



State of California – Natural Resources Agency
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Inland Deserts Region
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



Governor's Office of Planning & Research

June 09 2021

STATE CLEARINGHOUSE

June 8, 2021
Sent via email

Michael Draper
Planning Analyst II
Mono County Department of Community Development
P.O Box 347
1290 Tavern Rd.
Mammoth Lakes, CA 93546

Subject: Notice of Preparation (NOP) of a Focused Environmental Impact Report (EIR)
Apogee Farms General Plan Amendment and Cannabis Facility Project
State Clearinghouse No. 2021050252

Dear Mr. Draper:

The California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) of a Focused Environmental Impact Report (Focused EIR) from Mono County for the Apogee Farms General Plan Amendment and Cannabis Facility Project (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

Location: The proposed Project includes a general plan amendment at 23555 Highway 6, Benton, CA 93512 (Assessor Parcel Numbers [APNs] 025-020-013-000 and 025-040-002-000); GPS coordinates: 37.78235, -118.46837. The two parcels that make up the 78.45-acre Project site include the north parcel APN 025-020-013-000 (40.20 acres) and the south parcel APN 025-040-002-000 (38.25 acres). The Project site is located west of Highway 6 and south of Highway 120 in the city of Benton, California within Mono County.

Project Description: The proposed Project includes a General Plan Amendment to the Mono County 2015 General Plan Land Use Map to eliminate the existing Rural Residential (RR-40) designation and redesignate the two parcels on the Project site as Agricultural (AG-40).

The Project also includes plans for a processing and distribution building (referred to as the "processing facility") for commercial cannabis manufacturing, processing, and distribution activities. The processing facility would be a steel structure constructed on a concrete foundation with a maximum height of 20 feet. Three greenhouses would be constructed southeast of the processing facility within the cultivation area and would be used for cannabis cultivation. The greenhouse facility would be made of steel posts and beams with clear plastic walls and ceilings. The total area of cultivation would be less than 10,000 square feet within the fenced 23,400-square-foot cultivation area. An approximately 320-square-foot storage house would be constructed northwest of the greenhouses within the cultivation area with a maximum height of 12 feet. The storage house would be constructed of treated wood with insulation on a concrete foundation. The storage house would be used for storage of water tanks, fertilizers, and other materials related to cannabis cultivation.

COMMENTS AND RECOMMENDATIONS

The NOP lists CDFW as only a Trustee agency for the project. Please be aware that the California Department of Food and Agriculture (CDFA) requires cannabis cultivators to

demonstrate compliance with Fish and Game Code section 1602 prior to issuing a cultivation license (Business and Professions Code, § 26060.1). To qualify for a cannabis cultivation license from CDFW, cultivators must have a Lake and Streambed Alteration Agreement or written verification from CDFW that one is not needed. Additionally, there are mapped streams on the Project site (see NOP Exhibits 1 and 2) that will likely require notification under Fish and Game Code section 1602. For these reasons CDFW is submitting comments as both a **Trustee and Responsible Agency** under CEQA.

The Initial Study (IS) determined impacts to biological resources to be less than significant and did not identify biological resources as one of the areas to be analyzed in the Focused EIR. CDFW is concerned that potentially significant impacts to biological resources have not been identified, analyzed, and mitigated for. CDFW requests that further analysis and appropriate mitigation measures are included in the focused EIR. Additionally, the IS focuses on impacts of the proposed cannabis cultivation area and processing facility on the north parcel, but the General Plan Amendment will change the land use designation for both parcels. The CDFW recommends that both parcels and adjacent resources are considered in analysis of potentially significant impacts.

CDFW offers the comments and recommendations below to assist Mono County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. The comments and recommendations are also offered to enable CDFW to adequately review and comment on the Project with respect to impacts on biological resources. CDFW recommends that the forthcoming Focused EIR address the following:

Assessment of Biological Resources

Section 15125(c) of the CEQA Guidelines states that knowledge of the regional setting of a project is critical to the assessment of environmental impacts and that special emphasis should be placed on environmental resources that are rare or unique to the region. To enable CDFW staff to adequately review and comment on the project, the Focused EIR should include a complete assessment of the flora and fauna within and adjacent to the Project footprint, with particular emphasis on identifying rare, threatened, endangered, and other sensitive species and their associated habitats.

The CDFW recommends that the Focused EIR specifically include:

1. An assessment of the various habitat types located within the project footprint, and a map that identifies the location of each habitat type. CDFW recommends that floristic, alliance- and/or association-based mapping and assessment be completed following *The Manual of California Vegetation*, second edition (Sawyer et al. 2009). Adjoining habitat areas should also be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.

2. A general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present or have the potential to be present within each habitat type onsite and within adjacent areas that could be affected by the project. CDFW's California Natural Diversity Database (CNDDDB) in Sacramento should be contacted at (916) 322-2493 or CNDDDB@wildlife.ca.gov to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code, in the vicinity of the proposed Project.

Please note that CDFW's CNDDDB is not exhaustive in terms of the data it houses, nor is it an absence database. CDFW recommends that it be used as a starting point in gathering information about the *potential presence* of species within the general area of the project site.

3. A complete, *recent* inventory of rare, threatened, endangered, and other sensitive wildlife species located within the Project footprint and within offsite areas with the potential to be affected, including California Species of Special Concern (CSSC) and California Fully Protected Species (Fish and Game Code § 3511). Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. Focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Note that CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.
4. A thorough, *recent*, floristic-based assessment of special status plant and natural communities, following CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (see <https://www.wildlife.ca.gov/Conservation/Plants>).
5. Information on the regional setting that is critical to an assessment of environmental impacts, with emphasis on resources that are rare or unique to the region (CEQA Guidelines § 15125[c]).

Analysis of Direct, Indirect, and Cumulative Impacts to Biological Resources

The Focused EIR should provide a thorough discussion of the direct, indirect, and cumulative impacts expected to adversely affect biological resources as a result of the

Project (including the plan's land use designations). To ensure that Project impacts to biological resources are identified, disclosed, and fully analyzed, the following information should be included in the Focused EIR:

1. A thorough discussion of potentially significant impacts specific to the cultivation and processing of cannabis including, the use of fertilizers and pesticides, disposal of hazardous waste, water source and usage, and increased travel in the area associated with the Project site. Discussion of these subjects should focus on impacts to biological resources both on-site and on adjacent land with respect to cultivation activities as well as any other possible sources of potentially toxic discharge (e.g., mixing tanks, waste disposal systems, irrigation drainage).
2. A discussion of potentially significant impacts from lighting, noise, human activity (e.g., recreation), defensible space, and wildlife-human interactions created by zoning of development projects or other project activities adjacent to natural areas, exotic and/or invasive species, and drainage. The latter subject should address Project-related changes on drainage patterns and water quality within, upstream, and downstream of the Project site, including: volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-Project fate of runoff from the Project site.
3. A discussion of potentially significant indirect Project impacts on biological resources, including resources in areas adjacent to the project footprint, such as nearby public lands (e.g. National Forests, State Parks, etc.), open space, adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed reserve or mitigation lands (e.g., preserved lands associated with a Natural Community Conservation Plan, or other conserved lands). Lands owned and stewarded by the Bureau of Land Management (BLM) occur adjacent to the Project site to the west and nearby to the east. Impacts to these lands should be considered in the scope of the Focused EIR.
4. An evaluation of impacts to adjacent open space lands, including the large nearby wetland area to the northeast, from both the construction of the Project and any long-term operational and maintenance needs.
5. A cumulative effects analysis developed as described under CEQA Guidelines section 15130. The Focused EIR should analyze the cumulative effects of the General Plan Amendment's land use redesignation and impacts from the cannabis cultivation and processing facility on the environment. Please include all potential direct and indirect Project related impacts to riparian areas, wetlands, vernal pools, alluvial fan habitats, wildlife corridors or wildlife movement areas, aquatic habitats, sensitive species and other sensitive habitats, open lands, open space, and adjacent natural habitats in the cumulative effects analysis. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

Alternatives Analysis

CDFW recommends the Focused EIR describe and analyze a range of reasonable alternatives to the Project that are potentially feasible, would “feasibly attain most of the basic objectives of the Project,” and would avoid or substantially lessen any of the Project’s significant effects (CEQA Guidelines § 15126.6[a]). The alternatives analysis should also evaluate a “no Project” alternative (CEQA Guidelines § 15126.6[e]). The “no Project” alternative should evaluate how the community might be affected if the Project did not move forward

Mitigation Measures for Project Impacts to Biological Resources

The Focused EIR should identify mitigation measures and alternatives that are appropriate and adequate to avoid or minimize potential impacts, to the extent feasible. Mono County should assess all direct, indirect, and cumulative impacts that are expected to occur as a result of the implementation of the Project and its long-term operation and maintenance. When proposing measures to avoid, minimize, or mitigate impacts, CDFW recommends consideration of the following:

1. *Fully Protected Species*: Fully protected species may not be taken or possessed at any time. Project activities described in the Focused EIR should be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the Project area. CDFW also recommends that the Focused EIR fully analyze potential adverse impacts to fully protected species due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends that the Lead Agency include in the analysis how appropriate avoidance, minimization, and mitigation measures will reduce indirect impacts to fully protected species. Desert bighorn sheep (*Ovensis candensis nelson*), a fully protected species in California, habitat occurs nearby to the east of the Project site.
2. *Sensitive Plant Communities*: CDFW considers sensitive plant communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S-1, S-2, S-3, and S-4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDDB and are included in *The Manual of California Vegetation* (Sawyer et al. 2009). The Focused EIR should include measures to fully avoid and otherwise protect sensitive plant communities from project-related direct and indirect impacts. The following sensitive plants were surveyed for in the IS and may occur onsite: alkali ivesia (*Ivesia kingii kingii*; Rare Plant Rank 2B.2), Inyo County star-tulip (*Calochortus excavates*; Rare Plant Rank 1B.1), fiddleleaf hawksbeard (*Crepis runcinate*; Rare Plant Rank 2B.2), Inyo phacelia (*Phacelia inyoensis*; Rare Plant Rank 1B.2), dwarf monolepis (*Micromonolepis pusilla*; Rare Plant Rank 2B.3), sand dune cryptantha (*Cryptantha fenderli*; Rare Plant Rank 2B.2), Parish’s popcornflower (*Plagiobathrys parishii*; Rare

Plant Rank 1B.1), golden violet (*Viola purpurea ssp. aurea*; Rare Plant Rank 2B.2), Pinyon rockcress (*Boechara dispar*; Rare Plant Rank 2B), globose cymopterus (*Cymopterus globosus*; Rare Plant Rank 2B.2), naked-stemmed phacelia (*Phacelia gymnoclada*; Rare Plant Rank 2B.3), Wheeler's dune broom (*Chaetadelpa wheeleri*; Rare Plant Rank 2B.2), Suksdorf's broomrape (*Orobanche ludoviciana var. arenosa*; Rare Plant Rank 2B.3), and alkali tansy-sage (*Sphaeromeria potentilliodes*; Rare Plant Rank 2B.2).

3. *California Species of Special Concern (CSSC)*: CSSC status applies to animals generally not listed under the federal Endangered Species Act or the CESA, but which nonetheless are declining at a rate that could result in listing, or historically occurred in low numbers and known threats to their persistence currently exist. CSSCs should be considered during the environmental review process. CSSC that have the potential or have been documented to occur within or adjacent to the project area, including, but not limited to: loggerhead shrike (*Lanius ludovicianus*), Townsend's big-eared bat (*Corynorhinus townsendi*), Owen's Valley vole (*Microtus californicus vallicola*), and Bell's sparrow (*Artemisiospiza belli*).
4. *Mitigation*: CDFW considers adverse project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems, and the Focused EIR should include mitigation measures for adverse project-related impacts to these resources. Mitigation measures should emphasize avoidance and reduction of project impacts.

The Focused EIR should include measures to perpetually protect the targeted habitat values within mitigation areas from direct and indirect adverse impacts in order to meet mitigation objectives to offset Project-induced qualitative and quantitative losses of biological values. Specific issues that should be addressed include restrictions on access, proposed land dedications, long-term monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.

If sensitive species and/or their habitat may be impacted from the Project, CDFW recommends the inclusion of specific mitigation in the Focused EIR. CEQA Guidelines section 15126.4, subdivision (a)(1)(8) states that formulation of feasible mitigation measures should not be deferred until some future date. The Court of Appeal in *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645 struck down mitigation measures which required formulating management plans developed in consultation with State and Federal wildlife agencies after Project approval. Courts have also repeatedly not supported conclusions that impacts are mitigable when essential studies, and therefore impact assessments, are incomplete (*Sundstrom v. County of Mendocino* (1988) 202 Cal. App. 3d. 296; *Gentry v. City of Murrieta* (1995) 36 Cal. App. 4th 1359; *Endangered Habitat League, Inc. v. County of Orange* (2005) 131 Cal. App. 4th 777).

CDFW recommends that the Focused EIR specify mitigation that is roughly proportional to the level of impacts, in accordance with the provisions of CEQA (CEQA Guidelines, §§ 15126.4(a)(4)(B), 15064, 15065, and 16355). The mitigation should provide long-term conservation value for the suite of species and habitat being impacted by the Project. Furthermore, in order for mitigation measures to be effective, they need to be specific, enforceable, and feasible actions that will improve environmental conditions.

5. *Nesting Birds and Migratory Bird Treaty Act*: Please note that it is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Fish and Game Code sections 3503, 3503.5, and 3513 afford protective measures as follows: Fish and Game Code section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by Fish and Game Code or any regulation made pursuant thereto. Fish and Game Code section 3503.5 makes it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by Fish and Game Code or any regulation adopted pursuant thereto. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird except as provided by the rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. § 703 et seq.).

CDFW recommends that the Focused EIR include the results of avian surveys, as well as specific avoidance and minimization measures to ensure that impacts to nesting birds do not occur. Project-specific avoidance and minimization measures may include, but not be limited to: project phasing and timing; monitoring of project-related noise (where applicable); sound walls; and buffers (where appropriate). The Focused EIR should also include specific avoidance and minimization measures that will be implemented should a nest be located within the project site. If pre-construction surveys are proposed in the Focused EIR, the CDFW recommends that they be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted sooner.

6. *Moving out of Harm's Way*: To avoid direct mortality, CDFW recommends that the lead agency condition the Focused EIR to require that a CDFW-approved qualified biologist be retained to be onsite prior to and during all ground- and habitat-disturbing activities to move out of harm's way special status species or other wildlife of low or limited mobility that would otherwise be injured or killed from project-related activities. Movement of wildlife out of harm's way should be limited to only those individuals that would otherwise be injured or killed, and individuals should be moved only as far as necessary to ensure their safety (i.e., CDFW does not recommend relocation to other areas). Furthermore, it should be noted that the temporary

relocation of onsite wildlife does not constitute effective mitigation for the purposes of offsetting project impacts associated with habitat loss.

7. *Translocation of Species*: CDFW generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species as studies have shown that these efforts are experimental in nature and largely unsuccessful.

California Endangered Species Act

CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to CESA. CDFW recommends that a CESA Incidental Take Permit (ITP) be obtained if the Project has the potential to result in “take” (California Fish and Game Code Section 86 defines “take” as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”) of State-listed CESA species, either through construction or over the life of the project. CESA ITPs are issued to conserve, protect, enhance, and restore State-listed CESA species and their habitats.

CDFW encourages early consultation, as significant modification to the proposed Project and avoidance, minimization, and mitigation measures may be necessary to obtain a CESA ITP. The California Fish and Game Code requires that CDFW comply with CEQA for issuance of a CESA ITP. CDFW therefore recommends that the Focused EIR addresses all Project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of CESA.

Lake and Streambed Alteration Program

Based on review of the NOP (Exhibit 2) and review of the US Geological Survey’s Stream Classification Finder aerial photography (Attachment A) at least two streams occur on the site, Spring Canyon Creek on the north parcel, and an unnamed ephemeral stream tributary to Spring Canyon Creek on the south parcel. The Project, as designed and constructed, may require notification under Fish and Game Code section 1602. Additionally, any future development of the south parcel may require separate notification per Fish and Game Code Section 1602. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: Substantially divert or obstruct the natural flow of any river, stream or lake; Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or Deposit debris, waste or other materials that could pass into any river, stream or lake. Please note that “any river, stream or lake” includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water.

Additionally, CDFWA requires cannabis cultivators to demonstrate compliance with Fish and Game Code section 1602 prior to issuing a cultivation license (Business and Professions Code, § 26060.1). To qualify for a cannabis cultivation license from CDFWA, cultivators must have an LSA Agreement or written verification from CDFW that one is not needed.

Upon receipt of a complete notification, CDFW determines if the proposed Project activities may substantially adversely affect existing fish and wildlife resources and whether a Lake and Streambed Alteration (LSA) Agreement is required. An LSA Agreement includes measures necessary to protect existing fish and wildlife resources. CDFW may suggest ways to modify your Project that would eliminate or reduce harmful impacts to fish and wildlife resources.

CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if necessary, the Focused EIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended, since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife resources.

ADDITIONAL COMMENTS AND RECOMMENDATIONS

To ameliorate the water demands of this Project, CDFW recommends incorporation of water-wise concepts in project landscape design plans. In particular, CDFW recommends xeriscaping with locally native California species, and installing water-efficient and targeted irrigation systems (such as drip irrigation). Local water agencies/districts, and resource conservation districts in your area may be able to provide information on plant nurseries that carry locally native species. Information on drought-tolerant landscaping and water-efficient irrigation systems is available on California's Save our Water website: <http://saveourwater.com/what-you-can-do/tips/landscaping/>

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). Information can be submitted online or via completion of the CNDDDB field survey form at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The

types of information reported to CNDDDB can be found at the following link:
<https://wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.).

CONCLUSION

CDFW appreciates the opportunity to comment on the NOP of a Focused EIR for the Apogee Farms General Plan Amendment and Cannabis Facility Project (SCH No. 2021050252) and recommends that Mono County address the CDFW's comments and concerns in the forthcoming Focused EIR. If you should have any questions pertaining to the comments provided in this letter, please contact Kevin Francis, Environmental Scientist, at 909-239-0895 or kevin.francis@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Alisa Ellsworth
84FBB8273E4C480...

Alisa Ellsworth
Environmental Program Manager

Attachments

Attachment A: USGS Stream Classification Finder Aerial Imagery

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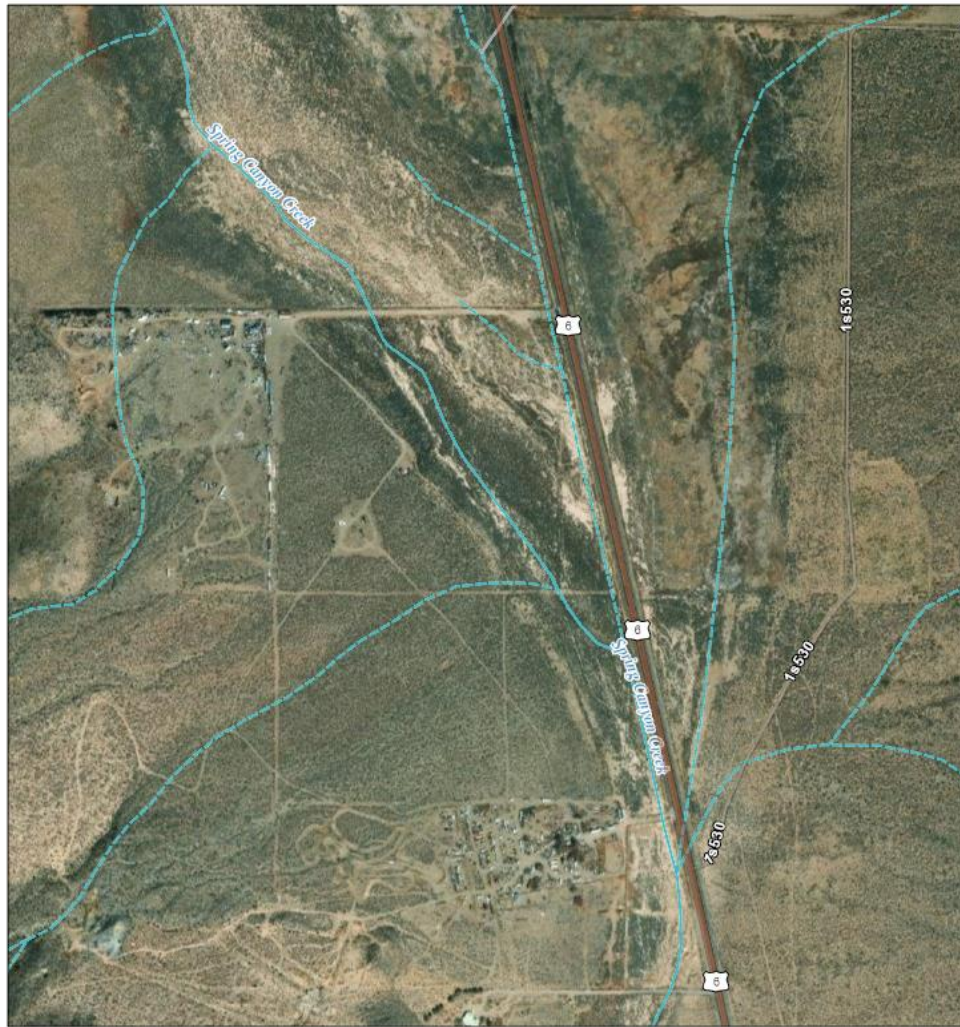
Office of Planning and Research
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REFERENCES

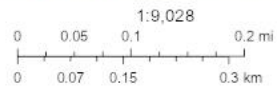
Sawyer, J. O., T. Keeler-Wolf, and J. M. Evens. 2009. A manual of California Vegetation, 2nd ed. California Native Plant Society Press, Sacramento, California.
<http://vegetation.cnps.org/>

Attachment A: Aerial imagery from USGS Stream Classification Finder

Apogee Farms



May 19, 2021



Esri Community Maps Contributors, Mono County, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USGS TNM - National Hydrography Dataset. Data Refreshed April, 2021. Maxar