle and electrical use. Long-term operational GHG emissions attributable to the Project are identified in Table 4-3

(on next page) and compared to the Tehama County Air Pollution Control District's numeric bright-line threshold of 900 metric tons of CO₂e annually. While significance thresholds promulgated in Tehama County are not binding in the City of Shasta Lake, they are helpful for comparison purposes. As with Shasta County and the Project site, Tehama County is located within the NSVAB and therefore mass emission thresholds of significance developed in that county are appropriate due to the similarities in regional geography as well as land use patterns. Additionally, the CAPCOA has provided guidance for determining the significance of GHG emissions generated from land use development projects. CAPCOA also considers projects that generate more than 900 metric tons of GHG to be significant

Emissions Source	CO₂e (Metric Tons/ Year)
Construction Emissions (amortized over the 30-year life of the Project)	22
Area Source Emissions	<1
Energy Source Emissions	336
Mobile Source Emissions	316
Waste Emissions	43
Water Emissions	62
Total Emissions	780
<i>TCAPCD & CAPCOA Threshold</i>	<i>900</i>
Exceed TCAPCD/CAPCOA Threshold?	No

As shown in Table 4-3, operation-generated emissions would not exceed the numeric threshold of 900 metric tons of CO₂e annually. This threshold, established by both the Tehama County Air Pollution Control District and CAPCOA, was developed based on substantial evidence that it represents a quantitative level of GHG emissions, compliance with which means that the environmental impact of the GHG emissions would be less than significant and no mitigation is required.

- b) See discussion under Section 7.a above. The project would not conflict with any applicable plan, policy or regulation of the City of Shasta Lake that has been adopted for the purpose of reducing the emissions of greenhouse gases. In addition, future development will require compliance with the State of California Title 24 2016 energy efficiency standards for new construction. These standards provide a substantial reduction in GHG emissions from those generated from existing development in the City. Impacts are less than significant and no mitigation is required.

Mitigation Measures Relating to Greenhouse Gas Emissions:

None Required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan area or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion of Checklist Answers:

- a) During construction activities, it is anticipated that limited quantities of hazardous substances, such as gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc., would temporarily be brought into areas where improvements are proposed. There is a possibility of accidental release of hazardous substances into the environment, such as the spilling of petroleum-based fuels used for construction equipment. However, construction contractors would be required to comply with applicable federal and State environmental and workplace safety laws and implement BMPs for the storage, use, and transportation of hazardous materials.

Operation of the proposed Project may include the storage and use of fertilizers, pesticides, growth medium, sanitizers, and cleaning supplies; some of which may be classified as hazardous materials. In addition, the manufacturing process will include chemical extraction using a volatile solvent(s) (CO2).

The California Fire Code includes specific requirements for the processing and extraction of oils and products from plants, and requirements for the storage, handling, and use of hazardous materials,

including compressed gases, flammable/combustible liquids, and flammable gases and solids. In addition, businesses that handle hazardous materials over threshold amounts (55 gallons for liquids, 500 pounds for solids, and 200 cubic feet for compressed gases) are required to submit a HMBP to SCEHD and submit the HMBP electronically to the California Environmental Reporting System (CERS).

The State Cannabis Licensing program also includes regulations that address requirements for the use of hazardous materials associated with cannabis cultivation and manufacturing. For example, CDFA regulations (CCR Title 3, Division 8, Chapter 1, §8308[b]) state that a licensee shall manage all hazardous waste, as defined in §40141 of the Public Resources Code, in compliance with all applicable hazardous waste statutes and regulations.

CDPH regulations (CCR Title 17, Division 1, Chapter 13, §40253) require licensees to develop and implement a written product quality plan that includes, but is not limited to, identification of hazards associated with the premises or the manufacturing process. §40290 requires licensees to have a written cannabis waste management plan; licensees are responsible for evaluating waste to determine if it should be designated and handled as a hazardous waste.

§40220 - §40225 include requirements for cannabis extraction operations. Chemical extractions using CO₂, a volatile solvent, must be performed in a closed-loop extraction system that is designed to recover the solvents. The system must be certified by a California-licensed engineer to ensure that the system was commercially manufactured, safe for use with the intended solvent, and built to codes of recognized and generally accepted good engineering practices (e.g., the American Society of Mechanical Engineers, American National Standards Institute, Underwriters Laboratories, or the American Society for Testing and Materials).

In accordance with CDPH regulations, the closed-loop system, other equipment used in the extraction process, and the extraction facilities must be approved by the local fire code official and must comply with any required fire, safety, and building code requirements related to the processing, handling, and storage of the applicable solvent or gas. The local fire code official must also approve extraction operations that involve the use of ethanol. Extraction operations must comply with applicable state and local requirements and must be operated in accordance with Cal/OSHA regulations. All employees using solvents or gases in a closed loop system to create extracts must be fully trained on how to use the system, have direct access to applicable safety data sheets, and handle and store solvents and gases safely. The licensee must develop standard operating procedures, good manufacturing practices, and a training plan prior to producing extracts.

In addition, prior to issuance of a Certificate of Occupancy for use of the building, the closed-loop system, other equipment used in the extraction process, and the extraction facilities must be approved by the Shasta Lake Fire Protection District (SLFPD) in accordance with existing State regulations. In the unlikely event of a hazardous materials release, the SLFPD and/or Shasta Lake Sheriff's Department would serve as the first responder(s) to the site. The situation would be assessed, and assistance from additional response agencies would be requested as appropriate in accordance with the Shasta County Hazardous Materials Area Plan.

As documented above, the proposed Project would be subject to existing laws and regulations related to hazards and hazardous materials, including, but not necessarily limited to, those discussed under Regulatory Context above. Compliance with these regulations, and verification by the applicable State and local regulatory agencies prior to issuance of licenses and/or permits, will ensure that the transport, use, and disposal of hazardous materials do not create a significant hazard to the public or the environment; impacts would be less than significant.

- b) See discussion under Sections 8.a above. There is no impact and no mitigation is required.
- c) The project site is not included on the list of hazardous materials sites compiled pursuant to Government Code §65962.5 (Department of Toxic Substances Control). The EnviroStor database indicates the

closest clean-up site to the Project site is Valley Plating on El Cajon Avenue, approximately .3 miles northeast of the Project site. There is no impact and no mitigation is required.

- d) According to the Shasta Lake and Shasta County General Plans, the project area is not located within an airport land use plan area. According to the Federal Aviation Administration (FAA), the nearest public airport is Benton Airpark, approximately 5.5 miles southwest of the Project site. The closest private airstrip is Tews Field on Moody Creek Drive, approximately 2 miles east of the Project site. There would be no impact and no mitigation is required.
- e) According to the Shasta Lake and Shasta County General Plans, the project area is not within the vicinity of a private airstrip. There would be no impact and no mitigation is required.
- f) The project area is an urbanized area with adequate emergency access. The project would not hinder emergency vehicles entering and exiting the area. There would be no impact and no mitigation is required.
- g) The project site is partially located within the area designated as “Very High” Fire Hazard Severity Zone (FRAP 2019). Construction of the project will be subject to all requirements of the 2019 CBC and Shasta Lake Fire Protection District. Equipment used during construction activities may create sparks that could ignite dry grass. Also, the use of power tools and/or acetylene torches may increase the risk of wildland fire hazard. Mitigation Measure HM -2 will ensure impacts during construction are less than significant.

The proposed facility would not be open to the general public; however, the Project would bring people into the Project area (e.g., employees, vendors, and delivery service drivers) and thus would increase exposure of people and structures to the risk of wildfires originating off-site and spreading to the Project site. The Project site is bound by heavily vegetated undeveloped land to the southwest, which intensifies this risk.

Because the Project site is partially located in a Very High FHSZ, the Project is subject to the provisions of Chapter 7A of the CBC (Material and Construction Methods for Exterior Wildfire Exposure), which requires incorporation of fire-resistant building materials. The purpose of Chapter 7A is to protect life and property by increasing the ability of a building to resist the intrusion of flames or burning embers projected by a vegetation fire. CBC Part 2, Volume 1, Chapter 9 specifies requirements for fire protection systems (e.g., automatic sprinkler systems, emergency alarm and detection systems, fire extinguishers, exhaust hood and duct system requirements for commercial kitchens, standpipe systems, and fire department access).

In addition, CBC Section 701A.5 (Vegetation Management Compliance) states that prior to building permit final approval, the property shall be in compliance with the vegetation management/defensible space requirements prescribed in CFC Part 9, Chapter 49, (Requirements for Wildland-Urban Interface Fire Areas).

The Project must also comply with SLMC Chapter 15.10 (Water Efficient Landscaping); §15.10.050(D)(1)(e) requires that projects in fire-prone areas must address fire safety and prevention by avoiding fire-prone plant materials and highly flammable mulches. This would be verified through review of the final landscape plan for the proposed Project.

The City's Building Official and SLFPD's Fire Marshal review all improvement and construction plans in the City prior to issuance of a grading permit or building permit to ensure compliance with applicable State building and fire code requirements. In addition, the City's Building Official and SLFPD's Fire Marshal conduct a final inspection prior to issuance of a Certificate of Occupancy to ensure that the structure(s) complies with applicable fire codes and standards. Compliance with the CBC and CFC regulations noted above ensures that the potential for direct and indirect risks to people and structures associated with wildland fires is less than significant.

Further, the Project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. Compliance with these regulations, combined with HM-1, ensure that impacts associated with hazards and hazardous materials are less than significant and that activities do not result in impacts that would be cumulatively considerable.

Mitigation Measures Relating to Hazards and Hazardous Materials

HM-1: During construction, all areas in which work will be completed using spark-producing equipment shall be cleared of dried vegetation or other materials that could serve as fire fuel. To the extent feasible, the contractor shall keep these areas clear of combustible materials in order to maintain a fire break.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
10. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of a failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Checklist Answers:

- a) The potential for erosion exists when vegetative cover is removed from natural ground surfaces due to grading activities associated with construction or fires. Compliance with §15.08 of the City of Shasta Lake Municipal Code requires all grading projects to employ BMPs to mitigate potential for erosion and runoff. This will prevent a violation of water quality standards or waste discharge requirements. In addition, SLMC Chapter 13.28 includes standards to prevent the introduction of pollutants into the City's wastewater collection system that could pass through the WWTP and be discharged to receiving waters (Churn Creek). As a condition of the commercial cannabis license, the applicant is required to install a sampling station outside of any structure involved in cannabis cultivation, testing, or manufacturing. The station would be accessible to City staff at all times. This will allow the City to sample the facility's industrial waste stream to ensure compliance with the City's waste discharge requirements. With the implementation of the proposed mitigation measure, impacts are considered to be less than significant.
- b) The City's sole source of water is from Lake Shasta through a long-term contract with the U.S. Bureau of Reclamation. The City does not have any groundwater supplies, and the project will be served with municipal water. There would be no impact and no mitigation is required.
- c) See discussion under Section 9.a. The project will not alter the course of existing drainage. There would be no impact and no mitigation is required.
- d) See discussion under Section 9.a. An Entitlement Level Storm Drainage Analysis has been prepared by Realm Engineering for the Project. The purpose of the analysis was to verify that the proposed Project maintains or reduces pre-development peak flows for the 10-, 25-, and 100-year design storm events and to identify the location and size of any required on-site detention/retention facilities.

As stated in the Storm Drain Analysis, runoff would be controlled with two on-site aboveground detention facilities. A network of drainage inlets and pipes would direct site runoff into the respective detention basins before leaving the site. The Storm Drainage Analysis includes details on the preliminary drainage plan and detention basins.

Pursuant to SLMC Section 15.08.090(D), the final grading plan must include detailed plans of all surface and subsurface drainage devices, including brow ditches, retaining walls, cribbing, dams, protective fencing, and other protective devices to be constructed with, or as a part of, the proposed work, together with a map showing the drainage area and the estimated runoff of the area served by any drains. SLMC Section 15.08.160 requires final plans to be submitted to the City upon completion of rough grading work prior to any precise/fine grading, and at the final completion of the work. Final plans must include a record grading plan prepared by the project civil engineer or other authorized licensed professional, including original ground surface elevations, as-graded ground surface elevations, lot drainage patterns and locations and elevations of all surface and subsurface drainage facilities.

Prior to issuance of a Certificate of Occupancy, the Project civil engineer or other authorized licensed professional shall certify in writing that the work was done in accordance with the final approved grading plan. In addition, as required by the Phase II MS4 permit, work shall be inspected by a QSD or a certified qualified SWPPP practitioner (QSP) to ensure that post-construction measures have been properly implemented. There would be no impact and no mitigation is required.

- e) See discussion under Section 9.a and 9.b. The project area is not served by a planned stormwater drainage system. There would be no impact and no mitigation is required.
- f) See discussion under Section 9.a and 9.b. There would be no impact and no mitigation is required.
- g) The project does not include the production of housing; therefore, there would be no impact and no mitigation is required.
- h) The southernmost tip of the project site is within a 100-year flood hazard zone; however, no construction is proposed in this area. There would be no impact and no mitigation is required.
- i) Because no portion of the project site is protected by a levee or dam, the exposure of people and/or structures to significant risk or loss due to flooding from dam or levee failure is non-existent. There would be no impact and no mitigation is required.
- j) A seiche is a large wave generated in an enclosed body of water in response to ground shaking. Seiches could potentially be generated in Lake Shasta due to very strong ground-shaking. However, as discussed previously, the closest potentially active faults are in the Battle Creek fault zone, approximately 20 miles south of the Project site. Although these fault lines could produce low to moderate ground shaking, it is not likely that such ground shaking would cause a seiche large enough to overtop Shasta Dam. A tsunami is a wave generated in a large body of water (typically the ocean) by fault displacement or major ground movement. No impact would occur and no mitigation is required.

Mitigation Measures Relating to Hydrology and Water Quality

WQ-1 Prior to issuance of a grading permit, final grading/improvement plans shall be prepared and signed by a civil engineer or other licensed professional as authorized by the California Business and Professions Code and shall incorporate best management practices (BMPs) to ensure compliance with the NPDES General Permit for Waste Discharges from Small Municipal Separate Storm Sewer Systems (MS4s), Chapter 13.36 (Storm Water Quality Management), and Chapter 15.08 (Grading, Erosion Control, and Hillside Development) of the Shasta Lake Municipal Code.

Prior to issuance of a Certificate of Occupancy, BMPs shall be inspected to ensure that post-construction measures have been implemented.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
11. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Checklist Answers:

- a) The proposed project does not authorize any development that would physically divide an established community. There would be no impact and no mitigation is required.
- b) The proposed Project is consistent with applicable Policies, Objectives, and Implementation Measures of the City's General Plan and regulations of the regulatory. Where necessary, mitigation measures are included to reduce impacts to less than significant levels. Therefore, the proposed Project would not conflict with any plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. There are no impacts and no mitigation is required.
- c) There are no adopted habitat conservation plans or natural community conservation plans which would apply to the subject property. There would be no impact and no mitigation is required.

Mitigation Measures Relating to Land Use and Planning

None Required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Checklist Answers:

- a) The Shasta Lake General Plan Land Use Map shows lands designated as Mineral Resource (MR) only in the northern portion of the City. There are no identified mineral resources within the project area delineated on any local general plan, specific plan, or other land use map. There would be no impact and no mitigation is required.
- b) There are no mineral resource recovery sites delineated on any local general plan, specific plan or other land use map. There would be no impact and no mitigation is required.

Mitigation Measures Relating to Mineral Resources

None required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
13. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or of applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan area or, where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Checklist Answers

- a) The State of California’s Governor’s Office of Planning and Research (OPR) Noise Element Guidelines include recommended exterior and interior noise level standards for use by local jurisdictions to identify and prevent incompatible land uses. Based on these guidelines, the City of Shasta Lake General Plan Noise Element (City of Shasta Lake 1999) has adopted land use compatibility criteria for its various community land uses.

The proposed Project will generate substantially more sound/noise during construction/development than operation. The residential neighborhood east of Ashby Road is the noise sensitive land use (NSLU) with the greatest potential to be impacted by sounds/noises from construction of the proposed Project. Noise generated by construction operations during the more noise-sensitive early morning, evening, and nighttime hours can result in increased annoyance and potential sleep disruption for occupants of nearby dwellings. The US Environmental Protection Agency has found that the average noise levels associated with construction activities typically range from approximately 76 dBA to 84 dBA with intermittent individual equipment noise levels ranging from approximately 75 dBA to more than 88 dBA for brief periods (U.S. EPA, 1971).

Noise from localized point sources (such as construction sites) typically decreases by approximately 6 dBA with each doubling of distance from source to receptor. All NSLUs in the area of the proposed Project are located east of Ashby Road, while all construction activities will occur on the Project Property west of Ashby Road. Therefore, the residences and outdoor activity areas of the NSLUs most likely to be affected by the proposed Project are located more than 50 feet from the construction activities associated with development of the proposed Project. Furthermore, the vast majority of construction activities will

occur in the western half of the Project Property, more than 650 feet from the NSLUs east of Ashby Road, and the existing oak forest(s) in the eastern half of the Project Property will be largely untouched by the proposed Project (research has indicated that trees and shrubs can reduce propagation of noise, however their effectiveness at noise reduction varies greatly).

The proposed F1 Occupancy Use of the parcels will have small amounts of outside activity. The bulk of the operations will be conducted on the interior of the buildings. The operation expects daily deliveries to the site and a moderate number of employees needed to be on the site every day. Occasional landscape maintenance activities and monthly wash-downs (outside activities) will generate small amounts of operational noise that will be less than significant, when compared to the noise-generating uses surrounding the Project Property.

- b) See discussion under 12.a above. The ground borne vibration created by the proposed grading activities is not considered extreme. Impacts are considered less than significant and no mitigation is required.
- c) See discussion under 12.a above. Impacts are considered less than significant and no mitigation is required.
- d) See discussion under 12.a above. Impacts are considered less than significant and no mitigation is required.
- e) According to the City of Shasta Lake and Shasta County General Plans, the project area is not located within an airport land use plan area. There would be no impact and no mitigation is required.
- f) According to the City of Shasta Lake and Shasta County General Plans, the project area is not within the vicinity of a private airstrip. There would be no impact and no mitigation is required.

Mitigation Measures Relating to Noise

N-1: All noise-generating activities to occur east of the west boundary of the non-disturbance easements shall be conducted between the hours of 8AM and 6PM, Monday through Friday.

N-2: Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds in accordance with manufacturers’ recommendations. Noise-reduction equipment will be inspected each morning before start-up when working east of the west boundary of the non-disturbance easements.

N-3: No stationary noise-generating equipment, whether temporary or permanent, shall be staged east of the west boundary of the non-disturbance easements without an acoustical analysis to determine if applicable thresholds cited within the General Plan will be exceeded.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
14. POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Checklist Answers:

- a) There will be no impact as a result of the proposed project. The project is located in an area designated for urban uses/growth. Development of the site will not result in substantial unplanned population growth. There are no residences on the project site so no housing or people will be displaced.

The proposed project does not result in the need for any infrastructure improvements or extensions that would result in direct or indirect impacts that could result in substantial population growth in this area of the City; therefore, there would be no impact and no mitigation is required.

- b) See discussion under 13.a above. There are currently no dwelling units within the project site. There would be no impact and no mitigation is required.
- c) See discussion under Section 13.a and 13.b above. There would be no impact and no mitigation is required.

Mitigation Measures Relating to Population and Housing

None Required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
15. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities, including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Checklist Answers:

- a) – e) The project is located within an urbanized area planned for industrial uses. Project improvements related to infrastructure include the installation of curb and gutter and the up-sizing of the existing water main from six inches to twelve inches to meet fire flow requirements. In addition, the City has adopted impact fees for certain public services to be used for development of projects needed to offset the cumulative impacts from new development. These fees must be paid prior to

occupancy of any new residence on the property. There would be no significant impact from the project and no special mitigation is required.

Mitigation Measures Relating to Public Services

None Required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
16. RECREATION.				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Checklist Answers:

- a) See discussion under Section 13.a and 14.a above. The proposed project will not increase the City's population nor will it cause substantial physical deterioration or accelerated deterioration of any neighborhood or regional parks. There would be no impact and no mitigation is required.
- b) See discussion under Section 13.a and 14.a above. The project would not increase the population of the City nor require the construction or expansion of any recreational facilities. There would be no impact and no mitigation is required.

Mitigation Measures Relating to Recreation

None Required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
17. TRANSPORTATION Would the project:				
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3(b) (criteria for analyzing transportation impacts – vehicle miles traveled).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Checklist Answers:

- a) Effective July 1, 2020, vehicle miles traveled (VMT) is the primary metric for evaluating transportation impacts under CEQA. The Governor’s Office of Research (OPR) has published guidance that a 15% reduction in VMT per capita, relative to the regional average, be used as a significance threshold. The ShastaSim travel demand model was used to evaluate VMT per service population for both the region (Shasta County) and TAZ 822 (which represents the area where the project is located). “Service population” is the combined total of residents and employees within the area being analyzed. The VMT analysis is summarized in the following table. The Project area (TAZ 822) has about 30% less VMT per service population than the Shasta County region. Impacts are considered less than significant and no mitigation is required. The proposed Project does not include any components that would remove or change the location of any sidewalk, bicycle lane, ride sharing or public transportation facility. There would be no impact and no mitigation is required.

	Shasta County	Project TAZ
2020 VMT Calculation		
VMT (miles per day)	8,616,037	4,975
Population	191,905	115
Employment	73,585	225
VMT per Service Population	32.45	22.11
2040 VMT Calculation		
VMT (miles per day)	10,587,667	5,610
Population	223,042	103
Employment	84,406	228
VMT per Service Population	34.44	24.61

- b) See discussion under Section 16.a above. There would be no impact and no mitigation is required.
- c) The proposed Project does not propose any sharp curves or other components that would increase hazards due to a design feature. The Project site is in an industrial area that includes industrial uses, and is separated from incompatible uses. Therefore, there would be no impact.
- d) See discussion in Section 14. The Project would not result in inadequate emergency access; there would be no impact.

Mitigation Measures Relating to Transportation/Traffic

None Required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No 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 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Checklist Answers:

- a) See discussion under Section 5. Public Resources Code (PRC) §21074 defines “tribal cultural resources” as either of the following:
 1. Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - a. Included or determined to be eligible for inclusion in the California Register of Historical Resources.
 - b. Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1 of the PRC.
 2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

A Cultural Resources Assessment was completed for the proposed project by Weimeyer Ecological Sciences. The study included a records search and field evaluation. Findings are outlined in Section 5. The findings were confirmed through consultation with the Wintu Tribe of Northern California. Comments were received from the Tribe and incorporated into this document. Mitigation is outlined in Section 5.

- b) See discussion under 17.a above. There would be no impact and no mitigation is required.

Mitigation Measures Relating to Tribal Cultural Resources

See Section 5 – No further mitigation required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
19. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Result in a need for new systems or supplies, or substantial alterations related to electricity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Result in a need for new systems or supplies, or substantial alterations related to the City's water distribution system?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Result in a need for new systems or supplies, or substantial alterations related to the City's wastewater distribution system?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Checklist Answers:

- a) Wastewater treatment needs for the project will be provided by the recently upgraded municipal waste water treatment facility. As discussed under Section 9, the project will not impact the wastewater treatment permit. The impact would be less than significant and no mitigation is required beyond payment of any required impact fee.
- b) See discussion under Section 18.a above. No new water or wastewater treatment facilities would need to be constructed to accommodate the project. There would be no impact and no mitigation is required beyond payment of any required impact fee.

- c) No stormwater facilities exist in the area and will not be constructed for this project. All new construction in the City is subject to the City's Stormwater Management Ordinance and State requirements for storm drainage; therefore, there would be no impact and no mitigation is required.
- d) The City has sufficient water supply to serve the proposed Project and other projects in the City during a non-drought year. The City has insufficient water in a drought-year (projected to 2040) if BOR reduces the City's allocation.

However, when the City's allocation is reduced, the City may purchase supplemental water from a third-party purveyor if such water is available. In addition, SLMC Chapter 13.14 includes the City's Water Conservation and Drought Contingency Plan that details the stages of action to be undertaken during a reduction in available water supply. In a drought year, City Council may declare a water shortage emergency and impose mandatory water conservation restrictions on all customers to offset the water supply reduction.

Pursuant to SLMC Chapter 13.14, all large water users, such as industrial uses, schools, supermarkets, etc., must develop or update their water conservation plans and submit the plan to the city's water conservation coordinator for approval. The plan must address all rationing stages as follows: Stage 1: Demonstrate a 10 percent reduction in water usage; Stage 2: Demonstrate a 20 percent reduction in water usage; Stage 3: Demonstrate a 30 percent reduction in water usage; Stage 4: Demonstrate a 40 percent reduction in water usage; and Stage 5: Demonstrate a 50 percent reduction in water usage.

Therefore, because all customers in the City are required to implement mandatory water use restrictions when the City declares a water shortage emergency, and all large water users must prepare and comply with a water conservation plan, the City would have sufficient water supplies available to serve the Project and other foreseeable projects during normal, dry, and multiple dry years. Impacts would be less than significant.

- e) See discussion under Section 18.a above. The City's Wastewater Treatment Plant (WWTP) was initially constructed in 1977 and consisted of a 0.5-million-gallon per day (MGD) extended aeration facility. In 1996, the WWTP was converted to an advanced secondary treatment facility with an average dry weather flow (ADWF) of 1.3 MGD, and it can accommodate a design peak dry weather flow of up to 5.3 MGD. The City has completed an upgrade to the WWTP to allow treated effluent to be discharged to Churn Creek year-round, which has increased the effective treatment capacity of the WWTP to its original design capacity of 1.3 MGD. There would be no impact and no mitigation is required.
- f) Through an agreement with Shasta County, the Richard W. Curry Landfill south of Igo (about 9.2 miles west of State Highway 273), receives all residential, commercial, and industrial solid waste generated within the City. Waste generation from project is anticipated to be less than other typical industrial uses. Impacts would be less than significant and no mitigation is required.
- g) All uses within the City are required to comply with adopted programs and regulations pertaining to solid waste. There would be no impact and no mitigation is required.
- h) The area in which project would be located is within a developed area served by the City's Electric Utility. No new electric systems or extension of existing facilities would be required. Therefore, there would be no impact and no mitigation is required.
- i) See discussion under Section 14. The area in which project would be located is within a developed area served by the City's Water Utility. No new systems or extension of existing facilities would be required. There would be no impact and no mitigation is required beyond payment of any required impact fee.
- j) See discussion under 18 above. No new systems or extension of existing facilities would be required. There would be no impact and no mitigation is required.

Mitigation Measures Relating to Utilities and Service Systems

None required

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
21. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wild-life population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plants or animals, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion of Checklist Answers:

- a) The project is located in an area of the City which is a developed, urbanized area. As documented herein, no disturbance is proposed that would significantly impact biological species or habitat or historical resources. Impacts are considered less than significant with mitigation incorporated.
- b) Based on the discussions and documentation herein, there is no evidence found to suggest the project would have cumulative impacts that have not been considered in the 1999 City of Shasta Lake General Plan EIR. There would be no impact and no mitigation is required.
- c) Based on the discussions and documentation herein, there is no evidence to support a finding that the project would have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly. Impacts are considered less than significant with mitigation incorporated.

Mitigation Measures Relating to Mandatory Findings of Significance

None Required.

References:

City of Shasta Lake General Plan

City of Shasta Lake Zoning Code

City of Shasta Lake Grading Permit Checklist

T. Kear Traffic Impact Study, July 2020

Realm Engineering Noise Pollution Analysis July 30, 2020

Arborist Report Ashby Road Campus, John Alderson, December 2019

Realm Engineering Geotechnical Report July 27, 2020

Realm Engineering Air Quality and Greenhouse Gas Emission Analysis, December 2019

Wiemeyer Ecological Sciences Biological Assessment, September 2019

Enplan Proposed Mitigated Negative Declaration and Initial Study, Shasta Gateway Campus, March 2020

MITIGATED NEGATIVE DECLARATION

Use Permit 19-01 Ashby Cannabis Campus

SUBJECT

Use Permit 19-01

PROJECT LOCATION

The project is located on Ashby Road between Woodley Avenue and Arlene Court, Assessor's Parcel Numbers 006-020-056 and 006-020-057, within the City of Shasta Lake, Shasta County, California.

This location corresponds to the northeast quarter of Section 36, Township 33 North, Range 5 West MDM. Latitude: 40° 40' 24.15" N; Longitude: 122° 22' 56.22" W, as estimated from the U.S. Geological Survey 7 ½-minute Shasta Dam Quadrangle topographical map.

PROJECT DESCRIPTION

Ashby Road Cannabis Campus – Manzanita Ranch Estates, LLC (MRE) proposes to develop a commercial cannabis cultivation, distribution, and manufacturing operation (Project) at the site, identified as Shasta County APNs 006-020-056 and 006-020-057, located off of Ashby Road in the City of Shasta Lake, California. The proposed project will consist of two, Type 3, Tier 2 "Medium Mixed-Light" cultivation areas, an up to 10,080 square foot distribution facility, and an up to 20,000 square foot non-volatile manufacturing facility. Access roads will be installed providing vehicular access to the project area at the site, entering the site off of Ashby Road near the southeastern portion of the site.

Each proposed cultivation area will be comprised of six 5,040 square foot cultivation facilities on concrete slabs with metal and polycarbonate roofing and walls. One proposed cultivation area will be located on each parcel comprising the site. The proposed distribution facility will be comprised of two, 5,040 square foot buildings on a concrete slab with insulated metal roofs and walls. One of the 5,040 square foot buildings of the distribution facility will be primarily used for processing raw cannabis material (drying, curing, trimming, grading, and packaging cannabis into large batches for testing), and the other will be primarily used for cannabis product distribution activities (storing, testing, packaging, labeling, transferring, and transporting). The proposed manufacturing facility will consist of an up to 20,000 square foot metal building on a concrete slab, and will be primarily used for non-volatile cannabis manufacturing activities (extraction, infusion, testing, packaging, and labeling).

MRE plans to develop the proposed cannabis cultivation, distribution, and manufacturing operation in two phases. Phase one will be preparation and construction of the proposed cultivation and distribution facilities on APN 006-020-056; phase two will be the preparation and construction of the proposed cultivation and manufacturing facilities on APN 006-020-057.

The Project would be accessed via the proposed 24-foot wide paved access road off of Ashby Road. The proposed access road would completely bisect the site, connecting the industrial parcels north and west of the Project to Ashby Road.

All site developments, including access roads and parking areas, will be located at a distance of 50 feet or greater from the top of bank of Churn Creek North Branch. The installation and maintenance of barrier fencing along the 50-foot development setback buffer from site developments to the top of bank of Churn Creek North Branch will establish protection of riparian forest associated with Churn Creek North Branch during site developments. An undetermined number of trees are proposed to be removed as a result of the proposed project. Tree protection measures will be implemented at the site to protect the trees to be preserved and tree replacement is proposed for the trees to be removed. A Tree Removal and Replacement Plan will be in compliance with the City Shasta Lake Tree Conservation Ordinance Chapter 12.36.

A Stormwater Pollution Prevention Plan (SWPPP) has been prepared and submitted for review and approval to the State of California Water Resources Control Board. The SWPPP will be implemented prior to commencing construction activities at the site. As part of SWPPP and pre-field activities, adequate erosion and sediment controls will be installed and maintained during construction activities.

The project will avoid the archeological preservation area where a majority of the trees are proposed to be replanted.

SURROUNDING LAND USES AND SETTING

The site is located within the city limits of the City of Shasta Lake, Shasta County, California, approximately 2,000 feet to the southwest of the intersection of Ashby Road and El Cajon Avenue. The site consists of two contiguous, undeveloped parcels, totaling approximately 12.86-acres of land, identified as Shasta County Assessor's Parcel Numbers (APN) 006-020-056, and 006-020-057. APN 006-020-056 is an approximately 6.76-acre parcel of land, and APN 006-020-057 is an approximately 6.10-acre parcel of land. The site is zoned Light Industrial (ML). The site was historically used as a rural homestead. There are currently no structures on the site.

The topography of the site is gently rolling terrain, generally sloping overall from the east to west, with elevations ranging from approximately 775 to 900 feet above mean sea level (msl).

There is a seasonal drainage which is a tributary to Churn Creek located on the southernmost portion of the site (locally known as Churn Creek North Branch). The City of Shasta Lake Wastewater Treatment Facility (WWTF) located to the south/southwest of the site, treats and discharges effluent to Churn Creek. Contracted reclamation uses of the WWTF include Sierra Pacific Industries (SPI) to the north of the site. Surface water runoff on the site flows in a variety of directions, depending on location. On the northern portions of the site within the project area, surface water flows in a southerly direction, eventually flowing into Churn Creek North Branch. On the southern portions of the site, surface water runoff generally flows southwest, eventually flowing into Churn Creek North Branch.

FINDINGS AND DETERMINATION

The City of Shasta Lake completed an Initial Study (attached), which determined that the proposed project would not have significant environmental effects with the implementation of incorporated mitigation. The project avoids the potentially significant environmental effects identified, and the preparation of an Environmental Impact Report will not be required. There is no substantial evidence, in light of the whole record before the City, that the project, as revised, may have a significant effect on the environment. If there are substantial changes that alter the character or impacts of the proposed project, another environmental impact determination will be necessary.

1. **Based on the whole record (including the Initial Study and any supporting documentation), the City of Shasta Lake has determined that there is no substantial evidence that the project will have a significant effect on the environment.**
2. **The Mitigated Negative Declaration, with its supporting documentation, reflects the independent judgment and analysis of the lead agency, which is the City of Shasta Lake.**

DOCUMENTATION

The Initial Study documents the reasons to support the above determination.

MITIGATION MEASURES

The Initial Study documents the mitigation measures

PUBLIC REVIEW DISTRIBUTION

Draft copies or notice of the Initial Environmental Study were distributed to:

- Redding Record Searchlight
- Posting at City Hall, Shasta Lake Council Chambers and three Shasta Lake Post Offices
- Shasta County Clerk
- All property owners within a minimum of 300 feet of the boundaries of the subject property.

PUBLIC REVIEW

(X) Draft document referred for comments August 13, 2020.

- () No comments were received during the public review period.
- () Comments were received but did not address the draft Negative Declaration findings or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.
- () Comments addressing the findings of the draft Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public review period. The letters and responses follow (see Response to Comments, attached).

Copies of the Negative Declaration, the Initial Study, and documentation materials may be obtained in the Planning Division of the Development Services Department, City of Shasta Lake, 4477 Main Street, Shasta Lake, CA, Monday – Friday, 7:00 AM – 4:00 PM (closed from Noon – 1:00 PM) 530.275.7416.

Peter Bird

Associate Planner

Attachment A: Comments Received/Responses

Attachment B: Mitigation Monitoring or Reporting Program

Attachment A: Comments Received/Responses



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Northern Region
601 Locust Street
Redding, CA 96001
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



September 14, 2020

Peter Bird, Associate Planner
City of Shasta Lake
P.O. Box 777
Shasta Lake, CA 96019
pbird@cityofshastalake.org

Subject: Review of the Mitigated Negative Declaration for Use Permit 19-01 Ashby Cannabis Campus, State Clearinghouse Number 2020080262, City of Shasta Lake, Shasta County

Dear Peter Bird:

The California Department of Fish and Wildlife (Department) has reviewed the Mitigated Negative Declaration (MND) dated August 13, 2020, for the above-referenced project (Project). As a trustee for the State's fish and wildlife resources, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants and their habitat. As a responsible agency, the Department administers the California Endangered Species Act and other provisions of the Fish and Game Code that conserve the State's fish and wildlife public trust resources. The Department offers the following comments and recommendations on this Project in our role as a trustee and responsible agency pursuant to the California Environmental Quality Act, California Public Resources Code section 21000 et seq. The Department commented on this Project January 21, 2020, during the early consultation period.

Project Description

The Project as proposed is "to develop a commercial cannabis cultivation, distribution, and manufacturing operation (Project) at the site, identified as Shasta County APNs 006-020-056 and 006-020-057, located off of Ashby Road in the City of Shasta Lake, California. The proposed project will consist of two, Type 3, Tier 2 "Medium Mixed-Light" cultivation areas, an up to 10,080 square foot distribution facility, and an up to 20,000 square foot non-volatile manufacturing facility. Access roads will be installed providing vehicular access to the project area at the site, entering the site off of Ashby Road near the southeastern portion of the site. Each proposed cultivation area will be comprised of six 5,040 square foot cultivation facilities on concrete slabs with metal and polycarbonate roofing and walls. One proposed cultivation area will be located on each parcel comprising the site. The proposed distribution facility will be comprised of two, 5,040 square foot buildings on a concrete slab with insulated metal roofs and walls. One of the 5,040 square foot buildings of the distribution facility will be primarily used for processing raw cannabis material (drying, curing, trimming, grading, and packaging cannabis into large batches for testing), and the other will be primarily used for cannabis product distribution activities (storing, testing, packaging, labeling, transferring, and transporting). The proposed manufacturing facility will consist of an up to 20,000 square foot metal building on a concrete slab, and will be primarily used for non-volatile cannabis manufacturing activities (extraction, infusion, testing, packaging, and labeling). MRE plans to develop the proposed cannabis cultivation, distribution, and manufacturing operation in two phases. Phase one will be

Conserving California's Wildlife Since 1870

Peter Bird, Associate Planner
September 14, 2020
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preparation and construction of the proposed cultivation and distribute on facilities on APN 006-020-056; phase two will be the preparation and construction of the proposed cultivation and manufacturing facilities on APN 006-020-057".

Comments and Recommendations

The Department has the following recommendations and comments as they pertain to biological resources.

Lighting

Although the drainage locally referred to as Churn Creek North Branch will not be directly impacted, the Biological Assessment dated September 26, 2019, and prepared by Wiemeyer Ecological Sciences, as well as the arborist report dated December 2019, and prepared by Real Engineering, both had observations of birds which are California Species of Special Concern; yellow-breasted chat (*Icteria virens*) and yellow warbler (*Setophaga petechia*) respectively. Because these species may be impacted by lighting, the Department recommends that motion sensor lights be placed on the west and/or southwest side of the buildings depending upon the side of the building facing the creek. This will decrease the impacts to special-status bird species as well as other nesting birds in the riparian area.

Mitigation Measures

Mitigation Measure BR-4 states, "*To more effectively identify active nests and to facilitate project scheduling, it is recommended that initial nesting surveys begin as early as February when the foliage on the trees are at a minimum and the nest building activity is high.*" Raptors tend to nest earlier than most passerine birds, which is why the nesting period begins early. Most nesting will take place in April, May and June; however, some raptors nest earlier, some migratory birds arrive late in the season, and some birds have more than one brood, thus extending the nesting season. Stating that nest building activity is high is not correct for all birds, and would be more specific to those raptors that nest earlier. If tree removal occurs during the nesting period, a nest survey will need to be conducted.

Mitigation Measure BR-5 states that a qualified biologist may relocate western pond turtles. Pond turtles have high site fidelity meaning that they often return to the same area after being relocated. If western pond turtles are found during the pre-construction survey, a biological monitor will need to remain onsite during the remainder of the construction.

Mitigation Measure BR-13 should state, "The results of all required surveys shall be submitted to the City and the Department of Fish and Wildlife at R1CEQARedding@wildlife.ca.gov."

Oak Woodlands

This Project is removing ecologically functioning and intact oak woodland habitat. As such, the mitigation measures proposed allow the Project applicant to plant trees in a park or elsewhere, as approved by the City. Planting within park areas does not replace the loss of oak woodland's ecological function and habitat value due to the highly pressured and level of management done in these areas. Significant and unmitigated vegetation removal has recently occurred on City owned properties, such as Margaret Polf Park, lessening the habitat value of the parks by removing entire vegetation communities. Planting additional trees in such parks appears contrary to the City's current goal of removing forest fuel loading in publicly owned properties.

Peter Bird, Associate Planner
September 14, 2020
Page 3

The Department recommends that trees planted for mitigation purposes be planted in areas where they will not be removed prior to reaching maturity when they will begin to achieve the same ecological function as the trees being removed by the Project. Ideally, these trees will be planted in areas where they will be protected in perpetuity, such as within a designated conservation easement, or within an open space area managed for its natural attributes and habitat value. If mitigation trees are ultimately planted within parks, the Department recommends that trees be planted at higher mitigation ratios, due to the lessened ecological value, and in areas designated within those parks as appropriate for long-term conservation of the mitigation trees.

If you have any questions, please contact Amy Henderson, Senior Environmental Scientist, at (530) 225-2779, or by e-mail at Amy.Henderson@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Curt Babcock
974D273FEE784E2...

Curt Babcock
Habitat Conservation Program Manager

cc: State Clearinghouse
State.clearinghouse@opr.ca.gov

Amy Henderson
California Department of Fish and Wildlife
Amy.Henderson@wildlife.ca.gov

CHRON

COSL Response to CDFW Comment

Lighting

1. Thank you for your comment. Where required, discussion about light sources is reflected in Section(s) 1(d) of the Mitigated Negative Declaration/Initial Study. Mitigation measures may either be integrated into proposed projects or imposed as mitigation for identified significant environmental impacts where the measure is not otherwise a requirement of local, State or local ordinance. The City of Shasta Lake Municipal Code Chapter 17.84 addresses issues related to light sources. Compliance with these requirements is verified during submittal of various Project permits. Your comments have been incorporated into condition 15 of the approving resolution.

Mitigation Measures

2. Thank you for your comment on BR-4. References to nesting activity being high have been removed. BR-4 has been revised as follows:
“To more effectively identify active nests and to facilitate project scheduling, it is recommended that initial nesting surveys begin as early as February when the foliage on the trees are at a minimum.”
3. Thank you for your comment on BR-5. BR-5 has been modified by adding the following:
“The qualified biologist shall remain on-site for the duration of construction.”
4. Thank you for your comment on BR-13. BR-13 has been revised as follows:
The results of all required surveys shall be submitted to the City (pbird@cityofshastalake.org) and the Department of Fish and Wildlife (R1CEQARedding@wildlife.ca.gov).
5. Thank you for your comment related to oak woodlands. Where required, discussion about Biological Resources is reflected in Section(s) 4 of the Mitigated Negative Declaration/Initial Study. Mitigation measures may either be integrated into proposed projects or imposed as mitigation for identified significant environmental impacts where the measure is not otherwise a requirement of local, State or local ordinance. The City of Shasta Lake Municipal Code Chapter 12.36 addresses issues related to tree conservation. Compliance with these requirements is verified during submittal of various Project permits. The final tree replacement plan includes the preservation of a 2 acre forested area to be recorded in a non-disturbance easement. Additional required tree replacement will be accomplished in the non-disturbance easement as well as various sites outside of the easement. All mitigation will take place on-site as permitted by BR-11. No changes have been made.



Jared Blumenfeld
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D.
Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Gavin Newsom
Governor

September 3, 2020

Mr. Peter Bird
City of Shasta Lake
4077 Main Street
Shasta Lake, CA 96019
PBird@cityofshastalake.org

MITIGATED NEGATIVE DECLARATION FOR ASHBY ROAD CANNABIS CAMPUS –
DATED AUGUST 13, 2020 (STATE CLEARINGHOUSE NUMBER: 2020080262)

Mr. Bird:

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for the Ashby Road Cannabis Project (Project). The Lead Agency is receiving this notice from DTSC because the Project includes one or more of the following: groundbreaking activities, work in close proximity to a roadway, work in close proximity to mining or suspected mining or former mining activities, presence of site buildings that may require demolition or modifications, importation of backfill soil, and/or work on or in close proximity to an agricultural or former agricultural site.

DTSC recommends that the following issues be evaluated in the MND. Hazards and Hazardous Materials section:

1. The MND should acknowledge the potential for historic or future activities on or near the project site to result in the release of hazardous wastes/substances on the project site. In instances in which releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The MND should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.
2. Refiners in the United States started adding lead compounds to gasoline in the 1920s in order to boost octane levels and improve engine performance. This practice did not officially end until 1992 when lead was banned as a fuel additive in California. Tailpipe emissions from automobiles using leaded gasoline contained lead and resulted in aerially deposited lead (ADL) being deposited in and along roadways throughout the state. ADL-contaminated soils still exist

along roadsides and medians and can also be found underneath some existing road surfaces due to past construction activities. Due to the potential for ADL-contaminated soil DTSC, recommends collecting soil samples for lead analysis prior to performing any intrusive activities for the project described in the MND.

3. If any sites within the project area or sites located within the vicinity of the project have been used or are suspected of having been used for mining activities, proper investigation for mine waste should be discussed in the MND. DTSC recommends that any project sites with current and/or former mining operations onsite or in the project site area should be evaluated for mine waste according to DTSC's 1998 Abandoned Mine Land Mines Preliminary Assessment Handbook (https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/11/aml_handbook.pdf).
4. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 *Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers* (https://dtsc.ca.gov/wpcontent/uploads/sites/31/2018/09/Guidance_Lead Contamination_050118.pdf).
5. If any projects initiated as part of the proposed project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to DTSC's 2001 *Information Advisory Clean Imported Fill Material* (https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/SMP_FS_Cleanfill-Schools.pdf).
6. If any sites included as part of the proposed project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the MND. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 *Interim Guidance for Sampling Agricultural Properties (Third Revision)* (<https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Ag-Guidance-Rev-3-August-7-2008-2.pdf>).

DTSC appreciates the opportunity to comment on the MND. Should you need any assistance with an environmental investigation, please submit a request for Lead Agency Oversight Application, which can be found at: https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/VCP_App-1460.doc. Additional information regarding voluntary agreements with DTSC can be found at: <https://dtsc.ca.gov/brownfields/>.

Mr. Bird
September 3, 2020
Page 3

If you have any questions, please contact me at (916) 255-3710 or via email at Gavin.McCreary@dtsc.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Gavin McCreary". The signature is fluid and cursive, with the first name "Gavin" being more prominent than the last name "McCreary".

Gavin McCreary
Project Manager
Site Evaluation and Remediation Unit
Site Mitigation and Restoration Program
Department of Toxic Substances Control

cc: (via email)

Governor's Office of Planning and Research
State Clearinghouse
State.Clearinghouse@opr.ca.gov

Mr. Dave Kereazis
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

Inadvertent Discovery

1. Thank you for your comment. Where required, discussion about Hazards and Hazardous Materials is reflected in Section(s) 9 of the Mitigated Negative Declaration/Initial Study. Mitigation measures may either be integrated into proposed projects or imposed as mitigation for identified significant environmental impacts where the measure is not otherwise a requirement of local, State or local ordinance. Compliance with these requirements is verified during submittal of various Project permits and during construction activities; therefore, no additional discussion or mitigation measures are necessary or required. A specific condition has been added to the resolution of approval to require compliance with established regulations related to the inadvertent discovery of hazardous materials as follows:

“In the event of any inadvertent discovery of hazardous materials, all work within 50 feet of the find shall be halted until a representative from the City and Shasta County Environmental Health can evaluate the site. If any material is determined to be a significant hazard to the public or the environment by the representative, the City and developer shall meet with the representative to determine the appropriate course of action.”

Comments 2-6

2. Thank you for your comment. Where required, discussion about Hazards and Hazardous Materials is reflected in Section(s) 9 of the Mitigated Negative Declaration/Initial Study. Mitigation measures may either be integrated into proposed projects or imposed as mitigation for identified significant environmental impacts where the measure is not otherwise a requirement of local, State or local ordinance. Compliance with these requirements is verified during submittal of various Project permits and during construction activities; therefore, no additional discussion or mitigation measures are necessary or required.

As noted in the telephone conversation September 3, 2020 and related email messages, items 2-6 are not relevant to this project.

From: [Brenda Hogan](#)
To: [Peter Bird](#)
Subject: Re: report
Date: Monday, September 14, 2020 5:55:47 PM
Attachments: [image001.png](#)
[image001.png](#)

Hi Peter

Well after reading the report we are super concerned with the fact that Cultural Resources are considered less than significant. We know that there are native villages located not far from there. Also there are petroglyphs and several rock features nearby and even along that churn creek area. Chances are very high that more will be exposed with the ground disturbances. There could possibly be more depressions on the surface that could be remains of old round houses. We collected salt all through there that alone shows that we gathered there. Which also lead to wild life that ate the salt such as deer, bear ext. Which made for good hunting ground for us Natives. We are also concerned of all the wildlife that us that area today. In the winter time there are lots of wetland throughout that area that habit lots of different migratory birds and small animals. One of our main concerns are the waterways. We would like to request monitoring in that area along Churn Creek also for all water and electrical placement. We really feel that we should be present for all ground disturbances on the whole project just to be a part of helping do our part to protect & persevere our Native heritage. I would also like to be considered to be at the same level everybody else on the this project that will not be there on a volunteer basis such as Archeologist, Fish and Game, Shasta Lake City employees ECT. That will be getting paid for there time. We are not going back to slavery I believe we should have the right to protect and review on behalf of our Tribe and be paid like everyone one else. Please tell me who else states they are volunteer there time. It just not right. We are aware of lots of illegal activity when Windsor Estates was Established. The same should not be allowed today. Please send us all reports regarding archeology, waterways, trees and Fish and game. We would also like to request a Copy of the Negative Declaration initial study, findings, and documentation of all comments of public review. Thank you and I truly hope reconsideration of allowing us to be apart of this project with fair wage. I look forward to hearing from you and receiving more info regarding this project. We will differently be showing up at site. Thank you.

Sincerely
Brenda Hogan
Northern California Wintu Tribe
Cultural Resource Manager

On Mon, Sep 14, 2020, 11:01 AM Peter Bird <pbird@cityofshastalake.org> wrote:

Hi Brenda,

I am putting the final touches on the staff report and resolution for the Ashby Road Cannabis Campus and would like your final comments. Can you get those to me by the end of the day?

Inadvertent Discovery

1. Thank you for your comment. The following mitigation measures have been modified per your request.

CR-1: In the event of any inadvertent discovery of cultural resources (i.e., burnt animal bone, midden soils, projectile points or other humanly-modified lithics, historic artifacts, etc.), all work within 50 feet of the find shall be halted until a professional archaeologist can evaluate the significance of the find in accordance with PRC §21083.2(g) and §21084.1, and CEQA Guidelines §15064.5(a). If any find is determined to be significant by the archaeologist, the City shall meet with the archaeologist to determine the appropriate course of action. If necessary, a Treatment Plan prepared by an archeologist outlining recovery of the resource, analysis, and reporting of the find shall be prepared. **Information related to the find and Treatment Plan will be conveyed to the Wintu Tribe of Northern California & Toyon Wintu Center.** The Treatment Plan shall be reviewed and approved by the City prior to resuming construction.

CR-2: A minimum of two weeks in advance of any ground-disturbing activities (e.g., tree removal, clearing, grading, trenching, etc.), the Wintu Tribe of Northern California & Toyon-Wintu Center shall be notified and offered the opportunity for a Native American representative to monitor ground-disturbing activities. **Costs associated with Native American monitoring where tribal cultural resources have been identified on the project site shall be the responsibility of the applicant.**

September 11, 2020

City of Shasta Lake
Peter Bird, Associate Planner
P.O. Box 777
Shasta Lake, CA 96019

Subject: Initial Study/Mitigated Negative Declaration (SCH No. 2020080262) –
Ashby Cannabis Campus Project

Dear Mr. Bird:

Thank you for providing the California Department of Food and Agriculture (CDFA) CalCannabis Cultivation Licensing Division (CalCannabis) the opportunity to comment on the Initial Study/Mitigated Negative Declaration (IS/MND) (SCH No. 2020080262) prepared by the City of Shasta Lake for the proposed Ashby Cannabis Campus Project (Proposed Project).

CDFA has jurisdiction over the issuance of licenses to cultivate, propagate and process commercial cannabis in California. CDFA issues licenses to outdoor, indoor, and mixed-light cannabis cultivators, cannabis nurseries and cannabis processor facilities, where the local jurisdiction authorizes these activities. (Bus. & Prof. Code, § 26012(a)(2).) All commercial cannabis cultivation within California requires a cultivation license from CDFA. For a complete list of all license requirements, including CalCannabis Licensing Program regulations, please visit: https://static.cdfa.ca.gov/MCCP/document/CDFA%20Final%20Regulation%20Text_01162019_Clean.pdf.

CDFA expects to be a Responsible Agency for this project because the project will need to obtain an annual cultivation license from CDFA. In order to ensure that the IS/MND is sufficient for CDFA's needs at that time, CDFA requests that a copy of the IS/MND, revised to respond to the comments provided in this letter, and a signed Notice of Determination be provided to the applicant, so the applicant can include them with the application package it submits to CDFA. This should apply not only to this Proposed Project, but to all future CEQA documents related to cannabis cultivation applications in the City of Shasta Lake.

CDFA offers the following comments concerning the IS/MND.

General Comments (GCs)

GC 1: Acknowledgement of CDFA Regulations

The IS/MND does not acknowledge that CDFA is responsible for the licensing and regulation of cannabis cultivation. The IS/MND would be more informative if it acknowledged CDFA's responsibilities for cannabis cultivation licensing and regulation, as well as enforcement, as defined in the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) and CDFA regulations related to cannabis cultivation (Bus. & Prof. Code, § 26103(a)). The IS/MND's analysis would also benefit from discussion of the protections for environmental resources provided by CDFA's regulations. In particular, the impact analysis would be further supported by an explicit identification of the state regulations that are being relied on to reduce the severity of impacts on the following resource topics:

- Aesthetics (See 3 California Code of Regulations § 8304(c); § 8304(g).)
- Air Quality and Greenhouse Gas Emissions (See § 8102(s); § 8304(e); § 8305; § 8306.)
- Biological Resources (See § 8102(w); § 8102(dd); § 8216; § 8304(a-c); § 8304(g).)
- Cultural Resources (See § 8304(d).)
- Hazards and Hazardous Materials (See § 8102(q); § 8106(a)(3); § 8304(f); § 8307.)
- Hydrology and Water Quality (See § 8102(p); § 8102(v); § 8102(w); § 8102(dd); § 8107(b); § 8216; § 8304(a and b); § 8307.)
- Noise (See § 8304(e); § 8306.)
- Utilities and Service Systems (See § 8102(s); § 8108; § 8308.)
- Energy (See §8102(s); § 8305; § 8306.)
- Cumulative Impacts (related to the above topics).

GC 2: Proposed Project Description

The IS/MND's Proposed Project Description does not include a description of cannabis cultivation operations and maintenance activities. Relevant operational information might include:

- a. Equipment that will be used for cultivation operations, including tractors, forklifts, trucks, etc.;
- b. Sources and amounts of water that will be used for cultivation activities and a description of any water efficiency equipment that would be used;
- c. Types of lighting that would be used;
- d. Number of workers anticipated to be employed at the Proposed Project;
- e. Daily vehicle trips generated by the project, including employee commute trips, deliveries of materials and supplies, and distribution of products;
- f. Environmental protection measures that will be incorporated into the Proposed Project; and
- g. Amounts of energy expected to be used in operating the project, including generators that may be used, as well as energy management and efficiency features incorporated into the Proposed Project.

GC 3: Maps and Site Plan

The document would be improved if it included location maps, local street maps, topographic maps, aerial photographs, property diagrams, and other graphics to show the specific location of the Proposed Project and the surrounding area. This would allow CDFA to understand the general location and surrounding features, as well as to visualize the layout of existing and Proposed Project features. Most importantly, these maps could help document some of what is described in the document.

Additionally, the IS/MND would be more informative if it included a site plan showing all features to be constructed at the Proposed Project site, including buildings and other structures, roadways, driveways, parking areas, fencing, drainage areas, and solid waste collection areas. All buildings and features represented on the site plan should be labeled. CDFA requests that the City advise applicants that a detailed cultivation plan must be submitted with their state application package for an annual cultivation license to CDFA. (Cal. Code Regs., tit. 3 § 8106.)

GC 4: Resource Topics Added to 2019 CEQA Guidelines

On December 28, 2018, the Governor's Office of Planning and Research issued revised CEQA Guidelines (14 Cal. Code of Regs. §15000 et. seq.) including a revised Appendix G checklist. These revised Guidelines include some reorganization intended to reduce redundancies, but also incorporate changes resulting from legislation and case law since the prior update. The IS/MND (SCH#2020080262) prepared by the City of Shasta Lake does not include two CEQA topics in the updated Appendix G checklist, Energy and Wildfire. For this and any future CEQA documents prepared by the City for a cultivation project, the City should determine whether operation of the cultivation project would result in any significant impacts related to these topics, and propose mitigation, as applicable.

A copy of the new Appendix G checklist can be found at: https://www.califaep.org/index.php?option=com_content&view=article&id=111&Itemid=258.

GC 5: Consistency between Checked Box and Text

In several locations throughout the document it appears that the box checked in the summary provided for individual impact questions is not consistent with the analysis provided in the text that follows. For example, in some sections, potential impacts are described in the text of the IS/MND, but the “No Impact” box is checked. The text and checkboxes should be made consistent throughout the document. Several examples are indicated in the Specific Comments table below.

GC 6: Other Public Agencies whose Approval is Required

The IS/MND does not list CDFA, nor any other cannabis business licensing agencies, as an agency whose approval would be required to operate the Proposed Project. The project description indicates that the activities onsite would include “manufacturing, indoor cultivation, nursery, and distribution with transportation.” If the Proposed Project will require a State license for commercial cannabis distribution, laboratory testing, retail, or microbusiness, the Bureau of Cannabis Control (BCC) should be listed as a licensing agency. If the Proposed Project will require a State license for manufacturing, the Office of Manufactured Cannabis Safety (OMCS) should be listed as a licensing agency. The document would be improved if the City revised the IS/MND to list all agencies requiring approval of the Proposed Project, including CDFA, California Department of Fish and Wildlife (CDFW), BCC, OMCS, and the State Water Resources Control Board (SWRCB), as applicable. The IS/MND would also be more informative if the license or permit required from each agency was listed (e.g., water right permit from SWRCB for diversion of surface waters, proof of enrollment in or exemption from either the SWRCB or RWQCB program for water quality protection) and whether these have been obtained.

GC 7: AB 52 Compliance

The document would be strengthened if it contained a description of the Assembly Bill 52 compliance process for the Proposed Project. The IS/MND should include a list of the tribes that were contacted, the dates on which such contacts were made, a description of any requests for consultation, and a summary of the results from such consultations.

GC 8: Impact Analysis

Several comments provided in the Specific Comments table below relate to the absence of information or analysis to support impact statements in the document. CEQA requires that Lead Agencies evaluate the environmental impacts of proposed projects and support factual conclusions with “substantial evidence.” Substantial evidence includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. (CEQA Guidelines, § 15384(b).) This may include logical arguments, evidence from technical studies, evidence from local knowledge, and information from other expert sources. In limited circumstances, it may be sufficient to rely on conclusions where such conclusions are obvious (e.g., concluding that project would not be subject to tsunamis because it is located 50 miles from the coast or any other large body of water). However, in most cases, Lead Agencies should provide some supporting information or argument. Significance determinations presented without substantial supporting evidence are sometimes referred to as conclusory, and are generally considered by courts to be insufficient. In general, the IS/MND should provide evidence to support the impact statements in for each question in the checklist, including references for the sources of information relied upon to make conclusions.

GC 9: Project-specific Plans and Supporting Documentation

The IS/MND references several project-specific surveys, reports, and plans, including the Stormwater Pollution Prevention Plan, the Biological Resource Assessment, the Tree Replacement Plan, the Cultural Resources report, the air quality analysis, the Storm Drain Analysis, and the water conservation plan, as well as other supporting license application materials. To ensure that CDFA has supporting documentation for the IS/MND, CDFA requests that the City advise applicants to provide copies of all project-specific plans and supporting documentation with their state application package for an annual cultivation license to CDFA.

Specific Comments and Recommendations

In addition to the general comments provide above, CDFA provides the following specific comments regarding the analysis in the IS/MND.

Comment No.	Page Number	Section	Resource Topic	IS/MND Text	CDFA Comments and Recommendations
1	5	1(a)	Aesthetics	There are no scenic vistas visible from this area that would be impacted by the proposed grading.	The IS/MND could be improved by providing substantial evidence to support the conclusions provided. The document would be strengthened if it identified all scenic vistas in the vicinity of the Proposed Project, and then provided an analysis of how and whether the Proposed Project would have an impact on these aesthetic resources.
2	5	1(b)	Aesthetics	N/A	The document would be strengthened if it identified all state scenic highways in the vicinity of the Proposed Project, and then provided an analysis of how and whether the Proposed Project would have an impact on these aesthetic resources.
3	5	1(d)	Aesthetics	N/A	The IS/MND would be improved if it referenced CDFA's requirements that all outdoor lighting for security purposes must be shielded and downward facing, and that lights used in mixed-light cultivation activities must be fully shielded from

Comment No.	Page Number	Section	Resource Topic	IS/MND Text	CDFA Comments and Recommendations
					sunset to sunrise to avoid nighttime glare (Cal. Code Regs., tit. 3 §§ 8304(c) and (g)).
4	8	3(a)	Air Quality	N/A	The document would be improved if it provided a description or summary of proposed operation equipment that is anticipated to generate air pollutant emissions, including ROG, NO _x , PM ₁₀ , and PM _{2.5} , and provided estimates of such emissions.
5	8	3(a)	Air Quality	The proposed project, however, would not release emissions that would result in a cumulatively considerable net increase of O ₃ and PM ₁₀ .	The IS/MND would be strengthened if it included support or a source for this statement.
6	8	3(a)	Air Quality	The project would not exceed any air quality standards established by the state, City of Shasta Lake Air Quality Element of the General Plan or Shasta County AQMDs	The document would be improved if it described the air quality standards and provided an analysis of anticipated emissions from the Proposed Project as they relate to such standards.

Comment No.	Page Number	Section	Resource Topic	IS/MND Text	CDFA Comments and Recommendations
				established thresholds; therefore, there would be no impact.	
7	9	3(d)	Air Quality	N/A	The IS/MND would be strengthened if it provided an analysis of potential impacts to sensitive receptors as a result of Proposed Project operations.
8	9-11	4	Biological Resources	N/A	The IS/MND could be improved by providing additional detail regarding the environmental setting for biological resources at the project site and impact conclusions regarding individual species and habitats. It appears that this detail may be included in the Biological Assessment prepared for the Proposed Project. To ensure that CDFA has supporting documentation for the IS/MND, CDFA requests that the City advise the applicant to provide a copy of the Biological Assessment with its state application package for an

Comment No.	Page Number	Section	Resource Topic	IS/MND Text	CDFA Comments and Recommendations
					annual cultivation license to CDFA.
9	9-11	4	Biological Resources	N/A	The IS/MND would be improved if it provided an analysis of potential impacts to biological impacts resulting from Proposed Project operations. This could include an analysis of impacts resulting from increased light, noise, vehicles, or heavy machinery.
10	21-22	8 (a)	Hazards and Hazardous Materials	N/A	The impact analysis and the impact statement for this resource topic indicate that impacts would be less than significant. However, the checkbox indicates that there would be "No Impact." The text, impact statement, and checkbox should be made consistent.
11	22	8(b-c)	Hazards and Hazardous Materials	N/A	The analysis for these resource topics relies on the analysis for section 8(a), which found impacts to be Less than Significant. However, the impact conclusion for these topics

Comment No.	Page Number	Section	Resource Topic	IS/MND Text	CDFA Comments and Recommendations
					indicates that there would be no impacts. The document would be strengthened if it provided an analysis that supported its conclusion that no impacts would occur.
12	23	Mitigation Measures	Hazards and Hazardous Materials	N/A	The mitigation measure for this section is labeled CR-4. It appears that this is a typographical error and it should be labeled HM-1.
13	24-25	9(a) and (e)	Hydrology and Water Quality	N/A	The document would be improved if it provided an analysis of potential impacts resulting from agricultural runoff related to cultivation activities. The document should provide information about the volume of agricultural runoff, how runoff would be managed, and whether runoff would result in significant impacts to water quality.
14	27-28	12(a), (c), and (d)	Noise	The proposed F1 Occupancy Use of the parcels will have small amounts of outside activity.	The document would be improved if it provided data regarding anticipated noise levels resulting from the proposed project and provided

Comment No.	Page Number	Section	Resource Topic	IS/MND Text	CDFA Comments and Recommendations
					an analysis of whether such noise levels could exceed general plan standards, noise ordinances, and/or create an increase in ambient noise levels. In addition, the IS/MND would be strengthened if it provided an analysis of the potential noise impacts of operational equipment, including fans, cooling systems, HVAC systems, generators, and any other stationary noise-generating equipment.
15	27-28	12(a)	Noise	N/A	The IS/MND would be improved if it provided an analysis of how the proposed mitigation measures would reduce noise impacts to less than significant levels.
16	28	12(b)	Noise	N/A	The IS/MND would be improved if it included an analysis of potential groundborne noise impacts resulting from delivery trucks, including entering, exiting, idling, loading, and unloading activities.

Comment No.	Page Number	Section	Resource Topic	IS/MND Text	CDFA Comments and Recommendations
17	28	12(b) and (c)	Noise	N/A	The analysis for these resource topics relies on the analysis for section 12(a), which found impacts to be Less than Significant, with mitigation required to reduce impacts to less than significant levels. However, the impact conclusion for these topics indicates that impacts would be less than significant absent mitigation. The document would be strengthened if it provided an analysis that supported its conclusion that impacts would be less than significant and that no mitigation would be required.
18	28	Mitigation Measures	Noise	N-1: Noise-generating activities to occur in the eastern half of the Project Property shall be conducted between the hours of 8AM and 6PM, Monday through Friday.	The IS/MND would be improved if the mitigation measure described the noise-generating activities that would be subject to this requirement (e.g., whether the measure applies to both construction and operational activities; whether the measure applies to activities that generate noise above a certain level). In addition, the mitigation measure could

Comment No.	Page Number	Section	Resource Topic	IS/MND Text	CDFA Comments and Recommendations
					provide additional description about how the “eastern half” of the site is defined.
19	28	Mitigation Measures	Noise	M-3: No stationary noise-generating equipment shall be staged in the eastern half of the Project site.	<p>The document would be improved if it described whether the mitigation measure applies only to “staging” of equipment for construction purposes, or whether it also applies to installation of noise-generating equipment that would be used for operational purposes. It should also specify whether it applies only to equipment that generates noise above a certain level. In addition, the mitigation measure could provide additional description about how the “eastern half” of the site is defined.</p> <p>The mitigation measure for this section is labeled M-3. It appears that this is a typographical error and it should be labeled N-3.</p>
20	29-30	14(a) and (b)	Public Services	N/A	The document would be improved if it provided an

Comment No.	Page Number	Section	Resource Topic	IS/MND Text	CDFA Comments and Recommendations
					analysis of whether the Proposed Project would result in impacts related to fire protection and/or police protection.
21	32-33	17	Tribal Cultural Resources	N/A	The IS/MND would be more informative by providing details pertaining to tribal consultations that have occurred for the Proposed Project, as required by Assembly Bill 52. (See General Comment 7.)
22	32-33	17	Tribal Cultural Resources	N/A	The IS/MND would be improved if it referenced state requirements that ground disturbing work must be halted in the event of inadvertent discovery of Tribal Cultural Resources. (Health and Safety Code § 7050.5; Public Resources Code §§ 5097.94, 5097.98 and 5097.99).
23	33-34	18(a) and (e)	Utilities and Service Systems	Wastewater treatment needs for the project will be by the recently upgraded municipal waste water treatment facility. As discussed	The document would be improved if it provided information about the volume of agricultural runoff from cultivation activities, how runoff would be managed, and whether

Comment No.	Page Number	Section	Resource Topic	IS/MND Text	CDFA Comments and Recommendations
				under Section 9, the project will not impact the wastewater treatment permit.	runoff would result in significant impacts related to wastewater facilities. The analysis should compare the quantity of wastewater to the capacity of the wastewater treatment facility.
24	34	18(d)	Utilities and Service Systems	N/A	The IS/MND would be improved if it included an estimate of the Proposed Project's estimated water use. In addition, the document should contain a description of any water conservation features that will be included in the Proposed Project.
25	34	18(d)	Utilities and Service Systems	Therefore, because all customers in the City are required to implement mandatory water use restrictions when the City declares a water shortage emergency, and all large water users must prepare and comply with a water conservation plan, the City would	If the preparation of a water conservation plan is a mitigation measure, it should be described as such. The IS/MND would be more informative if it included the water conservation plan for the Proposed Project. To ensure that CDFA has supporting documentation for the IS/MND, CDFA requests that the City advise the applicant to provide a copy of the plan with its state

Comment No.	Page Number	Section	Resource Topic	IS/MND Text	CDFA Comments and Recommendations
				have sufficient water supplies available to serve the Project and other foreseeable projects during normal, dry, and multiple dry years. Impacts would be less than significant.	application package for an annual cultivation license to CDFA.
26	34	18(f)	Utilities and Service Systems	Waste generation from project is anticipated to be less than other typical industrial uses.	The document would be improved if it provided an estimate of the quantity of solid waste it expects to be produced at the Proposed Project. The analysis should compare the quantity of solid waste to the capacity of the landfill.
27	35	19(b)	Mandatory Findings of Significance (Cumulative Impacts)	N/A	If the 1999 City of Shasta Lake General Plan did not analyze the impacts of commercial cannabis operations, the IS/MND would be more informative if it identified whether any other cannabis growing operations exist or have been proposed in the vicinity of the Proposed Project, and whether the Proposed Project would make a considerable contribution to any

Comment No.	Page Number	Section	Resource Topic	IS/MND Text	CDFA Comments and Recommendations
					cumulative impacts from these other projects.

Conclusion

CDFA appreciates the opportunity to provide comments on the IS/MND for the Proposed Project. If you have any questions about these comments or wish to discuss them, please contact Kevin Ponce, Senior Environmental Scientist Supervisor, at (916) 576-4161 or via e-mail at kevin.ponce@cdfa.ca.gov.

Sincerely,

Lindsay Rains
Licensing Program Manager

COSL Response to CDFA Comment

GC 1: Acknowledgement of CDFA Regulations

1. Thank you, comment noted. Where required, discussion about Aesthetics is reflected in Section(s) 1 of the Mitigated Negative Declaration/Initial Study. Mitigation measures may either be integrated into proposed projects or imposed as mitigation for identified significant environmental impacts where the measure is not otherwise a requirement of local, State or local ordinance. The City of Shasta Lake Municipal Code Chapter 17.84 addresses issues related to aesthetics. Compliance with these requirements is verified during submittal of various Project permits; therefore, no additional discussion or mitigation measures are necessary or required.
2. Thank you, comment noted. Where required, discussion about Air Quality and GHG Emissions is reflected in Section(s) 3 and 8 of the Mitigated Negative Declaration/Initial Study. Mitigation measures may either be integrated into proposed projects or imposed as mitigation for identified significant environmental impacts where the measure is not otherwise a requirement of local, State or local ordinance. Compliance with Shasta Air Quality Management District requirements are verified during submittal of various Project permits; therefore, no additional discussion or mitigation measures are necessary or required.
3. Thank you, comment noted. Where required, discussion about Biological Resources is reflected in Section(s) 4 of the Mitigated Negative Declaration/Initial Study. Mitigation measures may either be integrated into proposed projects or imposed as mitigation for identified significant environmental impacts where the measure is not otherwise a requirement of local, State or local ordinance. No additional discussion or mitigation measures are necessary or required.
4. Thank you, comment noted. Where required, discussion about Cultural Resources is reflected in Section(s) 5 of the Mitigated Negative Declaration/Initial Study. Mitigation measures may either be integrated into proposed projects or imposed as mitigation for identified significant environmental impacts where the measure is not otherwise a requirement of local, State or local ordinance. No additional discussion or mitigation measures are necessary or required.
5. Thank you, comment noted. Where required, discussion about Hazards and Hazardous Materials is reflected in Section(s) 9 of the Mitigated Negative Declaration/Initial Study. Mitigation measures may either be integrated into proposed projects or imposed as mitigation for identified significant environmental impacts where the measure is not otherwise a requirement of local, State or local ordinance. No additional discussion or mitigation measures are necessary or required.
6. Thank you, comment noted. Where required, discussion about Hydrology and Water Quality is reflected in Section(s) 10 of the Mitigated Negative Declaration/Initial Study. Mitigation measures may either be integrated into proposed projects or imposed as mitigation for

identified significant environmental impacts where the measure is not otherwise a requirement of local, State or local ordinance. No additional discussion or mitigation measures are necessary or required.

7. Thank you, comment noted. Where required, discussion about Noise is reflected in Section(s) 13 of the Mitigated Negative Declaration/Initial Study. Mitigation measures may either be integrated into proposed projects or imposed as mitigation for identified significant environmental impacts where the measure is not otherwise a requirement of local, State or local ordinance. No additional discussion or mitigation measures are necessary or required.
8. Thank you, comment noted. Where required, discussion about Utilities and Service Systems is reflected in Section(s) 19 of the Mitigated Negative Declaration/Initial Study. Mitigation measures may either be integrated into proposed projects or imposed as mitigation for identified significant environmental impacts where the measure is not otherwise a requirement of local, State or local ordinance. The City of Shasta Lake owns and operates all noted utilities with the exception of solid waste. All projects are reviewed by appropriate department heads and adopted standards are implemented. No additional discussion or mitigation measures are necessary or required.
9. Thank you, comment noted. Where required, discussion about Energy is reflected in Section(s) 8 and 19 of the Mitigated Negative Declaration/Initial Study. Mitigation measures may either be integrated into proposed projects or imposed as mitigation for identified significant environmental impacts where the measure is not otherwise a requirement of local, State or local ordinance. The project is conditioned that the requirements of all concerned City departments and governmental agencies having jurisdiction by law, including but not limited to the issuance of appropriate permits, shall be met. This includes the California Building Code, Energy Code, and Green Building Standards Code. Compliance with existing energy efficiency standards and renewable energy requirements would ensure that the proposed Project would not result in an environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources. In addition, compliance with existing State regulations ensures that the Project would not conflict with or obstruct a state plan for renewable energy or energy efficiency. As part of the City's cannabis licensing program, the City verifies projected electric demand of all cannabis businesses to ensure consistency with the City's RPS. No additional discussion or mitigation measures are necessary or required.
10. Thank you, comment noted. Where required, discussion about Cumulative Impacts is reflected in Section(s) 21 of the Mitigated Negative Declaration/Initial Study. Mitigation measures may either be integrated into proposed projects or imposed as mitigation for identified significant environmental impacts where the measure is not otherwise a requirement of local, State or local ordinance. No additional discussion or mitigation measures are necessary or required.

GC 2: Proposed Project Description

Thank you, your comment is noted. Where required, discussion about operations and maintenance activities is reflected throughout the supporting documents of the Mitigated Negative Declaration/Initial Study which were supplied to CDFA via the State Clearinghouse.

GC 3: Maps and Site Plan

Thank you, your comment is noted. All requested information was provided to CDFA as supporting information via the State Clearinghouse during circulation of the Initial Study.

GC 4: Resource Topics Added to 2019 CEQA Guidelines

Thank you, your comment is noted. As discussed in the response to item GC 4, all required information has been included in this analysis or project conditions. No additional discussion or mitigation measures are necessary or required.

GC 5: Consistency between Checked Box and Text

Thank you, your comment is noted and consistency errors have been corrected.

GC 6: Other Public Agencies Who's Approval is Required

Thank you for your suggestion. No new impact has been identified.

GC 7: AB 52 Compliance

Thank you for your suggestion. No new impact has been identified.

GC 8: Impact Analysis

Thank you for your suggestion. No new impact has been identified.

Specific Comments and Recommendations

1. The conclusions reached in Section 1 are obvious and do not require further evidence; however, to accommodate CDFA's request, additional language, such as *"The nearest scenic vista, located approximately 3.2 miles northwest of the site, is oriented in a northeasterly direction to view the Sacramento River, Shasta Dam, and Mount Shasta. This site is separated from the Project by a small mountain range,"* and *"There are no scenic resources on-site. The nearest scenic highway is located 1.6 miles northwest of the project site. There is no line of site from the highway to the Project site,"* have been added to appropriate discussion.
2. Thank you, your comment is noted. See comment 1. No impacts are identified.
3. Thank you, your comment is noted. The revised discussion reads *"All new lighting is subject to the provisions of City of Shasta Lake Municipal Code (CSLMC) 17.84.050, which requires all*

interior and exterior lighting to be designed and located to confine direct lighting to the premises. Outdoor lighting is also required to be shielded and downward facing. The Code further states no lighting shall be of the type or in a location that constitutes a hazard to vehicular traffic, either on private property or abutting streets. The project is designed with black out curtains to ensure light produced during night time hours will be completely confined to the structure. This is verified during review of building permit applications. Impacts are less than significant and no mitigation is required.” No impacts were identified.

4. Thank you, your comment is noted. Where required, discussion about Air Quality and GHG Emissions is reflected in Section(s) 3 and 8 of the Mitigated Negative Declaration/Initial Study. Mitigation measures may either be integrated into proposed projects or imposed as mitigation for identified significant environmental impacts where the measure is not otherwise a requirement of local, State or local ordinance. Compliance with Shasta Air Quality Management District requirements are verified during submittal of various Project permits; therefore, no additional discussion or mitigation measures are necessary or required.
5. Please reference the cited Air Quality and Greenhouse Gas Emissions Analysis provided to you with the circulation of the Initial Study/MND.
6. Please reference the cited Air Quality and Greenhouse Gas Emissions Analysis provided to you with the circulation of the Initial Study/MND.
7. Please reference the cited Air Quality and Greenhouse Gas Emissions Analysis provided to you with the circulation of the Initial Study/MND.
8. Please reference the cited Biological Assessment provided to you with the circulation of the Initial Study/MND
9. See Comment 7
10. Correction Made. No new impact has been identified.
11. Correction Made. No new impact has been identified.
12. Correction Made. No new impact has been identified.
13. Thank you, your comment is noted. The proposed project will be completely indoors. There will be no agricultural runoff. No analysis is needed.
14. Please reference the cited Noise Analysis provided to you with the circulation of the Initial Study/MND

15. See comment 14
16. See comment 14
17. See comment 14
18. See modified N-1: *“All noise-generating activities to occur east of the west boundary of the non-disturbance easements shall be conducted between the hours of 8AM and 6PM, Monday through Friday.”*
19. See modified N-3: *“No stationary noise-generating equipment, whether temporary or permanent, shall be staged east of the west boundary of the non-disturbance easements without an acoustical analysis to determine if applicable thresholds cited within the General Plan will be exceeded.”*
20. Thank you, your comment is noted. Where required, discussion about fire protection and police protection is reflected in Section(s) 9 and 15 of the Mitigated Negative Declaration/Initial Study. Mitigation measures may either be integrated into proposed projects or imposed as mitigation for identified significant environmental impacts where the measure is not otherwise a requirement of local, State or local ordinance. No additional discussion or mitigation measures are necessary or required.
21. Thank you for your comment. Please review comments from the Wintu Tribe of Northern California attached to the IS/MND
22. Thank you, your comment is noted.
23. See comment 13.
24. Thank you, your comment is noted.
25. Thank you, your comment is noted. Where required, discussion about Water is reflected in Section(s) 19 of the Mitigated Negative Declaration/Initial Study. Mitigation measures may either be integrated into proposed projects or imposed as mitigation for identified significant environmental impacts where the measure is not otherwise a requirement of local, State or local ordinance. No additional discussion or mitigation measures are necessary or required.
26. Thank you, your comment is noted. Where required, discussion about solid waste is reflected in Section(s) 19 of the Mitigated Negative Declaration/Initial Study. Mitigation measures may either be integrated into proposed projects or imposed as mitigation for identified significant environmental impacts where the measure is not otherwise a requirement of local, State or local ordinance. No additional discussion or mitigation measures are necessary or required.

27. Thank you, your comment is noted.

Attachment B: Mitigation Monitoring or Reporting Program

MITIGATION MONITORING PROGRAM CONTENTS

This document is the Mitigation Monitoring or Reporting Program (MMRP) for the Ashby Road Cannabis Campus Project (Project). The MMRP includes a brief discussion of the legal basis for and the purpose of the program, discussion and direction regarding complaints about noncompliance, a key to understanding the monitoring matrix, and the monitoring matrix itself.

LEGAL BASIS OF AND PURPOSE FOR THE MITIGATION MONITORING OR REPORTING PROGRAM

California Public Resources Code Section 21081.6 requires public agencies to adopt mitigation monitoring or reporting programs whenever certifying an environmental impact report (EIR) or a mitigated negative declaration. This requirement facilitates implementation of all mitigation measures adopted through the California Environmental Quality Act (CEQA) process.

The MMRP contained herein is intended to satisfy the requirements of CEQA as they relate to the Initial Study/Mitigated Negative Declaration for the Project and recommendations by State agencies. It is to be used by the City of Shasta Lake staff, participating agencies, project contractors and mitigation monitoring personnel during implementation of the project.

The Initial Study for the Project presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation measures, as defined by CEQA Guidelines Section 15370, are measures that do any of the following:

- Avoid impacts altogether by not taking a certain action or parts of an action.
- Minimize impacts by limiting the degree or magnitude of the action and its implementation.
- Rectify impacts by repairing, rehabilitating or restoring the impacted environment.
- Reduce or eliminate impacts over time by preservation and maintenance operations during the life of the project.
- Compensate for impacts by replacing or providing substitute resources or environments.

The intent of the MMRP is to ensure the effective implementation and enforcement of adopted mitigation measures and permit conditions. The MMRP will provide for monitoring of construction activities as necessary, on-site identification and resolution of environmental problems, and proper reporting to Agency staff.

The timing elements of mitigation measures and definition of the development process have been provided in detail throughout this MMRP to assist existing and future City staff by providing the most usable monitoring document possible.

RESPONSIBILITIES AND AUTHORITY

The City of Shasta Lake will have primary responsibility for the operation and implementation of the MMP. The City will be responsible for the following activities:

- Coordination of monitoring activities.
- Direction of the preparation and filing of compliance reports.
- Maintenance of records concerning the status of all mitigation measures.

The City will also have the responsibility of implementing the mitigation measures for which it has been identified as the primary enforcement and monitoring agent. Other agencies or persons that have been identified as enforcement and monitoring agents for specific mitigation measures will be responsible for implementing these measures.

MONITORING PERSONNEL

The City of Shasta Lake bears responsibility for ensuring that the mitigation measures in this document are implemented. The City reserves the right to hire technical experts and professionals to help in evaluating compliance. These may include but are not limited to biologists, archaeologists and planning professionals. Some of the measures will be assigned to the contractor as part of the scope of work.

MONITORING MATRIX

The tables on the following pages identify the mitigation measures proposed for the Ashby Road Cannabis Campus Project. These mitigation measures are reproduced from the Mitigated Negative Declaration, comments from Agencies and the Resolution of Approval for the project.

The tables have the following columns:

- **Mitigation Measure:** Lists the mitigation measures identified within the Initial Environmental Study for a specific impact, along with the number for each measure as enumerated in the Mitigated Negative Declaration.
- **Timing:** Identifies at what point in time, review process or phase the mitigation measure will be completed.
- **Agency/Department Consultation:** References the person or agency with which coordination is required to satisfy the identified mitigation measure.
- **Verification:** Spaces to be initialed and dated by the individual designated to verify adherence to a specific mitigation measure.

NONCOMPLIANCE COMPLAINTS

Any person or agency may file a complaint asserting noncompliance with the mitigation measures associated with the project. The complaint shall be directed to the City in written form, providing specific information on the asserted violation. The City shall conduct an investigation and determine the validity of the complaint. If noncompliance with a mitigation measure has occurred, the City shall take appropriate action to remedy any violation. The complainant shall receive a written response indicating the results of the investigation or the final action corresponding to the particular noncompliance issue.

**MONITORING MATRIX FOR
ASHBY CANNABIS CAMPUS**

MITIGATION MEASURE	Timing / Timeline	Monitoring/ Criteria for Success	Agency /Department Consultation	Verification (Date and Initials) (COSL Dev. Services)
AIR QUALITY				
<u>Mitigation Measure AQ-1:</u> During all construction activities, all architectural coatings applied shall contain a low content of volatile organic compounds (VOC) (i.e., 100 grams/liter) as required by the California Green Building Code.	During Development/Construction Activity	COSL	COSL	
<u>Mitigation Measure AQ-2</u> All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. Equipment maintenance records shall be kept on-site and made available upon request by the City of Shasta Lake or Shasta County AQMD.	Prior to and During Development/Construction Activities	Records On-site	COSL/SCAQMD	
<u>Mitigation Measure AQ-3</u> Off-road construction equipment shall not be left idling for periods longer than 5 minutes when not in use.	During Construction Activity	COSL	COSL/Applicant	
<u>Mitigation Measure AQ-4</u> All portable equipment, including generators and air compressors rated over 50 brake horse power, shall be registered in the Portable Equipment Registration Program (https://ww2.arb.ca.gov/our-work/programs/portable-equipmentregistration-program-perp), or permitted through the SCAQMD as a stationary source.	Prior to Development/Construction Activities	Confirm Prior to Operation/COSL	COSL/Applicant/Contractor	

MITIGATION MEASURE	Timing / Timeline	Monitoring/ Criteria for Success	Agency /Department Consultation	Verification (Date and Initials) (COSL Dev. Services)
BIOLOGICAL RESOURCES				
<p><u>Mitigation Measure BR-1:</u></p> <p>Prior to commencement of any earth disturbance (e.g., clearing, grading, trenching, etc.), all construction personnel shall receive training from a qualified biologist regarding protective measures for special-status animal species and their habitats that could exist in the study area. If new personnel are added to the project, the City shall ensure that they receive the mandatory training before starting work. At a minimum, the training shall include the following:</p> <ul style="list-style-type: none"> a. A review of the special-status species that could occur in the project area, the habitats where the species could occur, the laws and regulations that protect these species, and the consequences of noncompliance with those laws and regulations. b. Procedures to be implemented in the event that special-status species are encountered during construction. c. A review of sensitive habitats that occur in the project area. d. A review of applicable mitigation measures, standard construction measures, best management practices, and regulatory agency permit conditions that apply to the protection of special-status species and sensitive habitats. 	Prior to Any Earth Disturbance/Construction Activities	Continuous Training and Monitoring	<i>COSL/Applicant /Contractor</i>	

MITIGATION MEASURE	Timing / Timeline	Monitoring/ Criteria for Success	Agency /Department Consultation	Verification (Date and Initials) (COSL Dev. Services)
<p><u>Mitigation Measure BR -2:</u></p> <p>To prevent the inadvertent entrapment of wildlife, the construction contractor shall ensure that at the end of each workday trenches and other excavations that are over one-foot deep have been backfilled or covered with plywood or other hard material. If backfilling or covering is not feasible, one or more wildlife escape ramps constructed of earth fill or wooden planks shall be installed in the open trench.</p> <p>Pipes shall be inspected for wildlife prior to capping, moving, or placing backfill over the pipes to ensure that animals have not been trapped. If animals have been trapped, they shall be allowed to leave the area unharmed.</p>	Throughout All Phases of Development	Continuous Monitoring	<i>COSL/CDFW/Biologist/Applicant/Contractor</i>	
<p><u>Mitigation Measure BR-3:</u></p> <p>All construction-related activities, including staging, stockpiling of soils, and storage of construction equipment and materials, shall maintain a minimum 50-foot buffer from the upland edge of all wetlands and other waters of the U.S. and State.</p> <p>The City, in consultation with the California Department of Fish and Wildlife, may approve a smaller buffer. Prior to commencement of any earth disturbance (e.g., clearing, grading, trenching, etc.), a qualified biologist, in consultation with the project engineer, shall delineate the buffer zones with construction tape and/or pin flags that shall remain in place until construction is complete. The buffer areas shall be periodically inspected by a qualified</p>	Prior to Any Earth Disturbance/Construction Activities	COSL/CDFW approval of alternative	<i>COSL/CDFW/Applicant</i>	

MITIGATION MEASURE	Timing / Timeline	Monitoring/ Criteria for Success	Agency /Department Consultation	Verification (Date and Initials) (COSL Dev. Services)
biologist throughout project construction to ensure the construction tape and/or pin flags are properly maintained.				
<p>Mitigation Measure BR-4: In order to avoid impacts to nesting birds and raptors protected under the federal Migratory Bird Treaty Act and California Fish and Game Code §3503 and §3503.5, including their nests and eggs, a qualified biologist shall perform a pre-construction survey within 48 hours prior to tree removal and/or ground breaking at the site if construction activities will take place between February 1 and August 31.</p> <p>If nesting birds are found, the qualified biologist shall establish suitable buffers prior to tree removal and/or ground breaking activities. To prevent encroachment, the established buffer(s) shall be clearly marked by highly visibility material. The established buffer(s) shall remain in effect until the young have fledged or the nest has been abandoned as confirmed by the qualified biologist.</p> <p>To more effectively identify active nests and to facilitate project scheduling, it is recommended that initial nesting surveys begin as early as February when the foliage on the trees are at a minimum.</p>	Prior to Tree Removal/ Earth Disturbance/Construction Activities as Noted	COSL/CDFW	COSL/CDFW/ <i>Applicant</i>	

MITIGATION MEASURE	Timing / Timeline	Monitoring/ Criteria for Success	Agency /Department Consultation	Verification (Date and Initials) (COSL Dev. Services)
<p>Mitigation Measure BR-5 A qualified biologist shall perform a pre-construction survey for western pond turtles 300 feet from the edge of riparian forest habitat within 48 hours prior to ground breaking at the site. If western pond turtles are found, the qualified biologist shall establish suitable buffers and/or relocation of individuals prior initiation of construction activities. The qualified biologist shall remain on-site for the duration of construction.</p>	48 Hours Prior Tree Removal/ Earth Disturbance/Construction Activities as Noted	COSL/CDFW	COSL/CDFW/ Applicant	
<p>Mitigation Measure BR-6: In the event that western pond turtles enter a 100-foot buffer of on-going construction activities, a qualified biologist shall be contacted and construction activities shall be halted within 50 feet of the turtle until the turtle is confirmed to have left the project area or is relocated by the qualified biologist.</p>	Throughout All Phases of Development	COSL/CDFW	COSL/CDFW/ Applicant	
<p>Mitigation Measure BR-7: A qualified biologist shall perform a pre-construction survey for yellow-legged frogs 300 feet from the edge of riparian forest habitat within 48 hours prior to ground breaking at the site. If yellow-legged frogs are found, the qualified biologist shall establish suitable buffers and/or relocation of individuals prior to initiation of construction activities.</p>	48 Hours Prior Tree Removal/ Earth Disturbance/Construction Activities as Noted	COSL/CDFW	COSL/CDFW/ Applicant	
<p>Mitigation Measure BR-8: In order to avoid impacts to tree-roosting bats, one of the following measures shall be implemented:</p> <ul style="list-style-type: none"> a. Prior to commencement of tree removal, a qualified biologist (i.e., an experienced bat biologist holding a California Department of Fish and Wildlife [CDFW] Scientific 	Prior to Tree Removal as Noted	COSL/CDFW	COSL/CDFW/ Applicant	

MITIGATION MEASURE	Timing / Timeline	Monitoring/ Criteria for Success	Agency /Department Consultation	Verification (Date and Initials) (COSL Dev. Services)
<p>Collecting Permit) shall conduct a tree habitat assessment to identify trees with suitable bat roosting habitat (e.g., cavities, crevices, exfoliating bark, etc.). Trees determined to have suitable roosting habitat shall be removed only outside of the maternity season and winter season during the following times, or as otherwise approved/recommended by a qualified bat biologist.</p> <ul style="list-style-type: none"> i. Between approximately March 1 (or after evening temperatures rise above 45°F, and/or no more than ½" of rainfall within 24 hours occurs), and April 15; or ii. Between approximately September 1 and October 15 (or before evening temperatures fall below 45°F, and/or more than ½" of rainfall within 24 hours occurs). <p>Trees shall be removed using the following two-step process to allow bats the opportunity to abandon the roost prior to tree removal. The two-step removal of bat habitat trees shall be conducted over two consecutive days.</p> <p>On day 1, non-habitat features (i.e., branches without cavities, crevices, or exfoliating bark) on bat habitat trees, shall be removed by hand (e.g., using chainsaws), and chippers shall be used wherever possible; this will cause a level of noise and vibration disturbance sufficient to cause bats to choose not to return to the tree for a few days after they emerge to forage. A qualified biologist experienced with two-step removal procedures shall</p>				

MITIGATION MEASURE	Timing / Timeline	Monitoring/ Criteria for Success	Agency /Department Consultation	Verification (Date and Initials) (COSL Dev. Services)
<p>instruct and provide initial supervision of tree cutting crews on day 1 so that they do not accidentally remove potential habitat features, which could result in direct mortality of bats.</p> <p>On the following day, the trees are removed. Any new tree cutting crew members added to the crew shall require instruction and initial supervision by a qualified biologist.</p> <p>b. If trees are removed outside of the time periods described under BR-8(a) above (or a time period otherwise approved/recommended by a qualified biologist), the following steps shall be taken prior to tree removal:</p> <p>i. A night emergence survey shall be conducted by a qualified biologist during acceptable weather conditions (taking into consideration rain, high winds, and night temperatures) to identify the presence of bats.</p> <p>ii. Alternatively, if conditions allow, the qualified biologist shall physically inspect roosts for the presence or absence of bats. The results of the survey shall be submitted to CDFW upon completion.</p> <p>If no active roosts are found no further action is required. If a roost is determined to be occupied, a suitable non-disturbance buffer, determined by the qualified biologist in consultation with</p>				

MITIGATION MEASURE	Timing / Timeline	Monitoring/ Criteria for Success	Agency /Department Consultation	Verification (Date and Initials) (COSL Dev. Services)
<p>CDFW, shall be established until the young are capable of flight, as determined through additional monitoring by a qualified bat biologist. The survey shall be conducted no more than one week prior to the initiation of tree removal. If tree removal is delayed or suspended for more than one week after the survey, a subsequent survey shall be conducted.</p>				
<p>Mitigation Measure BR-9: Prior to any clearing for the Project the Final Tree Replacement Plan must be approved by the City.</p>	Prior to Tree Clearing	COSL	COSL	
<p>Mitigation Measure BR-10: To account for the loss of potentially suitable bat roosting habitat as a result of the removal of trees at the site, the client will install a total of ten (10) two-chambered rocket-style bat houses spaced at least 200 feet away from human habited areas including the entrance, parking lot, Ashby Road. Designs and guidelines for this style of bat house can be located at http://www.batcon.org/pdfs/BHBuildersHdbk13_Online.pdf</p>	Within 60 Days of Completion of Tree Removal	COSL/CDFW	COSL/CDFW/ Applicant	
<p>Mitigation Measure BR-11: Any one or combination of the following replacement standards shall be implemented to ensure adequate replacement of protected trees (any living tree, except gray pine, having at least one trunk of ten inches or more diameter at breast height):</p> <p>a. Three fifteen-gallon trees shall be planted on-site for each protected tree removed. The</p>	<p>Re-planting within the Non-Disturbance Easement Shall be Completed Within 30 Days of Completion of Clearing</p> <p>Re-planting outside</p>	COSL	COSL/CDFW	

MITIGATION MEASURE	Timing / Timeline	Monitoring/ Criteria for Success	Agency /Department Consultation	Verification (Date and Initials) (COSL Dev. Services)
<p>size of a fifteen-gallon replacement tree may be increased to a 24-inch box and count as two replacement trees The Tree Replacement Plan shall identify the species, size, and location of all replacement trees. The replacement trees shall be native trees where appropriate. Acorns may be used when planting native oaks. The preservation of every healthy protected tree that exceeds 20 inches at breast height shall be counted as a credit of 2:1 for the purpose of calculating the total number of replacement trees required; and/or</p> <p>b. An alternative site(s) within the City limits shall be identified for additional tree planting that is required to satisfy the tree replacement ratio. Alternative sites may include, but are not limited to, local parks, schools, and public rights-of-way; and/or</p> <p>c. An in-lieu fee shall be paid to the City to purchase trees that will be planted on public property, such as parks, schools, public rights-of-way, or at other public facilities. The in-lieu fee shall be based on the fair market value of the number of trees required as replacement trees that cannot be accommodated elsewhere; and/or</p> <p>d. Deed restrictions shall be recorded to prohibit future development in an area of the property that contains protected trees in proportion to the number of trees proposed for removal, with credit given for implementation of one or more of the above measures.</p>	<p>of the Non-Disturbance Easement Shall Be Completed Before Final Approval and Acceptance of Grading and Public Improvements.</p>			
<p>Mitigation Measure BR-12: Temporary construction fencing shall be installed</p>	<p>Throughout All Phases of</p>	<p>COSL/Applicant to Educate Contractors</p>	<p><i>COSL/CDFW</i></p>	

MITIGATION MEASURE	Timing / Timeline	Monitoring/ Criteria for Success	Agency /Department Consultation	Verification (Date and Initials) (COSL Dev. Services)
<p>and maintained at least six feet outside of the dripline of all oak trees to be preserved. The fencing around this “root protection zone” shall be maintained throughout construction.</p> <ul style="list-style-type: none"> a. No vehicle parking or materials stockpiling shall occur within the root protection zone. b. To the extent feasible, no construction activities (including grading, cutting, and trenching), shall occur within the root protection zone. If trenching or other work must occur within the root protection zone, the work shall be completed under the supervision of a certified arborist. 	Development			
<p>Mitigation Measure BR-13: The results of all required surveys shall be submitted to the City (pbird@cityofshastalake.org) and the Department of Fish and Wildlife (R1CEQARedding@wildlife.ca.gov).</p>	Ongoing	COSL/CDFW	COSL/CDFW	
<p>Mitigation Measure BR-14: The potential for introduction and spread of noxious weeds shall be avoided/minimized by:</p> <ul style="list-style-type: none"> a. Using certified weed-free erosion control materials, mulch, and seed. b. Limiting import or export of fill material to material that is known to be weed free. c. Requiring the construction contractor to thoroughly wash all equipment at a commercial wash facility prior to entering the job site and upon leaving the job site. 	Throughout All Phases of Development	COSL/CDFW/ Applicant to Educate Contractors	COSL/CDFW	

MITIGATION MEASURE	Timing / Timeline	Monitoring/ Criteria for Success	Agency /Department Consultation	Verification (Date and Initials) (COSL Dev. Services)
CULTURAL RESOURCES				
<p>Mitigation Measure CR-1: In the event of any inadvertent discovery of cultural resources (i.e., burnt animal bone, midden soils, projectile points or other humanly-modified lithics, historic artifacts, etc.), all work within 50 feet of the find shall be halted until a professional archaeologist can evaluate the significance of the find in accordance with PRC §21083.2(g) and §21084.1, and CEQA Guidelines §15064.5(a). If any find is determined to be significant by the archaeologist, the City shall meet with the archaeologist to determine the appropriate course of action. If necessary, a Treatment Plan prepared by an archeologist outlining recovery of the resource, analysis, and reporting of the find shall be prepared. Information related to the find and Treatment Plan will be conveyed to the Wintu Tribe of Northern California & Toyon Wintu Center The Treatment Plan shall be reviewed and approved by the City prior to resuming construction.</p>	Throughout All Phases of Development	As Noted	COSL/Wintu	
<p>Mitigation Measure CR-2: A minimum of two weeks in advance of any ground-disturbing activities (e.g., tree removal, clearing, grading, trenching, etc.), the Wintu Tribe of Northern California & Toyon-Wintu Center shall be notified and offered the opportunity for a Native American representative to voluntarily monitor ground-disturbing activities.</p>	Prior to Ground Disturbance Activities	Wintu approval	COSL/Wintu	
<p>Mitigation Measure CR-3: In the event that cultural resources or human remains of Native American descent are identified during earth disturbance, the Wintu Tribe of Northern California & Toyon Wintu Center shall be</p>	Throughout All Phases of Development	Wintu approval	COSL/Wintu	

MITIGATION MEASURE	Timing / Timeline	Monitoring/ Criteria for Success	Agency /Department Consultation	Verification (Date and Initials) (COSL Dev. Services)
<p>notified and provided the opportunity for a Native American monitor to be present in the area where tribal cultural resources and/or human remains have been identified. Costs associated with Native American monitoring where tribal cultural resources have been identified on the project site shall be the responsibility of the applicant.</p>				
<p>Mitigation Measure CR-4: In the event that human remains are encountered during construction activities, the City shall comply with §15064.5 (e) (1) of the CEQA Guidelines and PRC §7050.5. All project-related ground disturbances within 100 feet of the find shall be halted until the County coroner has been notified. If the coroner determines that the remains are Native American, the coroner will notify the NAHC to identify the most likely descendants of the deceased Native Americans. Project-related ground disturbance in the vicinity of the find shall not resume until the process detailed in §15064.5 (e) has been completed.</p>	<p>Throughout All Phases of Development</p>	<p>Coroner/Wintu/COSL</p>	<p><i>COSL/Wintu/Coroner</i></p>	
<p>HAZARDS AND HAZARDOUS MATERIALS</p>				
<p>Mitigation Measure HM-1: During construction, all areas in which work will be completed using spark-producing equipment shall be cleared of dried vegetation or other materials that could serve as fire fuel. To the extent feasible, the contractor shall keep these areas clear of combustible materials in order to maintain a fire break.</p>	<p>Throughout All Phases of Development</p>	<p>Applicant to Educate Contractors/COSL</p>	<p>COSL/SLFPD</p>	

MITIGATION MEASURE	Timing / Timeline	Monitoring/ Criteria for Success	Agency /Department Consultation	Verification (Date and Initials) (COSL Dev. Services)
HYDROLOGY AND WATER QUALITY				
<p><u>Mitigation Measure WQ-1:</u> Prior to issuance of a grading permit, final grading/improvement plans shall be prepared and signed by a civil engineer or other licensed professional as authorized by the California Business and Professions Code and shall incorporate best management practices (BMPs) to ensure compliance with the NPDES General Permit for Waste Discharges from Small Municipal Separate Storm Sewer Systems (MS4s), Chapter 13.36 (Storm Water Quality Management), and Chapter 15.08 (Grading, Erosion Control, and Hillside Development) of the Shasta Lake Municipal Code.</p> <p>Prior to issuance of a Certificate of Occupancy, BMPs shall be inspected to ensure that post-construction measures have been implemented.</p>	As Noted	COSL	COSL	
NOISE				
<p><u>Mitigation Measure N-1:</u> All noise-generating activities to occur east of the west boundary of the non-disturbance easements shall be conducted between the hours of 8AM and 6PM, Monday through Friday.</p>	Throughout All Phases of Development	COSL/ Applicant to Educate Contractors	COSL	
<p><u>Mitigation Measure N-2:</u> Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds in accordance with manufacturers' recommendations. Noise-reduction equipment will be inspected each morning before start-up when working east of the west boundary of the non-disturbance easements.</p>	Throughout All Phases of Development	COSL/ Applicant to Educate Contractors	COSL	

MITIGATION MEASURE	Timing / Timeline	Monitoring/ Criteria for Success	Agency /Department Consultation	Verification (Date and Initials) (COSL Dev. Services)
<p>Mitigation Measure N-3: No stationary noise-generating equipment, whether temporary or permanent, shall be staged east of the west boundary of the non-disturbance easements without an acoustical analysis to determine if applicable thresholds cited within the General Plan will be exceeded.</p>	Throughout All Phases of Development	COSL/Applicant to Educate Contractors	COSL	