INITIAL STUDY
PROPOSED MITIGATED NEGATIVE DECLARATION

PANTHEON GROUP COMMERCIAL CANNABIS CULTIVATION, NON-VOLATILE MANUFACTURING AND DISTRIBUTION FACILITY
3990 BROADWAY
EUREKA, CALIFORNIA

Prepared for:

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3990 Broadway
Eureka, California

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Appendices

CHAPTER 1.0 – INTRODUCTION

1.1 Project Title: Pantheon Group Commercial Cannabis Cultivation, Non-Volatile Manufacturing, and Distribution Facility

1.2 Lead Agency:
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1.5 Project Applicant: Pantheon Group

Project Nos: CDP-20-0002; CUP-20-0002 and MUP-20-0004; and, ED-21-0001

1.6 Project Location:
3990 Broadway
Eureka, California
APN: 019-241-002

1.7 Zoning Designations: CS (Service Commercial) and NR (Natural Resources)

1.8 General Plan Designations: GSC (General Service Commercial) and NR (Natural Resources)

CHAPTER 2.0 – PROJECT DESCRIPTION

2.1 Project Location and Current Use

The project site is located at 3990 Broadway, in the southwestern portion of the City of Eureka, California (Figure 1 Location Map, Appendix A), and consists of one approximately 3.94-acre parcel of land designated as Humboldt County Assessor's Parcel Number (APN) 019-241-002. The project site property is accessed via two entrance driveways off Broadway which are shown on Sheet A in Appendix B; Figure 2 (Appendix A) shows general property features and approximate property parcel boundaries. The project site is developed with nine commercial buildings, identified as Buildings A through I as shown on the attached Sheet A. Current building tenants and approximate square footage of each commercial space is as shown in Table A below.

Table A

Building ID	Tenant	Square Footage (ft^2)
A	The Pantheon Group (proposed improvements for two separate and licensed cultivation areas and one nursery area)	6,133 (1st floor) 5,015 (2nd floor)
B	The Pantheon Group (proposed improvements for manufacturing & distribution)	3,188
B	Time & Tide Marine, LLC	2,720
C	Humboldt Dyno & Blast, LLC	3,044
D	Humboldt Motorsports, LLC	2,800
E	Neil's Custom Sound, LLC	2,800
F	Ellsworth Performance, LLC	3,696
G	Humboldt Motorsports, LLC	10,320
H	Humboldt Motorsports, LLC Lost Coast Science, LLC Verum Printing, LLC 960 Design, LLC Humboldt Healing, LLC JD Bar, LLC	16,380 (12,420 1st floor) (3,960 2nd floor)
I	Lost Coast Roast LLC	507

Those areas of the project site not covered with buildings consist primarily of asphalt and concrete surfaces, with the exception of the southwestern corner of the property which contains a dirt track, and landscaped planter strips adjacent to Broadway and adjoining the front of Building H.

2.2 Surrounding Land Uses and Environmental Setting

The project site is located within an incorporated area of the City of Eureka developed primarily with commercial and light industrial zoned properties (Figure 3, Appendix A). The property is surrounded by industrial / commercial properties to the north, Broadway (Highway 101) to the east, a commercial gasoline retail station to the southeast, a former

bulk fueling plant to the south, and Northwestern Pacific Railroad (NWPR) Right-of Way to the west. The project site's western boundary is approximately 450 feet east of the North Bay Channel of Humboldt Bay and mouth of the Elk River. The nearest surface water body is a freshwater wetland located approximately 150 feet to the south of Buildings A and B (Figure 5, Appendix A). An unnamed drainage ditch is located along the NWPR Right-of Way bordering the western property boundary, approximately 225 feet to the west of Building A.

Topography at the project site is relatively flat, with a gentle slope towards the west. The project site's approximate surface elevations range from six feet above mean sea level (msl) near the western property boundary to 12 feet above msl near the eastern property extents adjacent to Broadway. Buildings A and B are situated at surface elevations of approximately six to eight feet above msl. According to the City of Eureka GIS Web Portal, the approximate western third of the project site is located within a Special Flood Hazard Area (SFHA). A small portion of the northwestern corner of Building A is indicated to be located within the SFHA as shown on the attached Sheet A-4 in Appendix B.

The project site has undergone numerous geologic and hydrogeologic characterizations as part of environmental investigations with further details regarding the environmental investigations being described in Section 4.9 "Hazards and Hazardous Materials". The depositional environment of the project site is an overlapping stratigraphy of alluvial deposits and bay sediments which created a complex hydrogeologic environment. Previous environmental investigations at the project site have identified shallow sediments which range from poorly graded fine grain material to coarse-grained material underlying a layer of imported fill.

Groundwater conditions at the project site are well defined and have been monitored for 13 years (beginning in 2005 pursuant to regulatory requirements as part of past environmental investigative activities related to two former underground fuel storage tanks (USTs), three former septic tanks and associated leach lines, a former in-ground hydraulic hoist, a former filter wash drain, a former sedimentation flume, two former hydraulic presses, a former oil/water separator and a former sedimentation pond. Environmental investigative activities were conducted under the direction of the North Coast Regional Water Quality Control Board (NCRWQCB). These former subsurface structures are shown on the attached Figure 2 in Appendix C which was excerpted from a previously published report associated with the historical Cleanup Program Site (CPS) investigation. The soil underlying the site has been logged as being native organic soils underlain by intermittent poorly graded sands with silts, clays, and gravels. This native material is overlain by several feet of fill across the majority of the site. The potentiometric surface elevation (i.e., slope and direction of groundwater flow) appears to be contiguous with the section of fill. The groundwater flow direction at the project site has been calculated to flow to the west towards Humboldt Bay, with depth to groundwater ranging from approximately five to 15 feet below ground surface (bgs).

2.3 Background and History

The project site was undeveloped vacant land until approximately the early 1950s when it was developed for use as a truck and heavy equipment repair and sales facility which continued until approximately 2008. The project site has been in use for retail sales of on- and off-road vehicles by Humboldt Motorsports from 2008 to the present. In addition, the project site is currently occupied by various other commercial businesses as shown in Table A above.

The project site has undergone numerous environmental investigations regulated by the NCRWQCB related to contamination of soil and groundwater from two former leaking USTs, and a cleanup under the CPS program related to three former septic tanks and associated leach lines, a former in-ground hydraulic hoist, a former filter wash drain, a former sedimentation flume, two former hydraulic presses, a former oil/water separator and a former sedimentation pond. The UST investigation was initiated in September 2004 and assigned the case number 1THU908 by the NCRWQCB. The UST case was subsequently closed on November 11, 2013, under the State Water Resources Control Board's (SWRCB) Low-Threat Underground Storage Tank Closure Policy (LTCP). A copy of the NCRWQCB's November 4, 2013, No Further Action Letter is included in Appendix C.

The CPS investigation, with NCRWQCB case number 1NHU908, began with investigation of contamination related to non-UST sources in 2010, and was closed by NCRWQCB regulatory letter dated June 8, 2021, a copy of which is included in Appendix C. All available documentation regarding the UST and CPS cases are available on the State Water Recourse Control Board's GeoTracker website. Detailed information regarding past environmental investigative and remedial activities at the project site are included in Section 4.9 "Hazards and Hazardous Materials" of this document. A Soil and Groundwater Management Plan (SGMP) is in place which details worker safety and special handling requirements of impacted soil and groundwater at the site if these materials are encountered during ground disturbing activities. The SGMP will be implemented for all construction activities that involve soil disturbance for the Project.

2.4 Land Use Designation and Zoning

Land Use Designations for the project site are General Service Commercial (GSC) and Natural Resources (NR). The project site is currently zoned Service Commercial (CS), with a small portion of the northwestern extents of the property zoned Natural Resources (NR) (refer to Figure 3). The Project will be entirely located on those portions of the project site zoned CS with a GSC land use designation.

2.5 Project Permitting

The project site is located within the California Coastal Zone. Eureka Municipal Code (EMC) for the Coastal Zone §10-5.29130 et seq. and 10-5.3007 provides that, within the CS zone, 5,000 square feet of indoor cannabis cultivation is a conditionally permitted use, distribution of cannabis on-site with or without transportation is a principally permitted use; and, non-volatile manufacturing, 5,000 square feet or less of manufacturing area, requires a Minor Use Permit. All use permits are required to obtain a Coastal Development Permit

per EMC § 10-5.2401(c). Through the City of Eureka's (adopted and certified) Local Coastal Program the City of Eureka has primary permitting authority over the project site which is appealable to the California Coastal Commission. The Pantheon Group is seeking a Conditional Use Permit (CUP-20-0002) for two separate cultivation areas/licenses, a Minor Use Permit (MUP-20-0004) for non-volatile manufacturing, and Coastal Development Permit (CDP-20-0002).

Use Permit Summary
The proposed cannabis uses for the Project under the Conditional Use Permit (CUP-20-0002) is Cannabis Cultivation (5,000 square feet or less of cultivation area), and under the Minor Use Permit (MUP-20-0004) is Non-volatile Manufacturing (5,000 square feet or less of manufacturing floor area).

Cultivation and Nursery
The applicant proposes two commercial cannabis cultivation areas and one nursery area (one License per floor), each totaling 5,000 square feet or less, and identified as "License 1 and License 2" on Sheets A-2 and A-3, respectively (Appendix B). License 1, as identified on Sheets A-2 and A-3 will include a propagation area to "step-up" clones outsourced from other licensed nurseries. License 2 as identified on Sheets A-2 and A-3 will receive "stepped-up" clones from License 1 via a METRC transfer.

The State of California Code of Regulations, Title 3, Division 8, Chapter One (Cannabis Cultivation Program) defines Cultivation as "any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis." Nursery is defined as "all activities associated with producing clones, immature plants, seeds, and other agricultural products used specifically for the propagation and cultivation of cannabis." EMC §10-.5.3003.2(d) defines Cultivation as follows: "Cultivation" shall mean the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis", and EMC §10-5.3007(d) defines Cultivation Area as follows: "…the cumulative gross floor area of the room or rooms where cannabis plants are grown"

Non-volatile Manufacturing
The proposed cannabis use for the Project under the Minor Use Permit is Manufacturing Level 1 (Type 6) non-volatile manufacturing which is for sites that manufacture cannabis products using either non-volatile or no solvents. Cannabis distribution is also proposed, but is a principally permitted use; therefore, no use permit is required for the distribution use.

2.6 Proposed Tenant Improvements
The Project proposes interior tenant improvements to two existing commercial warehouse structures to accomplish the proposed multi-use cannabis facility. Proposed property and building improvements are depicted on Sheets A through B-1. The original long-term plans included the potential addition of a retail dispensary to the overall Project. However, those plans have been removed from the Project as proposed herein.

The two westernmost buildings, identified as Building A and Building B (Sheet A), are proposed for interior improvements by The Pantheon Group as part of the multi-use commercial cannabis project proposed herein (hereinafter referred to as the Project). The existing building, identified as Building A on Sheet A, consisting of 11,148 square feet of interior space, is proposed for 5,000 square feet or less of indoor cannabis cultivation on each of the two floors which will be reserved for a separate businesses/license on each floor (identified as License 1 and License 2 on Sheets A-2 and A-3). License 1 will include two 1,260-square foot interior cannabis cultivation rooms, and a 373 square foot interior propagation room for a total gross floor area of 2,893 square feet of cultivation. License 2 will include two 1,260 square foot interior cannabis cultivation rooms for a total gross floor area of 2,520 square feet.

The existing building, identified as Building B on Sheet A, is proposed to utilize 3,188 square feet of the building's total 5,908 square feet of space for cannabis manufacturing and distribution operations. The remaining 2,720 square feet of building space is not part of the Project and is currently occupied by Time & Tide Marine, a marine repair service business. Improvements to areas outside of the footprints of Buildings A and B will be limited to striping and re-surfacing for 41 appropriately designed asphalt parking spaces, and minimal trenching (approximately 22.24 cubic yards) for connections to existing municipal water and sewage disposal utilities. The expansion of the buildings beyond their current footprints and significant ground disruption activities are not proposed. All property improvements associated with the Project are located at their closest, approximately 150 feet, from the nearest surface water body. The nearest surface water body is mapped as a freshwater wetland located on an offsite commercial property to the south of the project site (Figure 5).

On the first floor of Building A (License 1) is also proposed a propagation room (373 square feet), storage rooms, cannabis nutrient storage ("Nute. Storage", 77 square feet), a "Man Trap" with check-in area (151 square feet), and restroom facilities (Sheet A-2). On the second floor of Building A (License 2) is also proposed a "Drying Room" (577 square feet), a trimming area / break area ("Work Area", 764 square feet), storage rooms, and an office space with restroom facilities (Sheet A-3).

Proposed interior improvements to Building B will create operational space for cannabis extraction (290 square feet), a quarantine area (203 square feet), distribution room (200 square feet), a "Man-Trap" with check-in area (76 square feet), office space, restroom facilities, employee break room and a loading area (Sheets A-1 and B-1).

The Project will connect to existing City of Eureka municipal water and sewer facilities, Pacific Gas and Electric (PG&E) electric energy, telephone, and internet service. Existing underground utilities at the project site are shown on Figure 2 and Sheet A-1. Buildings A and B were formerly served by an onsite well and septic system that have been decommissioned as part of the NCRWQCB clean-up activities. Connecting to existing utilities will involve some limited trenching to connect to existing municipal water and sewage disposal facilities as part of the site improvements as shown on Sheet A. The trench to connect to existing municipal sewer facilities will be approximately 26 feet long,

2 feet wide and 3.5 feet deep, and the trench to connect to the existing water line will be approximately 60 feet long, 2 feet wide and 3.5 feet deep.

2.7 Indoor Cultivation Facility and Operations

As depicted on Sheet A-1, access to Building A would be limited to authorized personnel with laminated ID badges via a secured entrance to the area identified as “Man Trap”. Access to the area labeled “Work Area” will be via a secured bay door which will only be granted access from the inside by authorized personnel to facilitate the loading and unloading of shipments into or out of Building A.

Listed below is a step-by-step outline of the proposed indoor cultivation process:

1. Clones are received from a properly licensed nursery cultivator;
2. Clones are then moved into the Indoor Cultivation Facility area where they will be planted in five-to-seven-gallon pots (clones vegetate for 10 days);
3. Clones are flipped into a flowering cycle (after 10 days) of between eight and 12 weeks (depending on the individual strains);
4. During the last two weeks of the flowering cycle, the plants are “flushed” with water;
5. Plants are then inspected, harvested, and transferred to the in-house “Drying Room” (duration varies on harvest cycles) and prepared to be moved to either the in-house “trimming area” (on Floor 2 of Building A and identified as “Work Area”) or another licensed processor located offsite; and
6. Once dried, the material will be bucked down, trimmed, cured, and then packaged for transfer to the distribution facility located in Building B;

2.8 Manufacturing

Onsite manufacturing, including nonvolatile (Type 6) extraction processes, is proposed as part of the Project. These processes will include extraction, processing, sorting, packaging, and grading.

Non-Volatile Manufacturing/Distribution Facility

The Project includes a non-volatile manufacturing and distribution space that is proposed to occupy approximately 3,188 square feet of Building B, of which 1,276 square feet will be dedicated to manufacturing processes, and 1,912 square feet for distribution (Sheet A-1). All non-volatile extraction activities will occur within a self-contained “Extraction Pod” as shown on Sheet A-1. A “Cut Sheet” for the non-volatile solvent extraction pod is included in Appendix D. The non-volatile manufacturing and distribution operations will be divided into the following general spaces: a manufacturing center, a distribution center and shared space. The shared space includes restroom facilities and an employee break room. All required precautions will be undertaken to ensure the safety of on-site personnel.

Access to Building B will be gained through one of two secured entrances to the areas identified as “Man Trap”, by authorized personnel with a laminated ID Badge. Additional access will be through a secured bay door to the area labeled “Loading Area”. Access to this area will be constrained by the following measures: the door can only be opened from the inside by authorized personnel for the loading and unloading of shipments into

or out of Building B.

Non-Volatile Manufacturing Operations

According to the EMC § 10-5.3003.2 of the City of Eureka's Coastal Zoning Code, "Manufacturing facility, non-volatile" *shall mean a manufacturing facility which does not involve the manufacturing, processing, generation, or storage of materials that constitute a physical or health hazard, as listed in Tables 307.1(1) and 307.1(2) of the California Building Code (CBC)*. In addition, according to the California Department of Public Health's Manufactured Cannabis Safety Branch (MCSB) "Nonvolatile solvent" means "*any solvent used in the extraction process that is not a volatile solvent. For purposes of this division, a nonvolatile solvent includes carbon dioxide (CO2) used for extraction and ethanol used for extraction or post-extraction processing*. *Chemical extraction using a nonvolatile solvent such as a nonhydrocarbon-based or other solvent such as water, vegetable glycerin, vegetable oils, animal fats, or food grade glycerin. Nonhydrocarbon-based solvents shall be food grade*." The Project proposes the use of ethanol in non-volatile extraction operations, which when not in use, will be stored in a properly designed flammable cabinet as shown on Sheet A-1. The extraction solvents will be isolated from places where there is a floor drain or other potential entry site to the municipal sewer system. Below is a summary of non-volatile extraction operations.

Fresh and dried cannabis materials will be securely transferred from distribution to manufacturing, where the materials will then be identified and labeled for inventory and entered into the California Cannabis Track and Trace Program (CCTT).

The process for transferring the materials to the non-volatile extraction manufacturing facility will include:

1. Inspection of the materials by authorized personnel in the distribution center. Inspections include, but are not limited to visual inspection, physical inspection, cross reference of materials with electronic shipping manifest, and acceptance or rejection of the material;

2. If accepted, samples are taken and released for transfer, then materials will be securely transferred from the distribution center to the non-volatile extraction manufacturing center;

3. Materials will then be checked into non-volatile extractions manufacturing center and properly stored (if not immediately processed). Extraction of the materials will be conducted using either mechanical or solventless extractions or chemical extractions with non-volatile solvents as listed above. Additional details are provided in Section 4.9 "Hazards and Hazardous Materials" of this document.

4. Upon completion of non-volatile extractions, the material will either be transferred, stored, or be further processed using in-house post-processing methods;

5. If no further processing is required, then materials will be packaged, labeled, and prepared for transfer to the distribution center.

2.9 Distribution

Distribution of cultivated and manufactured cannabis and cannabis products will be conducted on-site with a Type 11 Distributor License from the Bureau of Cannabis Control (BCC), and a Distribution License from the City of Eureka. Proposed activities include interacting with offsite licensed lab facilities to ensure quality control and lab testing and logistics, and the overall transportation of cannabis products.

Distribution Operations

The proposed distribution space will be located in Building B as shown on Sheet A-1. Authorized personnel will gain access into Building B through the secured entrance labeled “Man Trap” using a laminated ID badge. Additional access is through a secured bay door to the area labeled “Loading Area” which can only be opened from the inside by authorized personnel for the loading and unloading of shipments into or out of Building B.

The Project will adhere to the CCTT. The CCTT system is the program used statewide to record the inventory and movement of cannabis and cannabis products through the commercial cannabis supply chain—from seed to sale—and it is now being used by cannabis businesses with an annual or a provisional license. The state’s contracted service provider for the track-and-trace system is METRC, Inc., a technology company that uses the Marijuana Enforcement, Tracking, Reporting, and Compliance (METRC) software program. CCTT–METRC is a web-hosted system, which means all access to the system is via the internet. The distribution center’s process will involve:

1. Receiving cannabis material or products through the “Loading Area”;

2. Completing the in-take process. The in-take process will involve cross referencing to shipping manifest, inspection, sampling for testing, and tagging by authorized personnel. Tagging will be completed in compliance with the Humboldt County and State Mandated Track and Trace Program and monitored through real time radio-frequency identification (RFID) monitoring technology;

3. Tagged fresh and raw materials will then be moved into a dedicated, secured storage (and / or a quarantine area) until being released for distribution to in-house processing, non-volatile manufacturing or sent to another licensed processing/manufacturing facility to be converted into a finished product;

4. Finished products received from in-house indoor cultivation or non-volatile manufacturing, or another licensed facility, will be stored appropriately until released for shipping to a dispensary.

2.10 Odors

Per City of Eureka Commercial Cannabis Licensing requirements, a certified odor control and monitoring plan will be submitted. Ventilation and control equipment will be installed to control dust, odor, and vapors. Proposed odor control systems will filter all exhaust, eliminating the dispersion of any nuisance odors outside of the Project buildings. Locations of proposed odor control structures (24"-diameter by 42"-diameter carbon filters) within the Project buildings are shown on Sheets A-1 through A-4. Additionally, rubbish and trash will be temporarily stored in a covered and fully enclosed secure trash storage area near the northwestern exterior portion of Building A (Sheet A-1), and disposed of on a weekly basis to minimize the development of odor and deflect attraction of pests.

Following the reuse of cannabis trim materials in the manufacturing (non-volatile extraction) processes, the residual organic cannabis waste (stems, stalks, degraded cannabis plant material, and general cannabis biomass) will be ground up and mixed with sand and/or mulch to create a mixture that consists of cannabis and non-cannabis materials, stored in secure waste containers in the enclosed waste storage area, before being transported by a licensed waste hauler for offsite disposal in accordance with the California Department of Food and Agriculture (CDFA) requirements.

2.11 Chemical and Hazardous Materials

Cannabis cultivation operations would involve the use of fertilizers, and other common agricultural chemicals and amendments, along with diesel fuel for the backup generator, and typical household cleaning products. All fertilizers and/or amendments will be stored on-site in the nutrient storage room ("Nute. Store.") as shown on Sheets A-1 and A-2, which provide secondary containment. Fertilizers, and organic pesticides in limited quantities will be stored on-site in approved containers that include secondary containment. All proposed amendments/teas and other additives are certified for organic farming and are limited to those allowable as identified in the Legal Pest Management Practices for Marijuana Growers in California guidance document. Storage and use of fertilizers and pesticides will be conducted in accordance with the Best Practicable Treatment or Control (BPTC) measures of State Water Resources Control Board (SWRCB) Order WQ 2019-0001-DWQ, which include requirements to apply fertilizers and soil amendments at only the proper agronomic rates, and to store materials in a manner that is protected from rainfall and erosion. Consistent with CDFA §8307, for all pesticides that are exempt from registration requirements, cultivation sites must comply with all pesticide laws and regulations enforced by the DPR and with the following pesticide application and storage protocols:

1). Comply with all pesticide label directions;
2). Store chemicals in a secure building or shed to prevent access by wildlife;
3). Contain any chemical leaks and immediately clean up any spills;
4). Apply the minimum amount of product necessary to control the target pest;
5). Prevent offsite drift;
6). Do not apply pesticides when pollinators are present;
7). Do not allow drift to flowering plants attractive to pollinators;

8). Do not spray directly to surface water or allow pesticide product to drift to surface water. Spray only when wind is blowing away from surface water bodies;
9). Do not apply pesticides when they may reach surface water or groundwater; and
10). Only use properly labeled pesticides. If no label is available consult the Department of Pesticide Regulation.

The Project will also include non-volatile extraction operations (Level 1 [Type 6] non-volatile manufacturing as defined by AB 266, article 10 § 19341). The Project proposes the use of ethanol in non-volatile extraction operations, which when not in use, will be stored in a properly designed flammable liquid storage cabinet located outside of the "extraction pod". The extraction solvents will be isolated from places where there is a floor drain or other potential entry sites to the municipal sewer system. All non-volatile extraction activities will occur within a self-contained "extraction pod" as shown on Sheet A-1.

2.12 Access and Parking

The project site is accessed directly off Broadway (Highway 101) via two existing driveways. The areas of the proposed cannabis cultivation and distribution operations are accessed via the shared southern paved entrance driveway. The Project will include striping for 41 parking spaces as shown on Sheet A, two of which will be ADA-compliant accessible spaces

2.13 Employees and Schedule of Operations

At peak operation, the estimated maximum number of staff on-site will be 12 employees, with hours of operation being 8:00 am to 6:00 pm, seven days a week. Four employees each will work in cultivation, distribution, and manufacturing processes. Based on employee scheduling, up to 48 employee car trips (i.e., drive to work and drive home and lunch breaks which equals four vehicle trips per employee) are anticipated per day. Up to 10 delivery trucks (20 trips) are anticipated per month for the conveyance of cannabis operations supplies to the property and off-site delivery of cannabis products.

Security Plan

The Project plans include the installation of additional fencing between Buildings A and B, and around the mechanical yard with gated access granted only to authorized personnel. Only authorized personnel will be granted access to Buildings A and B via secured entrances labeled "Man Trap" using a laminated ID badge. The entire facility of the Project, including hallways, offices, work areas, cultivation rooms, loading areas and perimeter of the buildings, will be monitored by a 24-hour video surveillance system. The facility will also be equipped with an alarm system with automatic law enforcement notifications. In addition, exterior lighting is proposed on the Project buildings which will inhibit unauthorized persons from loitering in the Project area. Proposed surveillance camera locations are shown on Sheets A-1 through A-4.

Safety Training

Employers in California are required to have an effective written Injury and Illness Prevention Program (IIPP) to comply with the California Code of Regulations, Title 8, §

3203. The IIPP must include procedures to identify and correct health and safety hazards in the workplace and provide effective training to all employees so they can perform work safely. The Pantheon Group will prepare an IIPP which will be kept on-site in a visible area accessible to employees. In addition, in accordance with the California Business and Professions Code, § 26051.5, employers with two or more employees must ensure one supervisor and one employee have successfully completed a Cal/OSHA 30-hour general industry outreach training course offered by a training provider that is authorized by an OSHA Training Institute (OTI) Education Center. As such, Project employees will complete the required Cal/OSHA 30-hour general industry outreach training course.

The cultivation, distribution and manufacturing operations will include safety protocols and safety training relevant to specific job functions. Training topics will include:

1. Emergency contact list which includes at a minimum, operation manager contacts, emergency responder contacts, and poison control contacts;

2. Emergency action response planning;

3. Employee accident reporting and investigation policies;

4. Fire prevention;

5. Hazard communication policies, including maintenance of material safety data sheets (MSDS);

6. Materials handling policies;

7. Job hazard analyses; and

8. Personal protective equipment policies, including respiratory protection.

2.1 Estimated Water and Energy Usage

Typical on-site employee water demand is estimated to be 420 gallons per day based on a wastewater flow of 35 gallons per person per day for 12 employees which was determined by using the factory-type establishment value from *Appendix C - Expected Daily Wastewater Flows of the Humboldt County Onsite Wastewater Treatment System (OWTS) Regulations and Technical Manual (Humboldt County, 2017)*. Water usage for the proposed cannabis operations is estimated to be 2,400-gallons per day, based on an assumed ½-gallon of water per plant for day. A 5,000-gallon water tank equipped with a reverse osmosis filtering system will be located near the northwestern portion of Building A (Sheet A-1). The Pantheon Group will allow access to the stored water for local fire department use in the event of an emergency.

The project site property is serviced by an existing Pacific Gas and Electric (PG&E) service line, and no new or expanded energy facilities are needed in connection with the Project. Estimated power usage for the Project is 84,000 kilowatt-hours (kWh) per month.

Of the estimated energy usage, 41,808 kWh per month are attributable to cultivation processes. The Pantheon Group is committed to obtaining energy from 100% renewable sources. Electricity sources obtained for the Project operations will be obtained from either the Redwood Coast Energy Authority's (RCEA) REpower+ program (RCEA), which provides 100% renewable energy, or 100% renewable energy through a similar program provided by PG&E.

2.15 Other Public Agencies whose approval is, or may be required (*e.g., permits, financing approval, or participation agreement*): Permitting for the Project includes:

- Use Permits from the City of Eureka;
- A Coastal Development Permit from the City of Eureka;
- Commercial Cannabis Licenses, and Building Permits from the City of Eureka;
- Cannabis Cultivation Permitting from the California Department of Fish and Wildlife;
- Three State of California cannabis licensing agencies: 1. California Department of Food & Agriculture [CDFA] CalCannabis, 2. Bureau of Cannabis Control (BCC), 3. California Department of Public Health (CDPH) Manufactured Cannabis Safety Branch); and
- A Cannabis Cultivation General permit issued by the State Water Resources Control Board (SWRCB).

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code § 21080.3.1?

☐ No x Yes

Date Consultation Offered: March 23, 2020 & March 31, 2021

Date Consultation Begun: March 24, 2021 & April 12, 2021

If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

☐ No x Yes (Inadvertent Discovery Protocol & Qualified Professional Archeologist On-site During Trenching Activities)

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 § 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code §5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code § 21082.3(c) contains provisions specific to confidentiality.

CHAPTER 3.0 – ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

3.1 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 "Potentially Significant Unless Mitigation Incorporated" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Greenhouse Gas Emissions	☐ Public Services
☐ Agricultural and Forestry Resources	x Hazards and Hazardous Materials	☐ Recreation
☐ Air Quality	☐ Hydrology/Water Quality	☐ Transportation
☐ Biological Resources	☐ Land Use Planning	x Tribal Cultural Resources
x Cultural Resources	☐ Mineral Resources	x Utility/Service Systems
☐ Energy	☐ Noise	☐ Wildfire
☐ Geology/Soils	☐ Population/Housing	☐ Mandatory Findings of Significance

3.2 Determination: On the basis of this initial evaluation:

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

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

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

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

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

Caitlin Castellano, Senior Planner — Date
City of Eureka

3.3 Checklist and 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 "Earlier Analyses," as described in (5) below, 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. § 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 significant

CHAPTER 4.0 – ENVIRONMENTAL ANALYSIS

4.1 Aesthetics:

I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
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 a 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?				X
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			X	

SETTING:

The project site, one approximately 3.94-acre parcel of land, is located at 3990 Broadway in the southwestern portion of the City of Eureka in an area developed primarily with commercial/light industrial properties and referred to as the South Broadway Core Area. The project site's western boundary is approximately 450 feet to the east of the North Bay Channel of Humboldt Bay, and the property is bound by commercial properties to the north, Broadway (Highway 101) to the east, a commercial gasoline retail station to the southeast, a former bulk fueling plant to the south, and Northwest Pacific Railroad Right-of-Way to the west. Topography at the project site is relatively flat, with a gentle slope towards the west with approximate surface elevations ranging from six feet above mean sea level (msl) at the western boundary to 12 feet above msl near the eastern property extents adjacent to Broadway. Surface elevations at the areas proposed for this Project and adjacent to Buildings A and B range from approximately six to eight feet above msl. The north, and western boundaries of the property are enclosed with fencing, with the entrance driveways along the eastern boundary, off Broadway.

The project site is accessed via entrance driveways off Broadway. The Project buildings are accessed via the shared southern paved entrance driveway used by Humboldt Motorsports and other site tenants.

With respect to View Corridors, the City of Eureka has established the following goal and policy relevant to this analysis (City of Eureka, 1997[1]):

- Goal 1.H: To maintain and expand views of the waterfront, inner harbor, and landmark buildings from public streets and other public spaces.
- Policy 1.H.1: The city shall promote unobstructed view corridors to the waterfront from public streets and other public spaces through careful building siting and effective street tree maintenance.

DISCUSSION & FINDINGS:

a). The Project is located within an area consisting of commercial and light industrial property uses and is consistent with property uses in the surrounding area. With the exception of signage, the Project will not alter the exteriors of the existing structures. The Project is not expected to impact scenic vistas at and in the vicinity of the project site, and there are no views of the waterfront, inner harbor, or landmark buildings from the property. Construction activities and operation of the Project would not impede any views that are not already affected by the existing buildings at the property. Bordering the project site to the south and north are commercial/light industrial buildings, and Broadway to the east. Dense vegetation located adjacent to the former railroad right-of-way to the west of the project site blocks the viewshed to the west, towards Humboldt Bay. Since the project site is not located along a hillside or ridgeline, the Project will not impact any scenic vistas as designated by the

City of Eureka and does not include any design elements which conflict with Goal 1.H and Policy 1.H.1 listed above. **No impact**.

b). According to the California Scenic Highway Mapping System[2], there are no designated state scenic highways in the project site vicinity. Furthermore, the project site does not contain any landmark trees, rock outcroppings or buildings of historical significance. **No impact**.

c). The project site is not located within a non-urbanized area and does not block any city-designated view corridors. With the proposed resurfacing of asphalt surfaces, addition of a water tank and mechanical equipment for air ventilation to the west side of Building A, and the installation of new fencing and lighting around the Project buildings, the Project represents an improvement to the overall visual character of the property. The Project buildings have historically been largely vacant and unmaintained, with aesthetically displeasing exteriors, but the property owner has recently improved the exterior shell of each of the Project buildings in order to attract new tenants. The property is located within a highly developed, urbanized area of the City of Eureka and does not conflict with adopted policies governing land use and community design in the project site vicinity such as obstructing city-designated view corridors (Goal 1.H of the City Land Use and Community Design Element, City of Eureka, 1997[1]). **No impact**.

d). The project site is bound by existing commercial and light industrial businesses, all of which currently contain on-site lighting and street lighting along the Broadway corridor. Night-time use of the Project is expected to be negligible or non-existent, and any increases in after-hours visitors would not require additional night-time lighting. New lighting associated with the Project will comply with the City of Eureka Municipal Codes (EMC) §§ 10-5.1504(i) and 10-5.1604 which state *"If the parking area is illuminated, lighting shall be deflected away from residential sites so as to cause no annoying glare"*, and "*If the loading area is illuminated lighting shall be deflected away from abutting residential sites so as to cause no annoying glare"* (EMC[3]). There are no residential areas abutting the project site, and lighting and glare levels are not expected to exceed typical levels within the surrounding urban environment. No **significant impact**.

MITIGATION MEASURES:
No mitigation required.

Sources

1- City of Eureka General Plan, 1997. Section 1, Land Use and Community Design (https://www.ci.eureka.ca.gov/civicax/filebank/blobdload.aspx?BlobID=6844)
2- California Scenic Highway Mapping System (https://www.arcgis.com/apps/webappviewer/index.html?id=2e921695c43643b1aaf7000dfcc19983)
3- EMC. Eureka Municipal Code Chapter 5: Zoning/Inland Zoning (https://www.ci.eureka.ca.gov/civicax/filebank/blobdload.aspx?BlobID=15654)

4.2 Agriculture & Forest Resources:

II. **AGRICULTURE & 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 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 the forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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?				x
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				x
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code § 12220(g)), timberland (as defined in Public Resources Code § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g))?				x
d) Result in the loss of forest land or conversion of forest land to non-forest use?				x
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?				x

SETTING:

The project site is zoned " Service Commercial" (CS) and "Natural Resources" (NR) (Figure 3). Those areas of the property not covered with existing buildings consist primarily of asphalt and concrete surfaces, with the exception of the southwestern corner of the property which contains a portion of a dirt track which is not part of the Project. In addition, it should be noted that the small portion of the project site's northwestern corner is zoned "Natural Resources" (NR), and is not proposed to be included or impacted as part of the Project.

DISCUSSION & FINDINGS:

a). The Farmland Mapping and Monitoring Program of the California Resources Agency has not mapped farmland in Humboldt County (California Department of Conservation [CDC], 2018[1]). According to County of Humboldt's Web GIS portal[2], the project site is not located on Prime Farmland, Unique Farmland or Farmland of Statewide Importance, and is not part of a Williamson Act contract[3]. All proposed improvements and uses for the Project are compatible with the current CS zone and GSC land use classification (which are not intended for agricultural or farming) and is consistent with the historical and intended commercial and light industrial uses of the project site property. No changes in land use regulations are required to support the property. The Project will not conflict with existing zoning for agricultural use or forest or timber land use. **No impact**.

b). The Project will not conflict with any existing zoning for agricultural use, or a Williamson Act contract. **No impact**.

c). The Project will not conflict with existing zoning for timber, forestland, or Timberland Production, nor require the rezoning of any parcels featuring the above designations. **No impact**.

d). The Project will not result in the loss or conversion of forestland to non-forest use; neither the project site nor surrounding parcels meet any criteria for forestland. **No impact**.

e). No farmland or forest land will be impacted as a result of this Project; therefore, there will be no change in the availability or use of agriculturally viable land or forest or timberland areas. **No impact**.

MITIGATION MEASURES:
No mitigation required.

Sources

1- California Department of Conservation, 2018. California Department of Conservation Website (https://maps.conservation.ca.gov/dlrp/ciff/)
2- County of Humboldt Web GIS Portal (https://humboldtgov.org/276/GIS-Data-Download)
3- California Department of Conservation Website (https://maps.conservation.ca.gov/dlrp/ciff/)

4.3 Air Quality:

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:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
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?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?			X	

SETTING:

The project site is located in Humboldt County, which lies within the North Coast Air Basin (NCAB) and is regulated by the North Coast Unified Air Quality Management District (NCUAQMD). The NCAB extends for 250 miles from Sonoma County in the south to the Oregon border. The climate of the NCAB is influenced by two major topographic units, the Klamath Mountains, and the Coast Range provinces. The climate is moderate with the predominant weather factor being moist air masses from the Pacific Ocean. Average annual rainfall in the area is approximately 50 to 60 inches with the majority falling between October and April. Predominant wind direction is typically from the northwest during summer months and from the southwest during storm events occurring in winter months.

Project activities are subject to the authority of the NCUAQMD and the California Air Resources Board (CARB) (NCUAQMD[1]). The NCUAQMD is listed as "attainment" or "unclassified" for all the federal and state ambient air quality standards except for the state 24-hour particulate (PM10) standard, which relates to concentrations of suspended airborne particles that are 10 micrometers (microns) or less in size, such as fugitive dust from construction and agricultural activities, smoke from wood burning stoves (in winter months), road dust (in summer months), forest wildfires, and sea salts (US Environmental Protection Agency [EPA], 2018[2]).

In determining whether a Project has significant air quality impacts on the environment, agencies often apply their local air district's thresholds of significance to projects in the review process. The NCUAQMD has not formally adopted significance thresholds, but rather utilizes the Best Available Control Technology (BACT) emissions rates for stationary sources as defined and listed in the NCUAQMD Rule and Regulations, Rule 110 – New Source Review and Prevention of Significant Deterioration, Section 5.1 – BACT (NCUAQMD[3]).

Sensitive Receptors as defined by the NCUAQMD are any Class I Area (National Parks and Wilderness) and/or any other areas deemed sensitive by the Air Pollution Control Officer (APCO) including, but not limited to preschools and daycare centers, K-12 schools, senior retirement housing, and hospitals. There are no sensitive receptors within at least a 1,000-foot radius of the project site. The closest potential sensitive receptors to the project site are an isolated pocket of single- and multi-family residential units to the north of the project site on Patrions Court, and single-family residential units on Allard Street, approximately 350 feet to 600 feet, respectively, from the project site property.

With respect to Air Quality - General, the City of Eureka has established goals and policies to protect and improve air quality in the Eureka area (City of Eureka, 1997[4]). Policy 6.E.3 states that *"The City shall require project-level environmental review to include identification of potential air quality impacts and designation of design and other appropriate mitigation measures or offset fees to reduce impacts. The City shall work with project proponents and other agencies in identifying, ensuring the implementation of, and monitoring the success of mitigation measures."*

DISCUSSION & FINDINGS:

a). The California Clean Air Act (CCAA) requires the NCUAQMD to achieve and maintain state ambient air quality standards for particulate matter less than 10 microns in size (PM10) by the earliest practicable date. The NCUAQMD prepared the Particulate Matter Attainment Plan, Draft Report, in May 1995 (Attainment Plan) (NCUAQMD[5]). This Report includes a description of the planning area that includes the NCUAQMD, an emission inventory, general attainment goals, and a listing of cost-effective control strategies. The NCUAQMD's Attainment Plan established goals to reduce PM10 emissions and eliminate the number of days in which standards are exceeded. This plan presents available information about the nature and causes of PM10 standard exceedances and identifies cost-effective control measures to reduce PM10 emissions to levels necessary to meet California Ambient Air Quality Standards. However, the NCUAQMD states that the plan, "should be used cautiously as it is not a document that is required in order for the District to come into attainment for the state standard". Therefore, compliance with applicable NCUAQMD PM10 rules are applied as the threshold of significance for the purposes of analysis. NCUAQMD Rule 104 Section D, Fugitive Dust Emissions, is applicable to the Project. Pursuant to Rule 104 Section D, the handling, transporting, or open storage of materials in such a manner, which allows or may allow unnecessary amounts of particulate matter to become airborne, shall not be permitted. Reasonable precautions shall be taken to prevent particulate matter from becoming airborne, including, but not limited to: 1) covering open bodied trucks when used for transporting materials likely to give rise to airborne dust; and 2) the use of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land. The NCUAQMD's Attainment Plan includes three areas of recommended control strategies to meet their goals to reduce PM10 emissions by the earliest practicable date and eliminate the number of days in which PM10 standards are exceeded. These three areas are as follows: 1) Transportation, 2) Land Use, and 3) Burning. The Project design incorporates control measures identified in the PM10 Attainment Plan appropriate to this type of project, such as:

1) Transportation. The project site is located in a commercial land use area, adjacent to US Highway 101 (Broadway) which provides easy access to and from the property for vehicular traffic. Further, the Project would combine cultivation, processing, and manufacturing on the same property, which will reduce vehicle mileage transporting cannabis from cultivation location to processing and manufacturing operations. Additionally, the project site is located in close proximity to the Eureka Waterfront/Hikshari Trails and is on the Humboldt Transit Authority's Redwood Transit System (RTS) bus route serving communities from Scotia to Trinidad, the Eureka Transit Gold Route serving downtown Eureka, Bayview, Pine Hill, Bayshore Mall, Harris Street, and E Street, and the Southern Humboldt Intercity Route which serves southern Humboldt communities Redcrest, Weott, Meyers Flat, Miranda, Phillipsville, Redway, Garberville, and Benbow north to Rio Dell, Fortuna, and Eureka, including the College of the Redwoods campus. The availability of these services provides alternative commuting options to and from the project site property.

During construction activities, reasonable precautions will be taken to prevent particulate matter from becoming airborne, including, but not limited to, covering open-bodied trucks when used for transporting materials likely to give rise to airborne dust. Any impacts associated with increased particulate matter generated as a result of construction activities will be short in their duration.

2) Land Use. The project site is a paved commercial property which would result in insignificant PM10 generated when compared with traffic on unpaved rural roads, and the uses proposed as part of the Project are not expected to generate more PM10 than that by current and/or previous property uses. The Project involves cannabis cultivation, processing, and manufacturing activities within those portions of an existing developed commercial property with a zoning designation of Commercial Services (CS) and land use designation of General Service Commercial (GSC). The CS designation provides for heavy commercial uses and compatible light industrial uses not serving day to day needs; the portion of the project site zoned Natural Resources (NR) is not proposed to be used as part of the Project.

3) Burning. The Project activities do not include any burning of material for disposal or heating purposes.

Based on the information presented above, the Project would not conflict with or obstruct implementation of the NCUAQMD Attainment Plan for PM10 or conflict with the goals and policies established by the City of Eureka

to protect and improve air quality in the Eureka area (City of Eureka, 1997[4]). **No impact**.

b). The NCUAQMD is listed as being in “attainment” or is “unclassified” for all Federal health protective standards for air pollution. With regard to particulate matter, all of Humboldt County has been designated by the CARB as being in "non-attainment" for PM10 air emissions. PM-10 emissions include smoke from wood stoves, fugitive dust, and airborne salts and other particulate matter naturally generated by ocean surf. Because, in part, of the large number of wood stoves in Humboldt County, and the generally heavy surf and high winds common to the area of the project site, Humboldt County has routinely exceeded the state standard for PM10 air emissions. Therefore, any use or activity that generates unnecessary airborne particulate matter may be of concern to the NCUAQMD. The Project has the potential to generate particulate matter during the limited construction activities; however, all construction activities at the project site are required to meet NCUAQMD Air Quality standards, including the generation of nuisance dust. Best Management Practices (BMPs) such as covering open-bodied trucks, and the use of water for control of dust during construction activities, will be employed during construction activities to limit fugitive dust emissions. Other sources of emissions from the Project would include the heating, ventilation, and air filtration and odor reduction systems, and manufacturing and extraction processes. According to NCUAQMD Rule 102, a permit is not required for standard residential or commercial heating, ventilation, or air conditioning (HVAC) systems.

The Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project site region is non-attainment under an applicable federal or state air quality standard. **No significant impact**.

c) There are groups of people more affected by air pollution than others, CARB has identified the following persons are most likely to be affected by air pollution: children under 14, the elderly over 65, athletes, and people with cardiovascular and chronic respiratory diseases. These groups are classified as sensitive receptors. Locations that may contain a high concentration of these sensitive population groups include residential areas, hospitals, daycare facilities, elder care facilities, elementary schools, and parks. The nearest potential sensitive receptors are an isolated pocket of single- and multi-family residences located approximately 350 feet north of the project site. Surrounding this isolated pocket of residences are commercial and light industrial properties on all sides. The project site’s proximity to the Pacific Ocean contributes significant air exchange and the prevailing wind direction (from the northwest) would be expected to transport any fugitive emissions away from the potential sensitive receptors.

With respect to sensitive receptors for air pollution, project construction may, for a short time, generate dust during property improvement activities. However, as only limited subsurface disruption is planned (trenching to connect to existing utilities), and new building construction is not planned, the generation of dust is anticipated to be minimal and of a short duration during property improvement activities with the implementation of effective BMPs. Because the Project will only potentially emit fugitive dust during the relatively short construction period, the Project will not result in substantial or long-term air quality impacts on or to sensitive receptors. Further, due to the indoor cannabis cultivation practices, the application of State-approved organic amendments or other industry-standard chemicals would not be susceptible to wind dispersal to sensitive receptors. The extraction and manufacturing operations would also take place inside the existing buildings and would employ specific commercial equipment designed for cannabis extraction and manufacturing that will use “closed-loop” processes for nonvolatile solvent extractions. All equipment will be installed according to the manufacturers’ specifications for ventilation and filtration of the exhaust. **No significant impact**.

d). The Project does not propose any use or construction technique that will result in odors that could reasonably be considered objectionable by the general public. Once construction has been completed, no dust will be generated as Project operations will occur on impervious, hardpack surfaces such as asphalt and concrete. The Project includes odor control mechanisms as a design feature to reduce potential cannabis odors outside of the facility. Odor controls are achievable through various methods including engineering controls, carbon filtration, neutralization, and oxidation, and cannabis wastes will be stored in secured containers before being subsequently disposed. The Project has also considered other factors that can affect odor dispersion such cannabis cultivation and manufacturing activities being conducted inside buildings, facility siting (setback), prevalent wind direction, wind speed (atmospheric meteorology), and surrounding site topography. Locations

of proposed odor control structures (24"-diameter by 42"-diameter carbon filters) within the Project buildings are shown on Sheets A-1 through A-3. Carbon filtration is an effective technology for reducing volatile organic compound (VOC) emissions from cannabis cultivation activities. Carbon filters work by an absorption process where the porous surfaces chemically attract the VOC contaminants present in the exhaust air stream. Further, as noted above, the project site's proximity to the Pacific Ocean and prevailing wind direction would be expected to defuse any fugitive odors that may be emitted from the project site. **No significant impact.**

MITIGATION MEASURES:
No mitigation required.

Sources

1- NCUAQMD Website (http://www.ncuaqmd.org/index.php?page=aqplanning.ceqa)
2- US EPA, 2018. Report on the Environment "Particulate Matter Emissions". (https://cfpub.epa.gov/roe/indicator.cfm?i=19)
3- NCUAQMD Website (http://www.ncuaqmd.org/files/rules/reg%201/Rule%20110.pdf)
4- City of Eureka General Plan, 1997. Section 6, Natural Resources, Air Quality - General (https://www.ci.eureka.ca.gov/civicax/filebank/blobdload.aspx?BlobID=6850)
5- NCUAQMD Website (http://www.ncuaqmd.org/files/NCUAQMD%20Attainment%20Plan%205-95.pdf)

4.4 Biological Resources:

IV. **BIOLOGICAL RESOURCES**. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
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?				X
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?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
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?				X

SETTING:

EMC[1] §10-5.2942.3 states that *"environmentally sensitive habitat areas within the City of Eureka's coastal zone shall include":*

a) Rivers, creeks, sloughs, gulches and associated riparian habitats, including Eureka Slough, Fay Slough, Cut-Off Slough, Freshwater Slough, Cooper Slough, Second Sloughs, Third Slough, and Elk River.
b) Wetlands and estuaries, including that portion of Humboldt Bay within the City's jurisdiction, riparian areas, and vegetated dunes.
c) Indian Island, Daby Island, and Woodley Island wildlife area.
d) Other habitat areas, such as rookeries, and rare or endangered species on State or Federal lists.
e) Grazed or farmed wetlands.

In addition, as defined in EMC §10-5.2942.15, *"a buffer shall be established for permitted development adjacent to all environmentally sensitive areas. The width of a buffer shall be one hundred (100') feet, unless the applicant for the development demonstrates on the basis of information, the type and size of the proposed development, and / or proposed mitigation (such as planting of vegetation) that will achieve the purposes of the buffer, that a smaller buffer will protect the resources of the habitat area"* (EMC[1]).

The City of Eureka's Coastal Land Use Policy (LUP) (City of Eureka, 1997[2]) is the foundational policy document for areas of the City located in the coastal zone. It establishes farsighted policy that forms the basis for and defines the framework by which the City's physical and economic resources in the coastal zone are to be developed, managed, and utilized. Particularly relevant to this Section 4.4 evaluation are established Goals and Policies of Section 6: Natural Resources of the LUP.

- Goal 6.A.1: The City shall maintain, enhance, and, where feasible, restore valuable aquatic resources, with special protection given to areas and species of special biological or economic significance. The City shall require that uses of the marine environment are carried out in the manner that will sustain the

biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

- Policy 6.A.7 Within the Coastal Zone, the City shall ensure that environmentally sensitive habitat areas are protected against any significant disruption of habitat values, and that only uses dependent on such resources shall be allowed within such areas. The City shall require that development in areas adjacent to environmentally sensitive habitat areas be sited and designed to prevent impacts which would significantly degrade such areas and be compatible with the continuance of such habitat areas.
- Goal 6.A.8: Within the Coastal Zone prior to the approval of a development, the City shall require that all development on lots or parcels designated NR (Natural Resources) on the Land Use Diagram or within 250 feet of such designation, or development potentially affecting an environmentally sensitive habitat area, shall be found to be in conformity with the applicable habitat protection policies of the General Plan. All development plans, drainage plans, and grading plans submitted as part of an application shall show the precise location of the habitat(s) potentially affected by the proposed project and the manner in which they will be protected, enhanced, or restored.
- Goal 6.A.19: The City shall require establishment of a buffer for permitted development adjacent to all environmentally sensitive areas. The minimum width of a buffer shall be 100 feet, unless the applicant for the development demonstrates on the basis of site-specific information, the type and size of the proposed development, and/ or proposed mitigation (such as planting of vegetation) that will achieve the purposes(s) of the buffer, that a smaller buffer will protect the resources of the habitat area. As necessary to protect the environmentally sensitive area, the City may require a buffer greater than 100 feet. The buffer shall be measured horizontally from the edge of the environmental sensitive area nearest the proposed development to the edge of the development nearest to the environmentally sensitive area. Maps and supplemental information submitted as part of the application shall be used to specifically define these boundaries.

DISCUSSION & FINDINGS:

a). Publicly available Critical Habitat GIS data was reviewed from United States Fish & Wildlife Service (USFWS) for threatened and endangered species (USFWS, 2020[3]), and the California Natural Diversity Database (CNDDB) for candidate, sensitive, and special status species. The following species are potentially located within the general vicinity of the greater Eureka area:

Species Name	Common Name
Pink Sand-Verbena	Dicots
Ardea alba	Great Egret
Ardea herodias	Great Blue Heron
Bombus occidentalis	Western Bumble Bee
Castilleja ambigua var. humboldtiensis	Humboldt Bay Owl's-Clover
Charadrius alexandrinus nivosus	Western Snowy Plover
Chloropyron maritimum ssp. palustre	Point Reyes Salty Bird's-Beak
Coturnicops noveboracensis	Yellow Rail
Egretta thula	Snowy Egret
Entosphenus tridentatus	Pacific Lamprey
Erysimum menziesii	Menzies' Wallflower
Gilia millefoliata	Dark-Eyed Gilia

Layia carnosa	Beach Layia
Northern Coastal Salt Marsh	Northern Coastal Salt Marsh
Nycticorax	Black-Crowned Night Heron
Oncorhynchus clarkii	Coast Cutthroat Trout
Oncorhynchus kisutch pop. 2	Coho Salmon - Southern Oregon / Northern California ESU
Oncorhynchus mykiss irideus pop. 16	Steelhead - Northern California DPS
Pandion haliaetus	Osprey
Rana aurora	Northern Red-Legged Frog
Sidalcea malachroides	Maple-Leaved Checkerbloom
Spergularia canadensis var. occidentalis	Western Sand-Spurrey

Existing project site conditions consist of six commercial structures and concrete and asphalt surfaces which cover a majority of the parcel. A dirt track which has been highly disturbed by past all-terrain vehicle use and its use for the storage of inoperable automobiles and other assorted debris comprises the southwestern corner of the project site. The small portion of the project site zoned Natural Resource (NR) is also covered with asphalt. Thus, the project site does not contain salt marsh, coastal, vernal pool, or tidally inundated areas, or other areas which provide suitable habitat for any species identified as a candidate, sensitive, or special status species. In addition, proposed ground disturbing activities as part of the Project are limited to utility trench excavations near-to and adjacent-to the existing structures (Sheet A-1). Based on EBA's review of available Critical Habitat, the nearest mapped critical habitats include tidewater goby habitat approximately 7,000 feet (1.3 miles) away from the Project, and snowy plover habitat approximately 12,600 feet (2.4 miles) away. Since the Project area is over at least one mile away from these mapped sensitive areas, and Project business operations will be conducted inside of secure buildings, no impact to a candidate, sensitive, or special status species is anticipated.

b,c). There are no designated environmentally sensitive communities, habitats, or state or federally protected wetlands present at the project site, or within the 100-foot buffer established by EMC §10-5.2942.15 from the Project buildings. The Project buildings are approximately 670 feet east of the Elk River's approximate high-water mark, 385 feet from the nearest freshwater pond, and 666 feet from the nearest estuarine and marine wetland (Figure 5). The nearest environmentally sensitive habitats to the project site are freshwater wetlands. According to a review of the City of Eureka's Web GIS Portal[4], freshwater wetlands are mapped on a commercial/light industrial property approximately 150 feet to the south of the Project buildings, and on an off-site commercial parcel approximately 304 feet to the west of the Project buildings (Figure 5). Located between the freshwater wetland to the south and the Project buildings is a commercial building, concrete and asphalt surfaces and automobile parking. Located between the off-site freshwater wetland to the west and the Project buildings is an out of service railway and natural vegetation buffer area, beyond which is cyclone fencing separating the properties. A majority of the project site surfaces between this wetland and the Project buildings consists of asphalt and concrete with a few parked storage trailers and automobiles. A small portion of the lands between this freshwater wetland and the Project buildings consist of a dirt track which has been highly disturbed by past all-terrain vehicle use, with several inoperable automobiles and other assorted debris being stored along its perimeters. No suitable wildlife habitat exists between these freshwater wetlands and the Project buildings. Based on the long-time commercial use of and highly disturbed nature of the project site, and subsequent lack of suitable habitat for sensitive natural communities located on the project site, no impact to the off-site freshwater wetlands as a result of the Project is anticipated. The Project does not conflict with the Goals established in Section 6 of the City of Eureka's LUP. **No impact**.

d). Wildlife corridors are defined as regions that connect wildlife habitat by providing a stable path through otherwise inaccessible regions (due to human presence, steep topography, or logging). Wildlife corridors are

delineated in publicly available GIS Biological Resources data (Humboldt County, 2020[5]). The nearest mapped wildlife corridor (Migratory Deer Winter Range) is located approximately 14.5 miles from the project site, and the Project buildings are approximately 670 feet away from a fish-bearing waterway (Elk River). **No impact**.

e). The City's LUP provides policies to protect biological resources. The Project does not include any activities which would degrade or significantly impact Natural Resources as outlined in Section 6 of the LUP, such as altering surface water features, diking, filling or dredging wetlands, encroaching on environmentally sensitive areas beyond established buffers, or degrading natural vegetation buffer areas that protect riparian habitats. In addition, no tree work is proposed as a part of the Project, and therefore the Project will not conflict with any tree preservation policies or ordinances. **No impact**.

f). No Habitat Conservation Plans, Natural Community Conservation Plans, or any other local, regional, or State Habitat Conservation Plans have been adopted, and therefore the Project will not conflict with any Habitat Conservation Plans. **No impact**.

MITIGATION MEASURES:
No mitigation required.

Sources

1- EMC. Eureka Municipal Code Chapter 5: Zoning/Inland Zoning (https://www.ci.eureka.ca.gov/civicax/filebank/blobdload.aspx?BlobID=15654)
2- City of Eureka General Plan, 1997. Section 6, Natural Resources, Aquatic Resources and Marine, Wetland and, Riparian Habitat (https://www.ci.eureka.ca.gov/civicax/filebank/blobdload.aspx?BlobID=15653)
3- USFWS, 2020. National Wetlands Inventory. Accessed November 16, 2020 (https://www.fws.gov/wetlands/)
4- City of Eureka Web GIS Portal (https://arcgis-svr.ci.eureka.ca.gov/portal/apps/webappviewer/index.html?id=49037ddcf4474c6ba4bdb661ee203604)
5- Humboldt County, 2020. GIS Data Download | Humboldt County, CA - Official Website. Biologic Resource Areas. Accessed October 16, 2020 (https://humboldtgov.org/276/GIS-Data-Download)

4.5 Cultural Resources:

V. **CULTURAL RESOURCES**. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of an historical resource pursuant to §15064.5?		X		
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		X		
c) Disturb any human remains, including those interred outside of dedicated cemeteries?		X		

SETTING:

The importance of a cultural or historic resource is measured in terms of criteria for inclusion on the California Register of Historical Resources (California Register) (Title 14 CCR, §4852) as listed below. A resource may be important if it meets any one of the criteria below, or if it is already listed on the California Register or on a local register of historical resources.

An important historical resource is one which:

1). Is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.

2). Is associated with the lives of persons important to local, California, or national history.

3). Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values.

4). Has yielded, or may be likely to yield, information important to the prehistory or history of the local area, California, or the nation.

In addition to meeting one or more of the above criteria, eligibility for the California Register requires that a resource retain sufficient integrity to convey a sense of its significance or importance. Seven elements are considered key in considering a property's integrity: location, design, setting, materials, workmanship, feeling, and association.

DISCUSSION& FINDINGS:

As part of this evaluation, EBA reviewed the current inventories of the National Register of Historic Places, the California Register, California Historical Resources, the California Points of Historical Interest List, the California State Historic Resources Inventory, and available information at the City of Eureka, and other publicly available documents for the City of Eureka Planning Area.

In addition, during excavation activities related to the project site's environmental investigation performed in 2017, a representative of the Wiyot Tribe observed the excavated material and trench for indigenous cultural artifacts. There were reportedly no indigenous cultural artifacts observed during the excavation activities. The area of excavation encompassed the area proposed for limited trenching to connect to existing underground water and sewer lines as part of the Project. As discussed, the installation of utilities is the only ground-disturbing activities related to the Project.

a). The Project does not include the demolition of, or significant disturbance to, the existing on-site buildings (identified as Building A and Building B on Sheet A) and will only include very limited trenching to connect to existing utilities (municipal water and sewage supply facilities). The trench to connect to existing municipal sewer facilities will be approximately 26 feet long, 2 feet wide and 3.5 feet deep, and result in the disruption of approximately 6.74 cubic yards of soils during trenching. The trench to connect the existing water line will be approximately 60 feet long, 2 feet wide and 3.5 feet deep, and the disruption of approximately 15.5 cubic yards of soils during trenching. Total soil disturbance for the proposed trenching is approximately 22.24 cubic yards

(600 square feet). The project site is not located within a designated Historic District, does not contain any historically significant resources, and does not constitute a historic site. There are no registered historical landmarks or historical resources which meet the criteria of a significant historical resource as defined by the EMC, Title 15, Chapter 157 The Historic Preservation Ordinance[1]. However, during trenching activities a qualified professional archaeologist will be retained for the purposes of examining the trench cross sections for evidence of intact soil horizons and cultural remains. Should any archaeological resources be encountered during construction activities, Mitigation Measures No. V-1 and V-2 will serve to effectively preserve and protect any resources discovered. Implementation of the mitigation measures listed below would reduce potential impacts to a level of less than significant. **Less than significant with mitigation incorporated**.

b). As discussed above, only limited trenching (approximately 22.24 cubic yards) is proposed to connect to existing underground utilities (municipal water and sewage supply facilities; refer to Sheet A-1); grading or other significant ground disruption activities are not proposed. There are no known archaeological resources which meet the criteria of a significant historical or archaeological resource as defined by §15064.5 (Thomson Reuters Westlaw Website[2]) within the Project area; no significant impact is anticipated. However, during trenching activities a qualified professional archaeologist will be retained for the purposes of examining the trench cross sections for evidence of intact soil horizons and cultural remains. Should any archaeological resources be encountered during construction activities, Mitigation Measure No. V-1 and V-2 will serve to effectively preserve and protect any resources discovered. Implementation of the mitigation measures listed below would reduce potential impacts to a level of less than significant. **Less than significant with mitigation incorporated**.

c). The project site area has experienced significant ground disturbance and development activity in the past. It would be expected that any human remains present at the project site would be buried under several feet of existing fill, and because significant ground disturbing activities of the project are not proposed, it is unlikely that remains will be encountered during construction. In addition, as discussed above, during excavation activities related to the project site's environmental investigation performed in 2017, the Wiyot Tribe observed the excavated material and trenches for indigenous cultural artifacts. There were reportedly no indigenous cultural artifacts observed during the excavation activities. The area of excavation encompassed the area proposed for limited trenching to connect to existing underground sewer lines as part of the Project. The area of the proposed water line trenching will be located between Buildings A and B in an area that has experienced significant development activity in the past. However, since there will be some limited ground disturbance for trenching to connect to existing underground utilities, and it is possible, though unlikely, that work will uncover remains, resource protective mitigation is warranted and included as Mitigation Measure No. V-2. In addition, as discussed above, during trenching activities a qualified professional archaeologist will be retained for the purposes of examining the trench cross sections for evidence of intact soil horizons and cultural remains. Implementation of the mitigation measures listed below would reduce potential impacts to a level of less than significant. **Less than significant with mitigation incorporated**.

MITIGATION MEASURES:

MITIGATION MEASURE NO. V-1.: As requested by a Tribal Historic Preservation Officer (THPO) representing the Blue Lake Rancheria and confirmed by the Wiyot THPO, a qualified professional archeologist will be retained for purposes of examining the cross sections of the proposed trenches for evidence of intact soil horizons and cultural remains. Records of findings and stratigraphy will be documented and a letter report will be produced for the City and THPOs, and filed at the Northwest Information Center (NWIC).

Furthermore, for any ground disturbing activities not previous anticipated, the following standard protocol for inadvertent discovery (cultural or historical) shall be followed, which consists of the following:

a. If archaeological resources are encountered during the limited proposed trenching activities, all onsite work shall cease in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist shall be retained to evaluate and assess the significance of the discovery, and develop and implement an avoidance or mitigation plan, as appropriate. For discoveries known or likely to be associated with native American heritage (prehistoric sites and select historic period sites), the Tribal Historic Preservation Officers for the Bear River Band of Rohnerville Rancheria, Blue Lake Rancheria, and Wiyot Tribe are to be contacted immediately to evaluate the discovery and, in consultation with the project proponent, City of Eureka, and consulting archaeologist, develop a treatment plan in any

instance where significant impacts cannot be avoided. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. Historic archaeological discoveries may include 19-century building foundations; structural remains; or concentrations of artifacts made of glass, ceramic, metal, or other materials found in buried pits, old wells, or privies.

b. If paleontological resources, such as fossilized bone, teeth, shells, tracks, trails, casts, molds, or impressions are discovered during ground-disturbing activities, work shall stop in that area and within 100 feet of the find until a qualified paleontologist can assess the nature and importance of the find and, if necessary, develop appropriate treatment measures in conformance with Society of Vertebrate Paleontology standards, and in consultation with the City of Eureka.

MITIGATION MEASURE NO. V-2.: As requested by a Tribal Historic Preservation Officer (THP) representing the Blue Lake Rancheria, and confirmed by the Wiyot THPO, a qualified professional archeologist will be retained for purposes of examining the cross sections of the proposed trenches for evidence of intact soil horizons and cultural remains. Records of findings and stratigraphy will be documented and a letter report will be produced for the City and THPOs, and filed at the Northwest Information Center (NWIC).

Furthermore, for any ground disturbing activities not previous anticipated, the following standard protocol for inadvertent discovery (cultural or historical) shall be followed, which consists of the following: In the event of discovery or recognition of any human remains during construction activities, the landowner or person responsible for excavation would be required to comply with the State Health and Safety Code 7050.5. Construction activities within 100 feet of the find shall cease until the Humboldt County Coroner has been contacted at 707-445-7242 to determine that no investigation of the cause of death is required. If the remains are determined to be, or potentially be, Native American, the landowner or person responsible for excavation would be required to comply with Public Resources Code (PRC) § 5097.98. In part, PRC § 5097.98 requires that the Native American Heritage Commission (NAHC) shall be contacted within 24 hours if it is determined that the remains are Native American. The NAHC would then identify the person or persons it believes to be the most likely descendant from the deceased Native American, who in turn would make recommendations to the landowner or the person responsible for the excavation work for the appropriate means of treating the human remains and any associated grave goods within 48 hours of being granted access to the site. Additional provisions of Public Resources Code § 5097.98 shall be complied with as may be required.

Sources:

1- City of Eureka, 1997. City of Eureka General Plan, Chapter 9 (https://www.ci.eureka.ca.gov/civicax/filebank/blobdload.aspx?BlobID=6855)

2- Thomson Reuters Westlaw Website (https://govt.westlaw.com/calregs/Document/IA0E0C760D48811DEBC02831C6D6C108E?transitionType=Default&contextData=(sc.Default))

4.6 Energy:

VI. **ENERGY**. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in potentially significant environment impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?				X
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				X

DISCUSSION:
a). The property is serviced by an existing Pacific Gas and Electric (PG&E) service line, and no new or expanded energy facilities are needed in connection with the Project. Cannabis cultivation requires three stages: the seedling (or propagation) stage, the vegetative stage, and the flowering stage, all of which have different energy requirements based on the lighting, temperature, and humidity level they need. Typically, for indoor and greenhouse operations, the flowering stage has the highest energy consumption, while the seedling stage has the lowest. Most of the electricity consumed is due to HVAC (ventilation, air conditioning, and dehumidification) (51%) and lighting (38%) (SWEEP, 2017[1]). Estimated power usage for the Project is 84,000 kilowatt-hours (kWh) per month. Of the estimated energy usage, 41,808 kWh are attributable to cultivation processes. As discussed below, the Pantheon Group is committed to obtaining energy from 100% renewable sources. Electricity sources obtained for the Project operations will be obtained from either the Redwood Coast Energy Authority's (RCEA) REpower+ program (RCEA[2]), which provides 100% renewable energy, or 100% renewable energy through a similar program provided by PG&E.

All construction and regular operation activities of the Project will be conducted in a manner consistent with State guidelines pursuant to Title 24 of the California Code of Regulations regarding the use of energy resources. The design process and multiple layers of regulatory authority and inspections throughout the Project's duration will ensure that the Project is in compliance at all times with building energy efficiency standards outlined in Title 24 regarding the use of energy resources. Energy consumption of or related to Project operations would include the demand for electricity, and gasoline for motor vehicle trips. Operational use of energy includes HVAC systems, indoor and outdoor lighting, water heating, plug-in appliances, and the transport of electricity, and water to the project site areas where they would be consumed. This type of energy use is typical for urban environments and indoor cannabis cultivation, and no operational activities or land uses would occur that would result in extraordinary or wasteful energy consumption. **No impact**.

b). Those portions of lands within the Coastal Zone and City of Eureka, including the project site, have not adopted a plan for renewable / efficient energy. Although not required for the Project, as discussed above the Pantheon Group is committed to obtaining energy from 100% renewable sources. Electricity sources obtained for the Project operations will be obtained from either the RCEA's REpower+ program, which provides 100% renewable energy, or 100% renewable energy through a similar program provided by PG&E. Since there is not a local plan for renewable energy or energy efficiency, and the Pantheon Group has committed to the use of energy from 100% renewable sources, the Project will not conflict with a state or local plan for renewable energy or energy efficiency. N**o impact**.

MITIGATION MEASURES:
No mitigation required.

Sources:

1- SWEEP, 2017. Southwest Energy Efficiency Project, A Budding Opportunity: Energy Efficiency Best Practices For Cannabis Grow Operations (https://www.swenergy.org/data/sites/1/media/documents/publications/documents/A%20Budding%20Opportunity%20%20Energy%20efficiency%20best%20practices%20for%20cannabis%20grow%20operations.pdf)
2- Redwood Coast Energy Authority Website (https://redwoodenergy.org/community-choice-energy/business-and-government/business-and-government-overview/)

4.7 Geology and Soils:

VII. **GEOLOGY AND SOILS**. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
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?			X	
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?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X

SETTING:

The project site and the entire North Coast of California are located within a seismically active region situated approximately 35 miles northeast of the Mendocino Triple Junction, which is the convergence of three tectonic plates (North American, Gorda, and Cascade Plates), and two major fault systems: the San Andreas Fault, and the Cascadia Subduction Zone. The nearest fault zone to the project site is the Little Salmon Fault Zone, the northernmost boundary of which is mapped approximately 0.7 miles to the southwest. Other seismic zones include: the Mad River Fault Zone (approximately 11 miles to the north), the San Andreas Fault (approximately 35 miles to the southwest), and the Cascadia Subduction Zone (approximately 70 miles to the west). Review of the County of Humboldt's Web GIS Portal indicates that the project site is not located within the Alquist-Priolo earthquake zone[1]. The bedrock in the area is characterized as the Franciscan Complex, which is an accretionary wedge from the Cascadia Subduction Zone comprised of resistant blocks of metamorphosed greywacke sandstone, basalts, limestone, shales, and cherts in a highly sheared argillaceous matrix.

The Project site is located along the southern portion of Broadway (Highway 101) in Eureka, California. The parcel is gently sloped to the west, away from Broadway, and consists of multiple structures for commercial and industrial business and is mostly paved with asphalt or concrete throughout. Other than landscaping in the western (front) portion of the parcel, and an area of imported soil used as a bike track in the southwest portion of the parcel, the parcel is void of exposed soils and vegetation. Available information from the County of Humboldt indicates that the project site is located within an "Area of Potential Liquefaction". The site is categorized as "Relatively Stable" in regards to seismic safety due to the limited extent of topography in the area.

The project site has undergone substantial geologic and hydrogeologic characterization as part of historical environmental investigative and remedial activities. Further details are described in Section 9 "Hazards and Hazardous Materials". The depositional environment of the project site is an overlapping stratigraphy of alluvial deposits and bay sediments. Previous environmental investigations at the project site have identified the shallow

sediments that range from poorly graded fine grain material to well graded coarse-grained material underlying a layer of imported fill. As noted above, a majority of the project site has pavement covering the parcel.

DISCUSSION & FINDINGS:

a.i). The North Coast of California is the location of numerous fault lines and is near the intersection of three tectonic plates located off the coast and approximately 35 miles to the southwest from the project site. However, based upon a review of the Alquist-Priolo Earthquake Fault Zoning Map,[1] the Project is not located in an area where fault rupture is known or expected. No new building construction is proposed for this Project. The Little Salmon Fault Zone is the closest delineate Alquist-Priolo Fault, which is located approximately 3.1 miles to the southwest. However, as noted above, the northernmost portion of the Little Salmon Fault Zone is mapped approximately 0.7 miles southwest of the project site but is not delineated as an Alquist-Priolo Fault. Due to regional geology and history of the area, the probability of a strong seismic event at some time in the future is high. Suitable interior building design in accordance with current codes will reduce the potential for property damage or injury. As the project site is not located within an Alquist-Priolo Earthquake Fault Zone, there is a low risk of fault-related ground rupture during an earthquake. **No significant impact**.

a.ii). The entire City of Eureka is susceptible to strong seismic shaking that could cause major damage, including at the project site. The extent of ground-motion at the project site during an earthquake is a function of magnitude, intensity, and distance from an earthquake's epicenter. Although no new buildings are proposed as part of the Project, proposed interior improvements shall comply with the 2019 Edition of the California Building, Plumbing, Mechanical, Electrical, Civil, Fire & Energy Codes, as well as the EMC. **No significant impact**.

a.iii). Liquefaction of sediment occurs when its shear strength is lost as a result of an increase in pore water pressure in response to cyclic loading. As such, liquefaction is a potentially damaging response to seismic shaking. Young, poorly consolidated, poorly graded sandy soils are prone to undergo liquefaction during strong earthquakes. The occurrence of liquefaction can result in foundation settlement. The project site is located within an area that is prone to "Potential Liquefaction" as detailed on the Humboldt County's Central Humboldt County Seismic Safety Map and "Relatively Stable" on the Humboldt County Web GIS Portal[1]. The depositional environment of the project site is an overlapping stratigraphy of alluvial deposits and bay sediments which created a heterogenetic and anisotropic hydrogeologic environment. Previous environmental investigations at the project site have identified that shallow sediments range from poorly graded, fine grain material to well graded, coarse-grained material, underlying an upper layer of fill material. These sediments at the project site could be subjected to liquefaction due to seismic shaking. However, by complying with Seismic Design standards for the proposed interior improvements, and the 2019 Edition of the California Building, Plumbing, Mechanical, Electrical, Civil, Fire & Energy Codes, impacts are less than significant. **No Significant impacts**.

a.iv). Nearly all of the 3.94-acre project site is developed with buildings or impermeable surfaces (asphalt and concrete). The subject parcel has a very gradual slope within the buildable area, with the max slope being approximately 1-2%. Based on the current project site conditions, the slope stability for the project site is stable under static and seismic conditions. No evidence of recent or active landslides has been observed or published near the project site. **No impact**.

b). As noted above, a majority of the project site is covered by asphalt and/or concrete, with limited areas of landscaping and imported soil. As such, the limited construction activities proposed for the Project will not generate or promote soil erosion or loss of topsoil. No significant erosion or loss of topsoil is anticipated as a result of the proposed project. **No significant impact**.

c). The project site is located on a geologic unit/undifferentiated soil[1] that is susceptible to liquefaction. However, as discussed in Section a.iii, the project site area is mapped as "Relatively Stable"[1]. The activities associated with this Project pose no threat to increase on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. The soil underlying the site has been extensively logged as being native organic soils interfingered with sands, silts, clays, and gravels. This native material is overlain by several feet of fill across the majority of the site.

Lateral spreading, which is the lateral displacement of surficial soils, is usually associated with liquefaction or sliding of the underlying soils. Given that the liquefaction and landslide hazards beneath the current project site buildings and on the project site are considered as "low", the potential for lateral spreading is also considered as "low"[1]. **No significant impact**.

d). Expansive soils represent a significant structural hazard to buildings, especially where seasonal fluctuations in soil moisture occur. Existing development in the vicinity of the project site shows no evidence to suggest that expansive soils are locally present and detrimentally affecting foundations, slabs, or pavement. Additionally, the extensive characterization of shallow sediments at the project site due to environmental investigation have not identified expansive soils. **No impact**.

e). While the eastern portion of the project site is serviced by existing City of Eureka municipal sewage disposal and water supply facilities, Building A and Building B (Figure 2) are not currently connected to these utilities. During development of the Project, limited trenching will occur to connect Building A and Building B to the City of Eureka infrastructure. Therefore, the Project will not have septic tanks or other alternative wastewater disposal systems. A septic system historically used at the project site was decommissioned and filled with concrete in 2017 (EBA, 2018[2]). **No impact**.

f). During an environmental excavation conducted at the project site in 2017, approximately 1,250 yards of contaminated soil were excavated and stockpile onsite (EBA, 2018[2]). During the excavation, a cultural observer from the Wiyot Tribe was present to observe subsurface conditions. The cultural observer examined the excavation pit and soil stockpile for artifacts and concluded there were no cultural resources observed during the excavation. Due to the limited nature of soil disturbance for the Project, there would be no impact to unique paleontological resources. **No impact**.

MITIGATION MEASURES:
No mitigation required

Sources

1- County of Humboldt GIS Portal Website (https://webgis.co.humboldt.ca.us/HCEGIS2.0/)
2- EBA, 2018. Report of Excavation, Former Peterson Tractor SLIC Site, 3990 Broadway, Eureka, California. Dated April 9, 2018 (https://documents.geotracker.waterboards.ca.gov/esi/uploads/geo_report/3948234260/T10000000269.PDF)

4.8 Greenhouse Gas Emissions:

VIII. **GREEN HOUSE GAS EMISSIONS**. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				X
b) Conflict with an applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?				X

SETTING:

The County of Humboldt completed a draft Climate Action Plan for the General Plan Update in January 2012 (Humboldt County, 2012[1]). The plan contains greenhouse gas (GHG) reduction strategies designed to achieve the goal of limiting greenhouse gas emissions to 1990 emissions levels by 2020. Neither the NCUAQMD, the City of Eureka, nor Humboldt County have adopted any threshold of significance for measuring the impact of GHG emissions generated by a proposed project. California now recognizes seven GHGs including carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF6), and nitrogen trifluoride (NF3) (California Health & Safety Code[2]). Carbon dioxide is the reference gas for climate change, and GHG emissions are quantified and reported as CO2 equivalents (CO2E). The effects of GHG emission sources (i.e., as a result of individual projects) are reported in metric tons/year of CO2E. The Project will involve the use of construction equipment and vehicles that produce GHG over a short time period. Heavy equipment operation produces GHG mainly in the form of carbon dioxide with small amounts of methane and nitrous oxide. GHG emissions will be temporarily increased, coinciding with construction activities. Additionally, operations activities that generate GHGs would be emission from vehicle traffic from workers and deliveries (vehicular miles traveled [VMT]), operation of an HVAC system, in addition to the gas and electric consumption resulting from heating, lighting and appliance use. Since the City of Eureka has not developed a calculator with local and regional parameters to calculate VMT impacts for a project, EBA utilized the Technical Advisory on Evaluating Transportation Impacts in CEQA (Governor's Office of Planning & Research [OPR], 2018)[3] to evaluate VMT impacts for the Project. The Technical Advisory advises that screening for small projects "that generate or attract fewer than 110 trips per day generally may be assumed to cause less than significant transportation impacts."

DISCUSSION & FINDINGS:

a). The Project would generate GHGs emission by means of construction vehicle exhaust, generators, worker commuting trips, and product/business supply delivery trips. The GHG emissions associated with construction activities and site improvements would generate short-term (less than one year) emissions. The NCUAQMD and Humboldt County have not adopted any thresholds of significance for measuring impacts of GHG emissions generated by a proposed project. The operational emissions of GHGs from the Project would include vehicular exhaust from worker commutes, vehicular exhaust from delivery vehicles, operation of air and odor filtering units, heating and cooling of the buildings, and the use of artificial lights for the cultivation of cannabis. With that being said, the project site is in the service area of Redwood Coast Energy Authority (RCEA), whose purpose is to develop and implement sustainable energy initiatives that increase energy efficiency and utilize energy from secure, sustainable, and clean sources. RCEA provides the option of purchasing 100% renewable energy to customers (RCEA Website[4]) and the Pantheon Group has committed to obtaining energy from 100% renewable sources for the Project. Based on employee scheduling, up to approximately 48-employee car trips (i.e., drive to work, drive to lunch and back, then drive home is equal to four vehicle trips per employee) are anticipated per day. Up to 10 delivery trucks (20 vehicle trips) are anticipated per month for the conveyance of cannabis operations supplies to the property and off-site delivery of cannabis products. As the estimated vehicle trips per day is less than 110, and the Project has committed to obtaining energy from 100% renewable sources, no impact is anticipated. **No impact**.

b). Neither the City of Eureka (City of Eureka, 1997[5]) nor Humboldt County General Plans (Humboldt County, 2017[6]) include numeric limits on GHG emissions. The County and incorporated cities are in the process of developing a Climate Action Plan which will be designed to achieve reductions in GHG emissions consistent

with the State Global Warming Solutions Act of 2006. The Project was evaluated against the County's 2012 Draft Climate Action Plan GHG reduction strategies, detailed below.

Conserve natural lands for carbon sequestration: The project is located in an established commercial area of the City of Eureka, the Project will be located within existing structures, and in a developed commercial area that allows undeveloped lands in Humboldt County to remain undeveloped. Many other cannabis projects within Humboldt County are located in the rural landscape and require significant development of land and water resources, whereas this Project will utilize existing infrastructure.

Promote the revitalization of communities in transition due to the decline of resource-based industries: The project would help revitalize South Broadway, which has historically catered to the forestry and logging industries. The project site formerly housed a service/mechanic station for logging trucks and heavy equipment. The legal cannabis industry is a burgeoning economic driver for the City of Eureka and the greater Humboldt County region, and the Project will help revitalize the South Broadway commercial corridor with the proposed improvements to the project site.

Reduce length and frequency of vehicle trips: The project is located adjacent to the South Broadway (Highway 101) commercial corridor and within the Eureka city limits. Eureka is the population center, economic hub, and county seat for Humboldt County and many of the workers, suppliers, clients, and potential distributors are also located in Eureka. The location of the project site would reduce the commute times and distances traveled by workers and deliveries, as compared to many of the rural cannabis operations that are sprawled throughout Humboldt County which require substantial commute times and distances travelled. Additionally, the project site is located in close proximity to biking trails and is on the Redwood Transit System (RTS) bus route serving communities from Scotia to Trinidad[7], which provide alternative commuting options.

Favor rehabilitation and revitalization of older existing buildings: The Project will utilize two existing buildings at the project site which were developed to serve the forestry and logging industries. The revitalization of the existing infrastructure will reduce the GHG emissions needed to construct new buildings and minimize the footprint of additional development within the City of Eureka.

The Project does not conflict with any plans or policies related to reducing the emission greenhouse gas. **No impact**.

MITIGATION MEASURES:
No mitigation required.

Sources

1- Humboldt County, 2012 (https://humboldtgov.org/DocumentCenterView/1347/Draft-Climate-Action-Plan-PDF?bidId=/)
2- California Health and Safety Code section 38505(g)
3- OPR, 2018. Technical Advisory on Evaluating Transportation Impacts in CEQA (https://www.opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf)
4- RCEA Website (https://redwoodenergy.org/community-choice-energy/business-and-government/business-and-government-overview/)
5- City of Eureka 1997. Coastal General Plan (https://www.ci.eureka.ca.gov/depts/development_services/development_services_library/default.asp)
6- Humboldt County, 2017. Humboldt County General Plan (Adopted October 23, 2017) - https://humboldtgov.org/205/General-Plan
7- RTS Website (https://hta.org/routes-and-services/)

4.9 Hazards and Hazardous Materials:

IX. **HAZARDS AND HAZARDOUS MATERIALS**. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
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?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?		X		
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?				X
f) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				X

SETTING:

The project site has housed numerous light industrial and commercial enterprises over the past decades, which included a repair shop for Peterson Tractor in the 1970s. Commercial and industrial properties surround the project site, with a concrete and pipe production company to the north, former bulk fueling plant to the south, a commercial gasoline retail station to the southeast, and the Northwest Pacific Railroad Right-of-Way to the west.

The project site has undergone numerous environmental investigations regulated by the North Coast Regional Water Quality Control Board (NCRWQCB) related to contamination of soil and groundwater from former leaking underground storage tanks (USTs), and a cleanup order under the Cleanup Program Sites (CPS) program. Information associated with the closed environmental investigations is included in Appendix C.

Two USTs were historically operated at the project site: one-500-gallon gasoline tank which was removed from the project site, and one-1,000-gallon diesel UST which was closed in place (EBA, 2018[1]). Both of the USTs were located in the south-central portion of the project site (EBA, 2018[1]) (refer to Figure 2 in Appendix C). The constituents of concern related to the former USTs were gasoline range organics (GRO), diesel range organics (DRO) and gasoline related constituents including benzene, toluene, ethylbenzene, and xylenes (BTEX). The UST investigation was assigned case number 1THU908 by the NCRWQCB and was subsequently closed on November 11, 2013, under the Low-Threat Underground Storage Tank Closure Policy (LTCP). A copy of the No Further Action letter is included in Appendix C.

The CPS investigation went through numerous phases of investigations to delineate soil and groundwater impacts at the project site, and remedial activities were focused on the western portion of the property[1]. The constituents of concern associated with the project site include GRO, DRO, and heavy range organics (HRO), California Assessment Manual (CAM) 17 Metals, volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), poly-aromatic hydrocarbons (PAHs), and polychlorinated biphenyls (PCBs). A remedial excavation was conducted in the fall of 2017 which involved excavating approximately 1,250 cubic yards of impacted soil, and off-hauling it to accepting landfills. It should be noted that sidewall soil samples collected from the excavation pit limits indicated that impacts remained in place; however, the excavation represented the

removal of impacts to the extent practicable. Additionally, approximately 36,000 gallons of contaminated groundwater was extracted from the excavation pit, treated, and subsequently discharged to the City of Eureka's Publicly Owned Treatment Works (POTW) under proper discharge permits. The NCRWQCB's case number for the SLIC site is 1NHU908 and this case was closed by NCRWQCB letter dated June 8, 2021 (NCRWQCB, 2021[2]). A copy of the No Further Action letter is included in Appendix C. A Soil and Groundwater Management Plan (SGMP) (EBA, 2020[3]) is in place which details worker safety and special handling requirements of impacted soil and groundwater at the site if these materials are encountered during ground disturbing activities. The measures outlined in the SGMP will be followed during all construction activities that involve soil disturbance at the project site. The primary construction contractor must be Occupational Safety and Health Administration's (OSHA) Hazardous Waste Operations and Emergency Response (HAZWOPER) trained and will be responsible for properly implementing the in-field stipulations described in the SGMP.

A hazardous material is any material that poses a significant hazard to human health, safety, or the environment, such as substances that are flammable, corrosive, reactive, oxidizing, combustible, toxic or radioactive. These include substances that require a Safety Data Sheet (SDS), which is information provided by the manufacturer about the chemical's properties, hazards, safe handling practices and other technical and scientific information.

The California Fire Code includes specific requirements for the processing and extraction of oils and products from plants, and requirements for the storage, handling, and use of hazardous materials, including compressed gases, flammable/combustible liquids, and flammable gases and solids. In addition, businesses that handle hazardous materials over threshold amounts (55 gallons for liquids, 500 pounds for solids, and 200 cubic feet for compressed gases) are required to submit a Hazardous Materials Business Plan (HMBP) to the Humboldt County Department of Health and Human Services – Division of Environmental Health (HCDEH) and submit the HMBP electronically to the California Environmental Reporting System (CERS), which is also a required standard for cannabis facilities within the City of Eureka per EMC §10-5.3010(h).

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

California Department of Public Health (CDPH) regulations (CCR Title 17, Division 1, Chapter 13, §40253) require licensees to develop and implement a written product quality plan that includes, but is not limited to, identification of hazards associated with the premises or the manufacturing process. §40290 requires licensees to have a written cannabis waste management plan; licensees are responsible for evaluating waste to determine if it should be designated and handled as a hazardous waste. §40220 - §40225 include requirements for cannabis extraction operations. Extraction, non-flammable means the manufacture of cannabis products using cold water, heat press, lipid (butter, milk, oil) or other non-chemical extraction method make bubble hash, kief, rosin, cannabis-infused lipid, etc. Ethanol, alcohol, and CO2-based solvent extraction to make cannabis concentrates/oils are also included in this definition.

In accordance with CDPH regulations, the closed-loop extraction system, other equipment used in the extraction process, and the extraction facilities must be approved by the local fire code official and must comply with any required fire, safety, and building code requirements related to the processing, handling, and storage of the applicable solvent or gas. The local fire code official must also approve extraction operations that involve the use of ethanol. Extraction operations must comply with applicable state and local requirements and must be operated in accordance with Cal/OSHA regulations. All employees using solvents or gases in a closed loop system to create extracts must be fully trained on how to use the system, have direct access to applicable safety data sheets, and handle and store solvents and gases safely. The licensee must develop standard operating procedures, good manufacturing practices, and a training plan prior to producing extracts. Furthermore, the City of Eureka defines a non-volatile manufacturing facility as a…"facility which does not involve the manufacturing, processing, generation, or storage of materials that constitute a physical or health hazard, as listed in Tables 307.1(1) and 307.1(2) of the California Building Code (CBC) per EMC§10-5.003.0(l).

DISCUSSION & FINDINGS:
a,b). During construction activities for the Project, materials that are generally regarded as hazardous, such as gasoline, diesel fuel, hydraulic fluids and paint will be used. These materials are routinely used during construction, are not acutely hazardous and would be used in small quantities. The risks associated with the routine transport, use, and storage of these materials during construction are low. There are numerous laws and regulations which ensure the safe transportation, use, storage, and disposal of hazardous materials. Examples include the California Department of Transportation (Caltrans) and the California Highway Patrol (CHP) who regulate the transportation of hazardous materials and wastes, including using appropriate containers and packaging and licensing for drivers, chemical handlers, and hazardous waste haulers. With appropriate handling and disposal practices, there is a relatively low potential for an accidental release of hazardous materials during construction activities and the likelihood is low that workers and the public would be exposed to health hazards. Storage and handling of materials during construction would employ Best Management Practices (BMPs) established by Caltrans and adhere to manufacturer labeling requirements for their use.

Cannabis cultivation operations would involve the use of fertilizers, and other common agricultural chemicals and amendments, along with diesel fuel for a backup generator (if added to the Project plans in the future), and typical household cleaning products. All fertilizers and/or amendments, organic pesticides, potting soils and composts will be stored on-site in the 'Nute. Stor." room (Sheets A-1 and A-2) and in containers which are fully enclosed and watertight with secondary containment. The materials will be stored inside of the existing buildings and in a manner so that they cannot enter or be transported into surface waters and such that nutrients or other pollutants cannot be leached into groundwater. All proposed amendments/teas and other additives are certified for organic farming and are limited to those allowable as identified in the Legal Pest Management Practices for Marijuana Growers in California guidance document (Department of Pesticide Regulation [DPR][3]). The proposed manufacturing facility would use materials considered hazardous, including ethanol. Routine transport, handling, use, and disposal of these types of materials could expose people to hazards if the required precautions discussed in this section are not taken.

Storage and use of fertilizers and pesticides will be conducted in accordance with the Best Practicable Treatment or Control (BPTC) measures of State Water Resources Control Board (SWRCB) Order WQ 2019-0001-DWQ, which include requirements to apply fertilizers and soil amendments at only the proper agronomic rates, and to store materials in a manner that is protected from rainfall and erosion. Consistent with CDFA §8307, for all pesticides that are exempt from registration requirements, cultivation sites must comply with all pesticide laws and regulations enforced by the DPR and with the following pesticide application and storage protocols:

1). Comply with all pesticide label directions;
2). Store chemicals in a secure building or shed to prevent access by wildlife;
3). Contain any chemical leaks and immediately clean up any spills;
4). Apply the minimum amount of product necessary to control the target pest;
5). Prevent offsite drift;
6). Do not apply pesticides when pollinators are present;
7). Do not allow drift to flowering plants attractive to pollinators;
8). Do not spray directly to surface water or allow pesticide product to drift to surface water. Spray only when wind is blowing away from surface water bodies;
9). Do not apply pesticides when they may reach surface water or groundwater; and
10). Only use properly labeled pesticides. If no label is available consult the Department of Pesticide Regulation.

The Project will also include non-volatile extraction operations (Level 1 [Type 6] non-volatile manufacturing as defined by AB 266, article 10 § 19341). The Project proposes the use of ethanol in non-volatile extraction operations, which when not in use, will be stored in a properly designed Flammable Cabinet. The extraction solvents will be isolated from places where there is a floor drain or other potential entry sites to the municipal sewer system. All non-volatile extraction activities will occur within a self-contained "extraction pod" as shown on Sheet A-1. A "Cut Sheet" for the non-volatile solvent extraction pod is included in Appendix D. The use and

storage of the non-volatile solvents at the project site would be subject to permitting and inspection by applicable regulatory agencies, as discussed above.

The closed-loop non-volatile solvent extraction system must be certified by a California-licensed engineer to ensure that the system was commercially manufactured, safe for use with the intended solvent, and built to codes of recognized and generally accepted good engineering practices (e.g., the American Society of Mechanical Engineers, American National Standards Institute, Underwriters Laboratories, or the American Society for Testing and Materials).

The Project will be subject to the requirements of the State Water Resources Control Board's (SWRCB) Cannabis Cultivation Program (SWRCB, 2019). The NCRWQCB program has "standard conditions" applicable to cannabis operations that address impacts from the storage and use of hazardous materials which include the following requirements:

- Any amendment product application be consistent with product labeling and be managed to ensure that they will not enter or be released into surface or groundwater.

- Petroleum products and other liquid chemicals will be stored in containers and under conditions appropriate for the chemical with impervious secondary containment.

- Implementation of spill prevention, control, and countermeasures (SPCC), if applicable, and have appropriate cleanup materials available onsite.

The Project will also be subject to the requirements of the SWRCB Cannabis Cultivation General Permit. The SWRCB/NCRWQCB administers the General Permit program and has "standard conditions" applicable to cannabis operations that address impacts from the storage and use of hazardous materials which are listed above in subsection a).

In the event of foreseeable upset and accident conditions, it is unlikely that these hazardous materials would be released in a quantity or manner that would create a significant hazard to the public or the environment. As documented above, the Project would be subject to existing laws and regulations related to hazards and hazardous materials, including, but not necessarily limited to, those discussed in the "Setting" section, above. Compliance with these regulations, and verification by such agencies (i.e., the HCDEH, Fire Department, SWRCB/NCRWQCB, DPR, CDFA, CDPH) prior to issuance of licenses and/or permits, will ensure that the transport, use, and disposal of hazardous materials do not create a significant hazard to the public or the environment. **No significant impact**.

c). The project site is not located within a quarter mile (1,320 feet) of an existing or proposed school and, as such, would not result in any increased risk of exposure to existing or planned schools as a result of the proposed project. Therefore, no impacts related to the emission or handling of hazardous, or acutely hazardous materials, within one quarter mile of an existing or proposed school, are expected. The nearest school is Alice Birney Elementary School located approximate 4,000 feet northeast of the Project Site. **No impact**.

d). The project site is listed on the SWRCB's GeoTracker website[5] as a CPS site, and as a former LUST site. The LUST investigation was regulated by the NCRWQCB (case number 1THU908) and was subsequently granted closure on November 4, 2013.

The project site is also a closed CPS site that is regulated and overseen by the NCRWQCB. The CPS case was closed by NCRWQCB letter dated June 8, 2021. In the Fall of 2017, approximately 1,250 cubic yards of contaminated soil was excavated from the project site then off-hauled to accepting landfills. As noted, the project site has a SGMP that details the procedures for special handling of impacted soil and groundwater encountered during construction activities. The measures outlined in the SGMP will be followed during trenching activities to connect to the existing municipal water and sewage disposal facilities. **No significant impacts are anticipated with implementation of the mitigation measure listed below.**

e). The Project Site is located approximately one mile southeast from the former City of Eureka Municipal Airport, which is identified as the Samoa Airfield and is a City of Eureka owned public airport. Available data from the County of Humboldt's Web GIS Portal[6] indicates that the project site is not within an "Airport Compatibility Zone", but the air space above the project site does have special designation. With exception of emergency circumstances, the project area relative to Samoa Airstrip would not result in any safety hazards to people using or working at the project site. Implementation of the Project will not change the current elevations of the project site buildings. The current heights of the on-site buildings do not obstruct air traffic or cause any other conflicting use. The Project will not impact airport use, airport operations, or aircraft safety. The Project will also not result in an airport-related safety hazard for people residing or working in the Project area. **No impact**.

f). The project site lies within a tsunami evacuation zone according to the Tsunami Inundation Map on the County of Humboldt's Web GIS Portal[6]. The County of Humboldt has developed an Emergency Operations Plan (County of Humboldt 2015[7]), a guidance document which addresses the planned response to extraordinary emergency situations associated with natural disasters, technological incidents, and human-caused disasters in or affecting Humboldt County. The Pacific Tsunami Warning Center in Ewa Beach, Hawaii, is staffed full-time by scientists, who quickly collect and analyze incoming tsunami data and then decide whether to issue a tsunami warning. In the event of a tsunami warning, the City of Eureka staff Emergency Operations employees are trained in disaster preparedness including broadcasting an emergency tsunami warning (and sirens) and giving direction to the public on actions they should take in the event of a tsunami. To help educate public the public along the Humboldt Bay waterfront of tsunami hazards and evacuation procedures, adequate signage notifying the public of tsunami hazards and evacuation routes currently exists within and adjacent to the project area. Because there are existing tsunami evacuation plans for the area, the Project would not interfere with any existing emergency response plans. With that said, the Project will include emergency procedures, including a site-specific tsunami evacuation plan, as part of the facility operations.

While the project site is situated within the tsunami evacuation zone, the Project would not impair or interfere with emergency response plans or emergency evacuation plans. Evacuation plans will be incorporated into the site safety procedures for workers at the Project. **No impact**.

g). The presence of vegetation on or near the project site is minimal, and the types of vegetation present are not prone to extensive or severe wildfire activity. Additionally, all areas surrounding the project site are urbanized and a significant distance from wildlands which could experience wildfire activity. However, the Western Pacific Right-a-Way along the western portion of the project site contains dense coastal vegetation. The California Department of Forestry and Fire Protection (CAL FIRE) is required by law to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. These Fire Hazard Severity Zones (FHSZ) influence how people construct buildings and protect property to reduce risk associated with wildland fires. The project site is located in a local responsibility area (LRA) according to the County of Humboldt's Web GIS Portal[6] meaning an area where local governments have financial responsibility for wildland fire protection. The project site is in the "LRA Unzoned" and "Other Unzoned" zones, meaning that the project site property is in an area that has low potential for wildland fire[6]. **No impact**.

MITIGATION MEASURES:
MITIGATION MEASURE NO. IX-1: Implement the SGMP that specifies procedures in the event that contaminated soil or groundwater is encountered during trenching or other ground disturbing activities. The SGMP addresses potential health and safety concerns, outlines appropriate worker training and materials handling procedures, and provides information and procedures for site workers performing subsurface work at the project site.

Sources

1- EBA, 2018. Report of Excavation, Former Peterson Tractor SLIC Site, 3990 Broadway, Eureka, California. Dated April 9, 2018

(https://documents.geotracker.waterboards.ca.gov/esi/uploads/geo_report/3948234260/T10000000269.PDF)
2- NCRWQCB, 2021. No Further Action letter, Former Peterson Tractor, 3990 Broadway, Eureka, California. Dated June 8, 2021 (https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/3666349112/210608_TNM_mc_PetersonTractor_NFA%20.pdf)
3- EBA, 2020. Soil and Groundwater Management Plan, Former Peterson Tractor, 3990 Broadway, Eureka, California. Dated July 23, 2020 (https://documents.geotracker.waterboards.ca.gov/esi/uploads/geo_report/1482386708/T10000000269.PDF))
4- DPR - Department of Pesticide Regulation Legal Pest Management Practices for Marijuana Growers in California (https://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/pdf/pest_mgmt_practices.pdf)
5- SWRCB, 2019. Cannabis Cultivation Policy, Staff Report. Dated February 5, 2019. (https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/staff_report_with_appendices.pdf)
6- State Water Resources Control Board GeoTracker Website (https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T10000000269)
7- County of Humboldt's Web Portal (https://webgis.co.humboldt.ca.us/HCEGIS2.0/)
8- County of Humboldt, 2015. Emergency Operations Plan (https://humboldtgov.org/DocumentCenter/View/51861/Humboldt-County-Emergency-Operations-Plan-2015)

4.10 Hydrology and Water Quality:

X. **HYDROLOGY AND WATER QUALITY.** Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?				X
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 would:				X
i) result in substantial erosion or siltation on- or off-site;				X
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;				X
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				X
iv) impede or redirect flood flows?				X
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X

DISCUSSION & FINDINGS:

a). Minor utility trenching to connect to the existing municipal sewer and water lines at the property is proposed. The trench to connect to existing municipal sewer facilities will be approximately 26 feet long, 2 feet wide and 3.5 feet deep, and result in the disruption of approximately 6.74 cubic yards of soils during trenching. The trench to connect the existing water line will be approximately 60 feet long, 2 feet wide and 3.5 feet deep, and the disruption of approximately 15.5 cubic yards of soils during trenching. Total soil disturbance for the proposed trenching is approximately 22.24 cubic yards (600 square feet). The proposed trenching will not produce a significant impact with the implementation of Best Management Practices (BMPs) in conformance with those developed by the California Stormwater Quality Association (CASQA) BMP Handbook (CASQA, 2020[2]), and following the Soil and Groundwater Management Plan (SGMP) prepared for the project site (EBA, 2020[1]). The small volume of soils which will be excavated for trenching to connect to existing utilities will be stockpiled on and covered with plastic sheeting to minimize run-off. Implementation of BMPs will prevent adverse impact to water quality including violation of water quality standards and waste discharge requirements. **No significant impact**.

b). A significant portion of the project site is already developed with impermeable surfaces, and construction or operations of the Project would not require the use of the local groundwater supply. Some water would be used for dust suppression; however, and the Project would draw from the City of Eureka's water supply. The Project would not require the use of groundwater. No impact to groundwater recharge from infiltration will take place because no new impervious areas are proposed. Due to these factors, the Project will have no impact on groundwater supplies or interference with groundwater recharge. **No impact**.

c). There are no waterways located at the project site and the Project does not include the addition of any impervious surfaces. The Project does not propose any grading or other significant ground disrupting activities that could affect the flow direction of surface water runoff. c)i) The Project will not generate erosion or siltation at the project site or in the site vicinity as no new structures are proposed; and the small volume of soils which will be excavated for trenching to connect to existing utilities will be stockpiled on and covered with plastic

sheeting to minimize run-off. c)ii) The Project will not increase the rate or amount of surface runoff because no new impervious areas are proposed. c)iii) Existing stormwater drainage systems will not be impacted by any increases in stormwater flows as Project improvements and operations will be limited to the interiors of existing buildings, and no water quality impacts are anticipated as described in a) of this Section. c)iv) As discussed above, since proposed improvements are limited to the interiors of the existing buildings with the exception of the installation of a water tank and mechanical equipment on top of an existing impervious surface, the Project will not impede or redirect flood flows. **No impact**.

d). The project site is within a region that could be impacted by a tsunami per the Tsunami Inundation Area Map prepared by the California Emergency Management Agency (CEMA, 2020[3]). Such an act of God would be devastating for the region; however due to the limited amounts and proper storage of fertilizers, non-volatile manufacturing solvents, house-hold cleaners, and diesel fuel for the backup generator planned to be used as part of the Project, significant environmental impacts are not anticipated. Hazardous materials used on-site will be stored in appropriately designed containers providing secondary containment inside of the Project buildings which will minimize the potential for release of such materials in the event of a tsunami. A small portion of the northwestern corner of Building A is located within a Special Flood Hazard Area (SFHA) as shown on Sheet A-4. The Pantheon Group has collected evidence that the proposed improvements within the SFHA do not constitute a "Substantial Improvement" as defined in EMC §153.005 using criteria in §153.027 to obtain an exemption for the requirement to obtain a flood development permit as shown in Appendix E. An evaluation of the proposed improvements within the SFHA was completed by From the Ground Up Construction, which indicated that the overall improvement costs would not exceed $100,000. An evaluation performed for the project site property by Benchmark Realty Group indicates that the current "market value" of the overall square footage of buildings on the property is approximately $13,713,000 ($228 per square foot), which results in a current market value of $1,398,324 for the 6,133-square-foot Building A. Based on the estimated construction costs of the improvements within the SFHA, versus the assessed market value of all on-site structures on the property, the proposed improvements within the SFHA constitute approximately 7% of the market value, which does not equal or exceed 50% of the market value of the structure before the start of construction of the improvement which would be considered a substantial improvement and require a flood development permit. Supporting information is included in Appendix E. **No significant impact**.

e). The Project does not conflict with any water quality control plan or groundwater management plan at the project site or in the site vicinity as none exist for the Project area. **No impact**.

MITIGATION MEASURES:
No mitigation required.

Sources

1- EBA, 2020. Soil and Groundwater Management Plan, Former Peterson Tractor, 3990 Broadway, Eureka, California. Dated July 23, 2020 (https://documents.geotracker.waterboards.ca.gov/esi/uploads/geo_report/1482386708/T10000000269.PDF)
2- CASQA, 2020. California Stormwater Quality Association (CASQA), 2020. BMP Handbooks | CASQA – California Stormwater Quality (https://www.casqa.org/resources/bmp-handbooks)
3- CEMA, 2020. California Emergency Management Agency (2020). California Official Tsunami Inundation Maps. Accessed January 4, 2020 (https://www.conservation.ca.gov/cgs/tsunami/maps#select-a-map)

4.11 Land Use Planning:

XI. **LAND USE/PLANNING** Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?				X
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?				X

SETTING:
Applicable land use plans covering the project site include the City of Eureka 1997 General Plan/Local Coastal Program, and the EMC. The project site is currently zoned Service Commercial (CS), with a small portion of the northwestern extents of the property zoned Natural Resources (NR) (Figure 3). Land Use Designations for the project site are General Service Commercial (GSC) and NR. Note that the small portion of the northwestern extents of the project site that is zoned NR is not part of the Project. The Project will be entirely located on those portions of the project site zoned CS with a GSC land use designation. EMC for the Coastal Zone §10-5.3007 provides that 5,000 square feet or less of indoor cannabis cultivation area is a conditionally permitted use; distribution of cannabis on-site with or without transportation is a principally permitted use; and non-volatile manufacturing, 5,000 square feet or less of manufacturing area requires a Minor Use Permit; and, per EMC § 10-5.2401(c), a Coastal Development Permit is required for any projects requiring a use permit or minor use permit.

DISCUSSION & FINDINGS:
a). The Project is currently in commercial use and is located within an area designated for commercial development, which allows for the proposed cannabis multi-use facility. The Project would not conflict with the surrounding commercial developments along Broadway and would not divide any established community. **No impact**.

b). No environmental impacts are expected to arise from the Project due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The land use and zoning of the project site are all conducive to the type of proposed use. Furthermore, as most historical development activity onsite occurred without the benefit of environmental oversight in accordance with current rigorous standards, the Project will likely improve the environmental stewardship of the property. **No impact**.

MITIGATION MEASURES:
No mitigation required.

4.12 Mineral Resources:

XII. **MINERAL RESOURCES**. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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?				X
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?				X

SETTING:

The mineral resource production in Humboldt County is primarily limited to sand, gravel, and other base aggregate. The State Surface Mining and Reclamation Action of 1975 (SMARA, 1975[1]) is a State policy for the reclamation of mineral lands. The County of Humboldt Web GIS Portal includes parcels containing mineral resources as reported by SMARA[1]. The County of Humboldt Web GIS Portal[2] displays the known parcels associated with SMARA, and the project site is not displayed on the GIS portal nor are any neighboring parcels. The project site is situated within a commercial / industrial area of Eureka.

DISCUSSION & FINGINGS:

a,b). No mineral resources and no mineral resource extraction currently occur within or near the project site. The Project would not affect the availability of a known mineral resource that would be of value to the region, nor would the Project result in the loss of availability of a locally important mineral resource recovery site, delineated on a specific, general plan, or other land use plan. Additionally, the project site has undergone numerous subsurface investigations, which detail the geologic conditions at the project site, none of these investigations have determined the project site contains any mineral resources. **No impacts**.

MITIGATION MEASURES:

No mitigation required.

Sources

1- SMARA, 1975. SMARA Website (https://humboldtgov.org/DocumentCenter/View/353/Surface-Mining-and-Reclamation-Act-of-1975-PDF)
2- Humboldt GIS Portal Website (https://webgis.co.humboldt.ca.us/HCEGIS2.0/)

4.13 Noise:

XIII. **NOISE**. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the 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?			X	
b) Result in the generation of excessive ground borne vibration or ground borne noise levels?			X	
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?				X

SETTING:

The project site is located in a commercial / industrial area of southern Eureka. All adjacent parcels are commercial or industrial sites and, as noted in this report, Broadway borders the project site to the east (front of the parcel). The nearest residential area is approximately 350 feet north of the project site located on Patrions Court. The Project will involve limited construction work to revitalize the two existing structures at the project site (Buildings A and B) which would involve the short-term use of various vehicles and tools that would generate noise. Following the revitalization of the project site structures, the Project would generate noise by means of worker vehicles, exhaust systems (odor control structures and the HVAC system), and delivery trucks. The Project's hours of operations are anticipated to be Monday through Sunday, 8:00 am to 6:00 pm.

The Noise Section of the City of Eureka's 1997 General Plan (Section 7) does not include set hours for construction or any specific measures to be included in the construction phase to reduce noise from construction activities. However, the City of Eureka's 1997 General Plan does include noise limits for non-transportation related noise, which states the maximum allowable noise at a property designated for noise-sensitive uses (residential) cannot exceed 65 decibels (dB) during the nighttime (10:00 pm to 7:00 am) to 70 dB during the daytime (7:00 am to 10:00 pm) working hours. As the project site is not a property designated noise-sensitive uses since it is zoned for commercial uses, the noise levels do not apply (City of Eureka, 1997[1]).

DISCUSSION & FINDINGS:

a). The Project would generate a temporary increase in noise during improvements to the parking lot and interiors of the two existing structures through the use of various tools, generators, and construction vehicles. A majority of the construction work will be within the buildings which will limit the fugitive noise emissions from the project site. As for the cannabis operations, noise would be limited to workers and delivery vehicles, and the operation of the HVAC and odor control systems. Noise emissions from the project site would be less than significant due to numerous sources of higher dB ambient noises from neighboring parcels, vehicle traffic, and the Pacific Ocean which would buffer the noise generated from the Project. Further, the hours of operations for the Project are anticipated to be 8:00 am and 6:00 pm which are within normal daytime working hours. The noise generated from the Project, which would be limited to traffic, commercial activity noise, and occasional landscaping and maintenance would be buffered by the existing ambient noise generated by traffic along Broadway. These activities alone are not anticipated to exceed the General Plan thresholds, nor are they anticipated to increase noise levels to an unacceptable level at the residential uses. Therefore, this incremental increase in noise would not expose persons to noise levels in excess of applicable standards and would not represent a substantial increase in noise. **No significant impact**.

b). While the Project will generate ground borne vibration and ground borne noise levels during construction activities by mean of power tools, construction machinery, and generators, it is not anticipated the vibrations will exceed 0.7 inches per second Peak Particle Velocity (PPV) which is classified by a human response as "disturbing" in CalTrans' 2020 Transportation and Construction Vibration Guidance Manual (CalTrans, 20202). A study by the Federal Transportation Administration in 2018 (presented in the CalTrans Vibration Manual)

quantified the PPV a persons would experience at 25 feet from the source; Vibratory roller – 0.210 PPV, Large bulldozer – 0.089 PPV, Jackhammer – 0.035 PPV. The use of jackhammers, bulldozers, and vibratory rollers is not proposed as part of the Project. **No significant impact**.

c). The project site is not located within an airport land use plan area or in the vicinity of a private airstrip and is located approximately one mile from the former City of Eureka Municipal Airport, which is identified as the Samoa Airfield and owned by the City of Eureka, and over approximately 4.5 miles southwest of Murray Field, a public use airport. The Project would not have the potential to expose people working on-site to excessive aircraft noise from this airport because the project site is not located within the airport's takeoff or landing approaches. Combined with the extremely low aircraft traffic volumes at this airport and the type of aircraft served by the airport (e.g., small commuter planes; no commercial aircraft). **No impact**.

MITIGATION MEASURES:
No mitigation required.

Sources:

1- City of Eureka, 1997. City of Eureka General Plan- Section 7, Table 7-1 (https://www.ci.eureka.ca.gov/civicax/filebank/blobdload.aspx?BlobID=6851)
2- CalTrans, 2020. California Department of Transportation, "Transportation and Construction Vibration Guidance Manual", Updated April 2020. (https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tcvgm-apr2020-a11y.pdf)

4.14 Population and Housing:

XIV. **POPULATION AND HOUSING**. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and/or businesses) or indirectly (e.g., through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X

DISCUSSION & FINDINGS:

a). The Project does not include a need for new homes, or other new businesses that would directly induce population growth because it is assumed that future employees would be hired from the local labor force already living within the greater community. The Project does not induce indirect population growth through extension of roads or infrastructure, or by other means because new roads and infrastructure are not needed to support the Project. Therefore, the Project would not directly or indirectly induce population growth in the site vicinity. **No impact**.

b). The Project does not include the elimination of any existing housing, would not displace existing housing or people. **No impact**.

MITIGATION MEASURES:

No mitigation required.

4.15 Public Services:

XV. **PUBLIC SERVICES**. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Fire protection?			X	
b) Police protection?			X	
c) Schools?				X
d) Parks?				X
e) Other public facilities?				X

SETTING:

The Project involves revitalization of an existing commercial property and with exception for emergencies, the Project would not require any additional demand on police or fire services. The project site is secured by an existing perimeter fence and contains numerous surveillance cameras. As required by the City of Eureka Commercial Cannabis Licensing Program, a Security Plan will be submitted. The Project will construct, install, and maintain various security measures as required by the cannabis licensing program such as additional security fencing, surveillance cameras, exterior lighting, etc., during the revitalization process and throughout future cannabis operations at the project site.

The project site is located within the City of Eureka limits with fire protection provided by the Humboldt Bay Fire Department, police protection by the City of Eureka and California Highway Patrol (CHP) and could be assisted by Humboldt County Sheriff's office (if needed). The project site is situated in a commercial and light industrial zoned area of the City of Eureka and the nearest school is over 4,000 feet (0.75 miles) from the project site (Alice Birney Elementary School). Additionally, the nearest park is the Fort Humboldt State Historical Park which

is approximately 2,000 feet (0.38 miles) from the project site. As for other public facilities, the City of Eureka Wastewater Treatment Plant (WWTP) is located approximately 1,000 feet (0.19 miles) from the project site.

DISCUSSION & FINDINGS:

a). As noted above in the setting, the project site is located within the City of Eureka and will be serviced by the City of Eureka municipal water supply. Following review by the City of Eureka Cannabis Licensing Division, a copy of the Pantheon Group's Commercial Cannabis License application will be sent for referral to the Humboldt Bay Fire Department (HBFD) for review and comments. Once building permits have been approved, a final inspection will be scheduled, which will include staff from the City of Eureka Police Department (EPD), and the HBFD. During subsequent Project operations, inspectors with the HBFD will be allowed unrestricted access to all parts of the Project facility to ensure compliance with the terms of the cannabis license at any time during normal operating hours as specified in the City's license application. As required by fire codes, the Project will be developed with a fire suppression system. The Project would also store water on-site in a 5,000-gallon water tank and allow access to the stored water for local fire departments in case of an emergency. The Project would not result in the need for new or physically altered fire protection services. **No significant impact.**

b). The project site is within the jurisdiction of the City of Eureka Police Department (EPD) and CHP. Following review by the City of Eureka Cannabis Licensing Division, a copy of the Pantheon Group's Commercial Cannabis License application will be sent for referral to the EPD. In addition, per EMC §10-5.3011.4, the Pantheon Group will submit a Safety and Security Plan as part of the cannabis licensing application (which will be consistent, or go expand upon) with the information provided in the project description in Chapter 2) for approval by the EPD. Once building permits have been approved, a final inspection will be scheduled, which will include staff from the EPD, and the HBFD. Cannabis-related operations are commonly associated with greater security related demands which may result in increased law enforcement services. The project site contains an existing perimeter fence and a surveillance camera system operated by the landowner. The Project will include the installation of additional fencing and gated access controlled through the use of identification badges, along with video surveillance systems around the cannabis operations. The entire facility proposed as part of the Project, including hallways, offices, work areas, cultivation rooms, loading areas and perimeter of the buildings, will be monitored by the 24-hour video surveillance system. Access into the Project buildings will be controlled using ID badges as discussed above, and entrance will occur through "Man Trap" areas as shown on Sheets A-2, A-3, and A-4 in Appendix B. The Project area will also be equipped with an alarm system with automatic law enforcement notifications. During subsequent Project operations, inspectors with the EPD will be allowed unrestricted access to all parts of the Project facility to ensure compliance with the terms of the cannabis license at any time during normal operating hours as specified in the license application. **No significant impact**.

c). The project site is located within a commercial and light industrial zoned area of Eureka and the nearest school (Alice Birney Elementary School) is approximately 4,000 feet from the project site. The Project would have no impact on performance objectives for schools. **No impact**.

d). The nearest park or public land to the project site is the Fort Humboldt State Historical Park located approximately 2,000 feet away. The Project would not directly or indirectly result in the need for new parks, or expansion of the existing park system. **No impact**.

e). Since the Project intends to revitalize existing buildings within the City of Eureka, the Project would not directly or indirectly induce significant population growth and subsequently would no impact on the demand for public facilities, such as public health services or library services. **No impact**.

MITIGATION MEASURES:

No mitigation required.

4.16 Recreation:

XVI. **RECREATION**. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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?				X
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

DISCUSSION & FINDINGS:

a,b). The Project involves the use of two existing buildings at the project site, and it is anticipated that an existing local labor force will be available to staff the Project. As such, the Project will not result in population growth and induce growth by requiring an outside labor force. Since the Project is not expected to increase the population of the surrounding community, the use of existing neighborhood and regional parks or other recreational facilities would not be impacted. **No impacts**.

MITIGATION MEASURES:

No mitigation required.

4.17 Transportation:

XVII. **TRANSPORTATION**. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			X	
b) Conflict or be inconsistent with CEQA guidelines section 15064.3 (b)?			X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d) Result in inadequate emergency access?			X	

SETTING:

The project site is situated adjacent to Broadway (Highway 101) and provides easy access to and from the project site. Highway 101 is a north-south highway stretching nearly the entire length of California and continues north to the State of Washington. Near the project site, Broadway is composed of two southbound lanes, two northbound lanes and a two-way left turn lane. Northbound and southbound bike lanes and a pedestrian sidewalk are also present. Based on the Humboldt County Association of Governments' (HCAG, 2021[1]) Eureka Broadway Multimodal Corridor Plan, this section of Broadway serves up to 35,000 vehicles per day, or 1,458 vehicles per hour. A Level of Service (LOS) D designation has been determined acceptable for Broadway in the site vicinity (City of Eureka, 1997[2]). While no longer a part of the CEQA review process, vehicular travel LOS was evaluated for consistency with the City of Eureka 1997 General Plan and Coastal Land Use Policy (Section 3). There are two access points to the project site from Broadway, one located on the northern edge of the parcel, and one on the southern edge of the parcel along the eastern frontage of the property adjacent to Broadway.

Effective July 1, 2020, vehicle miles traveled (VMT) is the primary metric for evaluating transportation impacts under CEQA. The Governor's Office of Research (OPR) has published guidance that a 15% reduction in VMT per capita, relative to the regional average, be used as a significance threshold. Land use projects generally should be presumed to cause a less-than-significant transportation impact if they are within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor. The project site is an existing high-quality transit corridor and is situated along a public transportation bus route. Also, projects that decrease VMT in the project area compared to existing conditions should be presumed to have a less-than-significant transportation impact. According to a Technical Advisory released by the Governor's Office of Planning and Research, the land use projects of interest in VMT analysis are residential, office, and retail (OPR 2018[3]). Manufacturing and agricultural projects are not mentioned. Also, new and seasonal employees are presumed to be from the local Eureka population and would not cause significant additional traffic in the area.

DISCUSSION & FINDINGS:

a). The normal operations of the Project would generate approximately 48 vehicle trips by employees to the property each day (12 employees arriving and departing from the project site, and assumed lunch breaks), an estimated 20 vehicle trips a month for incoming and outgoing shipments by vendors and/or distributors, and a temporary increase during construction activities. The vehicle trips would be roughly split between the morning peak transportation period and the afternoon peak transportation period. As Broadway is rated to accommodate up to 35,000 vehicles per day, the increase of 48 daily employee vehicle trips would not represent a significant impact on traffic during the peak transportation periods. In addition, the project site is situated on the Redwood Transit System's route which operates seven days a week and connects the communities as far south as Scotia, to Trinidad in the north. Further, there are multiple bicycle and pedestrian options to access the project site, Broadway contains northbound and southbound bike lanes, pedestrian sidewalks, and the project site's close proximity to the Hikshari Trail which provides options for non-motorized transportation to the property. The Project does not include any components that would remove or change the location of any sidewalk, bicycle lane, ride sharing or public transportation facility.

Based on the relatively low number of vehicle trips estimated as part of the Project, the Project is not anticipated to result in a degradation of the LOS for Broadway. In addition, with the project site's location directly off of Broadway, which has been designated a preferred truck route for "Goods Movement" (City of Eureka, 1997; Policy 3.E.1[2]). The Project is not anticipated to conflict with Transportation and Circulations goals, policies, ordinances, and programs outlined in Section 3 of the City of Eureka's General Plan (City of Eureka, 1997[2]). Sufficient on-site parking will be provided, and employees will be encouraged to utilize existing mass transit and non-motorized transportation to the project site. **No significant impact**.

b). The CEQA guidelines § 15064.3 dictates criteria for analyzing transportation impacts for land use and transportation projects. The regional transportation planning agency for Humboldt County is the Humboldt County Association of Governments (HCAOG). Under its authority, HCAOG submits updated Regional Transportation Plans to various State agencies every five years for review. As noted in Section 4.8 Greenhouse Gas Emissions, EBA utilized the Technical Advisory for a screening threshold for small project "that generate or attract fewer than 110 trips per day generally may be assumed to cause less-than-significant transportation impacts" (OPR, 2018[3]). With the Project projected to have approximately 48 employee vehicle trips per day in addition to a small number of deliveries and shipments per month (estimated 20 vehicle trips), this value is significantly less than the 110-trip threshold described in the Technical Advisory[3]. In addition, the project site is located within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor, there are multiple bicycle and pedestrian options to access the project site, Broadway contains northbound and southbound bike lanes, and is in close proximity to the Hikshari Trail, which provides options for non-motorized transportation to the property, all of which can decrease VMT. **No significant impact**.

c). All activities associated with the Project would occur entirely within the project site and would not involve an increase in hazards due to design features or driving or operating farm equipment on public roads. The Project does not propose any sharp curves or other components that would increase hazards due to a design feature. Therefore, the Project would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). **No significant impact**.

d). Broadway is a major emergency route for all first responder activities. The traffic associated with the Project (employees and deliveries) will not result in significant restrictions on emergency access. There will be at least 41 parking spaces and a designated loading zone which will ensure the emergency vehicles have room to maneuver, and the project site already includes an emergency turn-around. With the addition of the proposed parking spaces and loading/unloading zones, driveways at the project site will remain free of any hindrances to emergency vehicle movements at the property. Further, internal circulation driveways at the project site would provide emergency vehicles access to all portions of property without having to turn around. The Project would not result in inadequate emergency access. **No significant impact**.

MITIGATION MEASURES:
No mitigation required.

Sources

1- HCAG, 2021. Eureka Broadway Multimodal Corridor Plan (https://www.eurekabroadwaycorridorplan.com/uploads/5/4/7/5/54754127/11197450_finaldraft_v1.pdf)
2- City of Eureka, 1997. City of Eureka General Plan (https://www.ci.eureka.ca.gov/civicax/filebank/blobdload.aspx?BlobID=6847)
3- OPR, 2018. Technical Advisory on Evaluating Transportation Impacts in CEQA (https://www.opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf)
4- Humboldt Transit Authority Website (https://hta.org/)

4.18 Tribal and Cultural Resources:

XVIII. **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:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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		X		
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.		X		

SETTING:

The importance of a cultural or historic resource is measured in terms of criteria for inclusion on the California Register of Historical Resources (California Register) (Title 14 CCR, §4852) as listed below. A resource may be important if it meets any one of the criteria below, or if it is already listed on the California Register or on a local register of historical resources.

An important historical resource is one which:

1). Is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.

2). Is associated with the lives of persons important to local, California, or national history.

3). Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values.

4). Has yielded, or may be likely to yield, information important to the prehistory or history of the local area, California, or the nation.

In addition to meeting one or more of the above criteria, eligibility for the California Register requires that a resource retain sufficient integrity to convey a sense of its significance or importance. Seven elements are considered key in considering a property's integrity: location, design, setting, materials, workmanship, feeling, and association.

DISCUSSION & FINDINGS:

a,b). The Project will be utilizing two existing buildings at the project site, with minor soil disturbance associated with trenching to connect to the existing water and sanitary sewer infrastructure (refer to Sheet A-1). During an environmental remediation excavation at the project site in 2017, approximately 1,250 cubic yards of soil were removed as part of remedial actions. A representative from the Wiyot Tribe was onsite observing the excavation pit and the soil stockpile for evidence of cultural resources. No cultural resources were observed during the environmental remediation excavation (EBA, 2018[1]). The proposed limited trenches at the project site are in close proximity to the area previously excavated. Further, a review of the Northwest Information Center's (NWIC) list of known cultural and historic sites in Humboldt County did not identify the project site or adjacent properties as containing tribal cultural resources. Due to the extensive ground disturbance from prior industrial development and the 2017 remedial actions at the project site, it is unlikely that archaeological resources will

be encountered during trenching activities. The Project was referred to tribal representatives who initially requested Inadvertent Discovery Protocols be followed in the event of any unanticipated ground disturbance because the initial project description did not anticipate any ground disturbing activities. Then, it was determined that trenching to connect to the City's water and sewer facilities would be needed (see the 4.5 Cultural Resources section for more information) and then a second referral was sent to tribal representatives who requested a qualified professional archeologist will be retained for purposes of examining the cross sections of the proposed trenches for evidence of intact soil horizons and cultural remains. While it is unlikely that the project site would contain tribal cultural resources as the ground has been extensively disturbed, excavation activities could uncover previously unknown subsurface tribal cultural resources. Implementation of the Mitigation Measures outlined below regarding inadvertent discoveries would reduce potential impacts to a level of less than significant. **Less than significant with mitigation incorporation**.

MITIGATION MEASURES:

MITIGATION MEASURE NO. XVIII-1.: As requested by a Tribal Historic Preservation Officer (THPO) representing the Blue Lake Rancheria and confirmed by the Wiyot THPO, a qualified professional archeologist will be retained for purposes of examining the cross sections of the proposed trenches for evidence of intact soil horizons and cultural remains. Records of findings and stratigraphy will be documented and a letter report will be produced for the City and THPOs, and filed at the Northwest Information Center (NWIC).

Furthermore, for any ground disturbing activities not previous anticipated, the following standard protocol for inadvertent discovery (cultural or historical) shall be followed, which consists of the following:

a. If archaeological resources are encountered during the limited proposed trenching activities, all onsite work shall cease in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist shall be retained to evaluate and assess the significance of the discovery, and develop and implement an avoidance or mitigation plan, as appropriate. For discoveries known or likely to be associated with native American heritage (prehistoric sites and select historic period sites), the appropriate Tribal Historic Preservation Officers are to be contacted immediately to evaluate the discovery and, in consultation with the project proponent, City of Eureka, and consulting archaeologist, develop a treatment plan in any instance where significant impacts cannot be avoided. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. Historic archaeological discoveries may include 19-century building foundations; structural remains; or concentrations of artifacts made of glass, ceramic, metal, or other materials found in buried pits, old wells, or privies.
b. If paleontological resources, such as fossilized bone, teeth, shells, tracks, trails, casts, molds, or impressions are discovered during ground-disturbing activities, work shall stop in that area and within 100 feet of the find until a qualified paleontologist can assess the nature and importance of the find and, if necessary, develop appropriate treatment measures in conformance with Society of Vertebrate Paleontology standards, and in consultation with the City of Eureka.

MITIGATION MEASURE NO. XVIII-2.: As requested by a Tribal Historic Preservation Officer (THPO) representing the Blue Lake Rancheria and confirmed by the Wiyot THPO, a qualified professional archeologist will be retained for purposes of examining the cross sections of the proposed trenches for evidence of intact soil horizons and cultural remains. Records of findings and stratigraphy will be documented and a letter report will be produced for the City and THPOs, and filed at the Northwest Information Center (NWIC).

Furthermore, for any ground disturbing activities not previous anticipated, the following standard protocol for inadvertent discovery shall be followed, which consists of the following: In the event of discovery or recognition of any human remains during construction activities, the landowner or person responsible for excavation would be required to comply with the State Health and Safety Code § 7050.5. Construction activities within 100 feet of the find shall cease until the Humboldt County Coroner has been contacted at 707-445-7242 to determine that no investigation of the cause of death is required. If the remains are determined to be, or potentially be, Native American, the landowner or person responsible for excavation would be required to comply with Public Resources Code (PRC) § 5097.98. In part, PRC § 5097.98 requires that the Native American Heritage Commission (NAHC) shall be contacted within 24 hours if it is determined that the remains are Native American.

The NAHC would then identify the person or persons it believes to be the most likely descendant from the deceased Native American, who in turn would make recommendations to the landowner or the person responsible for the excavation work for the appropriate means of treating the human remains and any associated grave goods within 48 hours of being granted access to the site. Additional provisions of Public Resources Code § 5097.98 shall be complied with as may be required.

Sources

1- EBA, 2018. Report of Excavation, Former Peterson Tractor SLIC Site, 3990 Broadway, Eureka, California. Dated April 9, 2018 (https://documents.geotracker.waterboards.ca.gov/esi/uploads/geo_report/3948234260/T10000000269.PDF)

2- Sonoma State University Northwest Information Center Website (http://web.sonoma.edu/nwic/historical-inventory.html)

4.19 Utilities and Service Systems:

XIX. **UTILITIES AND SERVICE SYSTEMS.** Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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?		X		
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	
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?			X	
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?				X
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				X

DISCUSSION & FINDINGS:

a). Limited trenching to connect to existing municipal water and sewage disposal facilities is proposed as part of the Project. No other modifications of existing utilities are proposed. Proposed utility trenching (approximately 22.24 cubic yards [600 square feet]) will take place over existing impervious areas and will not cause any significant environmental effects as long as the measures outlined in the Soil and Groundwater Management Plan (EBA, 2020[1]) prepared for the property are followed. In addition, the project site is relatively flat, the Project does not include the addition of impermeable surfaces at the property and would not result in any changes to drainage patterns at the property. **Less than significant with mitigation incorporation**.

b). Water is purchased from the Humboldt Bay Municipal Water District (HBMWD) and is piped from its original source, subsurface wells on the Mad River near Blue Lake, to Eureka's 20-million-gallon storage reservoir (Humboldt Local Agency Formation Commission [HLAFC], 2014[2]). The capacity of the HBMWD system is approximately 75 million gallons per day (MGD) and the City of Eureka currently maintains an entitlement of 5.16 MGD (Freshwater Environmental Services [FES], 2016[3]). According to published information, projected demand by 2035 is 4.4 MGD (FES, 2016[3]).

The City of Eureka Municipal water supply is present at the project site via a connection to the City of Eureka water system's 12-inch water main that underlies the center turn lane on Broadway. A water meter is located in the planter area between the entrance to the east (front) building and Broadway. Typical on-site employee water demand is estimated to be 420 gallons per day based on a wastewater flow of 35 gallons per person per day for 12 employees using the factory-type establishment value from *Appendix C - Expected Daily Wastewater Flows of the Humboldt County Onsite Wastewater Treatment System (OWTS) Regulations and Technical Manual* (Humboldt County, 2017[4]). Water usage for the proposed cannabis operations is estimated to be approximately 2,400-gallons per day assuming ½-gallon of water per plant per day. A 5,000-gallon water tank with a reverse osmosis filtering system will be located in the mechanical yard near the exterior western wall of Building A, as shown on Sheet A-1 in Appendix B. The Pantheon Group will allow access to the stored water for local fire departments in case of an emergency. Based on the current reported water availability from the HBMWD for the City of Eureka (5.16 MGD), the Project will utilize approximately 2,820 gallons of water per day which equals approximately 0.055% of the City of Eureka's current allotment. As for the City of Eureka's projected demand of 4.4 MGP (by 2035), the Project will utilize approximately 0.065% of the projected allotment in 2035. The Project's estimated water usage and water demands can be met by existing entitlements from the HBMWD. **No significant impact.**

c). The on-site sewer lateral ties into a 6-inch City of Eureka gravity main that underlies the sidewalk on the west side of Broadway (Figure 2, Appendix A). The City of Eureka's Elk River Wastewater Treatment Plant (ERWTP) provides wastewater services for the City of Eureka (HLAFC, 2014[2]). According to the Elk River Wastewater Treatment Plan 2017 Annual Report, the wastewater treatment plant has a permitted capacity of 8.6 MGD. The ERWTP has an average flow rate of 4.75 MGD and was designed to treat peak dry weather flows of 9.5 MGD (HLAFC, 2014[2]). Peak wet weather flow design and permitted capacity is 32.2 MGD.

Spent cannabis operations wastewater will be discharged to the City of Eureka municipal sewer facility under a Cannabis Business Wastewater Discharge permit. Based on conversations with the City of Eureka Public Works Department, conditions of the wastewater discharge permit will include providing an estimate of nutrient (nitrogen) and total dissolved solids (TDS) concentrations in facility wastewater prior to discharge, as well as an estimate of the volume of wastewater which is anticipated to be discharged per day. Using an assumed uptake/retention of approximately 80 percent of water in plants during cultivation watering (estimated at 2,400 gallons per day), approximately 480 gallons of cannabis wastewater and 420 gallons of employee generated wastewater are anticipated to be discharged to the municipal sewer per day. Based on the estimated volume of wastewater (900 gallons per day) to be generated as a result of the Project, the ERWTP would have adequate capacity to serve the Project. The average flow rate into ERWTP the wastewater discharge from the Project would represent approximately 0.00019% of average daily flow and would not cause an exceedance of wastewater treatment requirements. **No significant impact**.

d,e). The solid waste provider in the Project area is the Humboldt Waste Management Authority (HWMA). Solid waste is collected by the HWMA and taken to the transfer station approximately two miles from the project site. The waste is then transferred to the Anderson Landfill in Anderson, California, and the Dry Creek Landfill in Medford, Oregon (HLAFC, 2014[2]). The Anderson Landfill has a daily permitted disposal of approximately 1,018 tons per day, and a remaining capacity of about eight million tons. Under current conditions, the Anderson Landfill is not expected to close until 2036. The Dry Creek Landfill has a remaining capacity of approximately 50 million tons. The Dry Creek Landfill has been estimated to have the remaining disposal capacity to provide for its current service area for another 75 to 100 years.

The disposal of cannabis waste is regulated by the Bureau of Cannabis Control (BCC), CalCannabis Cultivation Licensing (CCL), and the Manufactured Cannabis Safety Branch (MCSB) (CalRecycle[5]). Cannabis cultivators, processors, and nurseries licensed under the BCC are not required to render their waste unusable and unrecognizable. However, entities that manufacture cannabis products and are licensed under MCSB, and the testing laboratories and retail stores that are licensed under BCC, are required by the MCSB to render the cannabis goods/waste unusable and unrecognizable prior to leaving the licensed premises. The law considers cannabis waste to be a type of organic waste if it is not combined or does not contain any hazardous or toxic material. The law considers organic waste to be a type of solid waste, and, as such, a solid waste facility may handle and manage cannabis waste in accordance with Title 14 and Title 27 of the California Code of Regulations (CCR). By the end of 2020, cannabis cultivators that generate two or more cubic yards of organic waste per week must either compost on-site, self-haul to a facility that recycles organic waste, or have it picked up by a hauler that recycles organic waste. As required for a cannabis processor, leaves removed from an individual cannabis plant must be weighed and entered as waste into the system under the individual plant tags, or plant batch tags, unique identifier number (California Department of Food and Agriculture [CDFA][6]). The total combined weight of the harvest waste (stems, stalks, degraded cannabis plant material, and general cannabis biomass) associated with a unique harvest batch name must be entered into the California's Cannabis Tract and Trace Marijuana Enforcement, Tracking, Reporting, and Compliance (CCTT–METRC) web-hosted system under that same harvest-batch name.

Non-Cannabis/Solid Waste

Non-cannabis wastes will include empty soil, soil amendment, and fertilizer bags, empty plant pots or containers, and typical refuse. Non-cannabis wastes will be sorted to divert recyclables such as paper, plastic, glass, and metals from the waste stream, temporarily stored in the enclosed trash storage area near the loading zone adjacent to Building A (Sheet A), then taken to a recycling center. The remaining solid wastes and non-cannabis solid waste will be collected and deposited into a solid waste receptacle for temporary storage, which will be kept covered and stored in the enclosed trash storage area. The solid and non-cannabis waste will be removed

from the project site as needed and disposed of at an authorized waste transfer facility. The solid waste receptacle will be sized appropriately for the volume of waste generated and may be adjusted in size periodically as conditions warrant.

Cannabis Waste
Cannabis waste will include stems, stalks, degraded cannabis plant material, extracted cannabis wastes, and general cannabis biomass. Consistent with §§8108 and 8308 of the CDFA regulations, cannabis waste will be managed for off-site disposal by properly licensed collection and processing providers, collection and processing by a local agency, a waste hauler franchised or contracted by a local agency, or a private waste hauler permitted by a local agency. The Project will follow all of the waste requirements set forth in §§8108 and 8308, in addition to track-and-trace requirements regarding cannabis waste detailed in §§8402-8405 of the CalCannabis regulations. The cannabis waste will be made unusable and unrecognizable prior to leaving the project site using a method involving grinding and incorporating the cannabis waste with approved non-consumable solid wastes (such as sand or "kitty litter") such that the resulting mixture is at least 50 percent non-cannabis waste. Pending disposal, cannabis waste will be temporarily stored in secured, closed-top containers to prevent the release of odors in the enclosed trash storage area referenced above.

The California Integrated Waste Management Act of 1989 (Public Resources Code Division 30), enacted through Assembly Bill (AB) 939 and modified by subsequent legislation, required all California cities and counties to implement programs to divert waste from landfills (Public Resources Code §41780). Compliance with AB 939 is determined by the Department of Resources, Recycling, and Recovery (CalRecycle). Each county is required to prepare and submit an Integrated Waste Management Plan for expected solid waste generation within the county to the CIWMB. In 2012, the unincorporated area of Humboldt County met or exceeded the waste diversion mandate of 50 percent set by the Integrated Waste Management Act of 1989. The Project's construction and operation activities would comply with all federal, state, and local statutes related to solid waste, including AB 939. This would include compliance with the Humboldt Waste Management Authority's recycling, hazardous waste, and composting programs in the County to comply with AB 939.

Construction solid waste would include the one-time temporary generation of construction waste associated with the Project. Recyclable construction materials (e.g., scrap metal, wood, concrete, glass) could be shipped to local businesses for reuse, with non-recyclable materials sent to the HWMA transfer station in Eureka. The Project would include waste receptacles and spaces for recycling bins for employee use, and as discussed above, cannabis wastes will be stored separately from the facility's waste stream, pending appropriate off-site disposal. Solid waste collected as a part of the Project would be taken to the Hawthorne Street Transfer Station of the HWMA, where it is collected and transported to the State-licensed Anderson and Dry Creek landfills in compliance with local, state, and federal regulations pertaining to solid waste disposal. Based on the remaining capacities, these landfills would have sufficient capacity to serve the Project's solid waste disposal needs. With sufficient landfill capacity, and compliance with Humboldt Waste Management Authority's recycling, hazardous waste, and composting programs. **No impact.**

MITIGATION MEASURES:
MITIGATION MEASURE NO. XIX-1. Implement the SGMP that specifies procedures in the event that contaminated soil or groundwater is encountered during trenching or other ground disturbing activities. The SGMP addresses potential health and safety concerns, outlines appropriate worker training and materials handling procedures, and provides information and procedures for site workers performing subsurface work at the project site.

Sources

1- EBA, 2020. EBA Engineering, "Soil and Groundwater Management Plan, Former Peterson Tractor, 3990 Broadway, Eureka, California. Dated July 23, 2020 (https://documents.geotracker.waterboards.ca.gov/esi/uploads/geo_report/1482386708/T10000000269.PDF))
2- HLAFC, 2014. City of Eureka Municipal Service Review. Dated January 15, 2014 (http://humboldtlafco.org/wp-content/uploads/Eureka-Adopted-MSR_1-15-14.pdf)

3- Freshwater Environmental Services, 2016. 2015 Urban Water Management Plan for the City of Eureka, California. Dated May 26, 2016 (http://new.ci.eureka.ca.gov/civicax/filebank/blobdload.aspx?BlobID=12595)
4- Humboldt County, 2017. Humboldt County Department of Health and Human Services, Humboldt County Onsite Wastewater Treatment System (OWTS) Regulations and Technical Manual. Dated November 7, 2017 (https://humboldtgov.org/DocumentCenter/View/62933/Onsite-Wastewater-Treatment-System-OWTS-Regulations-and-Technical-Manual-PDF)
5- CalRecycle Cannabis Waste Website (https://www.calrecycle.ca.gov/swfacilities/compostables/cannabis#:~:text=Cannabis%20waste%20must%20be%20placed,not%20required%20to%20be%20locked)
6- California Department of Food and Agriculture Website (https://www.cdfa.ca.gov/calcannabis/documents/CCTT_FAQ.pdf)

4.20 Wildfire:

XX. **WILDFIRE**. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
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?				X
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 or that may result in temporary or ongoing impacts to the environment?				X
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?				X

DISCUSSION & FINDINGS:
a-d). The project site is located within an urbanized and developed area of the City of Eureka. No aspect of the conditions present on the project site would lead to an increased potential for risk for wildfire. Further, the Project area is not located in or near Cal-Fire State Responsibility Areas (SRA) or lands classified as very high fire hazard severity zones. **No impacts**.

MITIGATION MEASURES:
No mitigation required.

CHAPTER 5.0 – CONCLUSIONS

5.1 Mandatory Findings of Significance:

XXI. MANDATORY FINDINGS OF SIGNIFICANCE.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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?		X		
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).			X	
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

DISCUSSION & FINDINGS:

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?

Less than significant with mitigation incorporated. The project site has been highly disturbed by past commercial and light industrial uses that have modified the existing property features with a majority of the property being covered with hardscape (asphalt and concrete) and buildings. Implementation of the Project would not significantly degrade the quality of the environment because the project site has been extensively altered by prior development associated with the historical uses of the property (truck and heavy equipment repair and sales facility, retail sales of on- and off-road vehicles, various other small commercial businesses), and the Project does not include the construction of new buildings, any new hardscape/impermeable surfaces, or the alteration of any exterior portions of the property besides minimal trenching for connection to existing municipal water and sewer facilities. Although some short-term potential indirect impacts may occur in the Project area resulting from construction noise and generation of dust, Project implementation will not result in the loss of any sensitive habitat or species, including both terrestrial and aquatic species or to other sensitive receptors in the area surrounding the project site. The Project has been designed to avoid the creation of such impacts by proposing all cannabis operations inside existing buildings and minimizing exterior ground disturbing activities to two relatively short trenches for connecting to existing utilities. In addition, although no cultural or resources are known to be located on the project site, and important historic resources are not anticipated to be adversely affected by the Project, monitoring during trenching activities by a property licensed professional archeologist as a required mitigation measure will ensure that any potential artifacts that may be encountered will be evaluated and appropriate measures implemented.

With implementation of the Mitigation Measures listed herein and summarized in the attached Table 5.2 in Appendix F (Mitigation and Monitoring Reporting Program [MMRP]), impacts would be less than significant.

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).

Less than significant impact. A cumulative impact is any environmental impact that would occur due to the combination of the Project together with other projects causing related impacts. These impacts occur when the incremental impact of the Project, when combined with the effects of other past, present, and reasonably foreseeable future projects, are cumulatively considerable. This typically occurs when impacts compound or increase existing environmental problems. As discussed in Section 4.11 "Land Use and Planning", the Project is consistent with the designated land use and zoning classifications in the City of Eureka's General Plan and Coastal Zoning Code and will be consistent with the commercial cannabis standards outlined in the City of EMC §10-5.3010. The Project impacts would not add appreciably to any existing or foreseeable future significant cumulative impact, such as visual quality, historic resources, traffic impacts, or air or water quality degradation. The Project will not have impacts that are individually limited, but cumulatively considerable. This Initial Study documents the Project's design features and mitigation measures that eliminate the Project's potential impacts on the environment or mitigate the potential impacts to a less than significant level. The only potentially significant impacts associated with this project are for cultural resources, hazards and hazardous materials, utilities and service systems, and tribal cultural resources. As those potential impacts all are completely mitigated for and are only relevant to the project site itself, there are no impacts that would be viewed as cumulatively considerable. Furthermore, the Project is consistent with the commercial cannabis standards in EMC §10-5.3010. **Because the Project would not result in significant impacts after mitigation, and because the Project will reuse underutilized structures within an existing commercial property for continued commercial use, the Project would not contribute to any significant cumulative impacts which may occur in the area in the future.**

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

Less than significant with mitigation incorporated. The Project has been designed to avoid significant environmental impacts. This study reviewed the Project's potential impacts involving each of the issues included in the environmental checklist. As concluded in these assessments, the Project would not result in any significant impacts related to these issues or include any development that would result in any direct or indirect impacts on humans with the implementation of appropriate mitigation measures. With implementation of mitigation measures as discussed herein, the Project is not expected to result in any substantial adverse direct or indirect effects on human beings. **No significant impacts with implementation of mitigation measures**.

5.2 Discussion of Mitigation Measures, Monitoring and Reporting Program:

In accordance with the California Environmental Quality Act (CEQA), the following Mitigated Negative Declaration (MND) and Initial Study for the Project located at 3990 Broadway in Eureka, California was prepared. The MND indicates that the potential adverse environmental impacts of the Project, in terms of cultural resources, hazards and hazardous materials, utilities and service systems, and tribal cultural resources could be reduced to below levels of significance or minimized with the implementation of mitigation measures.

§ 21081.6 of the Public Resources Code (PRC) and CEQA Guidelines §15097 require the Lead Agency for each project which is subject to CEQA to monitor performance of the mitigation measures included in any environmental document to ensure that implementation does, in fact, take place. The PRC requires the Lead Agency to adopt a monitoring and reporting program that is designed to ensure compliance during project implementation. In accordance with PRC § 21081.6 and CEQA Guidelines § 15097, the following Mitigation Monitoring Reporting Program has been prepared and will be implemented for the Pantheon Group's proposed Multi-Use Cannabis Facility. Listed below and in Table 5.2 in Appendix F are the mitigation measures, method of verification, timing of implementation, and responsible parties.

MITIGATION MEASURE NO. V-1.: As requested by a Tribal Historic Preservation Officer (THPO) representing the Blue Lake Rancheria and confirmed by the Wiyot THPO, a qualified professional archeologist will be retained for purposes of examining the cross sections of the proposed trenches for evidence of intact soil horizons and cultural remains. Records of findings and stratigraphy will be documented and a letter report will be produced for the City and THPOs, and filed at the Northwest Information Center (NWIC).

Furthermore, for any ground disturbing activities not previous anticipated, the following standard protocol for inadvertent discovery shall be followed, which consists of the following:

a. If archaeological resources are encountered during the limited proposed trenching activities, all onsite work shall cease in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist shall be retained to evaluate and assess the significance of the discovery, and develop and implement an avoidance or mitigation plan, as appropriate. For discoveries known or likely to be associated with native American heritage (prehistoric sites and select historic period sites), the Tribal Historic Preservation Officers for the Bear River Band of Rohnerville Rancheria, Blue Lake Rancheria, and Wiyot Tribe are to be contacted immediately to evaluate the discovery and, in consultation with the project proponent, City of Eureka, and consulting archaeologist, develop a treatment plan in any instance where significant impacts cannot be avoided. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. Historic archaeological discoveries may include 19-century building foundations; structural remains; or concentrations of artifacts made of glass, ceramic, metal, or other materials found in buried pits, old wells, or privies.
b. If paleontological resources, such as fossilized bone, teeth, shell, tracks, trails, casts, molds, or impressions are discovered during ground-disturbing activities, work shall stop in that area and within 100 feet of the find until a qualified paleontologist can assess the nature and importance of the find and, if necessary, develop appropriate treatment measures in conformance with Society of Vertebrate Paleontology standards, and in consultation with the City of Eureka.

Mitigation Reference	Method of Verification	Timing of Implementation	Responsible Party
MM V-1	Monitoring During Construction Activities	During trenching to connect to existing utilities and other subsurface disruption	Contractors & Subcontractors

MITIGATION MEASURE NO. V-2.: As requested by a Tribal Historic Preservation Officer (THPO) representing the Blue Lake Rancheria, and confirmed by the Wiyot THPO, a qualified professional archeologist will be retained for purposes of examining the cross sections of the proposed trenches for evidence of intact soil horizons and cultural remains. Records of findings and stratigraphy will be documented and a letter report will be produced for the City and THPOs, and filed at the Northwest Information Center (NWIC).

Furthermore, for any ground disturbing activities not previous anticipated, the following standard protocol for inadvertent discovery shall be followed, which consists of the following: In the event of discovery or recognition of any human remains during construction activities, the landowner or person responsible for excavation would be required to comply with the State Health and Safety Code § 7050.5. Construction activities within 100 feet of the find shall cease until the Humboldt County Coroner has been contacted at 707-445-7245 to determine that no investigation of the cause of death is required. If the remains are determined to be, or potentially be, Native American, the landowner or person responsible for excavation would be required to comply with Public Resources Code (PRC) § 5097.98. In part, PRC § 5097.98 requires that the Native American Heritage Commission (NAHC) shall be contacted within 24 hours if it is determined that the remains are Native American. The NAHC would then identify the person or persons it believes to be the most likely descendant from the deceased Native American, who in turn would make recommendations to the landowner or the person responsible for the excavation work for the appropriate means of treating the human remains and any associated grave goods within 48 hours of being granted access to the site. Additional provisions of Public Resources Code §5097.98 shall be complied with as may be required.

Mitigation Reference	Method of Verification	Timing of Implementation	Responsible Party
MM V-2	Monitoring During Construction Activities	During trenching to connect to existing utilities and other subsurface disruption	Contractors & Subcontractors

MITIGATION MEASURE NO. IX-1: Implement the Soil and Groundwater Management Plan (SGMP) that specifies procedures in the event that contaminated soil or groundwater is encountered during trenching or other ground disturbing activities. The SGMP addresses potential health and safety concerns, outlines appropriate worker training and materials handling procedures, and provides information and procedures for site workers performing subsurface work at the project site.

Mitigation Reference	Method of Verification	Timing of Implementation	Responsible Party
MM IX-1	Monitoring During Construction Activities	During trenching to connect to existing	Contractors & Subcontractors

		utilities and other subsurface disruption	

MITIGATION MEASURE NO. XVIII-1.: As requested by a Tribal Historic Preservation Officer (THP{O) representing the Blue Lake Rancheria, and confirmed by the Wiyot THPO, a qualified professional archeologist will be retained for purposes of examining the cross sections of the proposed trenches for evidence of intact soil horizons and cultural remains. Records of findings and stratigraphy will be documented and a letter report will be produced for the City and THPOs, and filed at the Northwest Information Center (NWIC).

Furthermore, for any ground disturbing activities not previous anticipated, the following standard protocol for inadvertent discovery (cultural or historical) shall be followed, which consists of the following:

a. If archaeological resources are encountered during the limited proposed trenching activities, all onsite work shall cease in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist shall be retained to evaluate and assess the significance of the discovery, and develop and implement an avoidance or mitigation plan, as appropriate. For discoveries known or likely to be associated with native American heritage (prehistoric sites and select historic period sites), the appropriate Tribal Historic Preservation Officers are to be contacted immediately to evaluate the discovery and, in consultation with the project proponent, City of Eureka, and consulting archaeologist, develop a treatment plan in any instance where significant impacts cannot be avoided. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. Historic archaeological discoveries may include 19-century building foundations; structural remains; or concentrations of artifacts made of glass, ceramic, metal, or other materials found in buried pits, old wells, or privies.
b. If paleontological resources, such as fossilized bone, teeth, shells, tracks, trails, casts, molds, or impressions are discovered during ground-disturbing activities, work shall stop in that area and within 100 feet of the find until a qualified paleontologist can assess the nature and importance of the find and, if necessary, develop appropriate treatment measures in conformance with Society of Vertebrate Paleontology standards, and in consultation with the City of Eureka.

Mitigation Reference	Method of Verification	Timing of Implementation	Responsible Party
MM XVIII-1	Monitoring During Construction Activities	During trenching to connect to existing utilities and other subsurface disruption	Contractors & Subcontractors

MITIGATION MEASURE NO. XVIII-2.: As requested by a Tribal Historic Preservation Officer (THPO) representing the Blue Lake Rancheria, and confirmed by the Wiyot THPO, a qualified professional archeologist will be retained for purposes of examining the cross sections of the proposed trenches for evidence of intact soil horizons and cultural remains. Records of findings and stratigraphy will be documented and a letter report will be produced for the City and THPOs, and filed at the Northwest Information Center (NWIC).

Furthermore, for any ground disturbing activities not previous anticipated, the following standard protocol for inadvertent discovery shall be followed, which consists of the following: In the event of discovery or recognition of any human remains during construction activities, the landowner or person responsible for excavation would be required to comply with the State Health and Safety Code § 7050.5. Construction activities within 100 feet of the find shall cease until the Humboldt County Coroner has been contacted at 707-445-7242 to determine that no investigation of the cause of death is required. If the remains are determined to be, or potentially be, Native American, the landowner or person responsible for excavation would be required to comply with Public Resources Code (PRC) § 5097.98. In part, PRC §5097.98 requires that the Native American Heritage Commission (NAHC) shall be contacted within 24 hours if it is determined that the remains are Native American. The NAHC would then identify the person or persons it believes to be the most likely descendant from the deceased Native American, who in turn would make recommendations to the landowner or the person responsible for the excavation work for the appropriate means of treating the human remains and any associated grave goods within 48 hours of being granted access to the site. Additional provisions of Public Resources Code § 5097.98 shall be complied with as may be required.

Mitigation Reference	Method of Verification	Timing of Implementation	Responsible Party
MM IX-2	Monitoring During Construction Activities	During trenching to connect to existing utilities and other subsurface disruption	Contractors & Subcontractors

MITIGATION MEASURE NO. XIX-1. Implement the Soil and Groundwater Management Plan (SGMP) that specifies procedures in the event that contaminated soil or groundwater is encountered during trenching or other ground disturbing activities. The SGMP addresses potential health and safety concerns, outlines appropriate worker training and materials handling procedures, and provides information and procedures for site workers performing subsurface work at the project site.

Mitigation Reference	Method of Verification	Timing of Implementation	Responsible Party
MM XIX-1	Monitoring During Construction Activities	During trenching to connect to existing utilities and other subsurface disruption	Contractors & Subcontractors

CHAPTER 6.0 – EARLIER ANALYSES AND REFERENCES

6.1 Earlier Analyses:

1) ***Earlier Analyses Used***. The following document(s), available at the Development Services Department, have adequately analyzed one or more effects of the project. Earlier analysis 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 (CEQA Guidelines § 15063 (c)(3)(D)).

Not applicable

2) ***Impacts Adequately Addressed***. The following effects from the above checklist were within the scope of and adequately analyzed in the document(s) listed above, pursuant to applicable legal standards.

Not applicable

3) ***Mitigation Measures***. The following mitigation measures from the document(s) listed above have been incorporated into the checklist.

Please refer to Table 5.2 in Appendix F for the Mitigation Monitoring and Reporting Program

6.2 References:

Alquist-Priolo Earthquake Fault Zoning Map (https://webgis.co.humboldt.ca.us/HCEGIS2.0/)

California Department of Conservation Website (https://maps.conservation.ca.gov/dlrp/ciff/)

CDC, 2018. California Department of Conservation Website (https://maps.conservation.ca.gov/)

California Department of Food and Agriculture Website (https://www.cdfa.ca.gov/calcannabis/documents/CCTT_FAQ.pdf)

California Health and Safety Code § 38505(g)

California Scenic Highway Mapping System Website (https://www.arcgis.com/apps/webappviewer/index.html?id=2e921695c43643b1aaf7000dfcc19983)

CalRecycle Cannabis Waste Website (https://www.calrecycle.ca.gov/swfacilities/compostables/cannabis#:~:text=Cannabis%20waste%20must%20be%20placed,not%20required%20to%20be%20locked)

CALTRANS, 2020. California Department of Transportation, "Transportation and Construction Vibration Guidance Manual", Updated April 2020. (https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tcvgm-apr2020-a11y.pdf)

CASQA, 2020. California Stormwater Quality Association (CASQA), 2020. BMP Handbooks | CASQA – California Stormwater Quality (https://www.casqa.org/resources/bmp-handbooks)

CEMA, 2020. California Emergency Management Agency (2020). California Official Tsunami Inundation Maps. Accessed January 4, 2020 (https://www.conservation.ca.gov/cgs/tsunami/maps#select-a-map)

City of Eureka, 1997 General Plan

City of Eureka 1997. Coastal General Plan (https://www.ci.eureka.ca.gov/depts/development_services/development_services_library/default.asp)

City of Eureka General Plan, 1997. Section 6, Natural Resources, Air Quality - General (https://www.ci.eureka.ca.gov/civicax/filebank/blobdload.aspx?BlobID=6850)

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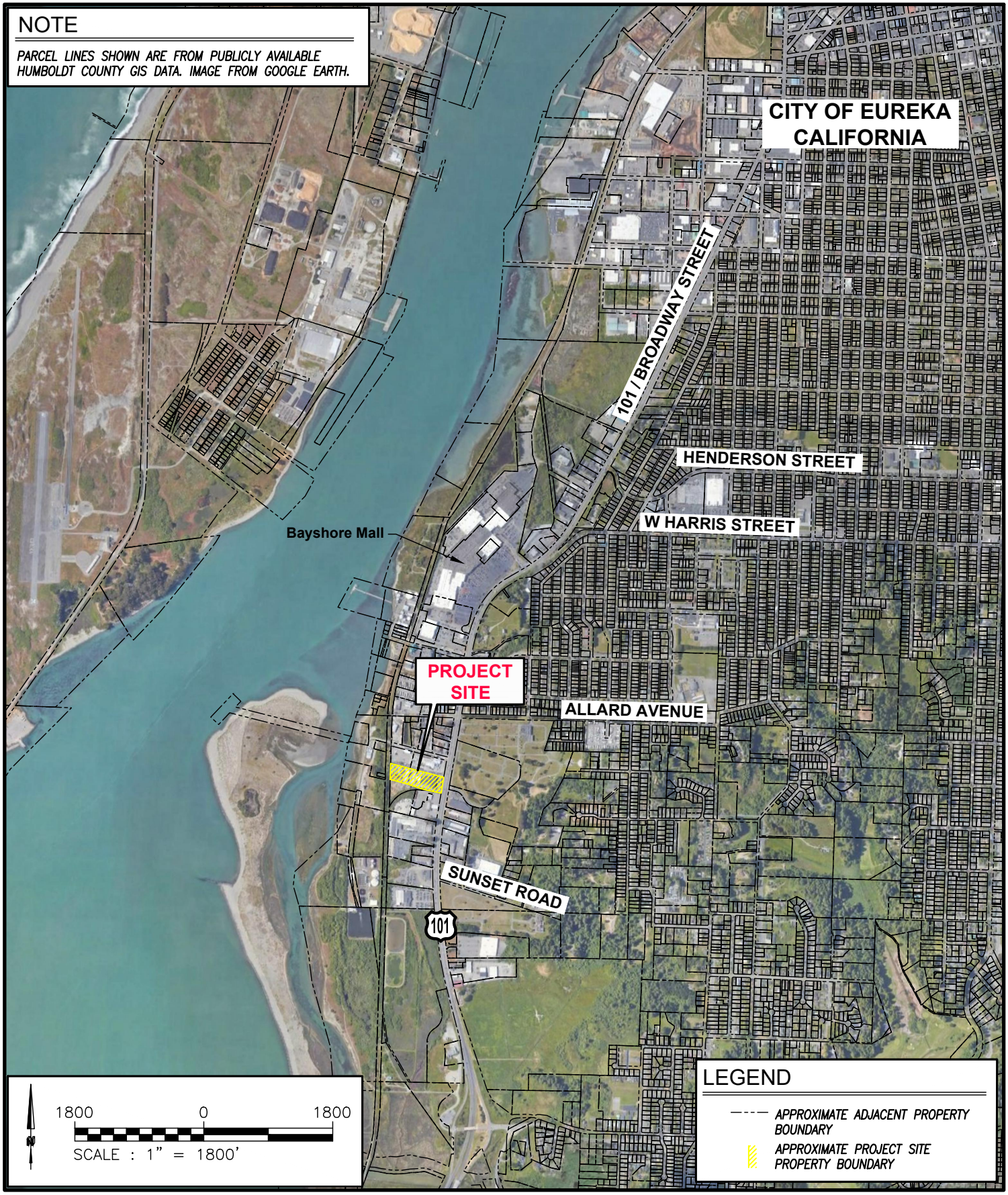
APPENDIX A

FIGURES



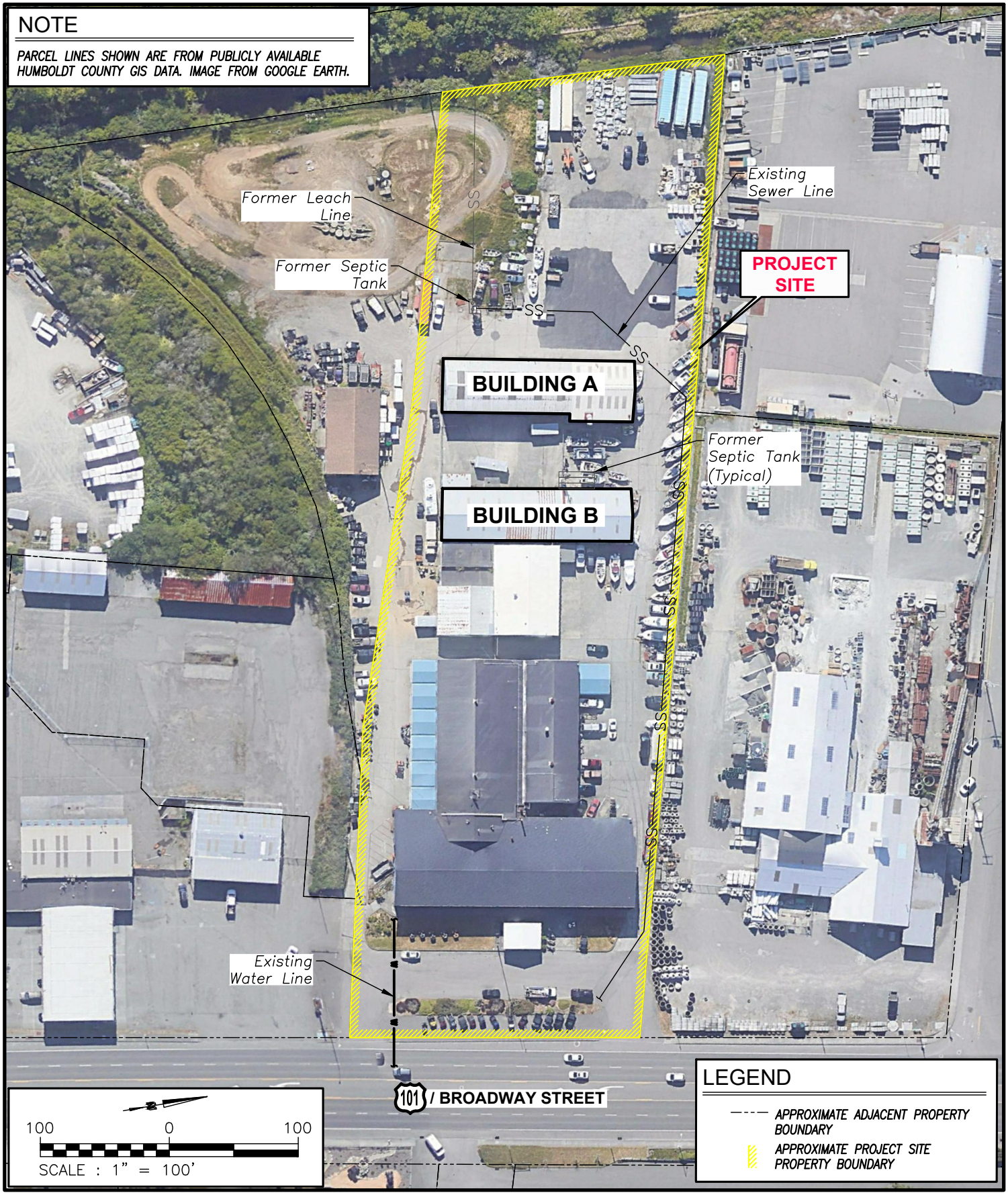
EBA ENGINEERING
825 SONOMA AVENUE
SUITE C
SANTA ROSA, CA 95404
TEL: (707) 544-0784

LOCATION MAP

3990 BROADWAY
EUREKA, CA 95503

FIGURE
1

20-2899



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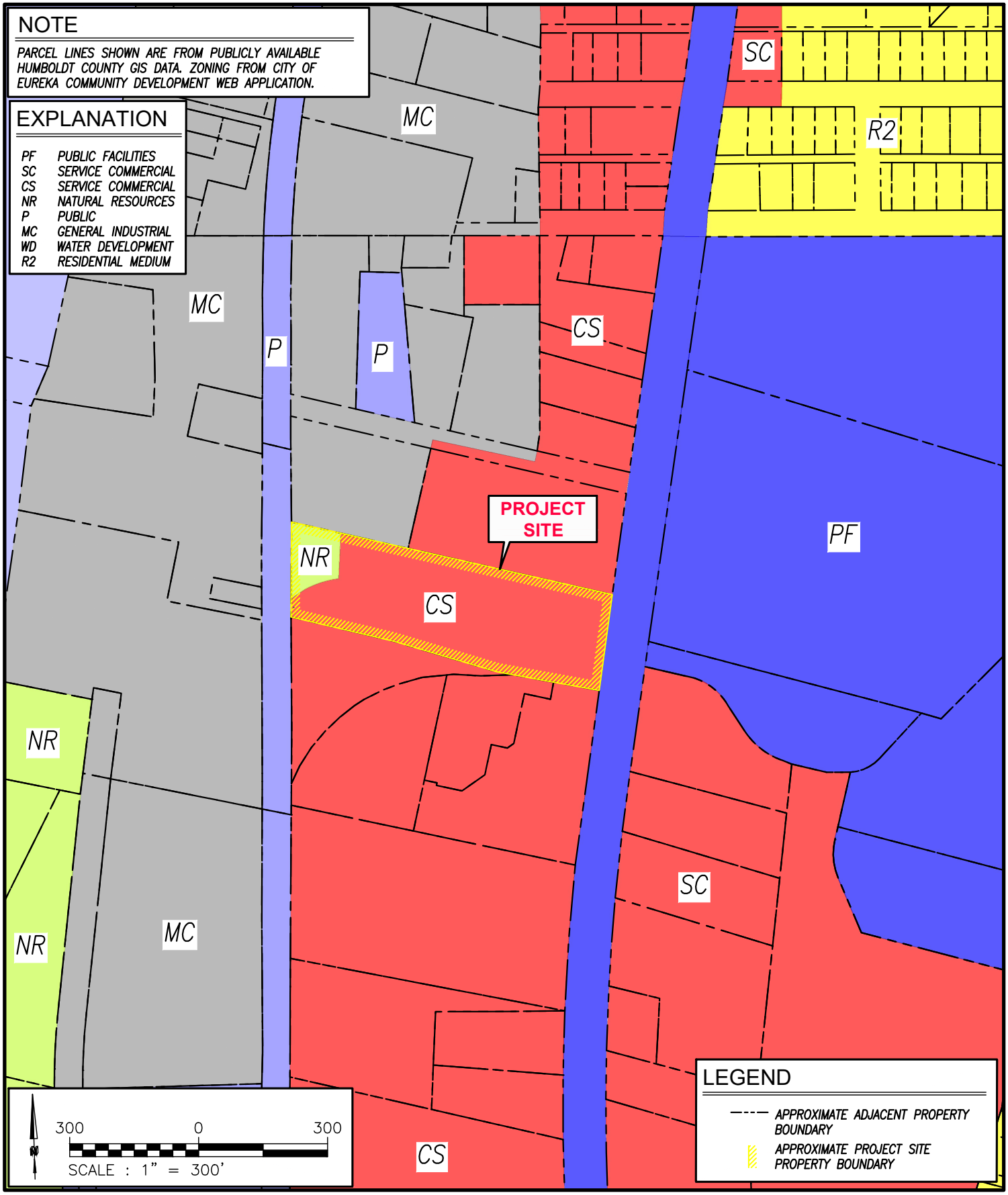
TEL: (707) 544-0784

SITE MAP

3990 BROADWAY
EUREKA, CA 95503

FIGURE
2

20-2899



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SUITE C
SANTA ROSA, CA 95404
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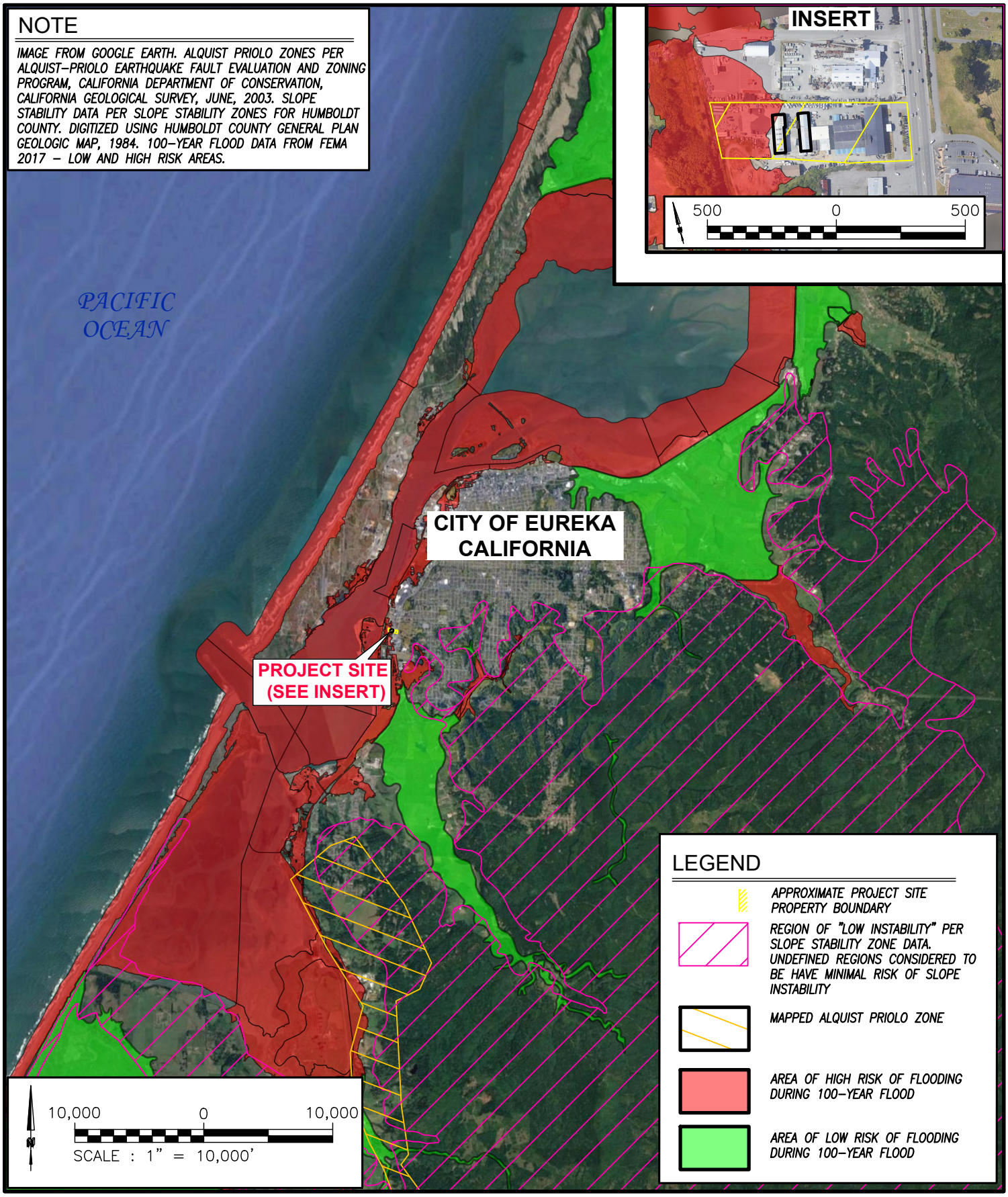
ZONING MAP

3990 BROADWAY
EUREKA, CA 95503

FIGURE
3

20-2899



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GEOHAZARDS MAP

3990 BROADWAY
EUREKA, CA 95503

FIGURE
4

20–2899

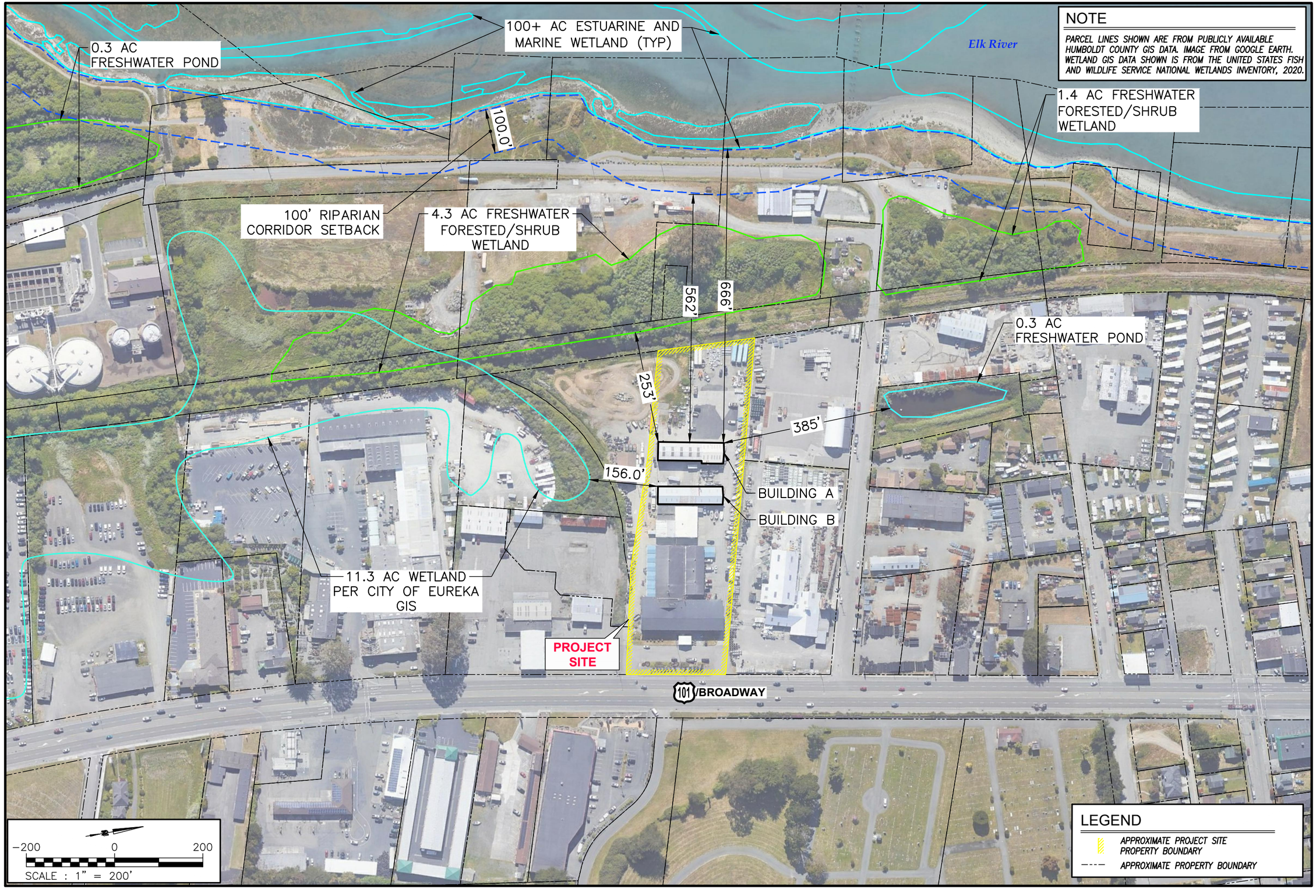


FIGURE **5** 20-2899

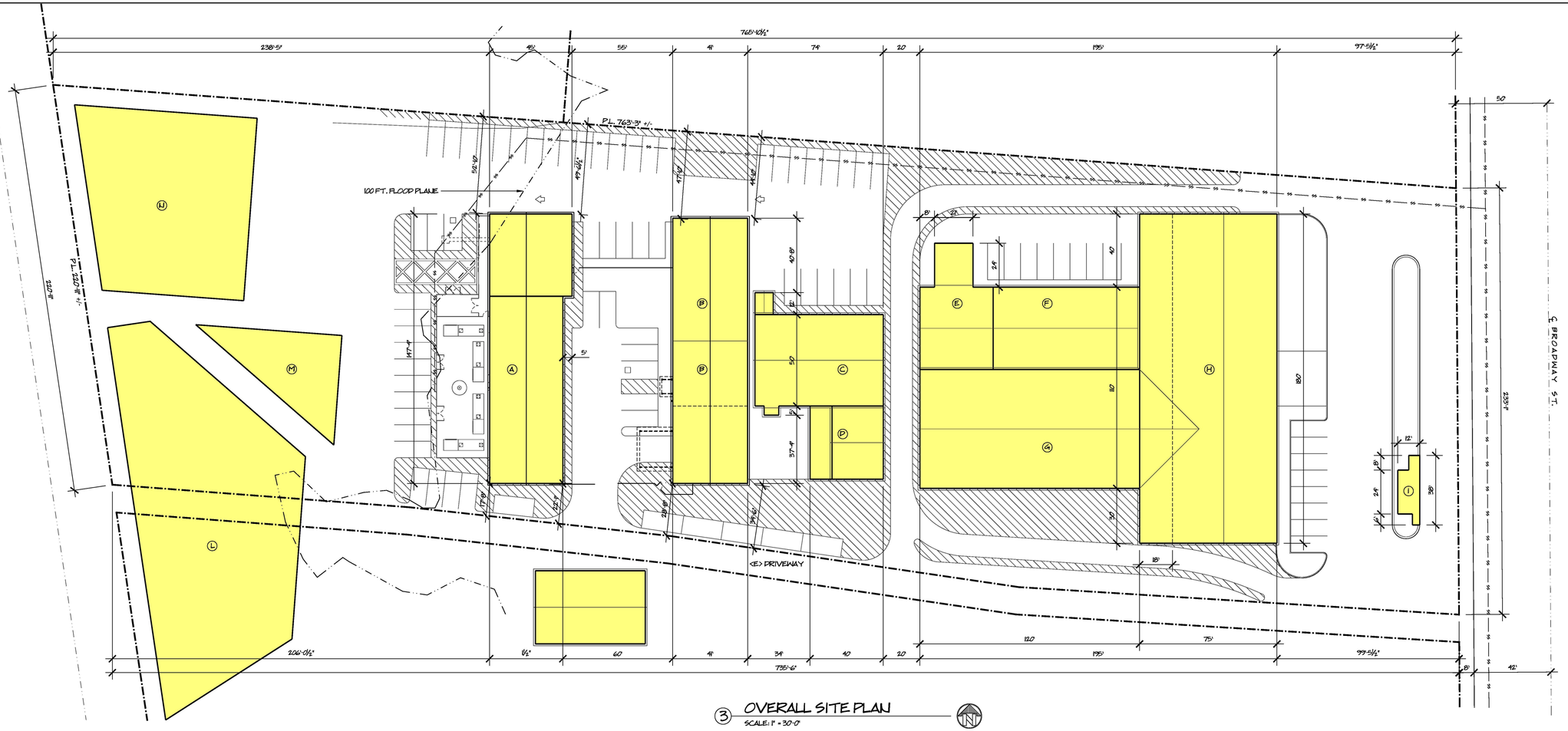
WETLAND AND RIPARIAN CORRIDOR DELINEATION MAP

3990 BROADWAY
EUREKA, CA 95503

EBA ENGINEERING
825 SONOMA AVENUE
SUITE C
SANTA ROSA, CA 95404
TEL: (707) 544-0784

APPENDIX B

PANTHEON GROUP PROPOSED PROJECT PLANS



3 OVERALL SITE PLAN

SCALE: 1" = 30'-0"

WORK POINT, CONTROL POINT OR DATUM POINT

SECTION
SECTION IDENTIFICATION
SHEET WHERE SECTION IS DRAWN

DETAIL
DETAIL IDENTIFICATION
SHEET WHERE DETAIL IS DRAWN

ELEVATION(S) REFERENCE
ELEVATION NO. (INTERIOR ONLY)
DIRECTIONAL IDENTIFICATION
(NO SHADING MEANS ELEVATION NOT SHOWN)
SHEET WHERE ELEVATION IS DRAWN

ROOM NAME
ROOM IDENTIFICATION
ROOM NAME
ROOM NO.

DOOR TAG
DOOR NUMBER

WINDOW TAG
SKIP LETTERS "I" AND "O"

LOUVER TAG

SHEET NOTE

WALL TYPE TAG

EQUIPMENT TAG

REVISION
CLOUD AROUND REVISION

WOOD FRAMING THROUGH MEMBER

EXISTING WALL TO REMAIN INTERRUPTED MEMBER

NEW WALL

WOOD, FRAMING

REMOVE OR DEMOLISH

PROPERTY LINE

HIDDEN OR BEHIND

DASHED IN FOREGROUND OR ABOVE

NEW DOOR

EXISTING DOOR

NEW OR FINISHED CONTOURS

EXISTING CONTOURS

101.5 TC NEW FINISH GRADE W/O BOX
100.32 TC EXISTING GRADE WITHIN BOX

MATCH LINE
SHADED PORTION IS THE SIDE CONSIDERED

METAL LATH

MORTAR, PLASTER, SAND

PLYWOOD

ROCK FILL

WOOD, FINISH

COMPOSITE, FINISH

CERAMIC TILE
SHOW PROFILE ONLY

CONCRETE
CAST IN PLACE OR PRECAST

CONCRETE BLOCK

UNDISTURBED EARTH

BACKFILL, EARTH

GYPSUM BOARD
OMIT DOUBLE LINES AT SMALL SCALE

INSULATION, FOAM

METAL

5 TYPICAL SYMBOLS

BUILDINGS

A PANTHEON GROUP INC.
6,133 S.F. LOWER LEVEL
5,015 S.F. UPPER LEVEL
11,148 S.F. TOTAL BUILDING AREA

B PANTHEON GROUP INC.
3,188 S.F. PORTION OF BUILDING

TIME & TIDE MARINE LLC
2,710 S.F. PORTION OF BUILDING

C HUMBOLDT DYNO & BLAST LLC
3,044 S.F. BUILDING

D HUMBOLDT MOTORSPORTS LLC
2,800 S.F. BUILDING

E NEIL'S CUSTOM SOUND LLC
2,800 S.F. BUILDING

F ELLSWORTH PERFORMANCE LLC
3,676 S.F. BUILDING

G HUMBOLDT MOTORSPORTS LLC
10,320 S.F. BUILDING

H HUMBOLDT MOTORSPORTS LLC
LOST COAST SCIENCE LLC
VERUM PRINTING LLC
360 DESIGN LLC
HUMBOLDT HEALING LLC
JD BAR LLC
12,240 S.F. LOWER LEVEL BUILDING
3,360 S.F. UPPER LEVEL BUILDING
16,380 S.F. TOTAL BUILDING AREA

I LOST COAST ROAST LLC
507 S.F. BUILDING

LAND LEASE

L HUMBOLDT MOTOR SPORTS LLC
34,950 S.F. LAND LEASE AREA

M EPA ELIMINEERING INC.
7,800 S.F. LAND LEASE AREA

N POWELL CONCRETE INC
20,300 S.F. LAND LEASE AREA

TOTAL BUILDING AREA ON SITE - 59,576 S.F.

TOTAL LAND LEASE AREA ON SITE - 63,050 S.F.

4 SITE DEVELOPMENT AREAS

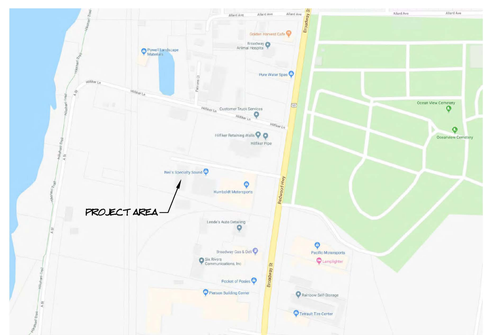
SITE AREA: 171,262 S.F.
SITE COVERAGE %: 27%

PROJECT DESCRIPTION

REMODEL TWO EXISTING STEEL BUILDINGS FOR CANNABIS USE. BUILDING 'A' WILL BE USED FOR CULTIVATION. A SECOND FLOOR MEZZANINE WILL BE BUILT AND TWO MAN LIFTS WILL BE INSTALLED AS WELL AS AN ACCESSIBLE RESTROOM ON EACH FLOOR. BUILDING 'B' IS ADJACENT TO BUILDING 'A', ONLY HALF OF BUILDING 'B' WILL BE USED AT THIS TIME. THIS SPACE WILL BE USED FOR DISTRIBUTION AND MANUFACTURING OF CANNABIS PRODUCTS. BOTH BUILDINGS WILL BE SPRINKLERED.

1 PROJECT INFORMATION

SCALE: N.T.S.



2 VICINITY MAP

SCALE: N.T.S.

BROWN DESIGNS
P.O. BOX 293
BLUE LAKE, CA 95525
(707) 502-8939
DBROWNDESIGNS@HOTMAIL.COM

EXISTING AREAS OF DEVELOPMENT

PANTHEON GROUP

CANNABIS CULTIVATION
DISTRIBUTION &
EXTRACTION

3990 BROADWAY ST.
EUREKA, CA 95503

REVISIONS

DRAWN:	P.A.B.
SCALE:	AS NOTED
JOB NO.:	19024.2 & 19012
DATE:	4/ 20/ 20
RELEASE DATE:	12/ 16/ 21
CAD NAME:	
SHEET NO.:	

A

CUP / C.D.P. SET R4

LEGEND

- 24" DIA. X 42" CARBON FILTER W/ 8" FAN FOR ODOR CONTROL
- SECURITY CAMERA LOCATION

NOTE: PROVIDE CARBON FILTER AT ALL EXHAUST AIR LOCATIONS

MECHANICAL YARD

WATER TANK

SECURE TRASH AREA

A.P.A. VAN

3/3 TRENCH FOR UTILITY TIE IN

CULTIVATION ROOM 1-B LICENSE 1
1,260 S.F.

CULTIVATION ROOM 1-A LICENSE 1
1,260 S.F.

((5) 5' X 38' ROLLING BENCHES)

((5) 5' X 38' ROLLING BENCHES)

GENERAL STORAGE 74 S.F.

ADA LIFT

HALL 738 S.F.

BUILDING 'A' FIRST FLOOR - 6,133 S.F.

MUTE. STOR. 77 S.F.

CONTROL ROOM 162 S.F.

WORK AREA 703 S.F.

ADA REST.

MAU TRAP 151 S.F.

FREIGHT LIFT

PROPAGATION ROOM 373 S.F.

ELEC. ROOM 70 S.F.

PARKING AREA

LOADING AREA

BUILDING 'B' - 3,188 S.F.

MAU TRAP 76 S.F.

LOADING AREA 384 S.F.

LOCKERS 130 S.F.

QUARANTINE 203 S.F.

MAU TRAP 109 S.F.

EXTRACTION 290 S.F.

FLAM. LIQUID STOR.

WORK AREA 563 S.F.

WORK AREA 680 S.F.

BREAK ROOM 234 S.F.

DISTRIBUTION OFFICE 200 S.F.

ADA REST.

WASH AREA

TERPENES

1 PROJECT SITE PLAN
SCALE: 1/8" = 1'-0"

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P.O. BOX 293
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PANTHEON GROUP

CANNABIS CULTIVATION DISTRIBUTION & EXTRACTION

3990 BROADWAY ST.
EUREKA, CA 95503

REVISIONS

DRAWN:	D.A.B.
SCALE:	AS NOTED
JOB NO.:	19004.2 & 19012
DATE:	4/ 20/ 20
RELEASE DATE:	12/ 16/ 21
CAD NAME:	
SHEET NO.:	A-1

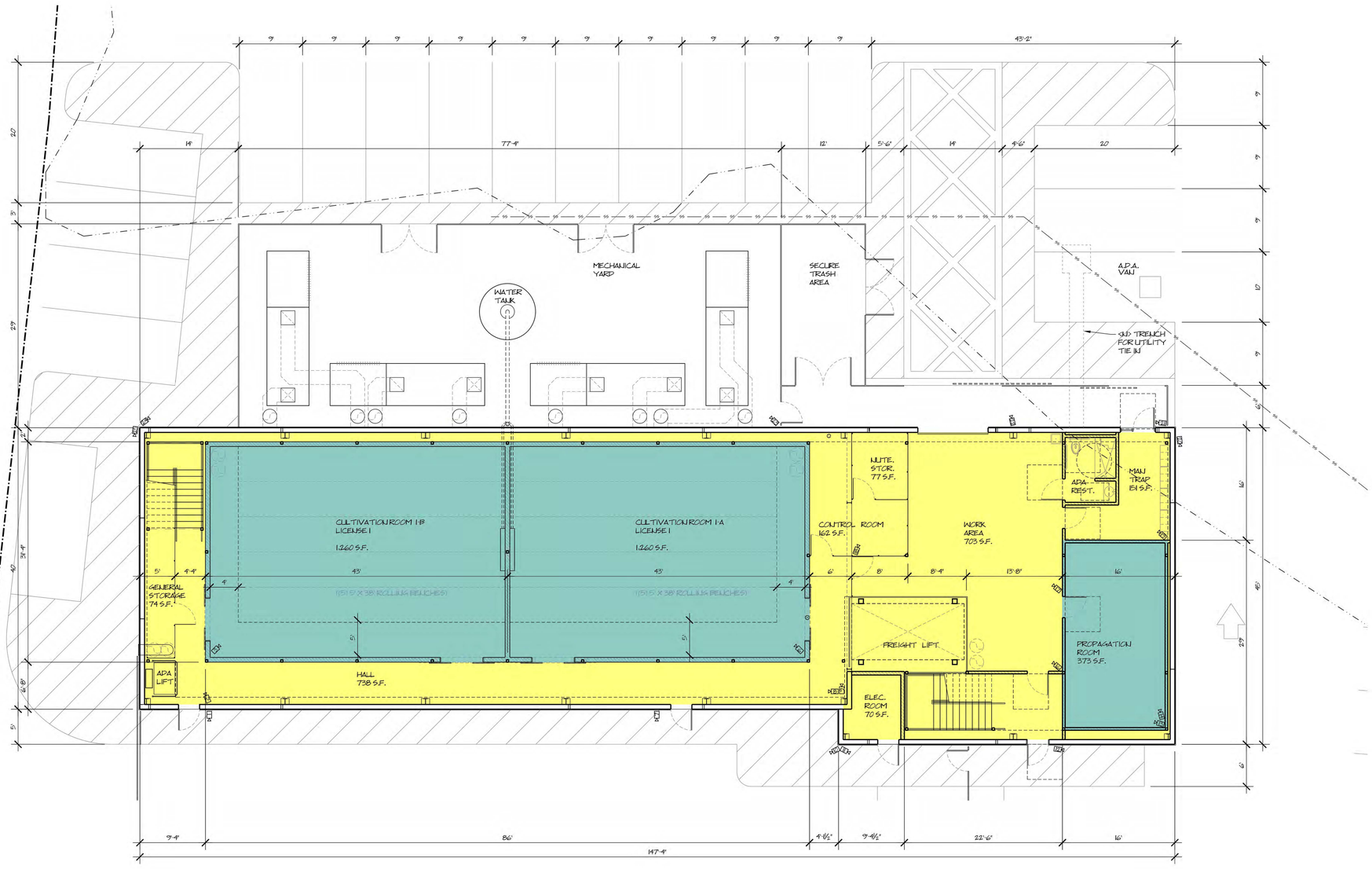
C.U.P. / C.D.P. SET R.4

LEGEND

24" DIA. X 42" CARBON FILTER W/ 8" FAN FOR ODOR CONTROL

SECURITY CAMERA LOCATION

NOTE: PROVIDE CARBON FILTER AT ALL EXHAUST AIR LOCATIONS



1 FIRST FLOOR PLAN - LICENSE 1

SCALE: 1/8" = 1'-0" 6133 S.F.

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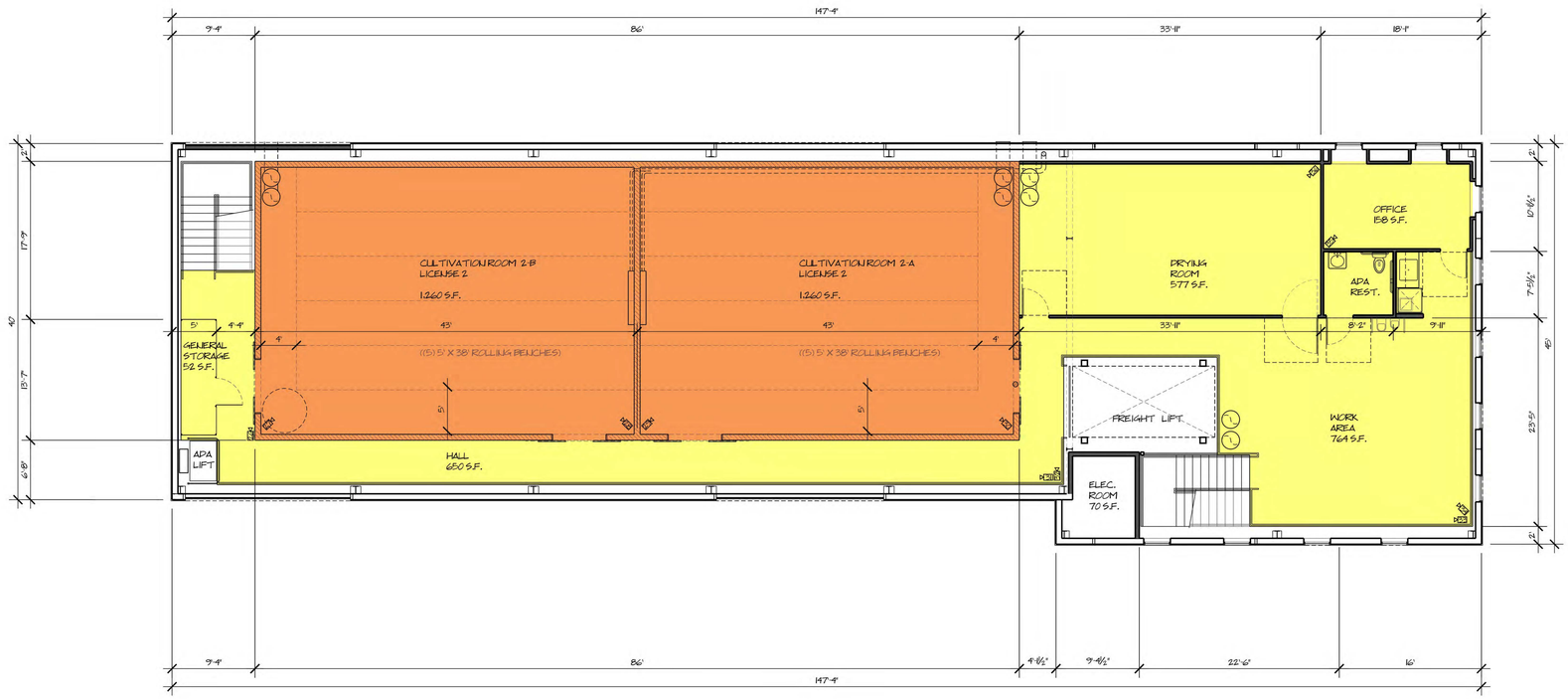
RELEASE DATE:	12/ 16/ 21
CAD NAME:	
SHEET NO.:	A-2

C.U.P. / C.D.P. SET R4

LEGEND

- 24" DIA. X 42" CARBON FILTER W/ 8" FAN FOR ODOR CONTROL
- SECURITY CAMERA LOCATION

NOTE: PROVIDE CARBON FILTER AT ALL EXHAUST AIR LOCATIONS



SECOND FLOOR PLAN - LICENSE '2'

SCALE: 1/8" = 1'-0" 5,015 S.F.

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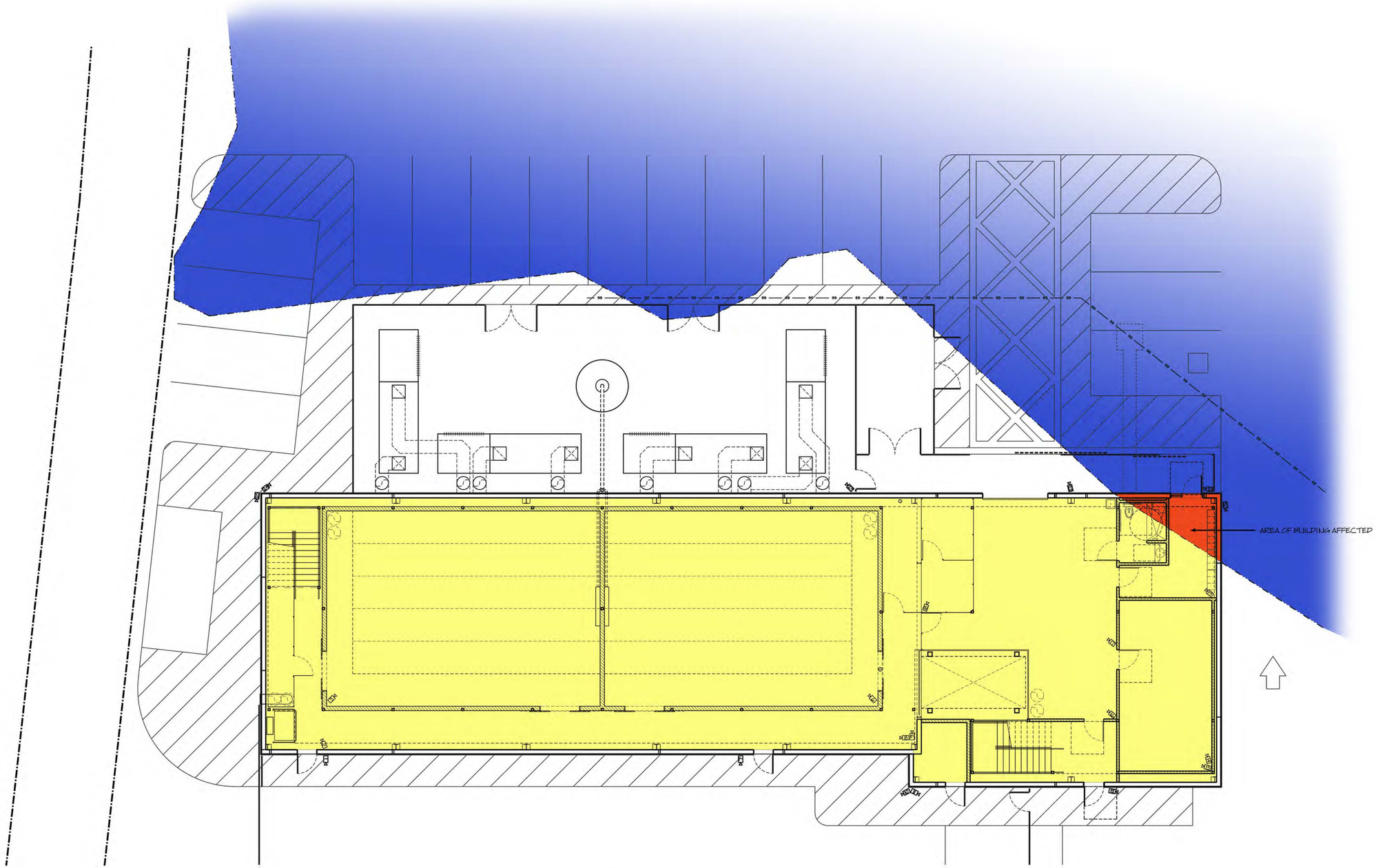
REVISIONS

DRAWN:	P.A.B.
SCALE:	AS NOTED
JOB NO.:	19004.2 & 19012
DATE:	9/ 20/ 20
RELEASE DATE:	12/ 16/ 21
CAD NAME:	
SHEET NO.:	A-3

C.U.P. / C.D.P. - SET R4



1 FLOOD PLANE AREA
SCALE: 1/8" = 1'-0"

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PANTHEON GROUP

CANNABIS CULTIVATION DISTRIBUTION & EXTRACTION

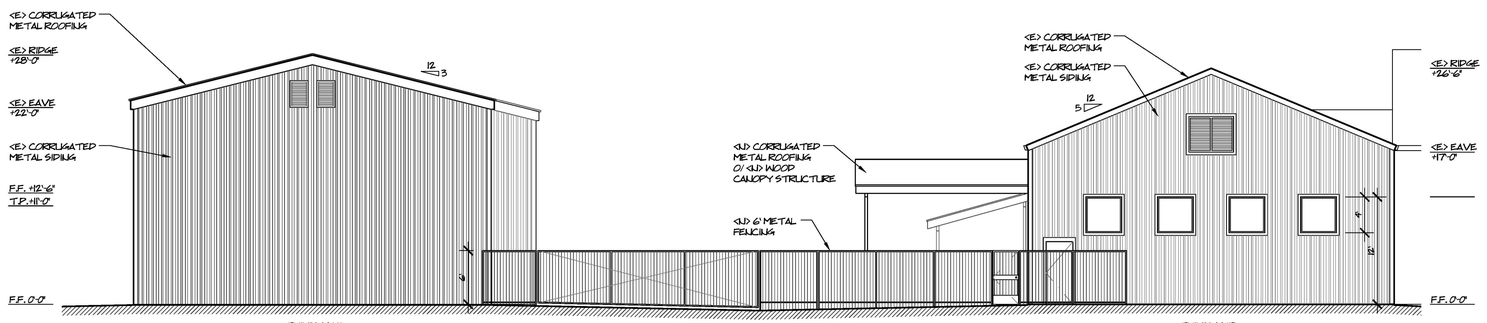
3990 BROADWAY ST.
EUREKA, CA 95503

REVISIONS

DRAWN:	D.A.B.
SCALE:	AS NOTED
JOB NO.:	19004.2 & 19012
DATE:	4/ 20/ 20
RELEASE DATE:	11/ 10/ 21
CAD NAME:	
SHEET NO.:	

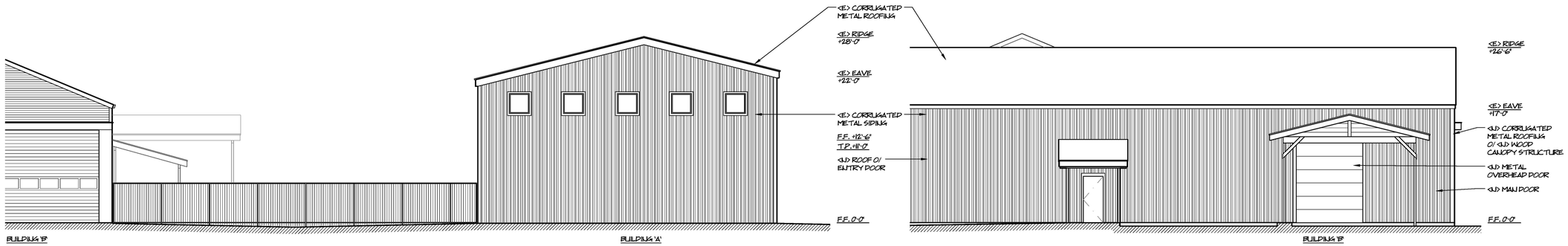
A-4

C.U.P. / C.D.P. SET R3



1 SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

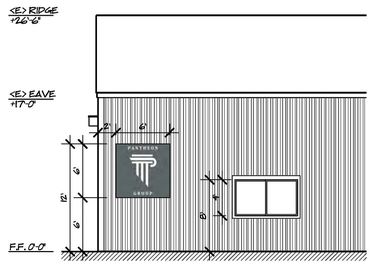


3 NORTH ELEVATION

SCALE: 1/8" = 1'-0"

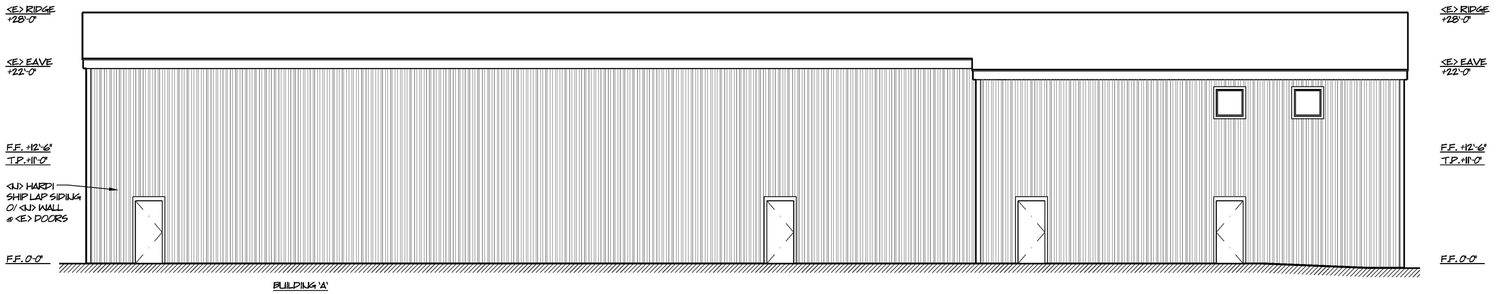
2 WEST ELEVATION

SCALE: 1/8" = 1'-0"



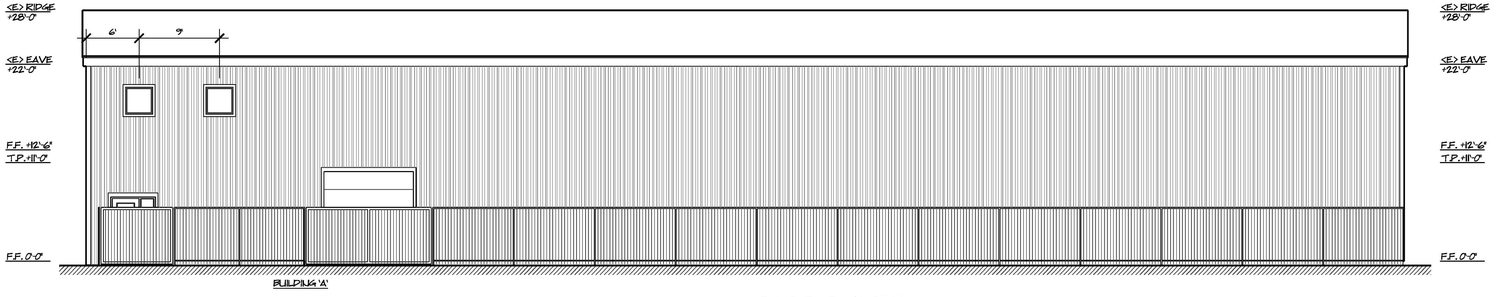
5 EAST ELEVATION

SCALE: 1/8" = 1'-0"



4 EAST ELEVATION

SCALE: 1/8" = 1'-0"



6 WEST ELEVATION

SCALE: 1/8" = 1'-0"

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PANTHEON GROUP

CANNABIS CULTIVATION DISTRIBUTION & EXTRACTION

3990 BROADWAY ST.
EUREKA, CA 95503

REVISIONS

DRAWN:	P.A.B.
SCALE:	AS NOTED
JOB NO.:	19004.2 & 19012
DATE:	4/ 20/ 20
RELEASE DATE:	11/ 10/ 21
CAD NAME:	
SHEET NO.:	A-5

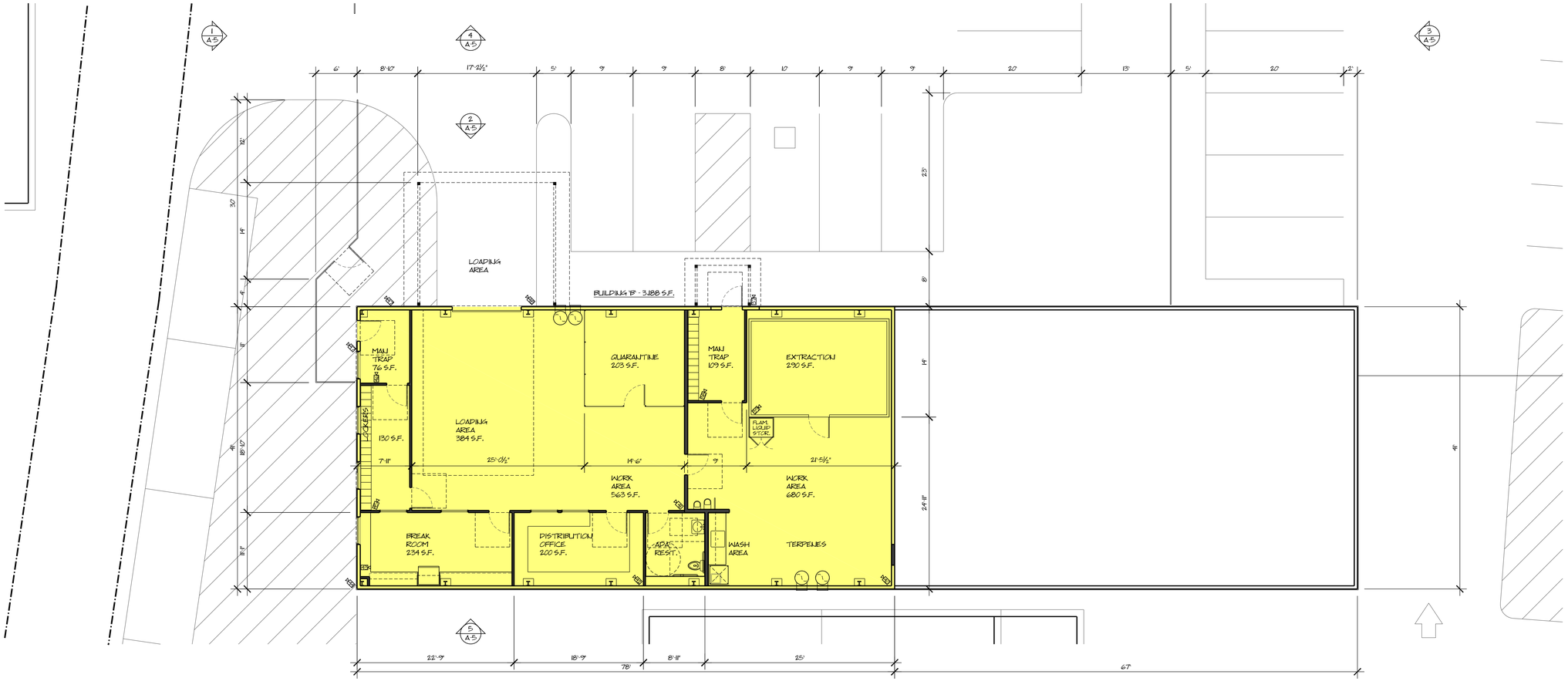
C.U.P. / C.D.P. SET R3

LEGEND

(L) 24" DIA. X 42" CARBON FILTER W/ 8" FAN FOR ODOR CONTROL

SECURITY CAMERA LOCATION

NOTE: PROVIDE CARBON FILTER AT ALL EXHAUST AIR LOCATIONS



1 PROJECT SITE PLAN

SCALE: 1/8" = 1'-0"

BROWN DESIGNS

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BLUE LAKE, CA 95525
(707) 502-8939
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PANTHEON GROUP

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3990 BROADWAY ST.
EUREKA, CA 95503

REVISIONS

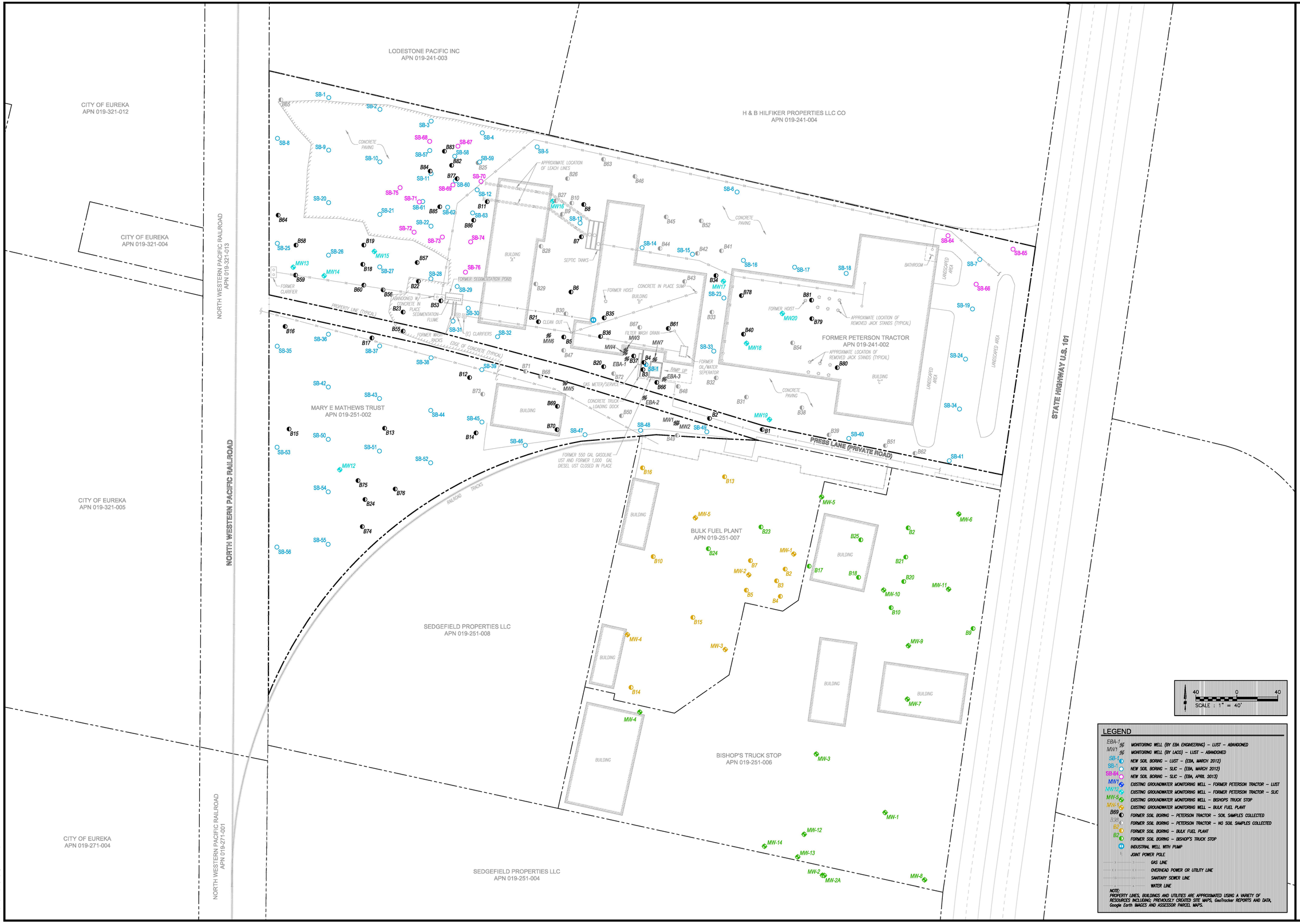
DRAWN:	D.A.B.
SCALE:	AS NOTED
JOB NO.:	19004.2 & 19012
DATE:	4/ 20/ 20
RELEASE DATE:	12/ 16/ 21
CAD NAME:	
SHEET NO.:	

B-1

CUP - C.D.P. SET R4

APPENDIX C

HISTORICAL ENVIRONMENTAL INVESTIGATION DOCUMENTATION



EBA ENGINEERING
825 SONOMA AVENUE
SUITE C
SANTA ROSA, CA 95404
TEL: (707) 544-0784

SITE MAP
APN 019-241-002
FORMER PETERSON TRACTOR
3990 BROADWAY
EUREKA, CALIFORNIA

Submittal / Revision:
1
2
3
4
5
6
7

Job No: 11-1750
Drawn By: SGH
Checked By: ME
Date: 2014-03-13

Figure
2

Xrefs: Topographic Survey - (Rev1).dwg
Site Q:\1750\GIS Map - (Rev2).dwg Plot Date: Apr 09, 2018 at 11:01

Q:\1750\Site Map - (Rev2).dwg, Fig 2, 4/9/2018 11:01:02 AM

November 4, 2013

Ms. Mary Matthews
c/o Ms. Wendy Whitson, Esq.
P.O. Box 1498
Santa Rosa, CA 95402

Dear Ms. Matthews:

Subject: No Further Action

File: Peterson Tractor, Former, 3990 Broadway, Eureka, California
Case No. 1THU908

This letter confirms the completion of a site investigation and corrective action for the underground storage tank formerly located at the above-described location. Thank you for cooperating throughout this investigation. Your willingness and promptness in responding to our inquiries concerning the former underground storage tank are greatly appreciated.

Based on information in the above-referenced file, with the provision that the information provided to this agency accurately represents site conditions, this agency finds that the investigation and corrective action carried out at your site is in compliance with the requirements of subdivisions (a) and (b) of Section 25296.10 of the Health and Safety Code and corrective action regulations adopted pursuant to Section 25299.3 of the Health and Safety Code and that no further action related to the petroleum release at the site is required. This notice is issued pursuant to subdivision (g) of Section 25296.10 of the Health and Safety Code.

Claims for reimbursement of corrective action costs submitted to the Underground Storage Tank Cleanup Fund more than 365 days after the date of this letter or issuance or activation of the Fund's Letter of Commitment, whichever occurs later, will not be reimbursed unless one of the following exceptions applies:

- Claims are submitted pursuant to Section 25299.57, subdivision (k) (reopened UST case); or

- Submission within the timeframe was beyond the claimant's reasonable control, ongoing work is required for closure that will result in the submission of claims beyond that time period, or that under the circumstances of the case, it would be unreasonable or inequitable to impose the 365-day time period.

Please contact Kasey Ashley of my staff at (707) 576-2673 or email at Kasey.Ashley@waterboards.ca.gov, if you have any questions regarding this matter.

Sincerely,

Original signed by:

Matthias St. John
Executive Officer

131104_KSA_er_Kapettrac08

cc: Norm Crawford, Humboldt Co. Health Department ncrawford@co.humboldt.ca.us
Matthew Earnshaw, EBA Engineering mearnshaw@ebagroup.com

June 8, 2021

Mr. Dan Matthews
10486 SE Ridge View Rd.
Prineville, OR 97754
matthews6@hughes.net

Mr. Roger Kirkpatrick
3990 Broadway St.,
Eureka, CA 95503

Dear Mr. Matthews and Mr. Kirkpatrick:

Site: Former Peterson Tractor, 3990 Broadway, Eureka, California
Case Number 1NHU908 (2010085)

Subject: No Further Action

This letter confirms the completion of site investigation and remedial actions for the above-referenced location. This case involved the past contamination discharges associated with tractor trailer repair and fuel storage. Due to remaining contamination, a soil and groundwater management plan and an environmental land use covenant were prepared for the site.

Our office received a copy of the environmental covenant, recorded May 20, 2021, from the Humboldt County Recorder. Based on the information in the above-referenced file and with the provision that the information provided to this agency was accurate and representative of site conditions, no further action related to the discharges documented in the file, beyond the covenant requirements, is required.

If you have any questions, please contact Tom Magney of my staff at (707) 573-7128 or tom.magney@waterboards.ca.gov.

Sincerely,

Matthias St. John
Executive Officer

210608_TNM_mc_PetersenTractor_NFA

2021-011431

Recorded - Official Records
Humboldt County, California
Kelly E. Sanders, Recorder
Recorded by: ROGER KIRKPATRICK

Pages: 12

Recording Fee: $ 232.00
Tax Fee: $0
Clerk: kt Total: $232.00
May 20, 2021 at 04:31:01

Recording Requested By:
Roger Kirkpatrick
3990 Broadway
Eureka, California 95503

When Recorded, Mail To:
Matthias St. John, Executive Officer
California Regional Water Quality Control Board
North Coast Region
5550 Skylane Boulevard, Suite A
Santa Rosa, California 95403

NCRWQCB

JUN 07 2021

☐ EO ☐ WMgmt ☐ Admin
☐ AEO ☐ Timber ☐ Legal
☐ Reg/NPS ☐ Cleanups ☐ _____
☐ _____ Date _____

COVENANT AND ENVIRONMENTAL RESTRICTION ON PROPERTY

FORMER PETERSEN TRACTOR COMPANY
3990 BROADWAY STREET, EUREKA, CALIFORNIA

ASSESSORS PARCEL NUMBERS 019-241-002 AND 019-251-002
NCRWQCB CASE1NHU908

This Covenant and Environmental Restriction on Property ("Covenant") is made as of the _____ day of _____, 2021 by Mr. Roger Kirkpatrick ("Covenantor") who is the Owner of record of that certain property situated at 3990 Broadway Street, in the City of Eureka, County of Humboldt, State of California, which is more particularly described in Exhibit A attached hereto and incorporated herein by this reference (hereinafter referred to as the "Burdened Property"), for the benefit of the California Regional Water Quality Control Board, North Coast Region ("Board"), with reference to the following facts:

A. Nature of Covenant

This Covenant is an environmental covenant provided for by Civil Code section 1471 and required by the Board pursuant to Water Code section 13307.1 because the Burdened Property is contaminated by hazardous materials as defined in section 25260 of the Health and Safety Code.

B. Contamination of the Burdened Property

The soil and groundwater at the Burdened Property is contaminated by heavy equipment repair and servicing conducted by the Petersen Tractor Company. The known contamination in soil consisted of petroleum hydrocarbons, arsenic, and lead which constitute hazardous materials. Historical primary sources of contamination were removed (i.e., hydraulic jacks, fueling equipment and the entire septic system) and highly impacted soils were excavated. The known contamination has been reduced to impacts of diesel, gasoline, motor oil, arsenic and lead in shallow soils at generally

known locations at the property, and petroleum hydrocarbons in groundwater. Groundwater contamination does not extend offsite and onsite contamination is expected to naturally attenuate with time.

C. Exposure Pathways

The contaminants addressed in this Covenant are present in the soil and groundwater at the Burdened Property. Without land use restrictions and mitigation measures which have been performed on the Burdened Property, exposure to these contaminants could take place via in place contact during future construction activities, or via ingestion of contaminated groundwater. The risk of public exposure to the contaminants has been substantially lessened by the remediation and controls described herein.

D. Land Uses and Population Potentially Affected

The Burdened Property is used for commercial and industrial purposes and is adjacent to parcels used for industrial and commercial uses.

E. Disclosure and Sampling

Disclosure of the presence of hazardous materials on the Burdened Property has been made to the Board and extensive sampling of the Burdened Property has been conducted.

F. Use of Burdened Property

Covenantor desires and intends that in order to benefit the Board, and to protect the present and future public health and safety, the Burdened Property shall be used in such a manner as to avoid potential harm to persons or property that might result from any hazardous materials that might remain deposited on portions of the Burdened Property.

ARTICLE I
GENERAL PROVISIONS

1.1. Provisions to Run with the Land

This Covenant sets forth protective provisions, covenants, conditions and restrictions (collectively referred to as "Restrictions") upon and subject to which the Burdened Property and every portion thereof shall be improved, held, used, occupied, leased, sold, hypothecated, encumbered, and/or conveyed. These Restrictions are reasonably necessary to protect present and future human health and safety or the environment as a result of the presence on the land of hazardous materials. Each and all of the Restrictions shall run with the land and pass with each and every portion of the Burdened Property, and shall apply to, inure to the benefit of, and bind the respective successors, assigns, and lessees thereof for the benefit of the Board and all Owners and Occupants. Each and all of the Restrictions: (a) are imposed upon the entire Burdened Property, unless expressly stated as applicable to a specific portion of the

Burdened Property; (b) run with the land pursuant to section 1471 of the Civil Code; and (c) are enforceable by the Board.

1.2. Concurrence of Owners and Lessees Presumed

All purchasers, lessees, and possessors of all or any portion of the Burdened Property shall become Owners or Occupants as defined herein and shall be deemed by their purchase, leasing, or possession of the Burdened Property to be bound by the Restrictions and to agree for and among themselves, their heirs, successors, and assignees, and the agents, employees, and lessees of such owners, heirs, successors, and assignees, that the Restrictions herein established must be adhered to for the benefit of the Board and all Owners and Occupants, and that the interest of all Owners and Occupants of the Burdened Property shall be subject to the Restrictions.

1.3. Incorporation into Deeds and Leases

Covenantor desires and covenants that the Restrictions shall be incorporated in and attached to each and all deeds and leases of all or any portion of the Burdened Property. Recordation of this Covenant shall be deemed binding on all successors, assigns, and lessees, regardless of whether a copy of this Covenant has been attached to or incorporated into any given deed or lease.

1.4. Purpose

It is the purpose of this instrument to convey to the Board real property rights, which will run with the land, to facilitate the remediation of past environmental contamination and to protect human health and the environment by reducing the risk of exposure to residual hazardous materials.

ARTICLE II
DEFINITIONS

2.1. Board

"Board" shall mean the California Regional Water Quality Control Board for the North Coast Region and its staff, and shall include its successor agencies, if any.

2.2. Improvements

"Improvements" shall mean all buildings, structures, roads, driveways, gradings, re-gradings, and paved areas, constructed or placed upon any portion of the Burdened Property.

2.3. Occupant or Occupants

"Occupant" or "Occupants" shall mean Owners and those persons entitled by ownership, leasehold, or other legal relationship to the right to use and/or occupy all or any portion of the Burdened Property.

2.4. Owner or Owners

"Owner" or "Owners" shall mean the Covenantor and Covenantor's successors in interest who hold title to all or any portion of the Burdened Property.

ARTICLE III
DEVELOPMENT, USE AND CONVEYANCE OF THE BURDENED PROPERTY

3.1. Restrictions on Development and Use

Covenantor promises to restrict the use of the Burdened Property as follows:

a. Development and use of the Burdened Property shall be restricted to industrial, commercial, and/or office space.

b. No residence for human habitation shall be permitted on the Burdened Property.

c. No hospitals shall be permitted on the Burdened Property.

d. No care or community centers for children or senior citizens, or other uses that would involve the regular congregation of children or senior citizens, shall be authorized on the Burdened Property.

e. No Owner or Occupant shall conduct or permit any excavation work on the Burdened Property, unless expressly permitted in writing by the Board. Any contaminated soils brought to the surface by grading, excavation, trenching, drilling or backfilling shall be managed by the Owner, Owner's agent, Occupant or Occupant's agent in accordance with all applicable provisions of local, state and federal law.

f. Any excavation conducted on the Burdened Property shall be performed pursuant to an appropriate and fully implemented Health and Safety Plan and in accordance with the July 23, 2020 "Soil and Groundwater Management Plan" prepared by EBA Engineering and available on the Board's GeoTracker database, or any subsequent Board approved revisions thereof (https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T10000000269).

g. All uses and development of the Burdened Property shall be consistent with any applicable Board Order or Risk Management Plan, each of which is hereby incorporated herein by reference, and including future amendments thereto. All uses and development shall preserve the integrity of any cap, any remedial measures taken or remedial equipment installed, and any groundwater monitoring system installed on the Burdened Property pursuant to the requirements of the Board, unless otherwise expressly permitted in writing by the Board.

h. No Owner or Occupant shall drill, bore, otherwise construct, or use a well for the purpose of extracting water for any use, including but not limited to, domestic, potable, or industrial uses, unless expressly permitted in writing by the Board; nor shall the Owner or Occupant permit or engage any third party to do such acts.

i. The Owner and Occupant shall notify the Board of each of the following: (1) the type, cause, location and date of any disturbance to any cap, any remedial measures taken or remedial equipment installed, and of the groundwater monitoring system installed on the Burdened Property pursuant to the requirements of the Board, which could affect the ability of such cap or remedial measures, remedial equipment, or monitoring system to perform their respective functions; and (2) the type and date of repair of such disturbance. Notifications to the Board shall be made by registered mail within ten (10) working days of both the date of discovery of such disturbance and the date of completion of repairs.

j. The Owners and Occupants agree that the Board, and any persons acting pursuant to Board orders, shall have reasonable access to the Burdened Property for the purposes of inspection, surveillance, maintenance, or monitoring as provided in Division 7 of the Water Code.

k. No Owner or Occupant shall act in any manner that threatens or is likely to aggravate or contribute to the existing contaminated conditions of the Burdened Property. All use and development of the Burdened Property shall preserve the integrity of any capped areas.

3.2. Enforcement

Failure of an Owner or Occupant to comply with any of the Restrictions set forth in Paragraph 3.1 shall be grounds for the Board, by the authority of this Covenant, to require that the Owner or Occupant modify or remove, or cause to be modified or removed, any Improvements constructed in violation of that Paragraph. Violation of this Covenant shall also be grounds for the Board to file civil actions against the Owner or Occupant as provided by law. Nothing in this Covenant shall limit the Water Board's authority under Division 7 (commencing with section 13000) of the Water Code or other applicable laws.

3.3. Notice in Agreements

After the date of recordation hereof, all Owners and Occupants shall execute a written instrument which shall accompany all purchase agreements or leases relating to all or any portion of the Burdened Property. Any such instrument shall contain the following statement:

The land described herein contains hazardous materials in soils and in the groundwater under the property, and is subject to a Covenant and Environmental Restriction dated as of _____, 2021, and recorded on _____, 2021, in the Official Records of Humboldt County, California, as Document No. _____, which Covenant and Environmental Restriction imposes certain covenants, conditions, and restrictions on usage of the property described herein. This statement is not a declaration that a hazard exists.

ARTICLE IV
VARIANCE AND TERMINATION

4.1. Variance

Any Owner or, with the Owner's written consent, any Occupant may apply to the Board for a written variance from the provisions of this Covenant.

4.2. Termination

Any Owner or, with the Owner's written consent, any Occupant may apply to the Board for a termination of the Restrictions as they apply to all or any portion of the Burdened Property.

4.3. Term

Unless terminated in accordance with Paragraph 4.2 above, by law or otherwise, this Covenant shall continue in effect in perpetuity.

ARTICLE V
MISCELLANEOUS

5.1. No Dedication Intended

Nothing set forth herein shall be construed to be a gift or dedication, or offer of a gift or dedication, of the Burdened Property or any portion thereof to the general public.

5.2. Notices

Whenever any person gives or serves any notice, demand, or other communication with respect to this Covenant, each such notice, demand, or other communication shall be in writing and shall be deemed effective (a) when delivered, if personally delivered to the person being served or an official of a government agency being served, or (b) three (3) business days after deposit in the mail if mailed by United States mail, postage paid certified, return receipt requested, addressed:

If To: "Covenantor"
Roger Kirkpatrick
3990 Broadway
Eureka, California 95503

If To: "Board"
Regional Water Quality Control Board
North Coast Region
Attention: Executive Officer
5550 Skylane Boulevard, Suite A
Santa Rosa, California 95403

5.3. Partial Invalidity

If any portion of the Restrictions or terms set forth herein is determined by a court having jurisdiction to be invalid for any reason, the remaining portion shall remain in full force and effect as if such portion had not been included herein.

5.4 Recordation

This instrument shall be executed by the Covenantor and by the Executive Officer of the Board. This instrument shall be recorded by the Covenantor in the County of Humboldt within ten (10) days of the date of execution.

5.5 References

All references to Code sections include successor provisions.

5.6 Construction

Any general rule of construction to the contrary notwithstanding, this instrument shall be liberally construed in favor of the Covenant to preserve and implement the purpose of this instrument and the policies and purposes of the Water Code. If any provision of this instrument is found to be ambiguous, an interpretation consistent with the purpose of this instrument that would render the provision valid shall be favored over any interpretation that would render it invalid.

IN WITNESS WHEREOF, the parties execute this Covenant as of the date set forth above.

Peterson Tractor_LandUseCovenant

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK;
SIGNATURES ON FOLLOWING PAGES]**

Covenant And Environmental Restriction
On Property
Former Petersen Tractor Company

Covenantor: Roger Kirkpatrick

Print Name: Roger Kirkpatrick

Signature: _____

Title: Owner

Date: 5-20-21

CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Humboldt }

On May 20, 2021 before me, Sondra D. Kirtley, Notary Public,

personally appeared Roger Kirkpatrick

_____

_____

_____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Sondra D Kirtley
Notary Public Signature

SONDRA D. KIRTLEY
COMM. #2194522
NOTARY PUBLIC • CALIFORNIA
HUMBOLDT COUNTY
My Comm. Expires May 26, 2021

Notary Public Seal

Covenant And Environmental Restriction
On Property
Former Petersen Tractor Company

California Regional Water Quality Control Board, North Coast Region

Print Name: Matthias St John

Signature: [signature]

Title: Executive Officer

Date: May 13, 2021

CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Sonoma }

On May 13, 2021 before me, Suzette Ransom, Notary Public,

personally appeared Matthias St. John

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

SUZETTE RANSOM
Notary Public - California
Sonoma County
Commission # 2274080
My Comm. Expires Jan 29, 2023

Suzette Ransom

Notary Public Signature

Notary Public Seal

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

That real property situated in the City of Eureka, County of Humboldt, State of California, described as follows:

That real property located partly in the Southwest Quarter of Section 33, Township 5 North, Range 1 West, Humboldt Meridian, and partly in Roberts Addition to Bucksport bounded and described as follows:

PARCEL ONE (ASSESSOR'S PARCEL NUMBER 019-241-002):
BEGINNING at a point on the present Westerly line of the State Highway, 834.74 feet South and 168.02 feet West of City of Eureka Monument No. 78;

and thence running along the Westerly line of said Highway. South 8 degrees 01 minute West 225 feet to a point, which is 15 feet Northerly from the Northerly line of the Associated Oil Company's property, as described in Deed recorded in Book 177 of Deeds, Page 387, Humboldt County Records;

thence parallel with the Northerly line of said Associated Oil Company's property and 15 feet distant therefrom North 78 degrees 22 minutes West 239.25 feet;

thence North 73 degrees 44 minutes West 192.57 feet;

thence North 75 degrees 08 minutes West 143.52 feet;

thence North 77 degrees 42 minutes West 163 feet, more or less. to the Easterly line of the right of way of the Northwestern Pacific Railroad Company;

thence following the Easterly boundary of said right of way, North O degrees 01 minute West 220.91 feet; thence South 77 degrees 04 minutes East 768.12 feet, more or less, to the point of beginning.

PARCEL TWO: (ASSESSOR'S PARCEL NUMBER 019-251-002)
COMMENCING at a point being the intersection of the Westerly line of State Highway No. 101 with the Southerly line of Press Lane in Section 33, Township 5 North, Range 1 West, Humboldt Meridian;

thence along the Southerly line of Press Lane, North 78 degrees 22 minutes West a distance of 238.143 feet to a point;

thence North 73 degrees 44 minutes West a distance of 34.83 feet to a point of beginning in the Southerly line of Press Lane;

thence, from this point of beginning North 73 degrees 44 minutes West along the Southerly line of Press Lane a distance of 158.17 feet;

thence along the Southerly line of Press Lane. North 75 degrees 8 minutes West a distance of 143.0 feet;

thence along the Southerly line of Press Lane, North 77 degrees 42 minutes West, a distance of 159.47 feet to a point in the Easterly right of way of the Northwestern Pacific Railroad;

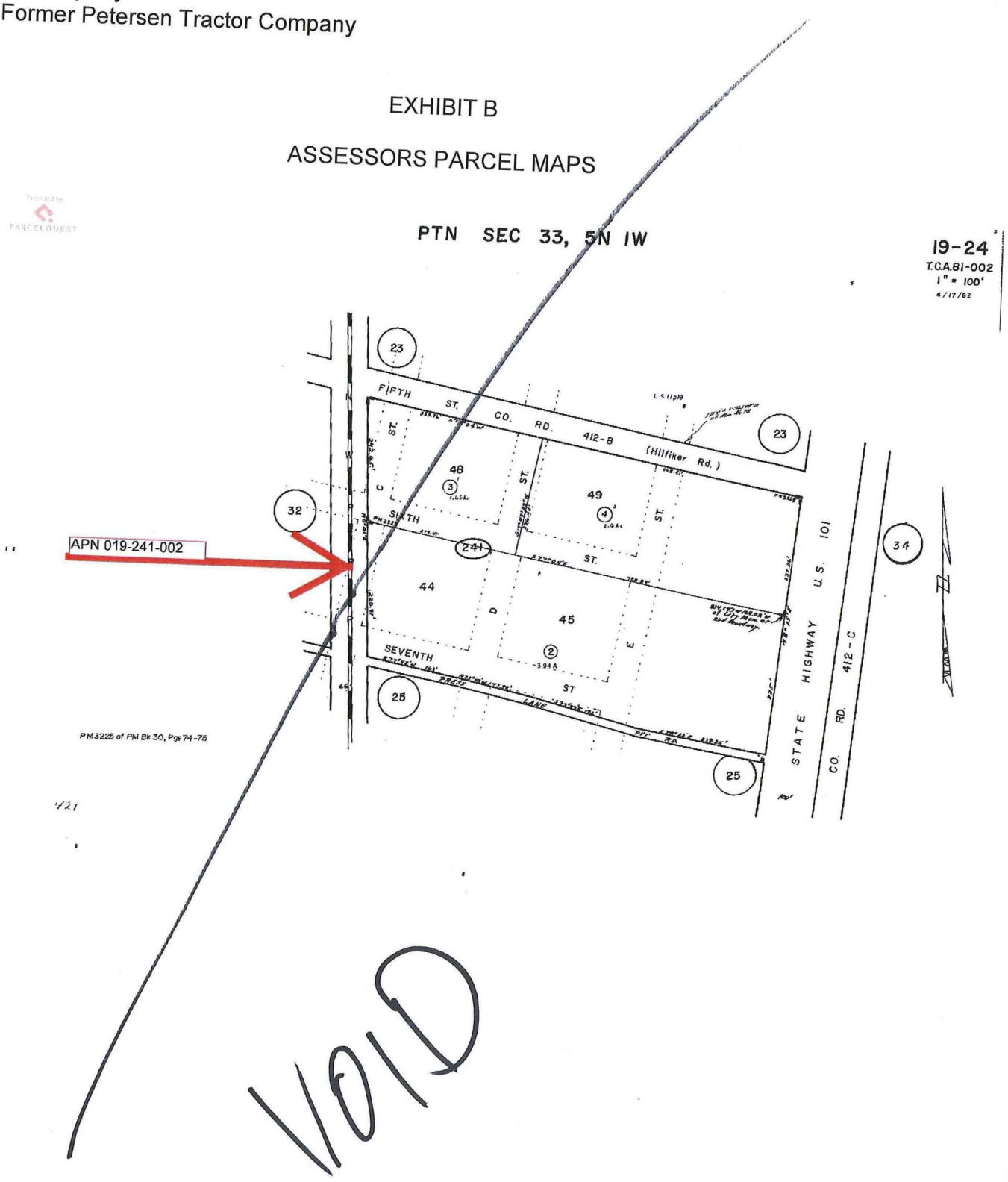
thence South O degrees 2 minutes East along the Easterly line of the Northwestern Pacific Railroad right of way, a distance of 363.96 feet to a point;

thence on a curve to the right with the center bearing South 66 degrees 3 minutes East and radius of 418.38 feet a distance of 544.928 feet to a point;

thence North 9 degrees 49 minutes East, a distance of 5.22 feet to the point of beginning.

EXHIBIT B

ASSESSORS PARCEL MAPS

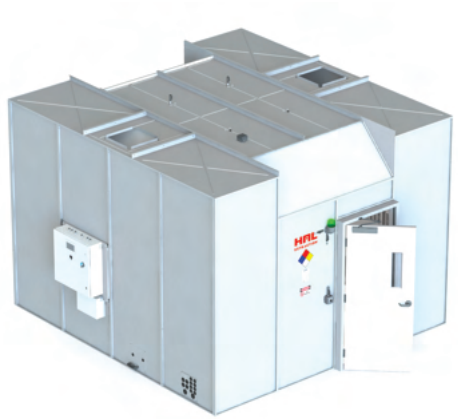


APPENDIX D

NON-VOLATILE EXTRACTION POD CUT SHEET

FOOTPRINTS

MODEL 170



Interior Square Footage	170 Square Feet
Exterior Dimensions	14’3” W x 13’8”L x 9’4.5”H
Interior Dimensions	14’0”W x 12’2”L x 9’1.5” H

MODEL 265

Interior Square Footage	265 Square Feet
Exterior Dimensions	14’3”W x 20’4”L x 9’4.5”H
Interior Dimensions	14’0”W x 19’1”L x 9’1.5”H

MODEL 355

Interior Square Footage	355 Square Feet
Exterior Dimensions	14’3”W x 27’0”L x 9’4.5”H
Interior Dimensions	14’0”W x 25’6”L x 9’1.5”H

PRODUCTION SERIES

EXTRACTION BOOTHS

COMPLIANCE

HAL Extraction's CID1 Extraction Booths have been evaluated by **Underwriters Laboratories (UL), a Nationally Recognized Testing Laboratory (NRTL)**.

HAL's CID1 Booths are compliant with the following standards:

- UL 1389
- UL 2075

Additionally, All HAL Booth configurations have been evaluated by a third-party professional engineering firm, **Pressure Safety Inspectors (PSI)**, licensed in all 50 states. The HAL Booth has been reviewed and approved using the following codes and standards:

- NFPA 1, Chapter 38, 2018 Marijuana Processing Equipment
- NFPA 58
- NFPA 30
- NFPA 33
- California Fire Code (CFC) 2019, Chapter 39
- California Mechanical Code (CMC) 2019
- International Fire Code (IFC) 2018
- International Mechanical Code (IMC) 2018
- Uniform Mechanical Code (UMC) 2021
- Washington Fire Code 2019 (WAC) 51 54A 3800

The PSI Peer Review ensures that the HAL Extraction Booth's system and components comply with the list of codes provided above. SOPs adhere to appropriate guidelines established by State law, OSHA, and general industry safe practice.

*Seismic analysis reports available for **Authority Having Jurisdiction (AHJ)** - performed by a licensed CA PE*

STANDARD PACKAGE

HAL EXTRACTION

CONTROLS & POWER REQUIREMENTS

INCLUDES	• UL 508A listed Control Panel with Human Machine Interface Screen (HMI). • Panel Dimensions 30” x 30“ x 8” • Pre-Installed Conduit Hubs for Electrical Hookups • Standard 110W inverter provides back-up power to one interior light, sensor, and alarms for two hours. • CID2 Remote Operator Switch
CONTROL PANEL FEATURES	• Remote Connectivity • Email and Push Alarm Notifications • Programmable Digital Inputs/Outputs • User Specific Permissions to customize operator access level • Data Logging • 5 Pre-programmed standard relays • Pre-wired and labeled terminal blocks for ease of installation
ELECTRICAL SUPPLY	• Single point electrical connection • Designated 40amp, 208-240VAC, 1-ph power, 30 FLA

VENTILATION

VENTILATION FEATURES	• Explosion Proof, CID1 Inline 20”Centrifugal Box fan-2hp motor • Intake and Exhaust Fans operate at variable speeds based on US Patent US 10, 232, 286, B1 • Accommodate up to 1.0 in.w.c of static pressure in each duct • Integrate with heating, cooling, and filtration components within the duct work. • Fans achieve 100 Linear Feet per Minute (LFM) capture velocity in bottom 12” of Booth – based on Computational Fluid Dynamics (CFD) report
AIR FLOW RATES	• Base Rate – 1500CFM at 50% Speed (configurable) • Purge Rate – Minimum 3000CFM at 100% speed

PRODUCTION SERIES

EXTRACTION BOOTHS

STANDARD PACKAGE

HAL EXTRACTION

CONSTRUCTION	
BOOTH STRUCTURE	• 18-gauge powder coated steel panels manufactured in the USA with pre-punched conduit access holes. • Smooth cleanable surface for compliance with Good Manufacturing Practices (GMP). • Modular designed allows for flexible configurations. • Window Panels available upon request
ACCESS PANEL	• (1) 40” x 86” Access Panel with 12” x 12” Utility Penetration Plate (UPP) included per Booth • Includes 15 pre-drill penetrations with fire rated hole seals and rubber sealing gaskets • Penetration Dimensions: (1) 1/2” NPT; (8) 1.5”; (4) 2”; (2) 2.5” • Configurable on the side walls or through plenum • Additional Access Panels available upon request
ANCHORING	• Internal or external anchoring. • Includes concrete anchoring screws • Anchoring evaluated by Civil Engineer for seismic activity. Full structural analysis report available
DOOR ASSEMBLY	• Standard Left-Hand-Reverse (LHR) Door; opens in the direction of egress • Door dimensions : 3’W x 7’H • Powder coated, with 90-minute fire rating • UL Listed door assembly compliant with the American with Disabilities Act (ADA). • 7” x 22” safety window • Includes: emergency exiting hardware, door sweep, seal, and automatic closure. • Right Hand Reverse (RHR) and Double Door Options available upon request.
LIGHTING	• 2-Tube CID1 LED drop mount light fixtures • Mounting Brackets
CID1 MANUAL PURGE BUTTON	• Yellow mushroom head button for manually reaching 100% fan speed

PRODUCTION SERIES

EXTRACTION BOOTHS

STANDARD PACKAGE

HAL EXTRACTION

GAS DETECTION

INCLUDES	• UL-Listed, CID1 Infrared (IR) sensor • CID1 transmitter, with LCD screen to display the Lower Explosive Limit (LEL) to operators inside the Booth. • Calibrations include but are not limited to: Butane, Ethanol, Pentane, Hexane, Heptane, Methanol, Carbon Dioxide, and Oxygen. ** Dual solvent monitoring package and UL 2075 sensor available upon request.

INTERLOCKED WITH GAS DETECTION SYSTEM	• CID2 Tri-color Green Amber Red (GAR) Visual Beacon • Non-rated audible warning horn (99 dCB)
SENSOR SET POINTS	• 0%-10 LEL – Green + Base Air Flow Rate • 10%-25% LEL – Amber + Purge Rate • 25%+ LEL – Red + Warning Horn + Purge Rate

MISCELLANEOUS

- CID1 Portable handled gas sensor
- Fire Extinguisher - ABC 4A 18lb
- Explosion Proof Conduit with sealing fittings
- Differential Pressure Gauge and balancing kit
- Test gas, gas cup, and regulator
- Installation and Operating Guide
- Signage
- Hardware

PRODUCTION SERIES

EXTRACTION BOOTHS

CONFIGURATIONS

PRODUCTION-D1 BOOTHS

HAL Extraction Class I, Division 1 Extraction Booths are designed for use with Class IA flammable liquids.

PRODUCTION-D2 BOOTHS

HAL Extraction Class I, Division 2 Extraction Booths are designed for use with Class IB flammable liquids.

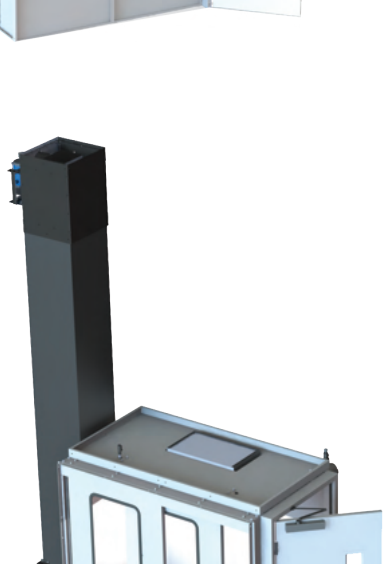
BOOTH EXTENSION PACKAGES

HEIGHT EXTENSION PACKAGE (HEP)

- 10’ Height option available
- 10’ 1.5” Inside Height

DEGASSING CABINET

The Degassing Cabinet is engineered to be an independent space that works in conjunction with the HAL Extraction Booth during the plant oil extraction process. It was created to safely off-gas used plant material still wet with solvents in a contained area, without compromising the safety of your CID1 space.



PRODUCTION SERIES

EXTRACTION BOOTHS

OPTIONAL UPGRADES

CID1 ALARMS

Interior Visual Beacon

- Visual alarm signaling operators inside the booth unsafe conditions (10%+ LEL)
- Available in the following colors: Amber, red, blue, green, clear
- 24V DC
- UL/cUL Listed
- Can be integrated with HAL Extraction Booth Controls System or Building Alarm Panel

Interior Warning Horn

- Auditory alarm signaling operators inside the booth unsafe conditions (25%+ LEL)
- CID1 Rated for Hazardous Location
- 24V DC; 99 dB
- UL/cUL Listed
- Can be integrated with HAL Extraction Booth Controls System or Building Alarm Panel

Interior Fire Strobe

- Visual alarm signaling operators inside the booth unsafe fire conditions within the facility
- Specifically for use with building fire alarm panel
- CID1 Rated for Hazardous Location
- 24V DC
- 65 Flashes/minute
- UL/cUL Listed

EMERGENCY STOP

- A manual push button to interrupt power to all internal electrical components within hazardous location area, can integrate with HAL Interlock panel
- CID1 Emergency Stop – maintained push-pull red
- CID2 Emergency Stop – maintained push-pull red
- UL Listed CID1 Assembly

CID1 OUTLETS

- Rated outlets to provide power to electrical equipment located within Hazardous Location
- Includes: CID1 electrical outlet, plug, and shutoff switch
- UL Listed CID1 Assembly

Available Options:

- 250VAC; 30A, 2W3P, 1PH
- 120/240VAC; 20A, 2W3P, 1PH
- 120VAC; 20A 2W3P, 1PH
- 240VAC; 30A, 3W4P, 3PH

CID1 CAMERA

- CID1 Rated for Hazardous Location
- Network IP Camera with magnetic mount
- Wide-angle, fixed lens; 83 degree field view
- 12-24V DC

DUAL SOLVENT MONITORING

- Control panel built and programmed to monitor two solvents within the space
- Alarming mechanisms at setpoints for both solvents
- Ex. Controls Monitoring %LEL Flammable Solvent and %O2 to ensure adequate oxygen present in the space
- Must verify operation is not introducing two incompatible solvents

REDUNDANT FAN PACKAGE

- Controls and Fan system built to add exhaust system redundancy
- If primary fans fail, redundant fans will turn on to continue airflow which allows for operator to continue extraction run
- Includes two sets of makeup air and exhaust air fans (1 set for primary makeup and exhaust, 1 set for redundant makeup and exhaust)
- Secondary control panel included to run the redundant set of fans
- Alarming mechanisms built in to signal redundant fans are in operation

OPTIONAL UPGRADES

PARALLEL FAN PACKAGE

- Controls and Fan system built to provide 8000 CFM of airflow at purge state
- Built to satisfy air velocity requirements for jurisdictions requiring 100 LFPM air velocity across full booth cross-section
- Includes two sets of makeup air and exhaust air fans (second set of fans installed in parallel with primary set of fans for additional airflow)
- Secondary fan starter panel included to run the secondary parallel fans

WINDOWS

- Window Panels available for all Classic, Intro, and Production Series Booths
- Window Panel to replace standard exterior wall panel on front or back of HAL Booth

Window Dimensions

- 21”W x 60”H Window

DOOR CONFIGURATIONS

- Additional or Replacement LHR and RHR Door Assembly Available for Purchase
- Additional or Replacement Double Door Options Available

Double Door Dimensions

- (2x) 36”W x 84”H Door
- Total Opening – 72”W x 84”H

INTERRUPTIBLE POWER SUPPLY (UPS)

- UPS systems provide uninterrupted automatic back-up power
- Achieves 97% efficiency savid utility and cooling costs without comprising performance or reliability

Available Configurations

Minimum 2hr Backup Power to complete HAL Extraction Booth System (Including Ventilation):

- 6Kva Transformer and Power Conditioner with Internal Battery + (1x) External Battery Pack; 240VAC, 1-Phase
- 10Kva Transformer and Power Conditioner with Internal Battery + (2x) External Battery Pack; 240VAC, 1-Phase

Minimum 30min Backup Power to complete HAL Extraction Booth System (Including Ventilation):

- 6Kva Transformer and Power Conditioner with Internal Battery; 240VAC, 1-Phase
- 10Kva Transformer and Power Conditioner with Internal Battery; 240VAC, 1-Phase

Minimum 1hr Backup Power to complete HAL Extraction Booth System (Including Ventilation):

- 10Kva Transformer and Power Conditioner with Internal Battery; + (1x) External Battery Pack; 240VAC, 1-Phase

Minimum 1hr Backup Power to HAL Extraction Booth Controls Components (Sensor, 1x Interior Light, & Alarms):

- 110W UPS Inverter (Standard item included with classic series booths)
- 220W UPS Inverter

INTERLOCK AND POWER DISTRIBUTION PANEL

Usage:

- For compliance with International Fire Code (IFC) Chapter 39
- Automatic disconnect of power to electrical equipment inside of HAL booth during unsafe operating states
    - Elevated gas level (25%+ LEL)
    - Gas detection failures
    - Ventilation failures

Includes:

- Rotary Disconnect Switch
- Local Enable Switch
- UL508A Panel Construction

Available Configurations (30FLA, 48FLA, 88FLA)

- 240VAC, 1-Phase, 48FLA, NO MMP, 12-Poles of Load Circuit Breakers (520115)
- 240VAC, 1-Phase, 48FLA, (1x) MMP, 9-Poles of Load Circuit Breakers (520119)
- 240VAC, 1-Phase, 48FLA, (2x) MMP, 6-Poles of Load Circuit Breakers (520120)
- 240VAC, 1-Phase, 30FLA (520079)
- Custom configurations available based on electrical power requirements of extraction equipment

ADDITIONAL SERVICES

DESIGN BUILD

- Design and mechanical engineering consulting
- Architectural design and submittal package
- HVAC engineering design and consulting
- Component procurement and controls system integration
- Construction management and contractor scheduling
- Work with the most experienced compliance consultants and engineers in the extraction industry for guaranteed jurisdictional approval
- Design your extraction space to your exact specifications
- Easily achieve 2-hour fire ratings
- Accommodate the tallest extraction equipment
- Ensure proper air flow and capture velocity requirements for the custom space

INSTALLATION & ASSEMBLY

- Construction of Booth shell
- Caulking of seams
- Mounting of components
- Bend conduit
- Wiring of components to control panel
- Initial startup validation and liability support
- 100% Guaranteed install*
- Additional 12-month extended warranty included
- Installation completed by certified HAL install technicians
- Depending on Booth size, install is completed in 4-9 days
- Cooperation and coordination with electricians + HVAC engineers for complete installation

** HAL Certification included with service*

HAL CERTIFICATION*

- Confirmation that Booth construction meets NFPA 33 requirements
- Confirm wiring between control panel and components
- Test control system and all components' functionality
- Certificate of compliant install issued by HAL Extraction upon completion of inspection

** Included with HAL Installation & Assembly service*

ROUTINE MAINTENANCE

- Annual maintenance and compliance check of HAL Extraction Booth
- Sensor Recalibration
- Inspection of outer Booth Shell
- Re-caulking if necessary
- Cleaning and replacement of fan belts and inspection of fan motor and housing
- Inspection and maintenance of all electrical wiring inside of Control Panel
- Inspection and maintenance of all conduit and conduit connections that may have come loose during booth operation
- Testing and inspection of each components electrical wiring
- Ensure Booth is code compliant

HVAC

- Heating and cooling integration support
- Fan sizing and plenum design
- Filtration sizing and integration
- Damper control interlocks
- Air handling unit sizing and procurement

FIRE SUPPRESSION

- HAL has the capability to provide 3 different types of fire suppression systems, dependent on facility needs and specifications
- Stand-alone, powder-based Fire Suppression System
- PYRO-CHEM Vehicle Paint Booth System
- Wet Fire Suppression System that is fully integrated into your building Sprinkler system

PSI FIELD VERIFICATION

- Full-service, industry-trusted 3rd party engineering inspection of Hal Extraction Booth

PRODUCTION SERIES

EXTRACTION BOOTHS

HAL EXTRACTION BOOTH SERIES COMPARISON

HAL EXTRACTION

		CLASSIC	PRODUCTION	INTRO
CONFIGURATIONS	FOOTPRINTS (INTERNAL SQ FT)	85, 120, 150, 180, & 215 sq. ft. models	170, 265, & 355 sq. ft. models	85, 120, 150, 180, 215 sq. ft. models
	EXTERIOR HEIGHT & WIDTH	8'5" x 10'	9'4.5" x 14	8'5" x 10'
	CID1 MODEL AVAILABLE	Yes	Yes	Yes
	CID2 MODEL AVAILABLE	Yes	Yes	Yes
COMPLIANCE	UL LISTING	CID1 Models Only	CID1 Models Only	No
	THIRD PARTY ENGINEERING PEER REVIEW (PSI)	Yes	Yes	Yes
FEATURES	FAN TYPE	Explosion Proof, CID1 Inline 20" Centrifugal Box fan- 1hp motor	Explosion Proof, CID1 Inline 20" Centrifugal Box fan- 2hp motor	Exterior Roof Mounted Outdoor Blower
	AIR FLOW	Base: 1000 CFM (min.) Purge: 2000 CFM (min.)	Base: 1500 CFM (min.) Purge: 3000 CFM (min.)	Base: 1000 CFM (min.) Purge: 2000 CFM (min.)
	CID1 GAS DETECTOR & TRANSMITTER WITH LEL READOUT	Infrared	Infrared	Catalytic Bead - Requires biannual recalibration
	CID2 VISUAL BEACON	Green-Amber-Red	Green-Amber-Red	Amber
	REMOTE CID12 OPERATOR SWITCH	Yes	Yes	No, not available as upgrade
	CID1 MANUAL PURGE BUTTON	Yes	Yes	No, not available as upgrade
EXTENSIONS	HEIGHT EXTENSION PACKAGE AVAILABLE	Yes, for 150, 180, & 215 sq. ft. models	No – 10' Height option available	Yes, for 150, 180, & 215 sq. ft. models
	DEGASSING CABINET ADDITION AVAILABLE	Yes	Yes	Yes

APPENDIX E

FLOOD HAZARD EXEMPTION SUPPORTING INFORMATION

← (No Subject)

In today's market after reviewing comparable sales data, The property at 3990 Broadway Eureka CA 95503 on 5.185 Acres with 60,146 SQFT of Commercial Building would list at $18,713,288.00 for todays current market value on 11/02/2021.

This is based on recent sales of 1716 Fifth St. Eureka sold this year for 4.8 million, $228 a SQFT and was only on 1 acre of property. Based on the SQFT alone that puts the value of your property at $13,713,288.

The land sale of 2245 Broadway was a 1 acre vacant lot that sold for 1 million before hitting the open market. Your property is 5.185 acres so I would add another 5 million dollars to the value of your property. Listing it today at $18,713,288.

If you would like myself and Benchmark Realty to list this property we would like to start the listing at $ 18,999,999.00 This property is going to continue to go up in value monthly with how unique and one of a kind it is for Humboldt County and City of Eureka. If you have any questions please let me know.

Thank you,

–

Stephanie Coffey, Broker
Benchmark Realty Group
818 6th St
Eureka, CA 95501
DRE# 01960864
CELL # 707 496-3230

Gmail

Kevin Coker <kcoker@ebagroup.com>

Fwd: Write up for the City

1 message

Michael Willison <michael@pantheonteam.com> Tue, Nov 9, 2021 at 11:54 AM
To: Kevin Coker <kcoker@ebagroup.com>

---------- Forwarded message ---------
From: **Jamie Bucklin** <fromthegroundupconstruction@gmail.com>
Date: Tue, Nov 9, 2021 at 11:44
Subject: Re: Write up for the City
To: Jed Talbot <jed@pantheonteam.com>
CC: C-Level Executive <c-level@pantheonteam.com>, Michael Willison <michael@pantheonteam.com>

City of Eureka,
After examining the flood zone maps and comparing them to the floor plan for the construction project located at 3990 Broadway Building A, for the Pantheon Group.
I have determined the overall construction costs for this area would not exceed one hundred thousand dollars.
Best Regards,
Jamie Bucklin
From the Ground Up Construction

On Tue, Nov 9, 2021 at 11:38 AM Jed Talbot <jed@pantheonteam.com> wrote:

> Hey Jamie Goodmorning,
>
> I know we spoke yesterday about this write up for the city but I just wanted to check back in and make sure there wasn't anything else you needed from us. If you have any questions or concerns please let us know. Sorry to keep pushing about this, it is literally the last thing need for our resumittle. To us it signifies a ton of work very long time coming. We appreciate it and hope to hear from you soon. Have a great day.
>
> Jedidiah Talbot
> Pantheon Team

APPENDIX F

TABLE 5.2 - MITIGATION MONITORING REPORTING PROGRAM

Table 5.2

Mitigation Monitoring Reporting Program
Pantheon Group Multi-Use Cannabis Facility
3990 Broadway, Eureka, California

Mitigation Reference	Mitigation Measure	Method of Verification	Timing of Implementation	Responsible Party
MM V-1	As requested by a Tribal Historic Preservation Officer (THPO) representing the Blue Lake Rancheria and confirmed by the Wiyot THPO, a qualified professional archeologist will be retained for purposes of examining the cross sections of the proposed trenches for evidence of intact soil horizons and cultural remains. Records of findings and stratigraphy will be documented and a letter report will be produced for the City and THPOs, and filed at the Northwest Information Center (NWIC). Furthermore, for any ground disturbing activities not previous anticipated, the following standard protocol for inadvertent discovery shall be followed, which consists of the following: a. If archaeological resources are encountered during the limited proposed trenching activities, all onsite work shall cease in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist shall be retained to evaluate and assess the significance of the discovery, and develop and implement an avoidance or mitigation plan, as appropriate. For discoveries known or likely to be associated with native American heritage (prehistoric sites and select historic period sites), the Tribal Historic Preservation Officers for the Bear River Band of Rohnerville Rancheria, Blue Lake Rancheria, and Wiyot Tribe are to be contacted immediately to evaluate the discovery and, in consultation with the project proponent, City of Eureka, and consulting archaeologist, develop a treatment plan in any instance where significant impacts cannot be avoided. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. Historic archaeological discoveries may include 19-century building foundations; structural remains; or concentrations of artifacts made of glass, ceramic, metal, or other materials found in buried pits, old wells, or privies. b. If paleontological resources, such as fossilized bone, teeth, shell, tracks, trails, casts, molds, or impressions are discovered during ground-disturbing activities, work shall stop in that area and within 100 feet of the find until a qualified paleontologist can assess the nature and importance of the find and, if necessary, develop appropriate treatment measures in conformance with Society of Vertebrate Paleontology standards, and in consultation with the City of Eureka.	Monitoring During Trenching Activities	During trenching to connect to existing utilities and other subsurface disruption	Contractors & Subcontractors
MM V-2	As requested by a Tribal Historic Preservation Officer (THPO) representing the Blue Lake Rancheria, and confirmed by the Wiyot THPO, a qualified professional archeologist will be retained for purposes of examining the cross sections of the proposed trenches for evidence of intact soil horizons and cultural remains. Records of findings and stratigraphy will be documented and a letter report will be produced for the City and THPOs, and filed at the Northwest Information Center (NWIC). Furthermore, for any ground disturbing activities not previous anticipated, the following standard protocol for inadvertent discovery shall be followed, which consists of the following: In the event of discovery or recognition of any human remains during construction activities, the landowner or person responsible for excavation would be required to comply with the State Health and Safety Code Section 7050.5. Construction activities within 100 feet of the find shall cease until the Humboldt County Coroner has been contacted at 707-445-7245 to determine that no investigation of the cause of death is required. If the remains are determined to be, or potentially be, Native American, the landowner or person responsible for excavation would be required to comply with Public Resources Code (PRC) Section 5097.98. In part, PRC Section 5097.98 requires that the Native American Heritage Commission (NAHC) shall be contacted within 24 hours if it is determined that the remains are Native American. The NAHC would then identify the person or persons it believes to be the most likely descendant from the deceased Native American, who in turn would make recommendations to the landowner or the person responsible for the excavation work for the appropriate means of treating the human remains and any associated grave goods within 48 hours of being granted access to the site. Additional provisions of Public Resources Code Section 5097.98 shall be complied with as may be required.	Monitoring During Construction Activities	During trenching to connect to existing utilities and other subsurface disruption	Contractors & Subcontractors
MM IX-1	Implement the Soil and Groundwater Management Plan (SGMP) that specifies procedures in the event that contaminated soil or groundwater is encountered during trenching or other ground disturbing activities. The SGMP addresses potential health and safety concerns, outlines appropriate worker training and materials handling procedures, and provides information and procedures for site workers performing subsurface work at the project site	Monitoring During Construction Activities	During trenching to connect to existing utilities	Contractors & Subcontractors
MM XVIII-1	As requested by a Tribal Historic Preservation Officer (THP(O) representing the Blue Lake Rancheria, and confirmed by the Wiyot THPO, a qualified professional archeologist will be retained for purposes of examining the cross sections of the proposed trenches for evidence of intact soil horizons and cultural remains. Records of findings and stratigraphy will be documented and a letter report will be produced for the City and THPOs, and filed at the Northwest Information Center (NWIC). Furthermore, for any ground disturbing activities not previous anticipated, the following standard protocol for inadvertent discovery (cultural or historical) shall be followed, which consists of the following: a. If archaeological resources are encountered during the limited proposed trenching activities, all onsite work shall cease in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist shall be retained to evaluate and assess the significance of the discovery, and develop and implement an avoidance or mitigation plan, as appropriate. For discoveries known or likely to be associated with native American heritage (prehistoric sites and select historic period sites), the appropriate Tribal Historic Preservation Officers are to be contacted immediately to evaluate the discovery and, in consultation with the project proponent, City of Eureka, and consulting archaeologist, develop a treatment plan in any instance where significant impacts cannot be avoided. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. Historic archaeological discoveries may include 19-century building foundations; structural remains; or concentrations of artifacts made of glass, ceramic, metal, or other materials found in buried pits, old wells, or privies. b. If paleontological resources, such as fossilized bone, teeth, shells, tracks, trails, casts, molds, or impressions are discovered during ground-disturbing activities, work shall stop in that area and within 100 feet of the find until a qualified paleontologist can assess the nature and importance of the find and, if necessary, develop appropriate treatment measures in conformance with Society of Vertebrate Paleontology standards, and in consultation with the City of Eureka.	Monitoring During Construction Activities	During trenching to connect to existing utilities	Contractors & Subcontractors
MM XVIII-2	As requested by a Tribal Historic Preservation Officer (THPO) representing the Blue Lake Rancheria, and confirmed by the Wiyot THPO, a qualified professional archeologist will be retained for purposes of examining the cross sections of the proposed trenches for evidence of intact soil horizons and cultural remains. Records of findings and stratigraphy will be documented and a letter report will be produced for the City and THPOs, and filed at the Northwest Information Center (NWIC). Furthermore, for any ground disturbing activities not previous anticipated, the following standard protocol for inadvertent discovery shall be followed, which consists of the following: In the event of discovery or recognition of any human remains during construction activities, the landowner or person responsible for excavation would be required to comply with the State Health and Safety Code Section 7050.5. Construction activities within 100 feet of the find shall cease until the Humboldt County Coroner has been contacted at 707-445-7242 to determine that no investigation of the cause of death is required. If the remains are determined to be, or potentially be, Native American, the landowner or person responsible for excavation would be required to comply with Public Resources Code (PRC) Section 5097.98. In part, PRC Section 5097.98 requires that the Native American Heritage Commission (NAHC) shall be contacted within 24 hours if it is determined that the remains are Native American. The NAHC would then identify the person or persons it believes to be the most likely descendant from the deceased Native American, who in turn would make recommendations to the landowner or the person responsible for the excavation work for the appropriate means of treating the human remains and any associated grave goods within 48 hours of being granted access to the site. Additional provisions of Public Resources Code Section 5097.98 shall be complied with as may be required.	Monitoring During Construction Activities	During trenching to connect to existing utilities and other subsurface disruption	Contractors & Subcontractors
MM XIX-1	Implement the Soil and Groundwater Management Plan (SGMP) that specifies procedures in the event that contaminated soil or groundwater is encountered during trenching or other ground disturbing activities. The SGMP addresses potential health and safety concerns, outlines appropriate worker training and materials handling procedures, and provides information and procedures for site workers performing subsurface work at the project site.	Monitoring During Construction Activities	During trenching to connect to existing utilities and other subsurface disruption	Contractors & Subcontractors