



**Planning Department**  
**168 North Edwards Street**  
**Post Office Drawer L**  
**Independence, California 93526**

Phone: (760) 878-0263  
FAX: (760) 872-2712  
E-Mail: [inyoplanning@inyocounty.us](mailto:inyoplanning@inyocounty.us)

**DRAFT MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT AND INITIAL STUDY**

**PROJECT TITLE: Conditional Use Permit (CUP) 2021-06/ Tree Farm**

**PROJECT LOCATION:** The proposed project site is located in the southeast corner of Inyo County, approximately two miles southwest of Sandy Valley, Nevada and 1 mile southwest of the state line. The proposed project is located on private land owned by Christopher Teutsch, with an Assessor's Parcel Number of 048-350-25.

**PROJECT DESCRIPTION:** The applicant is applying for a CUP to develop the property for commercial cannabis cultivation. This property has been previously used to grow cantaloupes and most of the agricultural infrastructure is existing and will be used for cannabis cultivation. Proposed new construction includes (1) 12,500 ft<sup>2</sup> building for drying and processing. CEQA analysis is required for CUPs in order for the Planning Commission to give final approval for the proposed cannabis cultivation. The proposed project site would cultivate cannabis on approximately 8.5 acres of the 40-acre parcel. The cultivation will be outdoor, and planted directly in the soil, using only organic products and methods. There will be (3) 108,900 ft<sup>2</sup> cultivation fields, (9) 2,160 ft<sup>2</sup> hoop houses, and (1) 780 ft<sup>2</sup> nursery. The cultivation will occur 300 feet back from each property line, per Inyo County Code. The entire cultivation areas have been previously disturbed, as a result of the previous agricultural uses, and two private residential dwelling units are located on the eastern property boundary.

**FINDINGS:**

- A. The proposed project is consistent with goals and objectives of the Inyo County General Plan.

*The goal of this project is to allow for a cannabis cultivation operation. The project is consistent with the General Plan designation of Agricultural (A) as it provides for the production of "food or fiber on a regular and sustained basis" with accompanying "agricultural processing facilities." The (A) General Plan designation is compatible with the existing Open-Space (OS-40) zoning designation. It is also compatible with the General Plan's Conservation and Open Space Element's Goal Agriculture (AG) 1.0: Provide and maintain a viable and diverse agriculture industry in Inyo County. The applicant is proposing to grow cannabis. This activity is consistent with Goal AG 1.0, as it provides for a more diverse agriculture industry than currently exists in the County.*

- B. The proposed project is consistent with the provisions of the Inyo County Zoning Ordinance.

*The proposed project is a CUP to allow for the commercial cultivation of cannabis. The OS-40 zone allows for commercial cannabis cultivation with a CUP, which is consistent with Inyo County's cannabis ordinance, adopted in February 2018 (ICC 18.78.360). The Open Space designation states that commercial cannabis cultivation shall be allowed as long as the project can meet a setback requirement of 300 feet, which this project does (ICC 18.12.040). This project will bring more agriculture activities to the county and is proposed to be conducted outdoors, using drip irrigation.*

Potential adverse environmental impacts will not exceed thresholds of significance, either individually or cumulatively.

*The proposed cannabis cultivation area is within the pre-disturbed areas and existing infrastructure on the property. The project proposes to cultivate approximately 8.5 acres of commercial cannabis. New disturbance includes (1) 12,500 ft<sup>2</sup> building for drying and processing. Any new disturbance will not remove any of the existing Mesquite thickets and bosques, which have been avoided by previous developments as well. The applicant is being encouraged to have the two historic can/refuse scatters identified in the cultural resource study appropriately recorded and submitted to the Eastern Information Center. Based on the information provided by the applicant, and staff review, Conditional Use Permit 2021-06/Tree Farm does not have the potential to cause environmental impacts that exceed thresholds of significance, either individually or cumulatively.*

- C. Based upon the environmental evaluation of the proposed project, the Planning Department finds that the project does not have the potential to create a significant adverse impact on flora or fauna; natural, scenic and historic resources; the local economy; public health, safety, and welfare. This constitutes a Mitigated Negative Finding for the Mandatory Findings required by Section 15065 of the CEQA Guidelines.

Mitigation will be built into the project, as conditions of approval for the proposed future cannabis cultivation use, in the following ways:

**Aesthetic:** The owner or his agent will adhere to Inyo County's General Plan Visual Resources requirement (VIS-1.6-Control of Light & Glare), which requires all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays, and billboards use low-energy, shielded light fixtures which direct light downward (i.e., lighting shall not emit higher than a horizontal level) and are fully shielded.


**Air Quality:** The owner or his agent will be required to follow best management practices to control for dust and odors & will consult with the Great Basin Air Pollution Control District to minimize potential air quality effects from the cannabis crop's VOC emissions (Terpenes).

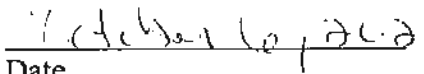
**Cultural:** Inyo County is recommending that the applicant submit the two historic can/refuse scatters identified in the cultural resource study to the Eastern Information Center (EIC) on Department of Recreation (DPR) Form 523, as stated in the Cultural Resource Assessment Report. If previously undocumented cultural resources are identified during earthmoving and ground disturbing construction activities for the Project, a qualified archaeologist shall be contacted to assess the nature and significance of the find. If necessary, construction activities shall be diverted from the discovery site.

**Biological:** Nesting Birds – If any vegetation removal activities occur between March 15 – September 15, A pre-construction survey will be conducted for nesting birds, no more than 3-days prior to construction, and submitted to the Planning Department. If active nests are found, a Nesting Bird Plan shall be prepared and implemented by a qualified avian biologist, per CDFW requirements, and any grubbing or vegetation removal shall occur outside peak breeding season.

The 30-day public & State agency review period for this Draft Mitigated Negative Declaration will expire on November 6, 2021. Inyo County is not required to respond to any comments received after this date.

Additional information is available from the Inyo County Planning Department. Please contact Project Planner Cathreen Richards if you have any questions regarding this project.

  
\_\_\_\_\_  
Cathreen Richards  
Planning Director, Inyo County Planning Department

  
\_\_\_\_\_  
Date

# INYO COUNTY PLANNING DEPARTMENT

## CEQA APPENDIX G: INITIAL STUDY & ENVIRONMENTAL CHECKLIST FORM

### EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a) the significance criteria or threshold, if any, used to evaluate each question; and
  - b) the mitigation measure identified, if any, to reduce the impact to less than significance issues.



**Planning Department  
168 North Edwards Street  
Post Office Drawer L  
Independence, California 93526**

**Phone: (760) 878-0263  
FAX: (760) 872-2712  
E-Mail: [inyoplanning@inyocounty.us](mailto:inyoplanning@inyocounty.us)**

## **INYO COUNTY PLANNING DEPARTMENT**

### **APPENDIX G: CEQA INITIAL STUDY & ENVIRONMENTAL CHECKLIST FORM**

**1. Project title: Conditional Use Permit (CUP) 2021-06/Tree Farm**

**2. Lead agency name and address: Inyo County Planning Department, 168 N. Edwards St., P.O. Drawer L, Independence, CA 93526**

**3. Contact person and phone number: Cathreen Richards, Planning Director, (760) 878-0263.**

**4. Project location: The proposed project site is located in the southeast corner of Inyo County, approximately two miles southwest of Sandy Valley, Nevada and 1 mile southwest of the state line. The proposed project is located on private land owned by Christopher Teutsch, with an Assessor's Parcel Number of 048-350-25.**

**5. Project sponsor's name and address: The Tree Farm (attn: Chris Teutsch), 800 Ekenberg Rd. Tecopa, CA 92389**

**6. General Plan designation: Agricultural (A).**

**7. Zoning: Open Space- 40-acre minimum (OS-40).**

**8. Description of project: The project proposes outdoor cultivation of approximately 8.5 acres of outdoor cannabis cultivation, with a 12,500 ft<sup>2</sup> processing building. The project site is located on one, privately owned, 40-acre parcel. The cultivation will be outdoor, and planted directly in the soil, using only organic products and methods. There will be (3) 108,900 ft<sup>2</sup> cultivation fields, (9) 2,160 ft<sup>2</sup> hoop houses, and (1) 780 ft<sup>2</sup> nursery. The cultivation will occur 300 feet back from each property line, per Inyo County Code. The entire cultivation areas have been previously disturbed, as a result of the previous agricultural uses, and two private residential dwelling units are located on the eastern property boundary.**

**9. Surrounding land uses and setting:**

The property is surrounded by a mix of undisturbed and previously disturbed desert scrub as well as active agriculture to the east. The closest residential uses are two houses, one ¼ mile to the northwest and the second ¼ mile to the southwest. The closest residential community is the scattered, low-density properties about 2 miles to the northeast in Sandy Valley, Nevada. The closest developed area is the community of Pahrump, Nevada, approximately 24 miles to the north.

<b>Location:</b>	<b>Use:</b>	<b>Gen. Plan Designation</b>	<b>Zoning</b>
West	Vacant (private)	Agricultural (A)	Open Space-40 acre minimum (OS-40)
North	Vacant (BLM)	Agricultural (A)	Open Space-40 acre minimum (OS-40)
East	Agriculture (center pivot)	Agricultural (A)	Open Space-40 acre minimum (OS-40)
South	Vacant (private)	Agricultural (A)	Open Space-40 acre minimum (OS-40)

**10. Other public agencies whose approval is required:** Inyo County Environmental Health Department, Inyo County Environmental Building and Safety, Inyo Mono Agricultural Commission, and the Inyo County Public Works Department.

**11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?**

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

*In compliance with AB 52, and Public Resource Code Section 21080.3.1(b), tribes identified as being local to Inyo County, were notified via a certified letter on August 30, 2021, about the project and the opportunity for consultation on this project. The tribes notified were as follows: the Twenty-Nine Palms Band of Mission Indians, the Big Pine Paiute Tribe, the Bishop Paiute Tribe, Cabazon Band of the Mission Indians, the Fort Independence Paiute Tribe, Lone Pine Paiute-Shoshone Tribe, the Timbisha Shoshone Tribe, and the Torres Martinez Desert Cahuilla Indians. No formal consultation has been requested.*

**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" as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics Resources	<input type="checkbox"/> Agriculture & Forestry	<input type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology /Soils
<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology / Water Quality	<input type="checkbox"/> Land Use / Planning
<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise	<input type="checkbox"/> Population / Housing
<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation/Traffic
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Mandatory Findings of Significance
	<input type="checkbox"/> Tribal Cultural Resources	

**DETERMINATION: (To be completed by the Lead Agency) 0238**

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

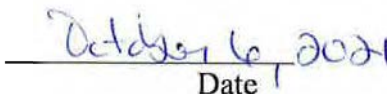
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Cathreen Richards, Planning Director  
Inyo County Planning Department

  
Date

# INYO COUNTY PLANNING DEPARTMENT ENVIRONMENTAL CHECKLIST FORM

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------------	---	------------------------------------	--------------

**I. AESTHETICS** -- Would the project:

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

*No, the proposed project is on land that has been previously used as a cantaloupe farm. The land was cleared of all botanical and wildlife prior to this permitted use. There are several other privately owned lots, within the vicinity, with similar agricultural uses, such as cannabis cultivation and alfalfa production. There are two residential houses within a 1/4 mile and the community of Sandy Valley, Nevada, is roughly 2miles away. Most viewer groups that might see the proposed cannabis cultivation site would be those transporting material to or from the project site. Neither the outdoor cultivation nor the processing building will affect these receptors. The closest highway is SR 160, approximately 12.5 miles to the north.*

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

*No, the proposed site will not impact scenic resources, as the land is surrounded by similar agricultural uses. The project area is characterized by tan colored soil with low-lying scrub and mesquite thickets that creates a stark homogenous desert landscape. Views of the hills located to the east will have less than significant impacts. It should also be noted that the hills located to the east are scarred with old roads and mines and do not offer significant scenic resources.*

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

*No, the cannabis field would be visible to other farming areas directly to the east, but the location and surrounding area of the proposed project are currently covered in desert scrub. Pertaining to the processing building, the applicant will be required to follow Inyo County General Plan Policy VIS-1.6 that requires ' all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays, and billboards to use low-energy, shielded light fixtures, which direct light downward (i.e., lighting shall not emit higher than a horizontal level) and which are fully shielded. There are no significant scenic resources in the area to impact; therefore, the proposed project will not substantially degrade the existing visual character or quality of the site or its surroundings.*

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

*The closest group of receptors to the project, who could potentially be affected are two residential houses within a 1/4 mile and the community of Sandy Valley, Nevada, is roughly 2miles away. The proposed project, being an outdoor cannabis field, may be visible from the residential neighbors but will not be visible from the community of Sandy Valley. The project will still be required to follow Inyo County's General Plan Visual Resources –VIS-1.6 Control of Light and Glare – which states that 'The County shall require that all outdoor light fixtures including street lighting, externally illuminated signs, advertising displays, and billboards use low-energy, shielded light fixtures which direct light downward (i.e., lighting shall not emit higher than a horizontal level) and which are fully shielded... '*

**II. 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 Dept. 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



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

*No, the project is not located on farmland as provided by the California Resources Agency.*

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

*No, there are no conflicts with zoning for agriculture nor will the project cause rezoning of Forest Land. There are no Williamson Act Contracts in Inyo County. The project is for the cultivation of cannabis products, a type of agricultural use.*

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

*No, the proposed project site does not include forest land or timber land.*

d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

*No, the proposed project site will not affect forested land or impact any land use designated for that purpose.*

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

*No, the proposed project site would not convert farmland to a non-agricultural use. The project is for the cultivation of cannabis plants, a type of agricultural use.*

**III. AIR QUALITY:** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------	-------------------------------------	--------------------------

*No, the project will not obstruct air quality plans in Inyo County or California and the project will be required to follow best practices for dust control and odors. Dust from the operations will be minimal and primarily from vehicle use. The project proponent shall work with the Great Basin Air Pollution Control District (GBAPCD) to design the operation in such a way as to minimize potential air quality effects from the cannabis crop's VOC emissions (Terpenes).*

b) Violate any air quality standard or contribute	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------	-------------------------------------	--------------------------

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

substantially to an existing or projected air quality violation?

*No, the proposed project will be in compliance with current air quality standards.*

c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

*No, there will be short-term construction equipment impacts from dust and exhaust emissions, but the GBAPCD considers these construction emissions to be less than significant. Although there are portions of Inyo County within non-attainment areas for Federal and State PM10 (particulate matter 10 microns or less in diameter) ambient air quality standards, the primary source for this pollution is the Owens dry lake, located approximately 130-miles northwest of the project site. The temporary nature of the construction and best practices for dust control and emissions being followed will cause the project to be less than significant.*

d) Expose sensitive receptors to substantial pollutant concentrations?

*No, existing sensitive receptors consist of a residential house ¼ mile to the northwest and the community of Sandy Valley, Nevada, is roughly 2miles away. There are no hospitals or other non-residence sensitive receptors in the area. The business operation is in a rural area where traffic volumes related to delivery and maintenance will be negligible.*

e) Create objectionable odors affecting a substantial number of people?

*No, the proposed project will not produce objectionable odors during the life of the operation. The project will naturally result in odors from cannabis cultivation, but these odors will be mitigated by the applicant through project design approved by the County Environmental Health Department and the GBAPCD, that uses best management practices and crop applications to lower odors to a less than significant effect for sensitive receptors living within 0.5 miles of the project area.*

**IV. BIOLOGICAL RESOURCES:** Would the project:

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

*A Biological Assessment Report was prepared by Geode Environmental Inc. (Geode Environmental, April 2021, <https://www.inyocounty.us/services/planning-department/current-projects>). This biological survey included a general biological resource assessment, a focused survey for Agassiz's desert tortoise, and a habitat assessment for burrowing owls. This report has been summarized below.*

*For a total of 8.5 hours, between 08:00 and 16:30 on March 9th, 2021, EdLaRue surveyed the site and adjacent areas. This entailed a survey of 27 transects, spaced at 10-meter (30-foot) intervals throughout vegetated portions of the parcel. Three specific areas were not surveyed, a ±6.5-acre "Recently-bladed" area; a ±32,000-ft2 "Fenced animal feedlot;" and the occupied residential area located on the east-central part of the site where native habitats have been eliminated. The ±19 acres of relatively intact saltbush scrub and even the ±3.4-acre "vacant, bladed lot" on the northeastern part of the site were surveyed. Based on the absence of signs of tortoise onsite and in adjacent areas, and available information reviewed for this habitat assessment, it is concluded that tortoises are absent from the subject property. As such, no impacts are anticipated and no mitigation measures are recommended."*

*Based on the field survey and habitat assessment, it is concluded that the following special status species reported from the region will not be adversely affected by site development: Amargosa beardtongue, Gilman's cymopterus, Ripley's aliciella, three-awned grama, Utah beardtongue, burrowing owl, and banded Gila monster. Those species either identified during the current survey or for which suitable habitats are present include Merlin, American badger, forked buckwheat, Goodding's phacelia, and Preuss' milk-vetch. Both Merlin and American badger are similar in that they are highly mobile, may continue to utilize adjacent areas, and will therefore not*

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

likely be affected by site development. The assessment indicates that there is some potential for the three plant species to be present. Their presence could be ascertained between late April and mid-May. However, the owner indicated that new development would only occur in areas already bladed and in existing greenhouses, so the need to perform additional surveys is not warranted if the saltbush scrub community is not developed. No adverse impacts have been identified and no mitigation measures are recommended for any of these species.

Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit the taking of all birds and their active nests, including raptors and other migratory nongame birds (As listed under the Migratory Bird Treaty Act). Typically, CDFW requires that vegetation not be removed from a project site between March 15 and September 15 to avoid impacts to nesting birds. If it is necessary to commence project construction, including any ground disturbance or vegetation removal, between March 15 and September 15, a qualified biologist shall survey all shrubs and structures within the project site for nesting birds, prior to project activities (including construction and/or site preparation).

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 Game or US Fish and Wildlife Service?

No, there is no identified riparian habitat on the project site based on the USFWS National Wetlands Inventory Mapping Tool, or in close proximity, that would be affected by the project.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No, there is no identified wetlands on the project site based on the USFWS National Wetlands Inventory Mapping Tool, or in close proximity, that would be affected by the project.

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?

Presence/Absence of species database searches were conducted with US Fish & Wildlife (ECOS), and the California Natural Diversity Database (CNNDDB). This research showed no special status fish or wildlife species, or migratory wildlife corridors, to be located in the project area, which was further verified by a biological survey (please see above) The proposed project site is bare ground or built structures with one new building being proposed. No impacts to critically listed plants or animals are expected.

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

No, the proposed project site is not within an area with special local policies or ordinances related to it.

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?

No, the proposed project does not conflict with any local, regional, or state habitat conservation plan.

**V. CULTURAL RESOURCES:** Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

Section 15064.5?

*No, the project will not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.*

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

*No, the project will not cause a substantial adverse change in the significance of an archaeological resource as defined in Section 15064.5. A Cultural Resource Assessment Report was prepared by Geode Environmental Inc. (Geode Environmental, July 2021, <https://www.inyocounty.us/services/planning-department/current-projects>). The cultural record search, along with historical USDA aerial photographs, indicate that the Project area has low sensitivity for buried historical archaeological features, but the intensive pedestrian survey resulted in the identification of two historic can/refuse scatters 20210603TJT-02 and -04. Inyo County is recommending that the applicant submit these sites to the Eastern Information Center (EIC) on Department of Recreation (DPR) Form 523, as stated in the Cultural Resource Assessment Report. Local tribes, and tribes that have notified Inyo County that County lands are within the geographic area that is traditionally and culturally associated with their tribe, were notified about this project through the request for Tribal Consultation process. Should any further archaeological or cultural resource be discovered on the site during any future development, work shall immediately desist and Inyo County staff immediately be notified per Chapter 9.52, Disturbance of Archaeological, Paleontological and Historical Features of the Inyo County Code. There have been no formal requests by the tribes for consultation on this project.*

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

*The proposed project is located on previously disturbed agricultural land. The proposed cannabis cultivation, would not excavate deeper than any previous operation, so no paleontological resources are expected to be affected. The likelihood of finding subsurface paleontological resources in Inyo County, in this southeast section, is not well known. The land consists of mostly flat-lying sediments, thus natural erosion cuts through the sediments but does not penetrate deeply except in major stream channels, so the prior existence of subsurface and at-depth fossils is not readily available. The proposed project property has no known paleontological resources, so the proposed project will not directly or indirectly destroy a unique paleontological resource.*

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

*The Sandy Valley ranks low in buried resource sensitivity. No known human remains or burial sites are on the property. Refer to the response to V b) for the potential for archaeological resources. While unlikely, human remains are a potential archaeological resource, and will be handled similar to other archaeological resources, as outlined in V b).*

**VI. GEOLOGY AND SOILS:** Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

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.

*There are no faults or fault zones identified in the area per the Alquist-Priolo maps as produced by the CA Division of Mines and Geology.*

ii) Strong seismic ground shaking?

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

*Because no active or potentially active faults are mapped or known to occur within the vicinity of the Sandy Valley project area, ground rupture hazards are low and associated potential impacts are less than significant.*

iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

*Potential ground failure remains low in areas of exposed or shallow bedrock. Seismic-related failure is not expected at the proposed project location.*

iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
-----------------	--------------------------	--------------------------	--------------------------	-------------------------------------

*The project area exhibit primarily level topography, with the proposed facility built on a slope of less than five percent. Steeper natural or manufactured slopes subject to landslides and other types of slope failure are not expected to occur within the project area.*

b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

*The proposed project will result in the disturbance of soil for cannabis cultivation. The presence of crops and drip irrigation of the soil will help to reduce the loss of topsoil or erosion.*

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	--------------------------	-------------------------------------	--------------------------

*No, the project properties are not located on a geologic unit or soil that is unstable.*

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

*No, the proposed project is not located in an area with a known expansive soil type.*

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	--------------------------	-------------------------------------	--------------------------

*The applicant has an existing septic system associated with the existing residential structure. Inyo County Environmental Health has reviewed the project and has recommended that if they intend to add additional bathrooms they should install an appropriately sized separate septic system. Both septic tanks will be clear of any above-ground vehicle parking, per Inyo County Environmental Health Department requirements. No impacts to soils are expected from waste disposal. The recommendations from the County Environmental Health Department will be included as conditions of approval for the project.*

**VII. GREENHOUSE GAS EMISSIONS:**

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------	-------------------------------------	--------------------------

*No, the proposed project will not generate greenhouse gas emissions that will have a significant impact. Temporary farm-operation-related emissions may occur (the use of heavy equipment for maintenance or shipment of crop material to and from the site), but this will not significantly impact the environment.*

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

*No, the proposed project will not cause conflicts with a plan, policy or regulation adopted for the purpose of reducing greenhouse gasses.*

**VIII. 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?

*No, the proposed project will produce a small amount of waste associated with plant refuse material. Only organic fertilizers and nutrients will be used on the plants. Natural pesticides such as Neem oil, essential oils of peppermint, thyme and rosemary, pyganic, and Dr. Bronners Soap will be used as needed to treat pest infestations. No effects on public or environmental health are expected from this project. The applicant shall also comply with the Inyo County Environmental Health Department's regulations regarding composting and waste handling.*

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?

*No, the nature of the proposed project will not create significant hazards to either the public or the environment. The applicant will only be using organic products and will not use any synthetic materials, pesticides, or fertilizers in their cultivation practices. All of their integrated pest management practices are also organic. The fertilizers used are not hazardous to human health and they do not have any significant hazardous materials or chemicals besides isopropyl alcohol in small quantities for sanitation.*

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

*No, the proposed project is not within one-quarter mile of an existing or proposed school, nor will it emit hazardous emissions, or handle acutely hazardous materials, substances or waste.*

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?

*No, the proposed project is not located on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. There are no DTSC sites mapped within or adjacent to the project area and no additional sites are identified in the site vicinity on Geotracker and EnviroStor databases.*

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 for people residing or working in the project area?

*The project is not located within an airport land use plan or near a public airport.*

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

*No, the proposed project is not located in the vicinity of a private airstrip and poses no danger to anyone working at the proposed project site.*

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

*No, the proposed project will not physically interfere with an adopted emergency plan or emergency evacuation plan.*

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

*No, the risk of loss, injury, and death involving wildland fires are minimal from this project. Fire risks are moderate at the project site, and no areas in proximity can be considered urbanized. The land surrounding the project site is sparsely vegetated with desert scrub. While a handful of residences are in proximity, the desert scrub is a lower hazard than most wildland habitats, and the proposed project does little to add to the wildfire risk in the area. Future development of the site will be subject to the California Building Standards which include Wildland-Urban Interface building requirements as well as requirements for a defensible space around any development. The risk of loss, injury or death involving wildland fires is less than significant at this site, and any potential risk is further mitigated by compliance with California Building Standards.*

**IX. HYDROLOGY AND WATER QUALITY:** Would the project:

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------	-------------------------------------	--------------------------

*No, the project will not violate any water quality standards or waste discharge requirements. The applicant will plant directly into the ground and use drip irrigation to water the plants with little to no runoff expected. There are no streams or water bodies nearby and sanitary discharge will utilize the existing septic system.*

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------	-------------------------------------	--------------------------

*No, the proposed project is located in the Mesquite Valley Groundwater Basin, which is ranked "very low" priority under the Sustainable Groundwater Management Act. Ground water pumping will occur at the facility using the pre-existing well, and a 25,000 gallon above ground storage tank and the water use (with drip irrigation) will be similar to previous agricultural endeavors. Irrigation water runoff will be captured and reused on the crop. The applicant will continue to work with the California Water Resources Control Board to obtain the appropriate permissions for cannabis cultivation.*

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

*No, drainage patterns will be altered by this project.*

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

*No, potential impacts related to flood hazards for the area are less than significant.*

e) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

*No, the project is not anticipated to generate substantial additional surface flows. Impacts related to the capacity of existing or planned storm drain systems are expected to be less than significant. Drip and or pivot irrigation will ensure that there is enough stormwater drainage capacity and a minimal amount of runoff.*

f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------	-------------------------------------	--------------------------

*No, there are no potential impacts to water quality.*

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

*No, the proposed project is not in a 100-year flood hazard area.*

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

*No, the project is not in a 100-year flood hazard area.*

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

*No, the proposed project site is not in an area subject to flooding due to the failure of a levee or dam. Average annual rainfall in this area is 6-inches.*

j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

*No, the proposed project site is not in an area subject to seiches, tsunamis, or mudflows.*

**X. LAND USE AND PLANNING:** Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

*No, the proposed project does not physically divide an established community.*

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

*No, the applicant is requesting a conditional use permit to grow cannabis, which is required by the County's zoning code. The project site is located in the Open Space Zone and Agricultural General Plan designation, which allows for cannabis cultivation, as a conditional use, following approval by the Inyo County Planning Commission.*

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

*No, the proposed project will not conflict with any habitat conservation plan or natural community conservation plan. The project site is located on a previously disturbed area used for agricultural purposes.*



Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------------	---	------------------------------------	--------------

**XI. MINERAL RESOURCES:** Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

*No, the project makes use of underdeveloped land and no known mineral resources are located on it. No extraction of mineral resources is being foregone by this project.*

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

*There are no locally-important mineral resources being foregone as a result of this project.*

**XII. NOISE:** Would the project result in the:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

*No, there will be some temporary construction noise related to one 12,500 square foot drying and curing processing building proposed. This project is located in a rural part of the county surrounded by similar agricultural uses. The Occupational Safety and Health Administration (OSHA) allows for decibels of 90 for an 8 hour day and 100 for a limit of 2 hours. Effects to sensitive receptors will be minimized with construction during daytime business hours.*

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

*No, exposure to noise levels will be primarily airborne, and groundborne vibrations if any would be brief.*

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

*No, noise levels will be minimal due to the nature of the project. Ambient noise produced from trucks going to and from the facility will not likely be detected by local receptors, and will not exceed pre-existing traffic noise already in the vicinity. Noise from maintenance will be minimal and infrequent.*

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

*No, noise levels at their maximum, created by the proposed project, will not substantively increase the noise levels already found in the vicinity. The nature of the noise will most likely be from transport and maintenance vehicles or farming equipment.*

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 expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

*No, the proposed project is not located within an airport land use plan, or within 2-miles of a public airport.*

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	--------------------------	--------------------------	-------------------------------------

*No, the proposed project is not within the vicinity of a private airstrip.*

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

**XIII. POPULATION AND HOUSING** -- Would the project:

a) Induce substantial 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)?

*The proposed project is not likely to induce population growth. The applicant has stated that they will be employing local residence with long-term, higher-paying employment options.*

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

*No, the proposed project will not displace existing housing or create a situation where replacement housing will be necessary. It is in a rural area with sparse residential development.*

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

*No, the proposed project will not displace people, or create a situation where replacement housing will be necessary. It is in a rural area with sparse residential development and this project will provide more local employment opportunities.*

**XIV. PUBLIC SERVICES:** Would the project:

a) 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:

Fire protection?

*No, the facility will maintain best practices with regard to fire safety and will meet building code standards. Smoke detectors will be installed throughout the facility in all areas legally required and will be connected to the alarm system and this system will be tested on a regular basis. Due to the rural nature of the area the applicant also has the ability to contain or eliminate any fire that may occur. An onsite portable water trailer is filled for emergency use with a fire hose available and there is also a 25,000 gallon above ground water storage that can be utilized if needed.*

Police protection?

*No new police protection services will be required because of this project. All employees will complete security training prior to starting employment. The applicant will install a security alarm system around the perimeter of the facility in compliance with The Company's intrusion detection system consisting of an exterior surveillance system, and motion detectors, and night vision. The video surveillance system will work in tandem with the motion detectors to identify unauthorized access to the facility.*

Schools?

*No new school service will be required because of this project.*

Parks?

*No new parks will be required because of this project.*

Other public facilities?

*No, the proposed project will not create a need for additional public services.*

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

**XV. RECREATION:** Would the project:

a) 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?

*No, the proposed project will not increase the use of existing recreational facilities. No portion of this project anticipates any change in the level of service required.*

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?

*No, the proposed project does not include, nor will it cause, a need for an increase in parks or other recreational facilities that might have an adverse physical effect on the environment.*

**XVI. TRANSPORTATION/TRAFFIC** -- Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

*No, the proposed project will not cause a significant increase in the existing traffic load. The project is approximately 12.5 miles from Nevada SR 160, accessed via local roads (W Nickel Ave, and Long Rd). The occasional distribution and delivery trucks, and staff vehicles entering and exiting the project, will not put an undue burden on the existing transportation facilities.*

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

*No, the LOS on the county's roads should not be affected individually or cumulatively by the proposed project. The proposed project will not result in an increase in traffic that would impact the level of service for either Nevada SR-160 or local roads in proximity to Sandy Valley, Nevada.*

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

*No, the proposed project will not result in changes to air traffic patterns or increased traffic that could result in substantial safety risks.*

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

*The proposed project will not result in any design features for transportation that increase any hazard. Autos and trucks will be accommodated at an onsite parking lot.*

e) Result in inadequate emergency access?

*No, access to the facility is provided by the development's existing streets. At no time shall staff, visitors, vendors, or contractors park in such a way as to hinder emergency access.*

f) Result in inadequate parking capacity?

*The Cannabis Ordinance requires that the project's applicant provide for the parking needs of the facility on-site, which have been shown on their site plan.*

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

*No, the proposed project will not significantly increase traffic, and therefore, will not affect public transit, bicycle, or pedestrian facilities. Because of the extremely remote nature of the project location, few alternative transportation opportunities exist, but those that do would be unchanged by this project.*

**XVII. TRIBAL CULTURAL RESOURCES -- Would the project:**

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

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

*No, the project will not cause a substantial adverse change in the significance of an archaeological resource as defined in Section 15064.5. A Cultural Resource Assessment Report was prepared by Geode Environmental Inc. (Geode Environmental, July 2021, <https://www.inyocounty.us/services/planning-department/current-projects>). The cultural record search, along with historical USDA aerial photographs, indicate that the project area has low sensitivity for buried historical archaeological features and that no previous studies have been completed within one-half mile of the project area, and no cultural resources were located within one-half mile of the project area. The pedestrian survey found two isolates of lithic flakes and shatter. Such isolated finds are not classified as prehistoric archaeological sites and hence do not need further evaluation or mitigation. If any archaeological or cultural resources are discovered on the site, work shall stop and Inyo County staff shall be immediately notified per Chapter 9.52, Disturbance of Archaeological, Paleontological, and Historical Features of the Inyo County Code.*

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

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

*No, the proposed project does not encompass a resource determined by the lead agency to be significant pursuant to criteria set forth in subdivision (c) of the Public Resource Code section 5024.1. See also the response to XVII a)*

**XVIII UTILITIES AND SERVICE SYSTEMS --**

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

*No, the proposed project will be built in conformity to the standards set by the Inyo County Department of Environmental Health, as well as the Lahontan Regional Water Quality Control Board.*

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

*No, the proposed project would not result in the construction of new or expanded water or wastewater treatment facilities. Water will be obtained from an on-site well. Waste water will be addressed by an on-site septic system. Inyo County Environmental Health has*

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

*reviewed the project and has recommended that if they intend to add additional bathrooms they should install an appropriately sized separate septic system. Power is provided to the property by Southern California Edison.*

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

*No, the proposed project will not require new or expanded storm water drainage facilities.*

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

*All necessary water for the project will be pumped from an existing groundwater well on site. The proposed Conditional Use Permit will not result in a need for new entitlements of water resources. The proposed cultivation will use an estimated 4.4-acre feet per year. Current principal uses for the project site, under the County's "Open Space" designation, includes more water-intensive land uses [such as "farms and ranches for orchards, vineyards, field and truck crops, nurseries, greenhouses, vegetables, flower gardening and other enterprises carried on in the general field of agriculture," (ICC section 18.12.020)] than is currently being proposed. Projects that could be approved under conditional use, with Planning Commission approval, include "feed lots, dairies or commercial ranches for the raising of poultry, pigs, goats or rabbits," (ICC section 18.12.040). Such land uses would require a greater water load than would the planned cannabis farm.*

e) 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?

*No, the proposed project's wastewater treatment will not unduly burden the commitments of any potential treatment provider. Wastewater disposal will utilize an onsite septic tank & leech field to accommodate the project's sewage. Inyo County Environmental Health has reviewed the project and has recommended that if they intend to add additional bathrooms they should install an appropriately sized separate septic system. The project is being conditioned with the Environmental Health Department's recommendation.*

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

*The proposed project will not create a need for additional solid waste capacity. Solid waste needs for the project will be minimal. Most of the volume of solid waste will be biomass refuse. Cannabis waste that is awaiting disposal will be kept in a secured locked area within the facility. Cannabis non-compostable plant and product waste will be rendered unusable by grinding and incorporating the waste with other ground materials waste, cardboard waste, soil, or wastes approved by State and federal law. Once rendered unusable the mixed waste will be disposed of by sending it to a landfill.*

g) Comply with federal, state, and local statutes and regulations related to solid waste?

*The proposed project and any future development will comply with Inyo County's solid waste standards, as required by the Inyo County Department of Environmental Health.*

**XIX. MANDATORY FINDINGS OF SIGNIFICANCE:**

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

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

or animal or eliminate important examples of the major periods of California history or prehistory?

*No, the project will not impact or degrade the quality of the environment. Impacts to resources on the project area can be mitigated to less than significant impacts. Mitigation measures will be written into the Conditions of Approval for the permit & include the following: the operator shall follow the County's visual policy related to light and glare; a septic tank and leech field shall accommodate any additional sewage needs for the project, per Inyo County Environmental Health Department requirements; the applicant shall work with the Great Basin Air Pollution Control District (GBAPCD) to design the operation in such a way as to minimize potential air quality effects from the cannabis crop's VOC emissions (Terpenes); Inyo County is recommending that the applicant submit the two historic can/refuse scatters identified in the cultural resource study to the Eastern Information Center (EIC) on Department of Recreation (DPR) Form 523, as stated in the Cultural Resource Assessment Report; and if any vegetation removal activities occur between March 15 - September 15, A pre-construction survey shall be conducted for nesting birds, no more than 3-days prior to construction, and submitted to the Planning Department. If active nests are found, a Nesting Bird Plan shall be prepared and implemented by a qualified avian biologist, per CDFW requirements, and any grubbing or vegetation removal shall occur outside peak breeding season.*

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)?

*No, the proposed project does not have impacts that are individually limited, but cumulatively considerable. Due to the sparseness of the natural environment and previous disturbance on the parcel (cantalope farm), this location is well suited for the proposed cannabis cultivation.*

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

*No, the proposed project has no known environmental effects which will cause substantial adverse effects on human beings either directly or indirectly. The proposed project would not adversely impact the residential area in Sandy Valley, Nevada.*