



***Proposed
Mitigated Negative Declaration***

Publication Date: June 22, 2021
Public Review Period: June 22, 2021 to July 22, 2021
State Clearinghouse Number: #####
Permit Sonoma File Number: **UPC17-0069**
Prepared by: Erica Rippe
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Pursuant to Section 15071 of the State CEQA Guidelines, this proposed Mitigated Negative Declaration and the attached Initial Study, including the identified mitigation measures and monitoring program, constitute the environmental review conducted by the County of Sonoma as lead agency for the proposed project described below:

Project Name:	UPC17-0069
Project Applicant/Operator:	Al Eaddy
Project Location/Address:	1478 Freestone Valley Ford Road, Valley Ford, California 94972
APN:	026-080-009
General Plan Land Use Designation:	Land Extensive Agriculture Combining District (LEA B6 160)
Zoning Designation:	Land Extensive Agriculture (LEA) 160
Decision Making Body:	Sonoma County Board of Zoning Adjustments
Appeal Body:	Sonoma County Board of Supervisors
Project Description:	See Item III, below

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

Table 1. Summary of Topic Areas

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

RESPONSIBLE AND TRUSTEE AGENCIES

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

Table 2. Agencies and Permits Required

Agency	Activity	Authorization
Regional Water Quality Control Board (North Coast or San Francisco Bay)	Discharge or potential discharge to waters of the state	California Clean Water Act (Porter Cologne) – Cannabis Cultivation Waste Discharge Program
State Water Resources Control Board	Generating stormwater (construction, industrial, or municipal)	National Pollutant Discharge Elimination System (NPDES) requires submittal of NOI
California Department of Fish and Wildlife	Cannabis cultivation	Fish and Game Code, Section 1600, Lake or Streambed Alteration Agreement or waiver
California Department of Food and Agriculture (CalCannabis)	Cannabis cultivation	Cultivation Licensing
Bay Area Air Quality Management District (BAAQMD)	Stationary air emissions	BAAQMD Rules and Regulations (Regulation 2, Rule 1 – General Requirements; Regulation 2, Rule 2 – New Source Review; Regulation 9 – Rule 8 – NOx and CO from Stationary Internal Combustion Engines; and other BAAQMD administered Statewide Air Toxics Control Measures (ATCM) for stationary diesel engines
Native American Heritage Commission	Potential impact on Tribal resources	

ENVIRONMENTAL FINDING:

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

Cecilia M. Jarama

6/14/21

Prepared by: [Planner]

Date:

Al. Garcia

6-14-2021

[Applicant name and affiliation]

Date:

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Initial Study

I. INTRODUCTION:

Sonoma County has received an application for a Use Permit from Al Eaddy representing ASG North Bay to allow commercial cannabis cultivation at 1478 Freestone Valley Ford Road in Valley Ford, California. The Use Permit Application requests approval for the construction and operation of 43,511 square feet of commercial cultivation containing 39,861 square feet of outdoor cannabis cultivation, 3,150 square feet of hoop house cultivation, and 500 square feet for a multi-use indoor cultivation area. The proposed project also includes 750 square feet of hoop house propagation and 375-square-foot processing area. Existing land uses surrounding the site include cannabis farms to the west, a residence to the east, open grazing lands to the north and south.

A referral letter was sent to the appropriate local, state, and interest groups who may wish to comment on the project.

This report is the Initial Study required by the California Environmental Quality Act (CEQA). The report was prepared by Cecilia Jaroslowsky, Contract Project Planner with MIG. Information on the project was provided by ASG North Bay, Inc. Other reports, documents, maps, and studies referred to in this document are available for review from the Permit and Resources Management Department (Permit Sonoma) or digitally from the project planner.

Please contact Cecilia Jaroslowsky, Contract Planner, at (510) 845-7549 for more information.

II. SITE LOCATION

The proposed project would be located at 1478 Freestone Valley Ford Road, Valley Ford, on a 10.72-acre parcel zoned Land Extensive Agriculture (LEA), B6 60 Combining District and within the Petaluma Dairy Belt. The site currently contains five structures, which have been in existence since at least 2015. The main house is in the northeastern most portion of the property, which serves as the applicant's residence. Directly to the southwest of the house is a large garage, which was previously used for indoor cultivation. A guest house is approximately 120 feet south of the garage. Two small sheds on the property store agricultural supplies. A large windbreak bisects the site west of the proposed cultivation area, between the employee parking area and the main residence's driveway. Figures 1 and 2 show the project site vicinity.

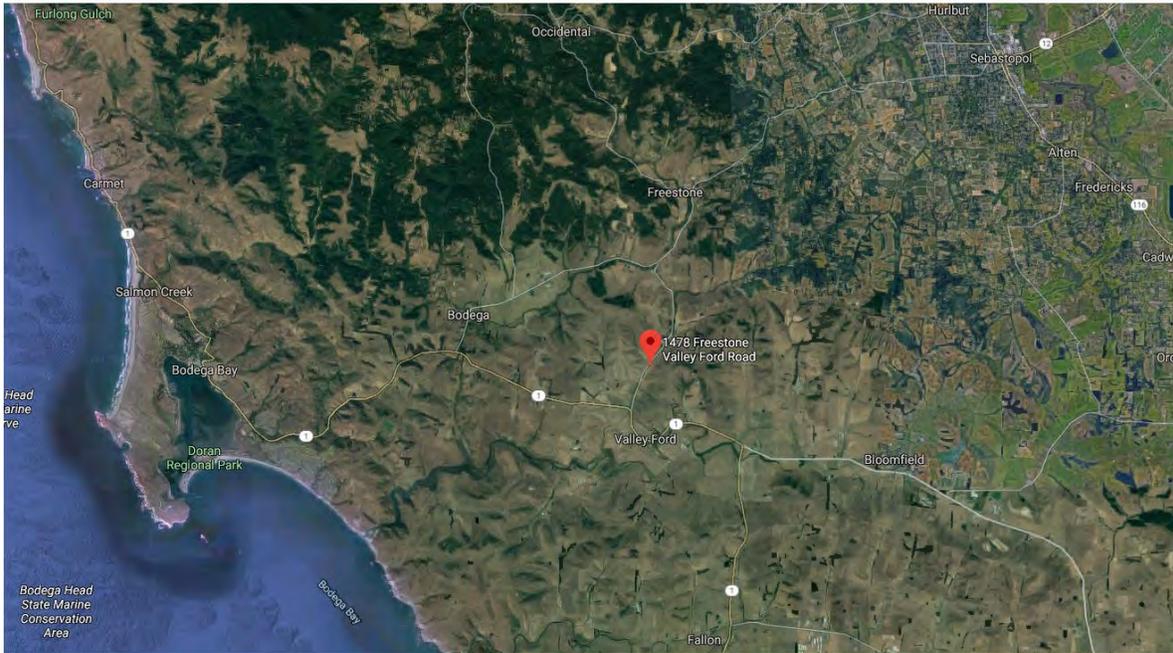
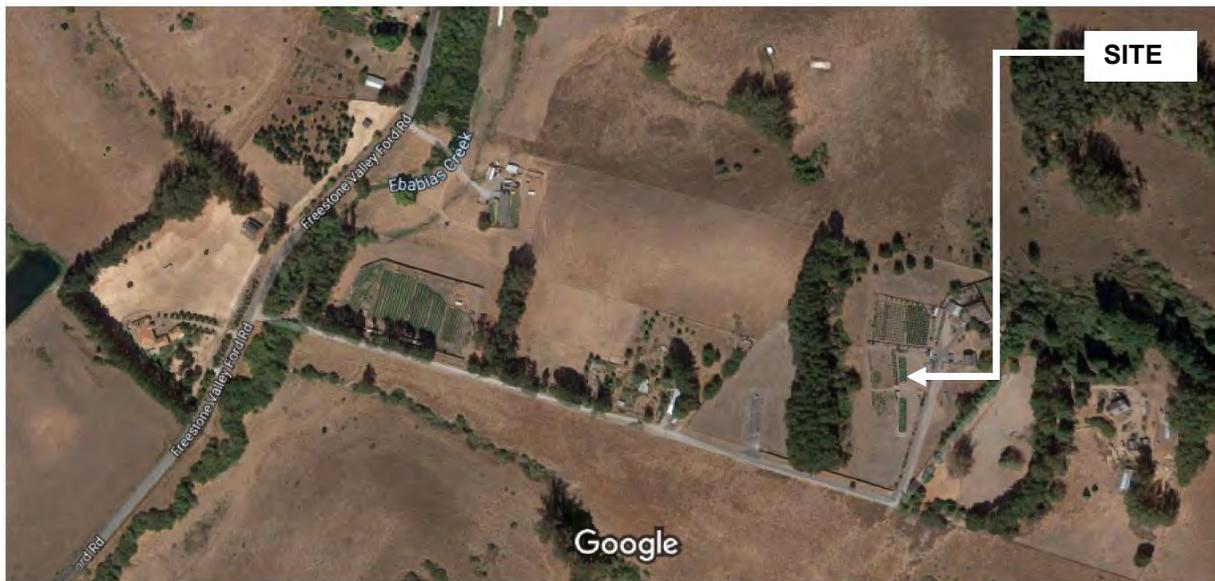


Figure 1. Project Vicinity.
(Google Maps, 2019)



Imagery ©2019 Google, Imagery ©2019 Maxar Technologies, USDA Farm Service Agency, Map data ©2019 200 ft

Figure 2. Project Location Map.
(Google Maps, 2019)

III. PROJECT OVERVIEW

ASG North Bay, Inc proposes a commercial cannabis cultivation operation involving a cultivation

area containing 39,861 square feet of outdoor cannabis cultivation, 3,150 square feet of hoop house cultivation, a multi-use 500 square feet of indoor cultivation, 750 square feet of hoop house propagation and 375-square-foot processing area. The project is operating under penalty relief, and construction is proposed for the three hoop houses, ADA restroom and septic leach field. Cut and fill would be balanced onsite.

Deliveries would occur during normal daytime working hours (8:00 am to 5:00 pm), Monday through Friday. Any drying, trimming or curing activities that occur outdoors shall only be conducted during normal daytime working hours. The operation would employ a maximum of six employees with two employees living onsite. The site would be closed to the public and would not contain any retail components.

The project would be located within the Petaluma Dairy Belt, as designated by the Sonoma County Petaluma Dairy Belt Plan.¹ The project would not be located in a scenic landscape unit, as designated by the Sonoma County Zoning Ordinance.² The project site does not have a Riparian Corridor designated by the Sonoma County General Plan.³

IV. EXISTING FACILITY

The project is operating under penalty relief. The site is currently being used for the cultivation of medical marijuana on behalf of the patients of ASG North Bay, Inc. and has been developed for this use since 2015. The site contains five structures, including a single-family house and one guest house, both occupied by the applicant. There is a garage and covered carport, for the proposed indoor cultivation and nursery, and two sheds. One of the sheds is used for storage of non-project related equipment. The shed adjacent to the proposed hoop houses would be used for storage related to cannabis cultivation.

The site has three existing wells that provides water for the cultivation operation. The project has 13 water tanks onsite that hold up to 28,000 gallons (or 0.08 acre-feet). The outdoor cultivation areas are existing, in addition to a paved access road. Figure 3 below shows the site plan and location of proposed all existing cultivation infrastructure.

V. SETTING

The polygon-shaped parcel, located on the east side of Freestone Valley Ford Road, is surrounded by undeveloped pasture lands with a General Plan Land Use designation of Land

¹ County of Sonoma, 2019. Petaluma Dairy Belt Area Plan. Revised 2008, <https://sonomacounty.ca.gov/WorkArea/DownloadAsset.aspx?id=2147555118>, accessed 4/18/19.

² Sonoma County, Riparian Corridor Website. Adopted Official Zoning Database (OZD) Table – Riparian Corridor, Biotic Habitat, and Commercial Rural Rezones, accessed 4/18/19.

³ Sonoma County, General Plan 2020 Open Space Map: Sebastopol and Environs fig. OSRC-5f. accessed 4/18/19.

Topography and Drainage: The 10.72-acre parcel is rectangular and generally level with slight slope variations throughout the site. The average slope of the outdoor cultivation area is approximately 7% and at its steepest the outdoor cultivation area has approximately 11% slope. The roughly 1.3-acre cultivation area ranges in elevation between 310 feet in the northeast and 235 feet in the southwest and is situated on the hillside above Ebabias Creek. Ebabias Creek flows from the northeast to the southwest, generally along Freestone Valley Ford Road west of the parcel where it flows into the Estero Americana.

Vegetation: The habitat assessment identified three vegetation communities comprising two wildlife habitat types in the study area. The vegetation communities are non-native grasslands, a mature pine tree windbreak, and remnant coastal scrub/oak woodland. The existing house and driveway are also landscaped with non-native ornamental species.

VI. PROJECT DESCRIPTION

Proposed Buildings and Uses: The cultivation operation would consist of a combination of indoor, hoop houses, and outdoor areas listed below. The structure's naming conventions are listed in the project proposal on file at the County offices.

1. Existing: Outdoor cultivation area (Areas A1, A2 and A3) totaling 39,861 square feet.
2. New Construction: Hoop Houses (Areas B2 and B3) totaling 3,150 square feet. The third hoop house, (Area B1) would be used for non-flowering propagation and totals 750 square feet. Hoop House B1 is not included in the cultivation total.
3. Existing: Indoor area that includes sequential cultivation, clone propagation and nursery uses (Area D) totaling 500 square feet.
4. Existing: Covered carport area (Area C) totaling 375-square-feet for processing and packaging area.
5. Auxiliary structures including compost, ADA restroom and waste enclosures, totaling 168 square feet.

As proposed, the project would result in a total of 43,511 square feet of cultivation.

Employees and Hours of Operation: The project would employ up to six employees, with two employees living onsite. Hours of operation would be from 8:00 am to 5:00 pm, Monday through Friday. Additional hours of work are anticipated during harvest season, and during late September and early October the operation requires extended hours from approximately 7:00 am to 5:00 pm. Drying, trimming or curing activities that occur outdoors shall only be conducted during normal daytime working hours. Deliveries would occur during 8:00 am to

5:00 pm, Monday through Friday.

Cultivation Operation: The cultivation operation totals 43,511 square feet, including 39,861 square feet of outdoor cannabis cultivation, 3,150 square feet of hoop house cultivation, and a multi-use 500 square feet of indoor cultivation. Additional square footage includes 750 square feet of hoop house propagation and 375 square foot processing area. The project would total approximately 0.99-acres on the 10.72-acre parcel.

Processing: Project operations are designed to process cannabis harvested on-site and would include drying, ageing, storing, trimming, weighing, and packaging. The cannabis would be processed and packaged in area C on the site plan, which is a 375 square foot covered carport. No cannabis would be stored in the outdoor area.

The area marked as D on the site plan is the proposed indoor and nursery area. Cultivation and clone propagation would happen in this structure. From February to May this area is used for clone propagation and a plant nursery. From November to December this area is used to dry processed cannabis. The rest of the year, the area is used for indoor cultivation.

Security: The parcel currently has security in place to restrict access to all cultivation areas, and structures used for cannabis have locking doors to prevent open access. Security motion lights and alarms are installed alongside the security camera. There would be no additional lighting added to the site except for a motion sensor light at the entrance to the parcel for security purposes. All camera feeds would be capable of recording activity within the nursery at every stage of the process, and along the exterior front entrance.

Access: All access and egress for vehicles occurs via an access point from Valley Ford Freestone Road to the property through a gated private road that crosses an easement from Parcel Number 026-080-008. The gated road is equipped with a Knox Box Lock, allowing for emergency access.

Parking: All parking would be provided on-site in the southwestern corner of the parcel. Six parking spots are proposed, including ADA-compliant parking.

Sewage Disposal: The onsite residences are served by an existing septic system. Wastewater would be generated from the proposed employee's ADA-compliant restrooms, and an additional septic system is proposed.

Water Supply: The site has three existing wells onsite. The well for cannabis cultivation is registered with the state Water Resources Department. The site contains 13 water storage tanks that can store up to 0.08-acre feet. These tanks are attached to storage pumps which draw well water automatically.

Energy Supply: The applicant would purchase carbon offsets for the power provided from non-renewable energy sources via enrollment in the Sonoma Clean Power/Evergreen/Clean Start program. The applicant would submit and maintain documentation that the operation utilizes 100% renewable energy sources purchased through PG&E.

Waste Management: Soil and plant waste would be composted just west of the outdoor cultivation area. The holding area for all waste shall comply with the requirements put in place by Sonoma County storing waste in durable non-absorbent, water-tight, easily cleaned containers. Non-compostable waste related to cultivation is hauled to another location offsite owned by the same owner and is serviced weekly by Recology. Any additional larger trash loads would be taken by staff to the waste management facility at 500 Mecham Road.

Landscaping: There is no proposed landscaping as the parcel and cultivation areas are screened by existing mature vegetation from the public road.

Construction: ASG North Bay, Inc. is proposing the construction of three temporary hoop houses, listed as B1, B2, B3 on site plan. An ADA restroom and leach field would also be constructed. Minor construction is proposed.

VII. ISSUES RAISED BY THE PUBLIC OR AGENCIES

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

The project planner received referral responses from: Permit Sonoma Natural Resources Geologist, Permit Sonoma Project Review Health Specialist, Permit Sonoma Grading & Storm Water (G&SW), Sonoma County Department of Transportation & Public Works, the Northwest Information Center, and the Kashia Band of Pomo Indians. The project planner has received no public comments.

VIII. OTHER RELATED PROJECTS

The two neighboring parcels (APN 026-080-008 and APN 026-080-007) west of the parcel site have received cannabis permits.

IX. EVALUATION OF ENVIRONMENTAL IMPACTS

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

No Impact: The project would not have the impact described. The project may have a beneficial effect, but there is no potential for the project to create or add increment to the impact described.

Less Than Significant Impact: The project would have the impact described, but the impact would not be significant. Mitigation is not required, although the project applicant may choose to modify the project to avoid the impacts.

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

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

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

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

1. AESTHETICS

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

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

Comment:

The project is not in an area designated as visually sensitive by the Sonoma County General Plan (i.e., Scenic Landscape Unit, Scenic Corridor, Community Separator). The nearest

Scenic Corridor is Freestone Valley Ford Road, approximately 0.3 miles to the west, which does not afford views of the project site from screening of mature trees and vegetation.⁴

Significance Level: No Impact

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

Comment:

The project site is not visible from a state scenic highway. The nearest state scenic highway to the project site is Highway 1, which runs north/south along the California coast. The highway is 1.3 miles south of the project, where it passes through Valley Ford and continues northbound out to Bodega Bay.⁵

Significance Level: No Impact

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

Comment:

The project site is on Freestone Valley Ford Road, with rural agricultural properties on all sides of the project parcel. The existing visual character of the site and its surroundings is rural, with a mixture of residential and agricultural structures screened by mature trees and rolling hills. Neighboring properties have long driveways, similar to the project site. Freestone Valley Ford Road is a local connector road with a width of approximately 22 feet and no sidewalks. The project site is not visible from any public viewpoint. The proposed project would have no visual impact from any vantage points along Freestone Valley Ford Road at the entrance of the project site (see Figures 4 and 5).

⁴ Sonoma County. General Plan 2020 Scenic Corridors, "Sonoma County Agricultural Preservation & Open Space District," https://www.sonomaopenspace.org/wp-content/uploads/Scenic_ANSI_D_05152017.pdf accessed 12/1/19.

⁵ Caltrans. Map Viewer website, "California Scenic Highways," <https://www.arcgis.com/home/webmap/viewer.html?layers=f0259b1ad0fe4093a5604c9b838a486a> accessed 12/1/19.



*Figure 4. Property entrance along Freestone Valley Ford Road, looking north.
(Google Maps, 2019)*



*Figure 5. Property entrance along Freestone Valley Ford Road, looking south.
(Google Maps, 2019)*

Following County "Visual Assessment Guidelines,"⁶ public viewpoints were considered for determining the project's visibility to the public. Based on the County "Visual Assessment

⁶ Sonoma County. "Visual Assessment Guidelines and Procedure,"

Guidelines," the site sensitivity of the project location would be considered "Moderate" because:

" The site or portion thereof is within a rural land use designation or an urban designation that does not meet the criteria above for low sensitivity, but the site has no land use or zoning designations protecting scenic resources. The project vicinity is characterized by rural or urban development but may include historic resources or be considered a gateway to a community. This category includes building or construction sites with visible slopes less than 30 percent or where there is significant natural features of aesthetic value that is visible from public roads or public use areas (i.e. parks, trails etc.)."

The proposed project structures would not be visible and would not represent a visually distinctive or substantial change from the current project site. Based on County "Visual Assessment Guidelines," the project's visual dominance would be considered "Inevident" because:

" Project is generally not visible from public view because of intervening natural landforms or vegetation."

The project's effect on the visual character or quality of the site and its surroundings was determined based on County "Visual Assessment Guidelines" in Table 3 below:⁷

Table 3. Thresholds of Significance for Visual Impact Analysis

Sensitivity	Visual Dominance			
	<i>Dominant</i>	<i>Co-Dominant</i>	<i>Subordinate</i>	<i>Inevident</i>
Maximum	Significant	Significant	Significant	Less than significant
High	Significant	Significant	Less than significant	Less than significant
Moderate	Significant	Less than significant	Less than significant	Less than significant
Low	Less than significant	Less than significant	Less than significant	Less than significant

<https://sonomacounty.ca.gov/PRMD/Regulations/Environmental-Review-Guidelines/Visual-Assessment-Guidelines/> accessed 12/4/19.

⁷ Sonoma County. "Visual Assessment Guidelines and Procedure,"

<https://sonomacounty.ca.gov/PRMD/Regulations/Environmental-Review-Guidelines/Visual-Assessment-Guidelines/> accessed 12/4/19.

Considering the project site's Moderate sensitivity and the project's Inevident visual dominance, the project's impact would be less-than-significant regarding the existing visual character or quality of the site and its surroundings.

Significance Level: Less than Significant Impact

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

Comment:

The proposed new structures could introduce new sources of exterior light and possible glare. However, any effects of light sources or glare would be reduced due to compliance with the provisions of Section 26-88-254(f)(19) of the Cannabis Ordinance which requires all lighting to be fully shielded, downward casting and not spill over onto structures, other properties or the night sky. All indoor operations are required to be fully contained so that little to no light escapes. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise. As mentioned in Aesthetics Section 1.c, the project is not visible from any public vantage point.

Significance Level: Less than Significant Impact

2. AGRICULTURE AND FOREST RESOURCES

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

Would the project:

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

Comment:

The parcel is designated by the Sonoma GIS Cannabis Site Evaluation Tool⁸ as Grazing Land and Other Land. Most of the cultivation operation already exists within Grazing Land. The parcel is not designated as Prime or Unique Farmland or Farmland of Statewide Importance and would not result in the conversion of farmland.

Significance Level: No Impact

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

Comment:

The project site is zoned Land Extensive Agriculture (LEA), which allows for permanent agricultural that enhances and protect the lands.⁹ The project site is not under a Williamson Act Contract.

Significance Level: Less than Significant Impact

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

Comment:

The project site is not in a Timberland Production zoning district as designated by the Permit Sonoma GIS Site Evaluation Tool.¹⁰ The project would not cause a rezoning of forest land.

Significance Level: No Impact

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

Comment:

The project would not result in the loss of forest land or conversion of forest land to non-forest use. The cultivation operation would occur in part of the parcel where there are no trees and the project does not propose any tree removal.

⁸ Sonoma County. Permit Sonoma GIS, "Cannabis Site Evaluation," <http://sonomamap.maps.arcgis.com/apps/webappviewer/index.html?id=0b784d90045941798d780f288b6f7003> Accessed 11/25/19.

⁹ Sonoma County. Permit Sonoma GIS, "Cannabis Site Evaluation," <http://sonomamap.maps.arcgis.com/apps/webappviewer/index.html?id=0b784d90045941798d780f288b6f7003> Accessed 11/25/19.

¹⁰ Sonoma County. Permit Sonoma GIS, "Cannabis Site Evaluation," <http://sonomamap.maps.arcgis.com/apps/webappviewer/index.html?id=0b784d90045941798d780f288b6f7003> Accessed 11/25/19.

Significance Level: No Impact

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

Comment:

The project site is designated as Grazing Land, though the site is currently being used for cannabis cultivation under the penalty relief program. The project would not involve the conversion of land currently used for grazing or other agricultural use, and no other changes to the existing environment are proposed.

Significance Level: Less Than Significant Impact

3. AIR QUALITY

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

Would the project:

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

Comment:

Sonoma County is served by two air districts with distinct boundaries, jurisdictions, rules, and policies. The Bay Area Air Quality Management District (BAAQMD) covers the southern portion of the County. The Northern Sonoma County Air Pollution Control District (NSCAPCD) covers the northern and coastal regions of the County. The proposed project lies within the BAAQMD jurisdiction and the following discussion considers whether the proposed project would conflict with or obstruct implementation of an applicable air quality plan maintained by this air district.

In April 2017, the BAAQMD adopted its *2017 Clean Air Plan: Spare the Air, Cool the Climate (Clean Air Plan)*, which provides the BAAQMD's framework for ensuring air quality standards would be attained and maintained in the Bay Area in compliance with state and federal requirements (BAAQMD 2017c). The BAAQMD's *2017 Clean Air Plan* is a multi-pollutant plan focused on protecting public health and the climate. Specifically, the primary goals of the 2017 Clean Air Plan are to:

- Attain all state and national quality standards;
- Eliminate disparities among Bay Area communities in cancer health risk from toxic air

contaminants; and

- Reduce Bay Area GHG Emissions to 40 percent below 1990 levels by 2030, and 80 percent below 1990 levels by 2050.

The *Clean Air Plan* includes increases in regional construction, area, mobile, and stationary source activities and operations in its emission inventories and plans for achieving attainment of air quality standards. Chapter 5 of the *Clean Air Plan* contains the BAAQMD's strategy for achieving the plan's climate and air quality goals. This control strategy is the backbone of the *Clean Air Plan*. It identifies 85 distinct control measures designed to comply with state and federal air quality standards and planning requirements, protect public health by reducing emissions of ozone precursors, PM, and TACs, and reduce greenhouse gases (GHG) emissions. The 85 control measures identified in the *Clean Air Plan* are grouped by nine "sectors": Agriculture, Buildings, Energy, Natural and Working Lands, Stationary Sources, Super GHGs, Transportation, Waste, and Water. Most of the 85 control measures implemented at the local and regional level by municipal government and the BAAQMD and thus are not directly applicable to the proposed project.

The proposed project would not conflict with, or obstruct implementation of, the BAAQMD *Clean Air Plan* because: 1) It does not include significant sources of ozone precursor emissions, PM, or TACs (see also discussion b) and c) below); 2) it would not exacerbate or increase disparities in cancer risks from TAC emissions; and 3) the project is required, pursuant to the County Code Section 26-88-254(g)(3), to provide electrical power through a combination of on-grid 100% renewable energy, an on-site zero net energy renewable energy system, or purchase of carbon offsets for power obtained from non-renewable resources, which would reduce GHG emissions from the project consistent with state reduction goals (see Section 7, Greenhouse Gas Emissions).

Significance Level: Less than Significant Impact

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

Comment:

The federal and state governments have established ambient air quality standards for "criteria" pollutants considered harmful to the environment and public health. National Ambient Air Quality Standards (NAAQS) have been established for carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO₂), ozone (O₃), fine particulate matter (particles 2.5 microns in diameter and smaller, or PM_{2.5}), inhalable coarse particulate matter (particles between 2.5 and 10 microns in diameter, or PM₁₀), and sulfur dioxide (SO₂). California Ambient Air Quality Standards (CAAQS) are more stringent than the national standards for the pollutants listed above and include the following additional pollutants: hydrogen sulfide (H₂S), sulfates

(SO_x), and vinyl chloride. In addition to these criteria pollutants, the federal and state governments have classified certain pollutants as hazardous air pollutants (HAPs) or toxic air contaminants (TACs), such as asbestos and diesel particulate matter (DPM).

The San Francisco Bay Area Air Basin is an area of non-attainment for national and state ozone, state PM₁₀, and national and state PM_{2.5} air quality standards. Regarding cumulative impacts, the BAAQMD's *CEQA Air Quality Guidelines*¹¹ state (BAAQMD 2017, pg. 2-1):

“SFBAAB’s non-attainment status is attributed to the region’s development history. Past, present, and future development projects contribute to the region’s adverse air quality impacts on a cumulative basis. By its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, a project’s individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project’s contribution to the cumulative impact is considerable, then the project’s impact on air quality would be considered significant. In developing thresholds of significance for air pollutants, BAAQMD considered the emission levels for which a project’s individual emissions would be cumulatively considerable. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region’s existing air quality conditions. Therefore, additional analysis to assess cumulative impacts is unnecessary.”

Short-Term Construction Emissions: Project construction would generate short-term equipment exhaust and fugitive dust emissions from construction equipment use, worker vehicle trips, and/or material deliveries associated with activities such as building/structure construction, and application of architectural coatings. ASG North Bay, Inc. is proposing the construction of an ADA restroom and septic, and three temporary hoop houses, listed as B1, B2, B3 on site plan.

For all projects, the BAAQMD recommends implementation of eight “Basic Construction Mitigation Measures” to reduce construction fugitive dust emissions level; these basic measures are also used to meet the BAAQMD’s best management practices (BMPs) threshold of significance for construction fugitive dust emissions (i.e., the implementation of all basic construction measures renders fugitive dust impacts a less than significant impact).

Long Term Operations Emissions: Once operational, the proposed cannabis facilities may result in emissions of criteria air pollutants from the following sources of pollutants:

- Small “area” sources including landscaping equipment and the use of consumer products such as paints, cleaners, and fertilizers that result in the evaporation of ozone-

¹¹ BAAQMD. “CEQA Air Quality Guidelines,” https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en Accessed 11/25/19.

precursors and other pollutants into the atmosphere during product use.

- Energy use and consumption from the combustion of natural gas in water and space heating equipment, as well as cannabis processing activities.
- Mobile sources such as agricultural equipment and vehicles travelling to and from the proposed project (customers, vendors, workers), including dust generated from travel on paved and unpaved roads, etc.
- Other fugitive dust sources such as tilling, cannabis harvesting, and cannabis processing activities.

Although County Code Section 26-88-254(g)(5) permits cultivation and harvesting activities to be conducted 7 days a week, 24 hours a day. Most cannabis processing (e.g., drying and trimming) would occur during the daytime. The proposed project would not involve the substantial use of consumer products, nor combustion of natural gas (most equipment would run on electricity, see Section 7, Greenhouse Gas Emissions). According to the Applicant, project-related vehicle trips would vary seasonally, from 12 average daily trips to 18 during the harvest months of September and October. This amount of vehicle trips would not generate significant emissions. The proposed project is below all applicable BAAQMD operational screening size criteria (72 acres, 541,000 square feet of building space, or 1,249 employees) for general light industry use and thus would not result in a significant air quality impact from operations.

The proposed project does not conflict with the BAAQMD's *Clean Air Plan* and would not result in construction or operational emissions that exceed BAAQMD thresholds of significance. As such, the proposed project would not result in a cumulatively considerable contribution to regional air quality impacts.

Significance Level: Less than Significant Impact

c) Expose sensitive receptors to substantial pollutant concentrations?

Comment:

Sensitive receptors include hospitals, schools, convalescent facilities, and residential areas. The project site is located in a rural area, with the neighboring residential houses located at least approximately 470 feet from the site. Based on the analysis in Section 3.a and 3.b, the proposed project does not include significant stationary, mobile, or other sources of emissions. In addition, the proposed project would comply with the property setbacks contained in Section 26-88-254 of the County Code, which require cultivation areas and structures (for cannabis cultivation, drying, trimming, etc.) to be located at least 100 feet from property lines, 300 feet from occupied residences and businesses, and 1,000 feet from schools, public parks, childcare centers, and alcohol and drug treatment facilities. The less than significant nature of the project's emissions sources and the minimum required distance between the proposed facilities and any nearby sensitive receptors would ensure

that project construction and operation would not result in substantial concentrations of criteria air pollutants or Toxic Air Contaminants (TACs) at sensitive receptor locations.

There would be no long-term increase in emissions, and any potential dust emissions would be reduced to less than significant through application of the Ordinance and permit issuance requirements described in Section 3.b above.

Significance Level: Less than Significant Impact

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

Comment:

Although the proposed project type is not included in the BAAQMD Guidelines (Table 3-3, Odor Screening Distances), BAAQMD does recommend a minimum one-mile screening distance for certain strong odor-producing project types (i.e., food processing facilities, feed lots and dairies, green water and recycle operations). However, BAAQMD does not intend these distance guidelines “as absolute screening criteria, rather as information to consider along with odor parameters” (BAAQMD Guidelines, p.3-4).

According to the 2016 Negative Declaration on the County’s Cannabis Ordinance (pg. 20), the project is considered an odor-generating use by Sonoma County, with the potential for “a strong odor...during the final phase of the growing cycle (typically in late Summer, early Fall).” The analysis goes on to conclude that the required 300-foot setback to residences from outdoor grows would be adequate to reduce odor emissions to a less than significant level as it would reduce the number of people potentially exposed to the odor.

Regardless, the County has determined that because the project is odor generating and within the minimum one-mile screening distance, “a public nuisance may be deemed to exist if the cultivation produces odors which are disturbing to people of normal sensitivity residing or present on adjacent or nearby property or areas open to the public” (2016 ND, p. 20).

The proposed project would not adversely affect a substantial number of people because there are no sensitive receptors in the project vicinity. As mentioned in Section 3.d, all neighboring residences are at least 470 feet from the nearest cultivation area. The project proposes indoor, hoop houses, and outdoor cultivation. The drying would take place in an existing structure (garage) that would incorporate dehumidifiers, fans, and air filtration in compliance with Section 26-88-254 of the cannabis ordinance. The applicant plans to trim and de-leaf cannabis outdoors in the covered carport area using industrial equipment. The code requirements are adequate to ensure that potential odor impacts would be less than significant.

Significance Level: Less than Significant Impact

4. BIOLOGICAL RESOURCES

The applicant prepared a biological resource assessment prepared by Wildlife Research Associates and Jane Valerius Environmental Consulting, dated August 24, 2017, and labeled “Habitat Assessment Aug 2017.” This study addresses listed species, habitat types and evaluates wetland, riparian, and tree resources. As discussed in greater detail below, the study concludes that potentially significant impacts may be reduced to a less than significant level through application of County standards or by incorporation of mitigation measures. The biological resource analysis was found to be sufficient by the project planner, based on the site-specific information available at the time of the analysis.

Regulatory Framework

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

Federal

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

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

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

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

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

“Waters of the State” are regulated by the Regional Water Quality Control Board (Water Board) under the State Porter-Cologne Water Quality Control Act. Waters of the State are defined by the Porter-Cologne Act as any surface water or groundwater, including saline waters, within the boundaries of the State. RWQCB jurisdiction includes “isolated” wetlands and waters that may

not be regulated by the ACOE under Section 404 (such as roadside ditches).

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

State

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

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

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

Non-Game Mammals: Sections 4150-4155 of the California Fish and Game Code (CFGC)

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

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

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

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

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

Local

Sonoma County General Plan: The *Sonoma County General Plan 2020* Land Use Element and Open Space & Resource Conservation Element both contain policies to protect natural resource lands including, but not limited to, watershed, fish and wildlife habitat, biotic areas, and habitat connectivity corridors.

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

Would the project:

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

Comment:

The project site is located in the North Coast Province vegetation region, which varies widely in climate, with high precipitation and moderate temperatures in coastal areas, and dry conditions with rain shadow effects and more extreme temperatures in some inland valleys. The habitat assessments (study area) were conducted on the parcel in the area where cannabis cultivation activities would take place. Most of the study area is an existing and established cannabis cultivation area. The proposed hoop houses would be located adjacent to the outdoor cultivation areas.

Three vegetation communities were identified onsite. Non-native grassland is the main vegetation type onsite, some of which has already be converted into cannabis cultivation.

The grassland areas are highly disturbed and are mowed to reduce weed growth and for fire control. A row of Monterey Pine trees (*Pinus radiata*) create a windbreak in a north-south direction along the western side of the property. Along the northern portion of the site, there are possibly remnants of a Coastal Scrub/Oak Woodland community. This area is currently outside any of the proposed or existing cultivation areas and is fenced off from the house and grow areas.¹²

A total of 75 special-status plant species have been reported occurring on the four topographic quadrangles (CNDDDB 2017). No special-status plants were observed during the August 8, 2017 survey which was within the flowering period for some of the special-status plants with the potential to occur. However, there are at least four special status plants with a low potential to occur based on the presence of potential habitat. These are coast rockcress (*Arabis blepharophylla*), blue coast gilia (*Gilia capita/a ssp. chamissonis*), Harlequin lotus (*Hosackia gracilis*), and marsh microseris (*Microseris paludosa*). The August survey was outside of the flowering period for these species. Additional spring surveys need to be conducted in March, April and May to cover the flowering period for these spring plant species. **See mitigation measure BIO-1.**

Of the 54 animal species evaluated, several have a high potential for occurrence at the project site. The habitat assessment also included review of 26 special-status animal species identified as potentially occurring in the vicinity of the project area, including within a three-mile radius. There were seven of the evaluated species that had suitable or potentially suitable habitat for occurrence. See below for more analysis and mitigation measures.

There is a moderate chance that the Federally Threatened California Red-Legged Frog (*Rana draytonii*) are using the site for upland habitat as they move between reservoirs and creeks located in the area. Although construction is likely to occur in the dry seasons (e.g., spring - fall) when animals are in the aquatic environment, there is a chance for individuals to be found onsite. As a result, mortality may occur during construction. **See mitigation measure BIO-2.**

Several passerine species may nest onsite in the various habitats, like sparrows in the grasslands. Species with suitable habitat include Anna's hummingbird (*Calypte anna*), and Grasshopper Sparrow (*Ammodramus savannarum*). Nesting Raptors like Red-Shouldered Hawk (*Buteo lineatus*), and Cooper's hawk (*Accipiter cooperi*) also have suitable foraging habitat onsite. To prevent disturbance of these birds, the applicant shall complete a nesting birds pre-construction survey outlined in **mitigation measure BIO-3.**

The canopy of the mature pine windbreak in the western portion of the parcel may provide suitable potential roost habitat for the Western Red Bat (*Lasiurus blossevillii*), a special

¹² Wildlife Research Associates and Jane Valerius Environmental Consulting. August 24, 2017 "Habitat Assessment Aug 2017."

status species ranked as a “high priority” for the Western Bat Work Group. There is evidence that the Western Red Bat is faithful to selected trees. The Habitat Assessment included a mitigation measure for bat species because tree removal was proposed as part of the project. The project does not propose tree removal and therefore, no mitigation is needed for the bat species.

The occurrence of the Western Bumble bee (*Bombus occidentalis*) onsite is closely tied to the presence of native plants found on the site. The bees are solitary, ground nesting and have one generation per year, like their pollen host plants. These bees are "inhabitants" and not "passers through." Most of the annual life cycle of the bees is spent underground, but as adults, activities (i.e., mating, nest construction, foraging, brood cell provisioning, and egg laying) are limited primarily to the bloom period of their pollen host plants and they are dependent on the pollen from their specific host plant for their survival. Because onsite grassland is disturbed, per biologist recommendations, see mitigation measure **BIO-4**.

Minor construction is proposed as part of the project buildout, to build the ADA restroom and leach field, and hoop houses. The project proposal was updated after the habitat assessment was completed. The Habitat Assessment includes mitigation measures that assume grading and earthwork. Although the most recent final project proposal has changed, the mitigation measures still apply.

Significance Level: Less than Significant with Mitigation Incorporated

Mitigation Measure: **BIO-1: Monitor Special Status Plants Onsite:** To ensure no take of individuals and compliance with CDFW guidelines, three additional seasonal surveys shall be conducted in March, April, and May for four special-status plant species: coast rockcress (*Arabis blepharophylla*), blue coast gilia (*Gilia capita/a ssp. chamoissonis*), Harlequin lotus (*Hosackia gracilis*), and marsh microseris (*Microseris paludosa*). The project botanist shall report any and all special status plant occurrences to the CNDDDB for inclusion in the database.

Mitigation Monitoring: **BIO-1:** If any special status plant species are found, the following mitigation measures would be implemented based on the status of the plant observed:
Endangered, Threatened, or Rare Species and their Habitats: The project shall either avoid take or obtain formal incidental take coverage with the required compensatory measures where avoidance cannot be achieved for the affected categories: state and federally listed or proposed species, state candidates for listing, and CNPS ranked species.
Listed or CNPS ranked species: The project applicant shall avoid, minimize, and/or compensate (in that order of preference) for any special status plant species that are found on the project site. If special plant species are found on the project site, then the project applicant shall prepare a mitigation plan that describes the avoidance or compensatory mitigation measures that would be implemented for these populations. As a performance

standard, the plan shall provide for no net loss in the quantity or quality of plant populations. The mitigation plan shall be submitted to the USFWS and CDFW for approval for federal and state-listed plants, respectively. The mitigation plan shall include the mitigation measures, which are adopted from the CNPS Policy on *Mitigation Guidelines Regarding Impacts to Rare, Threatened and Endangered Plants* (CNPS 1998), described below, or equally effective alternative measures:

1. Mitigation for impacts to special status plants would include avoidance measures, when feasible, and compensatory mitigation when avoidance is not possible. Avoidance measures shall include buffer zones to avoid impacting listed plants; installing exclusion fencing around the existing plant populations prior to and during construction. Compensatory mitigation shall include replanting on site or propagation of plants at a nearby conservation site through seeding or translocation. Mitigation ratios shall be sufficient to achieve performance criteria of no net loss of plants. Post project monitoring shall verify that avoidance and mitigation measures are successful.
2. If mitigation for impacts to special status plants occurs at a non-bank site, preference would be given to locating the mitigation site in an area as close to the project site as possible. If mitigation sites are not available in the vicinity of the project site, mitigation for listed plants may be accomplished at any site in Sonoma County that is suitable and supports the impacted plant population.
3. A long-term mitigation, monitoring, and management plan shall be developed for plant mitigation and submitted to the USFWS and/or CDFW for approval prior to initiation of construction activities. Mitigation sites shall be monitored for five years after installation.
Depending on the actual case-by case circumstances listed plants within the Project footprint may be salvaged and/or transplanted to a mitigation site approved by the CDFW and/or USFWS. When feasible, seed from plants unavoidably impacted shall be collected and preserved for planting on an approved mitigation site.

Impacted plants shall be mitigated at the ratio of 2:1, or as required by resources agencies, for both individuals and area.

Mitigation Measure: BIO-2: Prevent Take of Red-Legged Frogs: To prevent take of individuals, prior to ground clearing, a nocturnal pre-construction survey shall be conducted. Using lights and binoculars, a qualified biologist shall survey the area of ground clearing. If no individuals are found, ground clearing can start the following day. If individuals are found, the applicant shall consult with CDFW regarding follow up nocturnal surveys, before ground clearing can occur.

Mitigation Monitoring: BIO-2: Prior to issuance of any grading permit(s), the County shall review the results of all pre-construction surveys and any measures recommended by the biologist to avoid sensitive habitat or species, which shall be noted on the final project plans.

Mitigation Measure: BIO-3: Nesting Bird Avoidance or Conduct Preconstruction Surveys.

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

- a) To avoid impacts to nesting birds, all construction-related activities (including but not limited to mobilization and staging, clearing, grubbing, vegetation removal, fence installation, demolition, and grading) shall occur outside the avian nesting season (generally prior to February 1 or after August 31). Active nesting is present if a bird is sitting in a nest, a nest has eggs or chicks in it, or adults are observed carrying food to the nest.
- b) If construction-related activities are scheduled to occur during the nesting season (generally February 1 through August 31), a qualified biologist shall conduct a habitat assessment and preconstruction nesting survey for nesting bird species no more than seven (7) days prior to initiation of work. The qualified biologist conducting the surveys shall be familiar with the breeding behaviors and nest structures of birds known to nest in the project site. Surveys shall be conducted at the appropriate times of day during periods of peak activity (i.e., early morning or dusk) and shall be of sufficient duration to observe movement patterns. Surveys shall be conducted within the project area and 250 feet of the construction limits for nesting non-raptors and 1,000 feet for nesting raptors. If the survey area is found to be absent of nesting birds, no further mitigation would be required. However, if project activities are delayed by more than seven days, an additional nesting bird survey shall be performed.
- c) If pre-construction nesting bird surveys result in the location of active nests, no site disturbance (including but not limited to equipment staging, fence installation, clearing, grubbing, vegetation removal, demolition, and grading) shall occur until a qualified biologist has established a temporary protective buffer around the nest(s). The buffer must be of sufficient size to protect the nesting site from construction-related disturbance and shall be established by a qualified ornithologist or biologist with extensive experience working with nesting birds near and on construction sites. Typically, adequate nesting buffers are up to 75 feet from the nest site or nest tree dripline for small birds and up to 1,000 feet for sensitive nesting birds that include several raptor species known from the region of the project site. The nest buffer, where it intersects the project site, shall be staked with orange construction fencing or orange lath staking. Monitoring by a qualified biologist shall be required to ensure compliance with the relevant California Fish and Game Code requirements. Monitoring dates and findings shall be documented. Active nests found inside the limits of the buffer zones or nests within the vicinity of the project site showing signs of distress from project activity, as determined by the qualified biologist, shall be monitored daily during the duration of the project for changes in breeding behavior. If changes in behavior are observed (e.g., distress, disruptions), the buffer shall be immediately adjusted by the qualified biologist until no further interruptions to breeding behavior are detected. The nest protection buffers may be reduced if the qualified biologist determines in coordination with CDFW that construction activities would not be likely to

adversely affect the nest. If buffers are reduced, twice weekly monitoring shall be conducted to confirm that construction activity is not resulting in detectable adverse effects on nesting birds or their young. The qualified biologist and CDFW may agree upon an alternative monitoring schedule depending on the construction activity, season, and species potentially subject to impact. Construction shall not commence within the prescribed buffer areas until a qualified biologist has determined that the young have fledged, or the nest site is otherwise no longer in use.

d) A report of the findings shall be prepared by a qualified biologist and submitted to the County prior to the initiation of construction-related activities that have the potential to disturb any active nests during the nesting season. The report shall include recommendations required for establishment of protective buffers as necessary to protect nesting birds. A copy of the report shall be submitted to the County and applicable regulatory agencies prior to the issuance of a building permit.

Mitigation Monitoring: **BIO-3:** The County shall not issue permit(s) for ground disturbing activities until after the site has been surveyed by a qualified biologist to ensure that no active bird nest disturbance or destruction would occur as a result of the project. If necessary, nest protection buffers shall be fenced off and active nest monitoring initiated prior to permit issuance.

Mitigation Measure: **BIO-4: Improve Western Bumble bee (*Bombus occidentalis*) Onsite Habitat:** to avoid potential inadvertent destruction or disturbance of nesting birds on and near the project site as a result of construction-related vegetation removal and site disturbance, native shrubs and herbaceous (forb) species shall be planted around the grow area to support these bee populations. Plants known to benefit native bees include coyote brush (*Baccharis pilularis*), sage (*Salvia spp.*), lupines (*Lupinus spp.*), various species of Lotus and Acmispon, gumplant (*Grindelia spp.*), and *Phacelia spp.* A native wildflower mix shall be seeded around the cultivation site that include many of the bee species and benefit the local flora.

Mitigation Monitoring: **BIO-4:** Prior to issuance of any building permit(s), the County shall review the results of all pre-construction surveys and any measures recommended by the biologist to avoid sensitive habitat or species, which shall be noted on the final project plans.

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

Comment:

The project site is not in a riparian area or other sensitive natural community. Ebabias Creek is located 1,280 feet west of the project site and would not be adversely impacted by the

project.

Significance Level: Less than Significant Impact

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

Comment:

The proposed project would not fill any waterway or wetlands. There would be no removal or hydrological interruption with project approval. The project is not in a wetland area.

Significance Level: Less than Significant Impact

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

Comment:

As discussed in Section 4.a, the study area contains habitat that would support native or migratory wildlife, specifically nesting birds. While wildlife can move freely within the project site and between surrounding parcels, impacts to migratory birds are typically avoided by removing vegetation and conducting ground-disturbing activities only between September 1 and February 15 to avoid bird-nesting season (see **mitigation measure BIO-3**), by having a qualified biologist verify absence immediately prior to vegetation removal, or by employing exclusionary bird netting during the nesting season. Refer to the biological resources report provided by the applicant on file at the County offices.

The Study Area is not within a Natural Landscape Block (defined as relatively natural habitat blocks that support native biodiversity), nor is the project located in an Essential Connectivity Area (defined as areas that are essential for ecological connectivity between blocks).¹³ Movement corridors for large and small mammals occur between this parcel and potentially occupied parcels to the north and south. The parcel is located parallel to Ebabias Creek which provides a movement corridor for a variety of wildlife. There are no barriers to movement between this site and other undeveloped lands.

No ground disturbing work is proposed, and the impact on fish and wildlife movement through the project site and the corridor would be less than significant.

Significance Level: Less than Significant Impact

¹³ Wildlife Research Associates and Jane Valerius Environmental Consulting. August 24, 2017 "Habitat Assessment Aug 2017."

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

Comment:

The project would not violate any of the local policies or ordinances mentioned in the Regulatory Setting above. The project does not propose the removal of special status habitat, sensitive natural communities, trees, nor does the project encroach onto Riparian Corridor setback standards.

Significance Level: Less than Significant Impact

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

Comment:

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

Significance Level: Less than Significant Impact

5. CULTURAL RESOURCES

Would the project:

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

Comment:

The Northwest Information Center, in an email from November 2019, indicated that there may be historic structures onsite.¹⁴ However, the applicant has indicated that there are no historic buildings or structures (45 years of age or older) on the parcel. The applicant does not propose any demolition, and all structures would remain intact.

Significance Level: Less than Significant Impact

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

¹⁴ Northwest Information Center. County File Number UPC17-0069 / 1478 Valley Ford Freestone Road, Bodega / ASG North Bay, Inc. Email dated 11/ 27/19.

Comment:

Project buildout does not require any grading. However, there is a chance that undiscovered archaeological resources may be accidentally encountered during project implementation. Section 11-14-050 of the Sonoma County Grading Ordinance establishes uniformly applied development standards to reduce the potential for impact to cultural resources to a less than significant level by requiring that all work be halted in the vicinity where human remains or archaeological resources are discovered during construction and that the Director of Permit Sonoma and the County Coroner be notified to ensure compliance with state law regarding the proper disposition of human remains, including those identified as Native American. Similarly, if archaeological resources or suspected archaeological resources are discovered, the Director of Permit Sonoma shall notify the State Historic Preservation Office and Northwest Information Center at Sonoma State University and the permittee shall retain a qualified archeologist to evaluate the find to ensure proper disposition of the archaeological resources or suspected archaeological resources. The director shall provide notice of the find to any tribes that have been identified as having cultural ties and affiliation with the geographic area in which the archaeological resources or suspected archaeological resources were discovered, if the tribe or tribes have requested notice and provided a contact person and current address to which the notice is to be sent. The director may consult with and solicit comments from notified tribes to aid in the evaluation, protection, and proper disposition of the archaeological resources or suspected archaeological resources. Archaeological resources may include historic or prehistoric ruins, burial grounds, pottery, arrowheads, midden, or culturally modified soil deposits. Artifacts associated with prehistoric ruins may include humanly modified stone, shell, bone, or other cultural materials such as charcoal, ash, and burned rock indicative of food procurement or processing activities. Prehistoric domestic features may include hearths, fire pits, or floor depressions; mortuary features are typically represented by human skeletal remains.

Additional protection is required for Commercial Cannabis Cultivation, per County Code Section 26-88-254(14), which requires that cultivation sites avoid impacts to significant cultural and historic resources by requiring that sites located within a historic district be subject to review by the Landmarks Commission, unless otherwise exempt. Cultivation operations involving ground disturbing activities shall also be subject to referral to the Northwest Information Center and local tribes. All grading and building permits are required to have notes included on the plans regarding actions to be taken if paleontological resources or prehistoric, historic-period or tribal cultural resources are encountered during ground-disturbing work at the project location, requiring all work in the immediate vicinity to be halted and the operator to immediately notify the agency having jurisdiction of the find. If human remains are encountered, work in the immediate vicinity shall also stop and the operator shall notify the agency having jurisdiction and the Sonoma County Coroner immediately. If the human remains are determined to be of

Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours of the identification.

Significance Level: Less than Significant Impact

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

Comment:

No burial sites are known in the vicinity of the project area. The site is unlikely to be disturbed by construction activities, but in the event the site contains a burial site, compliance with County Code Sections 11-14-050 and 26-88-254(14) noted above would ensure necessary steps are taken to protect the resource.

Significance Level: Less than Significant Impact

6. ENERGY

Would the project:

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

Comment:

Construction activities would not measurably increase energy consumption. Long-term energy demand would result from employees working on the project site and from employee vehicle trips. The proposed cannabis operation would result in energy usage from electricity for lighting, water supply, odor reducing fans, dehumidifiers, the ADA compliant bathroom, the security system (alarm, lights, cameras), the processing machines including the "Trim Reaper" and "Triminator" used for processing. Operation of the proposed project would increase energy usage relative to existing conditions in Sonoma County. However, this increase in energy use would not represent a substantial increase, nor would it be wasteful or inefficient.

All commercial cannabis cultivation projects are required to comply with the operation standard of Cannabis Ordinance Section 26-88-254(g)(3), which requires that electrical power for indoor cultivation, mixed light operations, and processing shall be provided by any combination of (i) on-grid power with one hundred percent (100%) renewable source; (ii) on-site zero net energy renewable source; or (iii) purchase of carbon offsets of any portion of power not from renewable sources. The use of generators for indoor and mixed light cultivation is prohibited, except for portable temporary use in emergencies only. Additionally, all cannabis projects in Sonoma County are required to prepare a Greenhouse Gas Emissions reduction plan and to comply with the following standard condition of approval:

Energy Use. *The applicant/operator shall submit and maintain documentation that the operation utilizes 100% renewable energy sources. Enrollment in the Sonoma Clean Power/Evergreen/Clean Start program has been submitted and shall be maintained, unless another 100% renewable alternative is proposed. A request to modify energy provider must be submitted to Permit Sonoma and approved prior to making any change in energy service.*

Significance Level: Less than Significant Impact

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

Comment:

The proposed project would comply with Sonoma County Ordinance 7D2-1, which pertains to energy efficiency, and Title 24, Part 6 of the California Code of Regulations, Building Energy Efficiency Standards.

Significance Level: Less than Significant Impact

7. GEOLOGY AND SOILS

Would the project:

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

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

Comment:

The project is not within a fault hazard zone, as defined by the Alquist-Priolo fault maps.¹⁵

Significance Level: Less than Significant Impact

- ii. Strong seismic ground shaking?**

Comment:

All of Sonoma County is subject to seismic shaking that would result from earthquakes along the San Andreas, Healdsburg-Rodgers Creek, and other faults. The expected relative intensity of ground shaking and damage from anticipated future earthquakes in the project

¹⁵ California Geologic Survey. California Department of Conservation, "Earthquake Zones of Required Investigation Map," <https://maps.conservation.ca.gov/cgs/EQZApp/app/> accessed 10/7/19.

area is categorized as 'Very Strong' according to Figure PS-1a Earthquake Ground Shaking Hazard Areas in the County's General Plan Public Safety Element.¹⁶

As a matter of practice and state law, all construction activities would be required to meet the California Building Code regulations for seismic safety, including designing all earthwork, cuts and fills, drainage, pavements, utilities, foundations and structural components in conformance with the specifications and criteria contained in the project final geotechnical report, which shall be completed and submitted to Permit Sonoma prior to project approval. Standard County development procedures include review and approval of construction plans prior to the issuance of a building permit. In addition, as required by the building code, the geotechnical engineer would be required to submit an approval letter for the engineered grading plans prior to issuance of the building permit; prior to final issuance of the building permit, the geotechnical engineer would be required to inspect the construction work and certify to Permit Sonoma, prior to the acceptance of the improvements or issuance of a certificate of occupancy, that the improvements have been constructed in accordance with the geotechnical specifications. All work would be subject to inspection by Permit Sonoma for conformance with all applicable code requirements and approved improvement plans.

Significance Level: Less than Significant Impact

iii. Seismic-related ground failure, including liquefaction?

Comment:

Strong ground shaking can result in liquefaction, the sudden loss of shear strength in saturated sandy material, resulting in ground failure. The project site is not located within a high liquefaction hazard area according to the County's 2020 Public Safety Element.¹⁷

Significance Level: Less than Significant Impact

iv. Landslides?

Comment:

Steep slopes characterize much of Sonoma County, particularly the northern and eastern portion of the County. Where these areas are underlain by weak or unconsolidated earth materials, landslides are a hazard. The project would be located in a Class IX Landslide

California Geologic Survey. California Department of Conservation, "Earthquake Zones of Required Investigation Map," <https://maps.conservation.ca.gov/cgs/EQZApp/app/earthquake-Ground-Shaking-Hazard-Areas/> accessed 10/7/2019

¹⁷ Sonoma County. General Plan 2020 Public Safety Element, "Liquefaction Hazard Areas Fig. PS-1c," <https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Public-Safety-Liquefaction-Hazard-Areas/> accessed 5/29/20.

Hazard area (highly susceptible) according to the General Plan Public Safety Element, Figure PS-1d.¹⁸ The proposed project does include construction that could destabilize slopes, however, three new temporary hoop houses would be built on ground that has previously been disturbed, and, as noted in 7.a.ii above, would comply with building codes.

Significance Level: Less than Significant Impact

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

Comment:

There is only minor construction proposed as part of the project. As discussed in section 10, Hydrology and Water quality, erosion and sediment control provisions of the Drainage and Storm Water Management Ordinance (Chapter 11, Sonoma County Code) and Building Ordinance (Chapter 7, Sonoma County Code), require implementation of BMPs to reduce runoff from construction and during operation. Required inspection by Permit Sonoma staff would ensure that all grading and erosion control measures are constructed according to the approved plans.

Post-construction water quality impacts are less than significant with compliance with grading permit standards and BMPs requiring stormwater be detained, infiltrated, or retained for later use. Other adopted water quality BMPs include storm water treatment devices based on filtering, settling or removing pollutants. These construction standards limit water quality grading impacts at a less than significant level post construction.

The County-adopted conditions of approval also require compliance with all standards and regulations adopted by the State and Regional Water Quality Control Board, such as the Standard Urban Stormwater Mitigation Plan (SUSMP) requirements, Low Impact Development and any other adopted BMPs. Therefore, no significant adverse soil erosion or related soil erosion water quality impacts are expected given the mandated conditions and standards that need to be met. See further discussion of water-related issues (such as maintenance) in Section 10, Hydrology and Water Quality.

Significance Level: Less than Significant Impact

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

Comment:

The project site is not in a landslide prone or fault zone area but is in an area subject to a

¹⁸ Sonoma County General Plan 2020, Public Safety Element, Figure PS-1d, Deep-Seated Landslide Hazard Areas accessed 5/29/20.

high potential for liquefaction and ground shaking. The design and construction of new structures are subject to engineering standards of the California Building Code (CBC), which consider soil properties, seismic shaking and foundation type. Project conditions of approval require that building permits be obtained for all construction and that the project meet all standard seismic and soil test/compaction requirements. The project would therefore not expose people to substantial risk of injury from seismic shaking.

Significance Level: Less than Significant Impact

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

Comment:

Table 18-1-B of the Uniform Building Code is an index of the relative expansive characteristics of soil as determined through laboratory testing. For the proposed project, soils at the site have not been tested for their expansive characteristics. Standard Building Code requirements applicable to the construction of this project would ensure that no substantial risks to life or property would be created from soil expansion at the proposed project, even if expansive soils were found on-site.

Significance Level: Less than Significant Impact

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

Comment:

The project site is not in an area served by public sewer. An existing septic system serves the residence on the property and would serve domestic wastewater resulting from the project's six employees. Preliminary documentation provided by the applicant and reviewed by the Permit Sonoma Project Review Health Specialist indicates that onsite soils could support a septic system and the required expansion area. This cultivation operation would comply with the BMPs issued by the Agricultural Commissioner. See Section 10 Hydrology and Water Quality for a discussion on BMPs.

Significance Level: Less than Significant Impact

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

Comment:

Results of the on-line paleontological resources record search through the University of California Museum of Paleontology (UCMP) database indicate that there are no known

vertebrate fossil localities or unique geological features that have been previously identified within the Project Area or within a mile radius. Additionally, the UCMP database failed to identify any fossil localities within the same sedimentary deposits at depths that extend into the project area.

The Steinbeck series consists of deep, well drained soils that formed in material weathered from soft sandstone. Steinbeck soils are on smooth rolling hills and have slopes of 2 to 50 percent. The mean annual precipitation is about 30 inches and the mean annual temperature is about 55 degrees Fahrenheit. There would be no impacts to unique geologic features or unique paleontological resources.

Significance Level: 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?**

Comment:

Global greenhouse gas emissions contribute to climate change; individual projects do not generate enough GHG emissions to influence global climate change. Thus, the analysis of GHG emissions is by nature a cumulative analysis focused on whether an individual project's contribution to global climate change is cumulatively considerable.

The California Air Resources Board (CARB) is the lead agency for implementing Assembly Bill (AB) 32, the California Global Warming Solutions Act adopted by the Legislature in 2006. AB 32 requires the CARB to prepare a Scoping Plan containing the main strategies that would be used to achieve the State's GHG emissions reductions targets, which in general are:

- Reduce statewide GHG emissions to 1990 levels by 2020;
- Reduce GHG emissions to 40 percent below 1990 levels by 2030; and
- Reduce GHG emissions to 80 percent below 1990 levels by 2050.

CARB prepares an annual Statewide GHG emissions inventory using Regional, State, and Federal data sources, including facility-specific emissions reports prepared pursuant to the State's Mandatory GHG Reporting Program. The Statewide GHG emissions inventory helps CARB track progress towards meeting the State's AB 32 GHG emissions target of 431 million metric tons of Carbon Dioxide (CO₂) equivalents (MTCO₂e), as well as to establish and understand trends in GHG emissions. According to CARB's most recent GHG emissions

inventory (2017 edition), GHG emissions have generally decreased over the last decade, with 2015 levels (440 million MTCO₂e) approximately 10 percent less than 2004 levels (488 million MTCO₂e). The transportation sector (165 million MTCO₂e) accounted for more than one-third (approximately 37.5 percent) of the State's total GHG emissions inventory (440 million MTCO₂e) in 2015, while electric power generation accounted for approximately one-fifth (19 percent) of the State's total GHG emissions inventory.

The County concurs with and utilizes as County thresholds the BAAQMD recommended GHG significance thresholds. The County also concurs that these thresholds are supported by substantial evidence for the reasons stated by BAAQMD staff. For projects other than stationary sources, the GHG significance threshold is 1,100 MTCO₂e or 4.6 metric tons of CO₂e per service population (residents and employees) per year.¹⁹

The proposed project would generate GHG emissions from the same sources described in Section 3, Air Quality, as well as from the following additional sources that are specific to GHG emissions:

- Energy use and consumption includes GHG emissions generated from purchased electricity and natural gas.
- Solid waste disposal includes GHG emissions generated from the transport and disposal of landfilled waste.
- Water/wastewater includes emissions from electricity used to supply water to land uses, and treat the resulting wastewater generated.

As summarized above, the transportation sector accounts for more than one-third of GHG emissions in the State and is typically one of the largest GHG emissions sources associated with a development project; however, as described in Section 3, Air Quality, the proposed project would generate approximately 12-18 trips per day, with the greatest number of trips during September and October for harvest, which would not generate significant greenhouse gas emissions. The electric power sector accounts for approximately one-fifth of GHG emissions in the State. Commercial cannabis facilities can involve the use of lights, fans, and other equipment for 24 hours per day to control environmental conditions and provide ideal growing conditions.

Cannabis cultivation facilities can also result in high levels of water consumption. Indoor and mixed-light cannabis cultivation typically uses less water compared to outdoor cultivation because of the regulated growing conditions, the ability to recycle irrigation water, as well as a result of the humidity produced by plants as they grow. The proposed project would use a drip irrigation system and would result in the use of use of approximately 3.38 acre-

¹⁹ BAAQMD has not adopted a threshold of significance for construction related GHG emissions. The BAAQMD's CEQA Air Quality Guidelines do, however, encourage lead agencies to quantify and disclose construction-related GHG emissions, determine the significance of these emissions, and incorporate best management practices to reduce construction-related GHG emissions

feet of water per growing season.

See Energy Section 6(a) where the applicant is required to submit a Greenhouse Gas Reduction Plan. With the existing laws and regulations, the proposed project would generate a less than significant amount of greenhouse gas emissions.

Significance Level: Less than Significant Impact

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

Comment:

The proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of Greenhouse Gases (GHG). The County currently does not have an applicable countywide Climate Action Plan but has adopted a Climate Change Action Resolution in May 2018 to support reducing GHG emissions. The resolution establishes goals to establish a consistent framework throughout the County.

As described in question a above, the proposed project would be consistent with the BAAQMD's Clean Air Plan, is required to reduce GHG emissions from energy consumption, and would, therefore, not generate GHG emissions that conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions.

Significance Level: Less than Significant Impact

9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

Comment:

Operation of the project, as well as ongoing maintenance activities over time, may involve the intermittent transport, storage, use, and disposal of potentially hazardous materials, including fuels and other materials commonly used for maintenance. The applicant intends for the project to be organic, however, there are occasions where food-grade pesticides may be used. Project use of any and all hazardous materials that may be generated, stored, transported, used, or disposed of would be subject to applicable local, state, and federal regulations.

Project hazardous materials would be stored indoors in the storage shed (see site plan) in the original packaging. All cannabis plants are cultivated in individual containers that do not require the disturbance of underlying soils. The fabric pots (geopots) would be used in 100- and 400-gallon sizes, and individually are watered by hand. Agricultural chemicals would be applied to plants at agronomic rates to prevent nutrient runoff. Any disposal of unused plant chemicals would be minor, and the material would be taken to the Sonoma County Household Toxics Facility located in Petaluma, California, per the applicant's project proposal statement. No impacts are anticipated related to the routine transport, use, or disposal of small amounts of agricultural chemicals. The project would be required to comply with the operating standards for hazardous materials for cannabis cultivation set forth in Section 26-88-254 (g) (4) of the County Code and to maintain any applicable permits to be issued by the Sonoma County Fire and Emergency Services Department of Agriculture Commissioner.

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

With existing General Plan policies and federal, State and local regulation and oversight of hazardous materials, the potential threat to public health and safety or the environment from hazardous materials transport, use or disposal would be less than significant.

Significance Level: Less Than Significant Impact

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

Comment:

See above Section 9.a, the proposed project would not include major construction-related hazardous materials. The project would occasionally use pesticides, herbicides and fungicides and transport low-grade pesticides and fertilizers. The pesticides and fertilizers would be applied at label rates.

Significance Level: Less Than Significant Impact

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

Comment:

There are no schools in the project area. The nearest school is Burnside School, over two miles east in the town of Occidental.

Significance Level: No Impact

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

Comment:

There are no known hazardous material sites within or adjacent to the project limits, based on review of the following databases on December 4, 2019.

1. The State Water Resources Control Board Geotracker database,²⁰
2. The Department of Toxic Substances Control EnviroStor database,²¹ and
3. The California Integrated Waste Management Board Solid Waste Information System (SWIS).²²

Significance Level: No Impact

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

Comment:

The site is not within the Airport Referral Area as designated by the Sonoma County Comprehensive Airport Land Use Plan.²³

Significance Level: No Impact

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

²⁰ State Water Resources Control Board. "Geotracker Database," accessed 12/4/2019.

<http://geotracker.waterboards.ca.gov/>

²¹ The Department of Toxic Substances Control. "EnviroStor Database," accessed 12/4/19.

<http://www.envirostor.dtsc.ca.gov/public/>

²² Cal Recycle. "Waste Information System (SWIS) Facility/Site Search."

[https://www2.calrecycle.ca.gov/swfacilities/Directory/State Water Resources Control Board, Geotracker Database](https://www2.calrecycle.ca.gov/swfacilities/Directory/State%20Water%20Resources%20Control%20Board,%20Geotracker%20Database). Accessed 12/4/19

²³ Sonoma County, Airport Referral Area Exhibit C4. Charles M. Schulz – Sonoma County Airport Safety Zones. Accessed 10/4/19

Comment:

The project would not impair implementation of, or physically interfere with the County's adopted emergency operations plan. There is no separate emergency evacuation plan for the County. Given the minimal traffic associated with the project (estimated six full time employees with a peak trip generation of 18 ADT), the project would not result in a significant change in existing circulation patterns and would have no measurable effect on emergency response routes.

Significance Level: No Impact

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

Comment:

According to the General Plan Wildland Fire Hazard Areas (Figure PS-1g),²⁴ the project is located in a moderate Fire Hazard Severity Zone in an area where rural residential ranches are separated by open grasslands and sparse wooded areas. Impacts to wildland fires are further discussed in Section 20, Wildfire.

The applicant/operator shall submit a written *Fire Safety and Evacuation Plan* (pursuant to California Fire Code Sections 403 and 404) to CalFire for approval. This plan shall include, but not be limited to, fire safety, medical emergencies, and evacuations, and shall also describe provisions for fire watch and medical personnel. The plan shall be subject to re-evaluation by CalFire at any time, when requested in writing by the fire code official. Prior to approval of a building permit, the County shall review the project *Fire Safety and Evacuation Plan* and ensure that coordination with appropriate County emergency staff is established.

Significance Level: Less than Significant Impact

10. HYDROLOGY AND WATER QUALITY

Would the project:

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

Comment:

The project site is located in the North Coast RWQCB jurisdiction, in the Estero Americano

²⁴ Sonoma County General Plan 2020, Public Safety Element, Wildland Fire Hazard Areas, Figure PS-1g <https://sonomacounty.ca.gov/WorkArea/DownloadAsset.aspx?id=2147542634> Accessed 10/4/19

watershed.²⁵ The project site not in a State defined Priority Groundwater Management Basin, and there are no blue line streams on the parcel. The nearest blue line stream is Ebabias Creek, located 1,280 feet west of the project site and defined by the Regional Water Quality Control Board as a perennial Class II creek. A seasonal tributary is located 520 feet to the south of the parcel. No runoff from the proposed development would affect these two drainages.

The project site is located near the Bodega HU, Estero Americano HA and Americano Creek waterways. The Bodega Hydraulic Unit is listed by the State Water Resources Control Board (SWRCB) and North Coast Regional Water Quality Control Board under the Clean Water Act as “impaired” for nutrients.²⁶

The project would result in construction of three hoop houses, a waste enclosure and an ADA bathroom measuring 120 square feet. Minimal wastewater is anticipated from this operation, and irrigation run-off would be prevented from entering storm drains or wildlife protected areas and streams through BMPs.

Low Impact Development (LID)

Permit Sonoma requires the project applicant to implement LID, a site design strategy of Best Management Practices (BMPs) that mimics the pre-development site hydrology through features that promote storm water infiltration, interception, reuse, and evapotranspiration. LID techniques include use of small-scale landscape based BMPs, such as vegetated natural filters and bioretention areas (e.g., vegetated swales and raingardens) to treat and filter storm water runoff. LID also requires preservation and protection of sensitive environmental features, such as riparian buffers, wetlands, woodlands, steep slopes, native vegetation, valuable trees, flood plains, and permeable soils.

Runoff and Stormwater Control for cannabis cultivation is addressed in County Code Section 26-88-254(f)(20), which requires that any runoff containing sediment or other waste or by-products not be allowed to drain to the storm drain system, waterways, or adjacent lands. The applicant is required to prepare and implement a storm water management plan and an erosion and sediment control plan, including BMPs for erosion control during and after construction and to install permanent drainage and erosion control measures pursuant to Chapter 11. County Code Section 26-88-254(g)(9) requires that the applicant submit a wastewater management plan identifying the amount of wastewater to be generated and any excess irrigation and to identify proper management and disposal. Any excess irrigation water or effluent from cultivation activities is required to be directed to a sewer, septic, irrigation or bio-retention treatment system. If discharge to a septic system is proposed, an

²⁵ Sonoma County, General Plan 2020 Figure WR-1, Water Resources Watershed Boundaries

²⁶ State Water Resources Control Board. TMDL Integrated Report, 2014-2016. “303(d) List and 305(b) Report,” Accessed 12/4/2019
https://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2014_2016.shtml

evaluation by a qualified sanitary engineer demonstrating the system's capacity to handle the waste is required. All domestic waste for employees shall be disposed of in an on-site septic system demonstrated to have adequate capacity.

All cultivation operations are required to comply with the BMPs issued by the Agricultural Commissioner and to verify compliance with the Waste Discharge Requirements of the applicable RWQCB. Cannabis cultivation BMPs prescribed by the County Agriculture Commissioner include measures related to pesticide and fertilizer storage, pesticide use, fertilizer use, riparian protection, water use and storage, waste management erosion control and items related to indoor cultivation.

The proposed project must meet the requirements of the Sonoma County Storm Water Quality Ordinance, incorporate LID design strategies and BMPs, which would render potential impacts to hydrology and water quality as less than significant.

Significance Level: Less than Significant Impact

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

Comment:

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

According to EcoAtlas,²⁷ the project site is located within the Tomales-Drake Bays Hydraulic Region Cataloging Unit (HUC8), the Tomales Bay-Bodega Bay Watershed Region (HUC10) and the Estero Americano (HUC12).²⁸ The Groundwater Sustainability Agencies are currently developing Groundwater Sustainability Plans that must be completed by 2022 and would provide a regulatory framework for managing groundwater use. The County requires preparation of a groundwater study to assess impact of projects that include new groundwater use.

The nearest blue line stream is Ebabias Creek, which is located 1,280 feet west of the project site. A seasonal tributary joins Ebabias Creek south of the site's access road at Freestone Valley Ford Rd. The creek then connects with Estero Americano southwest of

²⁷ EcoAtlas. "Bay/Delta Ecoregion Map". www.ecoatlas.org accessed 10/7/2019

²⁸ EcoAtlas. "Bay/Delta Ecoregion Map". www.ecoatlas.org accessed 10/7/2019

Valley Ford. The primary water source for the project is three existing onsite wells.

The project has 13 water tanks onsite that hold up to 28,000 gallons (or 0.08 acre-feet). The applicant estimates that the cultivation and processing area would use 1,102,000 gallons (3.38 acre-feet) during each growing cycle. The project is unlikely to cause a decline in groundwater elevations or deplete groundwater resources over time. Domestic water uses from the existing wells would be negligible.

In order to reduce use of water resources, all cannabis projects are required to submit a Water Conservation Plan. A Water Conservation Plan for the building(s) shall be submitted for review and approval by Permit Sonoma. The Plan shall include all reasonably feasible measures to reduce water demand and enhance water resource recovery to the maximum extent feasible. Measures that must be evaluated include installation of ultra-low-flow fixtures, best available conservation technologies for all water uses, rainwater and stormwater collection systems, and graywater reuse. The approved Water Conservation Plan shall be implemented by the applicant/operator and verified by staff prior to issuance of the Use Permit Certificate or operation of the use.

Significance Level: Less than Significant Impact

- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which**
- i. would result in substantial erosion or siltation on- or off-site?**

Comment:

Construction activities associated with the proposed project are not anticipated to alter the existing drainage pattern of the site or area in a way that would result in downstream erosion and/or sedimentation. All construction activities are required to adhere to Sonoma County Code Sections 11-14-040 and 26-88-254 requiring that best management practices (BMPs) be incorporated in project activity to further control surface water runoff.

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

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

Significance Level: Less than Significant Impact

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

Comment:

There are no blue line streams on the project site and the parcel is not in the 100-year flood zone or Special Flood Hazard Area (SFHA) (i.e., the area that would be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year). These areas are depicted on the zoning maps with the F1- Flood Zone and F2 – Flood Plain Combining Zones (General Plan 2020 PS-1e).²⁹ The project proposes construction of a cannabis waste enclosure, an ADA restroom, and three temporary structures. Although the project would include a new impervious surface from the ADA restroom, it would be a small increase and would be offset by BMPs, resulting in a less than significant impact with regard to flooding on- or offsite.

Prior to building permit issuance, construction details for all post-construction storm water BMPs shall be submitted for review and approval by the Grading & Storm Water Section of Permit Sonoma. The construction plans shall be in substantial conformance with the conceptual plan reviewed at the planning permit stage. BMPs would prevent the alteration of site drainage or increase in surface runoff and avoid flooding. Project Low Impact Development techniques would include limiting impervious surfaces, and creation of storm water detainment areas. Post-construction stormwater BMPs include filtering, settling, or removing pollutants. In accordance with County Code Section 11-14-040, construction grading and drainage is required to be designed and constructed to maintain natural and existing drainage patterns and post-development stormwater runoff shall not exceed pre-development stormwater runoff.

Significance Level: Less than Significant Impact.

²⁹ Sonoma County. Permit Sonoma GIS, "Cannabis Site Evaluation," <http://sonomamap.maps.arcgis.com/apps/webappviewer/index.html?id=0b784d90045941798d780f288b6f7003> Accessed 11/25/19.

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

Comment:

As mentioned in 10.c.ii, the project would not exceed capacity of existing or planned stormwater drainage systems, and runoff would be reduced with implementation of BMPs. Permit Sonoma Grading and Stormwater Section staff reviewed the project referral and provided conditions of approval to ensure project compliance with the County Construction Grading and Drainage Ordinance (Zoning Code Chapter 11) and the Storm Water Quality Ordinance (Zoning Code Chapter 11A).

Storm water treatment BMPs would address the potential for water quality impacts and shall also address water quantity through storm water flow control BMPs. Storm water treatment BMPs shall be designed to treat storm events and associated runoff to the as the two-year 24-hour storm event, in accordance with County Standards.

Significance Level: Less than Significant Impact

iv. impede or redirect flood flows?

Comment:

There are no blue line streams on the project site and the parcel is not in the 100-year flood zone or Special Flood Hazard Area (SFHA)³⁰ (i.e., the area that would be inundated by the flood event having a one percent chance of being equaled or exceeded in any given year). Refer to responses 10.c.ii and 10.c.iii above for discussion of hydrological impacts.

Significance Level: Less than Significant Impact

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

Comment:

According to Sonoma General Plan Figure PS-1f,³¹ the project site is not located in an area that would be subject to flooding as a result of levee or dam failure. The project site is not located in a tsunami or seiche zone.

³⁰ Sonoma County. General Plan 2020 Public Safety Element. "Flood Hazard Areas Fig. PS-1e," <https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Public-Safety-Flood-Hazard-Areas/> accessed 5/20/20.

³¹ Sonoma County. General Plan 2020 Safety Element. "Dam Failure Inundation Hazard Areas, Figure PS-1f," <https://sonomacounty.ca.gov/WorkArea/DownloadAsset.aspx?id=2147542633> accessed 5/20/20.

Significance Level: No Impact

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

Comment:

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

The project site is not located in a priority groundwater basin as defined under the Sustainable Groundwater Management Act (SGMA). Though the project would not be subject to a sustainable groundwater plan, compliance with County requirements discussed in 10.a above would protect against groundwater depletion or use of groundwater in an unsustainable manner.

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

Significance Level: Less than Significant Impact

11. LAND USE AND PLANNING

Would the project:

a) Physically divide an established community?

Comment:

The project would not physically divide an established community and does not involve removal of a primary access route (such as a road or bridge) that could impair mobility within an established community or between a community and outlying areas. The project is surrounded by rural residences and open agricultural lands and would not impact the neighboring uses.

Significance Level: No Impact

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

Comment:

The project would not conflict with any applicable land use plan adopted for the purpose of avoiding or mitigating environmental effect, including the Sonoma County General Plan and Zoning Ordinance. The project site is not within a designated Biotic Resource area, Valley Oak Habit area, nor a Riparian Corridor.

Per the General Plan, the Land Extensive Agriculture (LEA) designation's purpose is to "enhance and protect lands best suited for permanent agricultural use and capable of relatively low production per acre of land; and to implement the provisions of the Land Extensive Agriculture land use category of the General Plan and the policies of the Agricultural Resources Element." The proposed project would be generally consistent with goals, policies, and objectives in the Sonoma County General Plan 2020 related to avoiding or mitigating an environmental effect, including:

- Protection against intensive development of lands constrained by natural hazards and proliferation of growth in areas where there are inadequate public services and infrastructure (Land Use Element 2.7- Natural Resource Land Use Policy): The project site is not constrained by steep slopes, biotic or scenic areas, poor soils or water, geologic hazards, or fire and flood prone areas. No new public services or infrastructure are needed to serve the project.
- Protection of Water Resources (Goal LU-8, Objective LU-8.1, Goal, Policy LU-8a): The project would be consistent with regulations pertaining to protecting the County's water resources and regulations designed to avoid long term declines in available groundwater resources or water quality.
- Preservation of biotic and scenic resources (Goal LU-10, Objective LU-10.1, Goal OSRC-2, Objective OSRC-2.1, Objective OSRC-2.2, Objective OSRC-2.3, Policy OSC-2d, Goal OSCR-3, Policy OSRC-3a, Policy OSRC-3b, Policy OSRC-3c, Goal OSRC-6, Objective OSRC-6.1, and Policy OSRC-6a): The project would be consistent with regulations pertaining to avoiding biotic resources and would also be largely consistent with regulations designed to maintain the scenic qualities of the area. (See Section 1 Aesthetics, for further discussion.)
- The Petaluma Dairy Belt Area Plan includes standards similar to policies OSRC-2d and Policy OSRC-3c.
- Night time lights and preservation of night time skies and visual character (Goal OSRC-4, Objective OSRC-4.1, Objective OSRC-4.2, Policy OSRC-4a, Policy OSRC-4b, and Policy OSRC-4c): The project would comply with County requirements pertaining to placement, shielding and light levels between sunset and sunrise.
- Renewable energy (Policy LU-11b, Goal OSRC-14, and Objective OSRC-14.2): The applicant would submit and maintain documentation that the operation utilizes 100% renewable energy sources purchased through PG&E, helping to increase energy conservation and efficiency.
- Wastewater (Policy LU-8a): The project would comply with regional waste discharge requirements and County regulations to minimize storm water, surface water and groundwater pollution.

- Noise (Goal NE-1): Project construction and operations, including cannabis cultivation and processing, would not exceed the general plan noise standards Table NE-2 (See Section 12 Noise, for further discussion).

The site is located in the Petaluma Dairy Belt Area Plan. “The Petaluma Dairy Belt area is located in south and southwestern Sonoma County along the Marin/Sonoma County boundary, from the Petaluma River on the east to the boundary of the Local Coastal Plan near the towns of Bodega and Valley Ford on the west.” The goals of the Dairy Belt Area Plan include: the preservation and enhancement and protection of agricultural resources, the preservation of the areas’ scenic beauty, the accommodation of the variety of rural lifestyles and the encouragement and development of an adequate transportation network to facilitate movement of agricultural products to the marketplace. The Petaluma Dairy Belt Area Plan includes broad goals and policies related to resource conservation (in particular, “*To identify natural resources that are of significant long-term social, economic, and environmental importance and to establish a comprehensive resource management program...*”)³² and open space, and includes standards to apply to projects in the area.

- The project would not be developed on a skyline, nor would any structure be proposed in a visual or scenic corridor, or unique biotic resource area.
- Minimum setbacks would be consistent with County Zoning Regulation sec. 26-88-254 (Cannabis Cultivation-Commercial): “*All structures used for indoor cultivation shall comply with the setbacks for the base zone and any applicable combining zone. Structures associated with cultivation shall not be located in the front yard setback area and shall be screened from public view. There shall be no exterior evidence of cultivation either within or outside the structure.*”

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

Significance Level: Less than Significant Impact

12. MINERAL RESOURCES

Would the project:

³² Sonoma County. Area and Specific Plans, Petaluma Dairy Belt Area Plan, p.13.
<https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/Area-and-Specific-Plans/Area-and-Specific-Plans/> Accessed 11/25/19.

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

Comment:

The project site is not located within a known mineral resource deposit area (Sonoma County Aggregate Resources Management Plan, as amended 2010).³³ Sonoma County has adopted the Aggregate Resources Management Plan that identifies aggregate resources of statewide or regional significance (areas classified as MRZ-2 by the State Geologist). The project site does not contain any active mines or known mineral resources that would require preservation and/or be impacted by the project.

Significance Level: No Impact

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

Comment:

The project site is not located within an area of locally important mineral resource recovery site and the site is not zoned MR (Mineral Resources). No locally important mineral resources are known to occur at the site.³⁴

Significance Level: No Impact

13. NOISE

Would the project result in:

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

Comment:

Noise may be defined as loud, unpleasant, or unwanted sound. The frequency (pitch), amplitude (intensity or loudness), and duration of noise all contribute to the effect on a listener, or receptor, and whether the receptor perceives the noise as objectionable, disturbing, or annoying. The decibel scale (dB) is a unit of measurement that indicates the relative amplitude of a sound. Sound levels in dB are calculated on a logarithmic basis. An

³³ Sonoma County. Aggregate Resources Management Plan. Designated In-stream Mining Areas. <https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/Aggregate-Resource-Management/Maps-and-Diagrams/> accessed 11/25/19.

³⁴ Sonoma County. Aggregate Resources Management Plan, Gualala River. Designated In-stream Mining Areas. <https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/Aggregate-Resource-Management/Maps-and-Diagrams/> accessed 11/25/2019

increase of 10 dB represents a tenfold increase in acoustic energy, while 20dBs is 100 times more intense, 30 dBs is 1,000 more intense, and so on. In general, there is a relationship between the subjective noisiness, or loudness of a sound, and its amplitude, or intensity, with each 10 dB increase in sound level perceived as approximately a doubling of loudness. There are several methods of charactering sound. The most common method is the “A-weighted sound level,” or dBA. This scale gives greater weight to the frequencies of sound to which the human ear is typically most sensitive. Thus, most environmental measurements are reported in dBA, meaning decibels on the A-scale.

The energy contained in a sound pressure wave dissipates and is absorbed by the surrounding environment as the sound wave spreads out and travels away from the noise generating source. Theoretically, the sound level of a point source attenuates, or decreases, by 6dB with each doubling of distance from a point, or stationary, source of sound, and 3 dB for each doubling of distance from a mobile source of sound. Sound levels are also affected by certain environmental factors, such as ground cover (asphalt vs. grass or trees), atmospheric absorption, and attenuation by barriers. When more than one-point source contributes to the sound pressure level at a receiver point, the overall sound level is determined by combining the contributions of each source. Decibels, however, are logarithmic units and cannot be directly added or subtracted together. Under the dB scale, a doubling of sound energy corresponds to a 3 dB increase in noise levels. For example, if one noise source produces a sound power level of 70 dB, two of the same sources would not produce 140 dB – rather, they would combine to produce 73dB.

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

Maximum Allowable Exterior Noise Exposures for Non-transportation Noise Sources^(A)		
Hourly Noise Metric, dBA^(B)	Daytime (7am to 10pm)	Nighttime (10pm to 7am)
L50 (30 minutes in any hour)	50	45
L25 (15 minutes in any hour)	55	50
L08 (4 minutes 48 seconds in any hour)	60	55
L02 (72 seconds in any hour)	65	60
Source: Sonoma County General Plan Noise Element Table NE-2		
(A) Pursuant to General Plan Policy NE-1C, the noise standards apply at the exterior property line of any adjacent noise sensitive land use.		

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

As discussed in the 2016 ND (p. 39), “Cannabis operations could cause potential noise impacts through preparation of land for outdoor cultivation, construction activities for associated structures, noise from onsite power generators, and road noise from related traffic.” Other potential sources of noise associated with cannabis operations can include fans circulation, ventilation, exhaust, etc.), blowers (heaters, etc.), and alarms (on equipment such as forklifts). County Code Section 26-88-254(g)(6) includes the following standard pertaining to cannabis: “Cultivation operations shall not exceed the General Plan Noise Standards table NE-2, measured in accordance with the Sonoma County Noise Guidelines.” In addition, the Code includes a provision that “the use of generators as a primary source of power shall be prohibited.”

A noise study was completed by Noise Monitoring Services in May 2020. The study concluded that the worst-case cannabis cultivation L50 noise levels at the nearest residential property lines are 36 dBA at property to east and 30 dB at property to west. The worst-case cannabis cultivation L2 noise levels at the nearest residential property lines are 45 dBA at property to east and 36 dB at property to west. These operational noise levels comply with the requirements of the Sonoma County General Plan Noise Element. The operational noise impacts are considered less than significant, and no noise mitigation measures are required at the site.³⁵

Significance Level: Less than Significant Impact

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

Comment:

According to the County 2016 Cannabis Ordinance Negative Declaration: “The nature of cannabis cultivation uses does not involve vibration or ground borne noises, except for potential impacts related to construction of related structures. These impacts would be from conventional construction equipment and would be short-term and temporary, limited to daytime hours. Some cannabis operations located in remote areas utilize power generators as the primary source of power, which can create noise impacts and expose people to excessive vibration and noise levels. The project does not propose using a backup generator for emergency power.

The proposed project would have a limited potential to generate excessive ground borne vibration and noise levels due to the limited potential for vibration-inducing activities and the setback requirements contained in County Code Section 26-88-254, which require

³⁵ Noise Monitoring Services. May 28, 2020. Noise Analysis Report for Cannabis Cultivation Operation at 1478 Freestone Valley Ford Road.

cultivation areas and structures (for cannabis cultivation, drying, trimming, etc.) to be located at least 100 feet from property lines, 300 feet from occupied residences and businesses, and 1,000 feet from schools, public parks, childcare centers, and alcohol and drug treatment facilities. These setbacks ensure ground-borne vibration levels dissipate before reaching any sensitive receptor locations.

Significance Level: Less than Significant Impact

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

Comment:

The project site is not within the Airport Referral Area as designated by the Sonoma County Comprehensive Airport Land Use Plan.³⁶ The project site is not within the vicinity of a private airstrip or within two miles of a public airport or public use airport. The project, therefore, would not expose people working in the project area to excessive noise levels.

Significance Level: No Impact

14. POPULATION AND HOUSING

Would the project:

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

Comment:

There are currently five structures on the site, which have been in existence since at least 2015. The main house is in the northeastern most portion of the property, which serves as the applicant's residence. Directly to the southwest of the house is a large garage, which was used for indoor cultivation. A guest house is approximately 120 feet south of the garage. There are two small sheds on the property which store agricultural supplies. The residential units would remain onsite and are not part of the current use permit application. The proposed project would not result in new permanent residents to the area which would induce substantial population growth in the area, either directly or indirectly.

³⁶ Sonoma County. "Sonoma County Airport Referral Area," <https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/Comprehensive-Airport-Land-Use/Sonoma-County-Airport/> accessed 10/4/19

Significance Level: Less Than Significant Impact

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

Comment:

No people would be displaced by the project and no replacement housing is proposed to be constructed. As addressed in section 14a, the proposed project site contains two existing residential structures and garage which would remain onsite. The residential structure is not affiliated with the proposed Use Permit application. The proposed project would not displace substantial numbers of existing housing necessitating the construction of replacement housing elsewhere.

Significance Level: Less Than Significant Impact

15. PUBLIC SERVICES

Would the project:

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

Comment:

Construction of the project would not involve substantial adverse physical impacts associated with provision of public facilities or services and the impact would be less than significant. No new housing is included within the project proposal. The project would employ six employees, and two would live onsite in the existing dwellings. The project would not necessitate or facilitate construction of new public facilities.

Significance Level: Less Than Significant Impact

i. Fire protection?

Comment:

The project would be located within the State Responsibility Area (SRA), under CalFire jurisdiction. The parcel is located in the Valley Ford Volunteer Fire Department. Because none of the conditions and/or standards require construction of new or expanded fire protection/emergency medical facilities, project impacts on fire protection/emergency medical services would be less than significant.

Significance Level: Less Than Significant Impact

ii. Police?

Comment:

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

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

Significance Level: Less Than Significant Impact

iii. Schools, parks, or other public facilities?

Comment:

Development fees to offset potential impacts to public services, including school impact mitigation fees, are required by Sonoma County Code and state law for new subdivisions and residential developments. The project does not include residential development and no new schools are reasonably foreseeable as a result. The project would not contribute to an increase in the need for expanded or additional schools, parks or other public facilities.

Significance Level: No Impact

iv. Parks?

Comment:

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

Significance Level: No Impact

v. Other public facilities?

Comment:

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

Significance Level: No Impact

16. RECREATION

Would the project:

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

Comment:

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

Significance Level: No Impact

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

Comment:

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

Significance Level: No Impact

17. TRANSPORTATION

Would the project:

- a) **Conflict with a program, plan, ordinance or policy addressing the circulation system,**

including transit, roadways, bicycle and pedestrian facilities?

Comment:

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

The project applicant submitted a “Cannabis Trip Generation” form as requested by the County. The project proposes a maximum of six employees with two employees living onsite. The Cannabis Trip Generation form ranges from 12-18 trips per day, with the greatest number of trips during September and October for harvest.

According to the County Maintained Road Postmile System Map, Freestone Valley Ford Road is a County Road.³⁷ Average daily traffic volume measured by the County along Freestone Valley Ford Road in the vicinity of the project site was 1,071 vehicles.³⁸ The nearest County maintained road is Freestone Valley Ford Road, which is a Class II Bikeway.³⁹ Using Google Street View, Freestone Valley Ford Road does not have bicycle or pedestrian facilities, and there are no paved shoulders on either road. The project does not propose any improvements to bicycle or pedestrian facilities, and the area is not served by public transit. The closest public transit stop is served by Sonoma County Transit in Sebastopol.

Significance Level: Less than Significant Impact

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

Comment:

Traffic impacts under CEQA have traditionally been assessed based on increases in intersection delay measured by Level of Service (LOS). However, with the passage of SB 743, transportation impacts under CEQA are now to be measured based on the vehicle

³⁷ Sonoma County General Plan, County Maintained Road Postmile System Map, Figure CT-4h. <https://sonomacounty.maps.arcgis.com/apps/webappviewer/index.html?id=e75eb5e4cb314249a6c78a0609146963> accessed 12/3/19

³⁸ Sonoma County Department of Transportation & Public Works, GIS Map of Traffic Surveys Sonoma County Department of Transportation & Public Works. “Traffic Surveys,” <https://www.arcgis.com/apps/webappviewer/index.html?id=5c2f8748449c4dcea7619b723d3463b1> accessed 12/3/19.

³⁹ Sonoma County General Plan, Roadway Classifications: Sebastopol and Environs, <https://sonomacounty.ca.gov/PRMD/Long-Range-Plans/General-Plan/Roadway-Classifications-Sebastopol-and-Environs/> accessed 12/3/19.

miles traveled (VMT) generated by a project (effective July 1, 2020).

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

The Cannabis Trip Generation form ranges from 12-18 trips per day, with the most trips during September and October for harvest, indicating a less than significant impact.

Significance Level: Less than Significant Impact

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

Comment:

The project would not increase hazards because it would not change the existing alignment of the roadway. There are no sharp curves or dangerous intersections along Valley Ford Freestone Road.

Significance Level: No Impact

d) Result in inadequate emergency access?

Comment:

Project development plans are required to be reviewed by a Fire Prevention and Hazardous Materials Division Fire Inspector during the building permit process to ensure compliance with emergency access issues. Also, see discussion in Section 9, Hazards and Hazardous Materials, which explains that as a matter of state law, the applicant would be required to submit a written Fire Safety and Evacuation Plan for Sonoma County Fire Prevention Division review and approval, prior to approval of a grading permit. The project does not propose destruction of roads or bridges.

Significance Level: Less than Significant Impact

e) Result in inadequate parking capacity?

Comment:

Sonoma County Code Section 26-86 includes no specific parking requirements for cannabis cultivation land uses; however, the project would not be open to the public, and six parking spots are proposed in the southwestern corner of the parcel.

Significance Level: Less than Significant Impact

18. TRIBAL CULTURAL RESOURCES

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California native American tribe, and that is:

- a) **i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5030.1(k), or ii) A resource determined by the lead agency. In its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

Comment:

A cultural resources records search results from the Northwest Information Center (CHRIS-NWIC), found that the proposed project area is located on a partially wooded hillslope in proximity to Ebabias Creek and to several other watercourses. Given the similarity of one or more of these environmental factors, there is a moderate potential for unrecorded Native American resources in the proposed project area.⁴⁰ A cultural resources study was not completed for the project.

Permit Sonoma staff referred the project application to eight Native American Tribes within Sonoma County. The Stewarts Point Rancheria Kashia Band of Pomo Indians identified that the project is located within the Aboriginal Territory. There were no other concerns.

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

⁴⁰ Northwest Information Center. County File Number UPC17-0069 / 1478 Valley Ford Freestone Road, Bodega / ASG North Bay, Inc. Email dated 11/27/19.

Significance Level: Less than Significant Impact

19. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

Comment:

The project would use the three existing onsite wells for water supply. As discussed in Section 10.a, Hydrology, the project would construct a septic system for wastewater disposal from the ADA restroom. This septic system would be required to meet County standards for wastewater disposal. The project would not contribute to the need for construction of new water or wastewater treatment facilities, other than construction of new septic systems.

Significance Level: Less Than Significant Impact

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

Comment:

As discussed throughout Section 10.a Hydrology and Water Quality, the project would use water from the three existing wells. The project is located within a Class 2 Groundwater Area, and a hydrogeologic report was not necessary. The project is unlikely to cause a decline in groundwater elevations or deplete groundwater resources over time. Domestic water uses from the existing wells would be negligible.

Significance Level: No Impact

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

Comment:

The project is proposing an additional septic system to serve the proposed ADA-compliant restroom. There is an existing septic system that serves the onsite residences. The proposed project would not be served by public wastewater and would not impact the capacity of public facilities.

Significance Level: No Impact

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

Comment:

Sonoma County has an existing waste management program that provides solid waste collection and disposal services for the entire County. The program can accommodate the permitted collection and disposal of the solid waste that would result from the proposed project. In addition, Section 26-88-254(g) of the County Code requires that a Waste Management Plan be prepared to address the storage, handling and disposal of all waste by-products of the cultivation and processing activities in compliance with the BMPs issued by the Agricultural Commissioner. This plan shall specify the volumes and types of waste generated, and the operational measures that are proposed to manage and dispose of or reuse the wastes. All garbage and refuse are required to be stored in non-absorbent, water-tight, vector-resistant, durable, easily cleanable, galvanized metal or heavy plastic containers with tight-fitting lids. No refuse container is allowed to be filled beyond the capacity to completely close the lid, and all garbage and refuse shall be properly disposed of within a week. All cannabis waste must also be properly stored and secured to prevent access from the public.

The applicant also proposes on-site green-waste composting. Standard conditions also require that the applicant submit a cannabis solid waste management plan with the compost and trash enclosure design to Sonoma County Environmental Health, Solid Waste/Cannabis programs and the Permit Sonoma Project Review Health Specialist for review and approval. No visually recognizable cannabis, nor materials that smell like cannabis shall be disposed of as ordinary refuse. All cannabis waste shall be ground, chipped or shredded as necessary and mixed with suitable materials and composted until it is no longer recognizable as cannabis by sight or smell. Waste containing cannabis must be made unusable and unrecognizable prior to leaving the licensed premises by grinding and incorporating the cannabis waste with the non-consumable solid wastes listed below, such that the resulting mixture is at least 50 percent non-cannabis waste: a. paper waste; b. cardboard waste; c. food waste; or other compostable oil waste; and other wastes approved by the County that would render the cannabis waste unusable and unrecognizable.

Significance Level: Less Than Significant Impact

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

Comment:

Sonoma County has access to adequate permitted landfill capacity to serve the proposed project. The project would not produce a substantial amount of solid waste.

Significance Level: No Impact

20. WILDFIRE

According to Cal Fire, the proposed project is located in a State Responsibility Area, with a Fire Hazard Severity Zone (FHSZ) designated as a Moderate. *Moderate Fire Hazard Severity Zones include: a) wildland areas of low fire frequency supporting modest fire behavior; and b) developed/urbanized areas with a very high density of non-burnable surfaces and low vegetation cover that is highly fragmented and low in flammability.*

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

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

Comment:

The proposed project is located in a State Responsibility Area, with a Fire Hazard Severity Zone (FHSZ) designated as "Moderate." Implementation of the project would not adversely impact the implementation of an emergency response or emergency evacuation plan.

The applicant would provide the Fire Department with a map of the property that includes the location of all fire-retardant supplies, entrances and exits, emergency vehicle turnouts, gas and electrical shutoffs, and any additional information that is required by the Fire Department. The project proposal includes a Fire Prevention Plan that states vegetation would be controlled by grazing horses and goats on the property. If required by the Sonoma County Fire Department, a vegetative firebreak of grasses and legumes would be constructed around all structures to prevent the spread of wildfire and to protect the interior of the structures from any fires outside. The firebreak would be maintained by applying fertilizer and natural pest control methods, as well as mowing, debris removal, pruning, and protecting the break from grazing. Annually, the break would be inspected for debris, drainage, and erosion control. The proposed project would not conflict with or impair an adopted emergency response plan or emergency evacuation plan.

Significance Level: Less than Significant Impact

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

Comment:

According to the Sonoma GIS tool the proposed project is located in a State Responsibility Area, with a Fire Hazard Severity Zone (FHSZ) designated as Moderate.⁴¹ In accordance with County Code Section 26-88-254(f)(16), the applicant is required to prepare and follow a fire prevention plan for construction and ongoing operations, including provisions for emergency vehicle access and turn-around, vegetation management, and fire break maintenance around all structures.

The County would implement suspending all outdoor cannabis operations on days where the air quality is affected by wildfire smoke and is rated “Unhealthy” on the Air Quality Index. Operation and construction at the site must conform with adopted State standards as determined and implemented by CalFire and Sonoma County Fire officials intended to reduce risk from wildfire impacts to less than significant. These fire safety standards ensure that all new development within the unincorporated area of the county will provide a basic level of fire protection around itself making it easier and safer for fire fighters to fight wildland and structure fires. Valley Ford is a sparsely populated rural area, and because few people would be onsite at any given time, and the above wildland fire reduction strategies listed above, impacts due to slope and prevailing winds and occupants would be less than significant.

Significance Level: Less than Significant Impact

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

Comment:

The proposed project is located in a State Responsibility Area, with a Fire Hazard Severity Zone (FHSZ) designated as Moderate.⁴² Currently, the project site is used as a cannabis operation under the Penalty Relief Program. The project would be required to comply with County standards for emergency access, minimum emergency water supply (on-site), fuel modification and defensible space, and sprinkler installation.

Operation of the proposed project would require maintenance of associated infrastructure; however, it would not exacerbate fire risk or result in temporary or ongoing impacts to the environment.

⁴¹ Sonoma County. Permit Sonoma GIS, “Cannabis Site Evaluation,” <http://sonomamap.maps.arcgis.com/apps/webappviewer/index.html?id=0b784d90045941798d780f288b6f7003> Accessed 12/15/19.

⁴² Sonoma County. Permit Sonoma GIS, “Cannabis Site Evaluation,” <http://sonomamap.maps.arcgis.com/apps/webappviewer/index.html?id=0b784d90045941798d780f288b6f7003> Accessed 12/15/19.

Significance Level: Less than Significant Impact

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

Comment:

The parcel has an average slope of approximately seven percent. The steepest slope in the outdoor cultivation area is approximately 11 percent. The parcel drains from the northeast to the southwest, and is situated on the hillside above Ebabias Creek, which flows from the northeast to the southwest, where it flows into the Estero Americana.

Based on the slopes and drainage patterns present at the site, the project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

Significance Level: Less than Significant Impact

21. MANDATORY FINDINGS OF SIGNIFICANCE

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

Comment:

Potential project impacts on special status plant and fish/wildlife species and habitat are addressed in Biological Resources Section 4. Because of the various vegetation and habitat communities found on site, there are potentially significant impacts to species in the project area. Implementation of **mitigation measures BIO-1 through BIO-4** would reduce these potential impacts to a less-than-significant level.

Significance Level: Less than Significant Impact

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

Comment:

Cumulative impacts were considered in each of the environmental topics evaluated in this Initial Study. No project impacts have been identified in this Initial Study that are individually limited but cumulatively considerable. The project would contribute to impacts related to biological resources, cultural resources and tribal cultural resources which may be cumulative off-site, but mitigations would reduce project impacts to less-than-significant levels.

See Section VIII. Other Related Projects for an outline of projects in the area.

Significance Level: Less than Significant Impact

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

Comment:

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

Significance Level: Less than Significant Impact

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