

Use Permit No. PA-2200075

Garcia Grow Cannabis Facility

Initial Study/Mitigated Negative Declaration

Prepared for:

**San Joaquin County
Community Development Department**
1810 E. Hazelton Avenue
Stockton, CA 95205

Prepared by:

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September 2023 | Project # 08357.00002.001

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ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
ARB	California Air Resources Board
BCC	Bureau of Cannabis Control
CalEEMod	California Emissions Estimator Model
Cal Fire	California Department of Forestry and Fire Protection
CALGreen	California Green Building Standards Code
CalRecycle	California Department of Resources Recycling and Recovery
CDFA	California Department of Fish and Wildlife
CDPH	California Department of Public Health
CDPR	California Department of Pesticide Regulation
CEQA	California Environmental Quality Act
CO	carbon monoxide
CO _{2e}	carbon dioxide equivalent
dB	decibel
DCC	Department of Cannabis Control
EIR	Environmental Impact Report
FEMA	Federal Emergency Management Agency
GAMAQI	Guide for Assessing and Mitigating Air Quality Impacts
GHG	greenhouse gas
HiD	high intensity discharge
HVAC	heating, ventilation, and air conditioning
IS/MND	Initial Study/ Mitigated Negative Declaration
kWh/kg	kilowatt-hours per kilogram
L _{dn}	Day-Night Average Level
L _{eq}	average or equivalent continuous sound level
L _{max}	maximum sound level
LED	light emitting diode
LOS	Level of Service
MAUCRSA	Medicinal and Adult-Use Cannabis Regulations and Safety Act
MCRSA	Medical Cannabis Regulation and Safety Act
NO _x	nitrogen oxide
PG&E	Pacific Gas and Electric Company
PM ₁₀	particulate matter 10 micrometers or less in diameter

ACRONYMS AND ABBREVIATIONS (Cont.)

PM _{2.5}	particulate matter 2.5 micrometers or less in diameter
ROG	reactive organic gas
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
sf	square feet
SJCOG	San Joaquin Council of Governments
SJMSCP	San Joaquin County Multi-Species Habitat Conservation and Open Space Plan
SJVAPCD	San Joaquin Valley Air Pollution Control District
SR	State Route
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminant
UV	ultra-violet
VMT	vehicle miles traveled

INITIAL STUDY INFORMATION SHEET

1. **Project Application Number:** Use Permit No. PA-2200075
2. **Lead agency name and address:** San Joaquin County
Community Development Department
1810 E. Hazelton Avenue
Stockton, CA 95205
3. **Contact person and phone number:** Alisa Goulart, Associate Planner
(209) 468-0222
4. **Project location:** 407 North Alpine Road, Stockton, California
5. **General plan designation:** Agriculture, General (AG)
6. **Zoning:** Agriculture, General, 40-acre minimum (AG-40)
7. **Assessor's Parcel Numbers (APNs)** 101-260-29, -30, -31
8. **Description of project:**

The project proposes a commercial cannabis cultivation and processing facility within an existing agricultural area. The project involves the construction of four (4) greenhouses totaling approximately 40,896 SF, four (4) storage containers totaling 12,960 SF for storage, a 360-SF office, approximately 30,161-SF of all-weather road, and twelve (12) parking spaces totaling 2,160 SF. There would also be a proposed retention basin in the southwest portion of the project site that would cover 48,600 SF and have dimensions of approximately 90 feet (ft) by 540 ft, with 18 inches of depth (Elsom 2022). The project area, including the retention basin, would total approximately 4.74 acres. The proposed project is anticipated to have a maximum of four (4) employees on the site at any given time. The proposed use is subject to the commercial cannabis requirements of the San Joaquin County Code and will require that the County approve a Conditional Use Permit and issue a Commercial Cannabis License and Development Agreement, subject to obtaining all required State cannabis licenses.

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

The project site is within a rural, predominantly agricultural area of unincorporated San Joaquin County approximately three miles east of the City of Stockton and south of State Route (SR) 26. The project site is set in a mix of rural, agricultural, and residential land uses. Orchards surround the project site to the west, south, and east.

10. Other public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement):

- San Joaquin County – Grading Permits, Building Permits, Conditional Use Permit, Commercial Cannabis Operating Permit
- San Joaquin Valley Air Pollution Control District (SJVAPCD) – Permit to Operate, Authority to Construct
- Stockton Fire Department – Building Plan Review
- California Department of Cannabis Control (DCC) – Cultivation License
- State Water Resource Control Board (SWRCB) – Notice of Availability under the Cannabis General Order
- California Department of Fish and Wildlife (CDFW) – General Permit, Lake or Streambed Alteration Agreement

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Assembly Bill (AB) 52 notification letters have been sent to tribes that requested project notification. No response has been received to date.

1.0 INTRODUCTION

This document is an Initial Study/Mitigated Negative Declaration (IS/MND) for Use Permit No. PA-2200075, the Garcia Grow Cannabis Facility (project). The project is located at 407 North Alpine Road, east of the City of Stockton in unincorporated San Joaquin County, California. This IS/MND has been prepared in compliance with the requirements of the California Environmental Quality Act (CEQA). For the purposes of this CEQA analysis, San Joaquin County (County) is the Lead Agency for the project.

The proposed project would construct four (4) greenhouse structures totaling 40,896 square feet (SF), four (4) storage containers totaling 12,960 SF, 35 storage containers totaling 95,200 SF to act as the perimeter of the cultivation site, a 360-SF office, an approximately 30,161-SF all-weather road, and twelve (12) parking spaces totaling 2,160 SF; altogether, the commercial cannabis cultivation facility would total approximately 181,737 SF (approximately 4.17 acres) of the 4.74-acre project. The proposed project is consistent with the current San Joaquin County General Plan designation and zoning of General Agriculture. The proposed use is subject to the requirements of the San Joaquin County cannabis ordinances, including approval of a Conditional Use Permit, a Commercial Cannabis License, and a Commercial Cannabis Development Agreement. County approvals will be subject to the issuance of all required State cannabis licenses for the project. Per Chapter 9-115, Division 1, Title 9 of the San Joaquin County Ordinance Code, no outdoor cannabis cultivation is permitted within the County.

1.1 PURPOSE OF INITIAL STUDY

CEQA requires that public agencies document and consider the potential environmental effects of the agency's actions that meet CEQA's definition of a "project." Briefly summarized, a "project" is an action that has the potential to result in direct or indirect physical changes in the environment. A project includes the agency's direct activities as well as activities that involve public agency approvals or funding. Guidelines for an agency's implementation of CEQA are found in the "CEQA Guidelines" (Title 14, Chapter 3 of the California Code of Regulations).

Provided that a project is not exempt from CEQA, the first step in the agency's consideration of its potential environmental effects is the preparation of an Initial Study. The purpose of an Initial Study is to determine whether the project would involve "significant" environmental effects, as defined by CEQA, and to describe feasible mitigation measures that would avoid or reduce any potentially significant environmental effects to a level that is less than significant. If the Initial Study does not identify significant effects, then the agency prepares a Negative Declaration. If the Initial Study notes potential significant effects and identifies mitigation measures that would reduce these significant effects to a level that is less than significant, then the agency prepares a Mitigated Negative Declaration. If a project would involve significant effects that cannot be readily mitigated, then the agency must prepare an Environmental Impact Report. The agency may also decide to proceed directly with the preparation of an Environmental Impact Report without an Initial Study.

The proposed project is a "project" as defined by CEQA and is not exempt from CEQA consideration. The County has determined that the project may have significant environmental effects and therefore requires preparation of an Initial Study. This Initial Study describes the proposed project and its environmental setting, discusses the potential environmental effects of the project, and identifies feasible mitigation measures that would avoid or eliminate significant environmental effects or reduce them to a level that would be less than significant. The Initial Study considers the project's potential for significant environmental effects in the following subject areas:

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

2.0 PROJECT BACKGROUND

2.1 State Regulatory Framework

Until 1996, the cultivation, use, and sale of cannabis, also known as marijuana, was illegal in the State of California for any purpose. In 1996, California voters approved Proposition 215, which allowed seriously ill Californians the right to obtain and use cannabis for medical purposes when recommended by a physician. In 2015, the State Legislature enacted the Medical Cannabis Regulation and Safety Act (MCRSA), which mandated a comprehensive State licensure and regulatory framework for cultivation, manufacturing, distribution, transportation, testing, and dispensing of medical cannabis on a commercial basis.

As the State was drafting regulations in compliance with MCRSA, California voters in 2016 approved Proposition 64, which legalized the use and possession of non-medicinal cannabis products within California by adults age 21 years and older. In June 2017, the State Legislature passed a budget trailer bill, Senate Bill (SB) 94, that repealed MCRSA and integrated its medicinal licensing requirements with Proposition 64 to create the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA). MAUCRSA provides the regulatory structure for commercial cannabis activities in California.

MAUCRSA initially assigned responsibility for oversight of cannabis commerce in California to three State agencies: the Bureau of Cannabis Control (BCC), CalCannabis Cultivation Licensing, a division of the California Department of Food and Agriculture (CDFA) and the Manufactured Cannabis Safety Branch of the California Department of Public Health (CDPH). The functions of the three regulatory entities were re-assigned to a single agency, the California Department of Cannabis Control (DCC) in 2021. Those regulatory functions included:

- Commercial cannabis licenses for retailers, distributors, testing labs, and microbusinesses involved with medical and adult-use cannabis.
- Commercial cannabis cultivation and management of the State’s “track-and-trace” system.
- Commercial cannabis manufacturing.

In accordance with MAUCRSA, the original three agencies adopted emergency regulations related to their respective responsibilities. The emergency regulations were consolidated into a single set of DCC regulations contained in Title 4, Division 19 of the California Code of Regulations. Permanent regulations have been drafted that are currently undergoing the State rulemaking process.

It is important to note that, although California allows medicinal and adult use, cannabis remains classified as a Schedule 1 controlled substance under the federal Controlled Substances Act of 1970. Individuals engaging in cultivation and other cannabis-related activities risk prosecution under federal law.

2.2 Local Conditions

In 2018, the San Joaquin County Board of Supervisors adopted Ordinance No. 4512, which established regulations for a commercial cannabis industry. The ordinance allowed for all types of commercial cannabis businesses allowed under state law except outdoor cultivation and cannabis events. However, the ordinance contained a clause stating that the ordinance would not become effective unless or until the cannabis business tax (ultimately known as Measure B) was approved by voters. In November 2018, the voters failed to approve Measure B by the required 66.6%, which meant that the ordinance did not become operational.

However, in May 2019, the Board of Supervisors removed the section requiring a tax and replaced it with a requirement that commercial cannabis businesses obtain a Development Agreement. That ordinance, No. 4532, became effective June 20, 2019. Under the ordinance, commercial cannabis business types are allowed in the unincorporated areas of the County. Ordinance No. 4352 also specifies the zones in which commercial cannabis activities are allowed and the development standards with which such activities must comply, such as parking, landscaping, fencing, signs, and provision of public services. In September 2019, the Board amended the ordinance to remove the allowance for storefront retail commercial cannabis businesses, although applications for non-storefront retail (delivery) would be accepted.

In 2020, the County enacted Ordinance No. 4555, which expanded upon the regulation of commercial cannabis businesses licensed under MAUCRSA. Under this ordinance, a commercial cannabis license shall not be issued unless and until the applicant has obtained or applied for an Annual State License, has obtained an approved Use Permit and has completed all conditions of approval or alternatively, an approved Improvement Plan and have completed all requirements thereof and obtained a business license. The ordinance sets forth the application process and requirements for a new commercial cannabis license, including submittal of a site plan and a security plan. The provisions of Ordinance No. 4555 have been incorporated within Title 4, Division 10, Chapter 1 of the San Joaquin County Code. Subsequent references to the County Code in this IS/MND are to Title 4, Division 10, Chapter 1, unless otherwise specified.

2.3 Project Site

Historical agricultural use of the project site includes use as a peach orchard. In 2022, the County Community Development Department approved Lot Line Adjustment No. PA-2200023, resulting in the current 7-acre configuration of the project parcel. Once approved by the Surveyor, the Community Development Department will record a Notice of Lot Line Adjustment.

3.0 PROJECT DESCRIPTION

3.1 Project Location

The project site is located at 407 North Alpine Road, approximately three miles east of the City of Stockton in unincorporated San Joaquin County (see Figures 1 and 2 for the Site Vicinity Map and the Aerial Map). The approximately 4.74-acre project is located on Assessor's Parcel Number 101-260-29, 101-260-30, and 101-260-31 (see Figure 2 for the Aerial Map). The site is situated in the Campo De Los Franceses Land Grant, Mount Diablo Meridian, and is depicted on the U.S. Geological Survey (USGS) *Stockton East, CA* 7.5-minute quadrangle map. The approximate center of the Study Area is at latitude, 37.9725633 and longitude -121.19003689, NAD 83, and is located at an elevation between 40 feet and 50 feet above mean sea level (MSL).

On May 3, 2022, the Community Development Department of San Joaquin County approved Lot Line Adjustment No. PA-2200023 resulting in the approximately 8-acre configuration of three parcels as indicated in Figure 2, Aerial Map. Once approved by the County Surveyor, the Community Development Department will record a Notice of Lot Line Adjustment. This area will be further defined and established with a lot line adjustment that is pending recordation.

3.2 Project Components

The project proposes to construct a commercial cannabis facility inclusive of cannabis cultivation (see Figures 3 and 4 for the site plan maps). The site contains existing storage containers in the southeast portion of the project site that would be relocated to surround the proposed project. The project site was historically used as a peach orchard, and the project as proposed would involve new grading, paving, and building construction totaling approximately 4.74 acres of ground disturbance. The project would employ a maximum of four (4) workers to be on-site per shift, with three shifts throughout the day.

Building and Site Improvements

Table 1 below summarizes the proposed structures that would be part of the project along with proposed parking that would be used by the project.

**TABLE 1.
PROPOSED PROJECT FACILITY USAGE**

Proposed Structure	Square Feet (SF)	Proposed Activity
Greenhouse Structure 1	4,896	Nursery
Greenhouse Structure 2	4,896	Vegetation
Greenhouse Structure 3	15,552	Flower
Greenhouse Structure 4	15,552	Flower
Refrigerated Container 1	320	Trimming
Refrigerated Container 2	320	Trimming
Refrigerated Container 3	320	Product Storage
Clone Container	320	Cannabis clones

Proposed Structure	Square Feet (SF)	Proposed Activity
Office Building	360	Office/ Security office
Portable Toilet (3)	N/A	N/A
Fire Hydrant 1 and 2 (2)	N/A	Fire suppression
Shipping Containers (35)	35 x 2,720 = 95,200	Pesticide, nutrient, administrative hold, and other storage
Parking Space (12)	12 x 180 = 2,160	
Total	139,896	

Note: Refer to Figure 3 for building numbering.

Cultivation

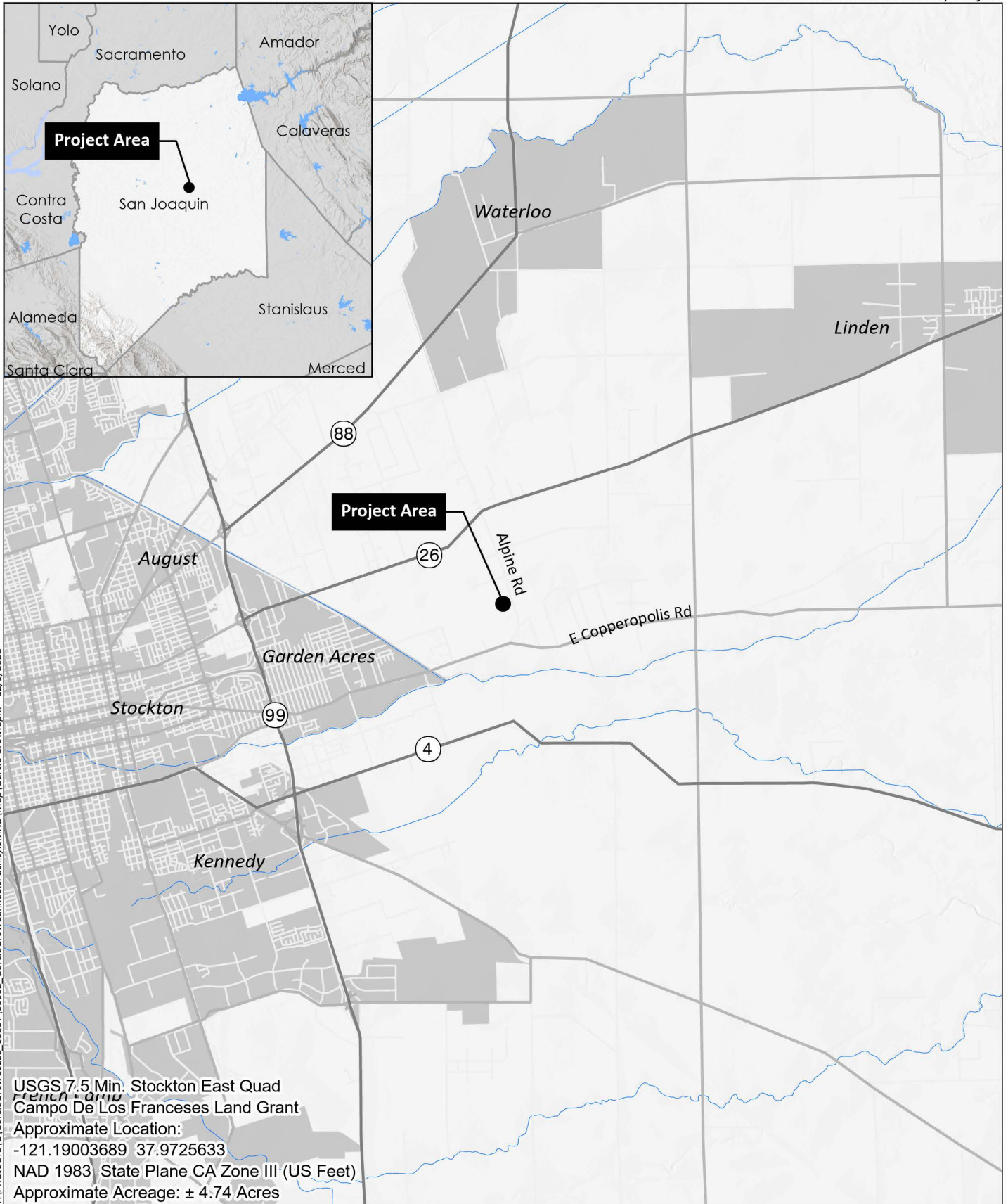
The primary activity in the operation of the commercial cannabis cultivation business would involve the cultivation of flowering cannabis plants within two proposed greenhouse structures totaling approximately 15,552 SF each, totaling 31,104 SF of mature cannabis cultivation.

The project would utilize light emitting diode (LED) and high intensity discharge (Hi-D) lights as supplemental lighting, with most of the cultivation lighting needs being provided directly from the sun. Typically, there are three stages involved in the cultivation phase: propagation, vegetation, and flowering. Flowering plants are mature cannabis plants which produce cannabis ‘flowers’ or ‘buds’, which would be sold wholesale to state licensed distributors and retailers. On-site flowering operations are proposed in Greenhouse Structures 3 and 4 (Figure 3), while Greenhouse Structures 1 and 2 would be utilized for nursery (propagation) and vegetation cannabis cultivation.

Once the plants have developed to the point where flowering is imminent, they would be designated for distribution to licensed cultivators or retailers, or they would be placed into production into one of the facility’s “flower rooms” within Greenhouses 3 and 4. The flowering phase would take place during an approximately 10-week period, during which mature cannabis plants would sit under sunlight supplemented with 1,000-watt lamps for 12 hours of light and 12 hours of darkness, causing the plant flowers to bloom. Based on an estimated 312 lights, 10 weeks per harvest, and an individual plant yield of 2.3-3 pounds per light, project cultivation operations are conservatively estimated to produce 717 to 936 pounds of finished cannabis flower per year.

Expected water use for cannabis operations would be 2,000-3,000 gallons per day (approximately 1,095,000 gallons of water annually). Water is anticipated to be sourced from an existing, permitted on-site well. The project applicant also proposes to construct a new well on-site for cultivation purposes.

Cultivation operations would use an on-site retention basin that is proposed to be constructed as part of the project to collect stormwater. Stormwater would not be discharged into any streams or other surface waters. The project also would comply with the requirements of the SWRCB’s Cannabis Cultivation General Order.

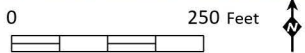
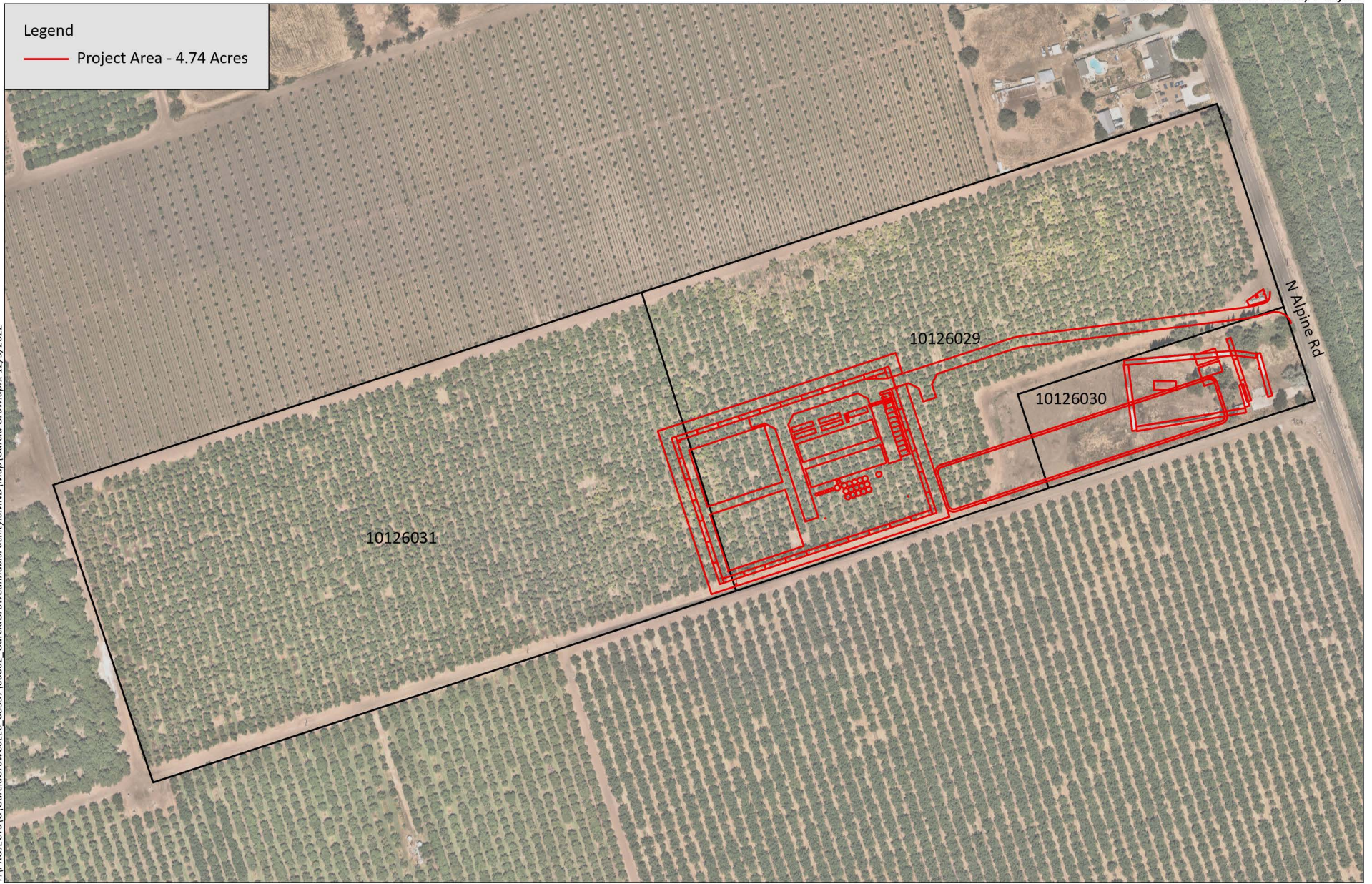


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Legend

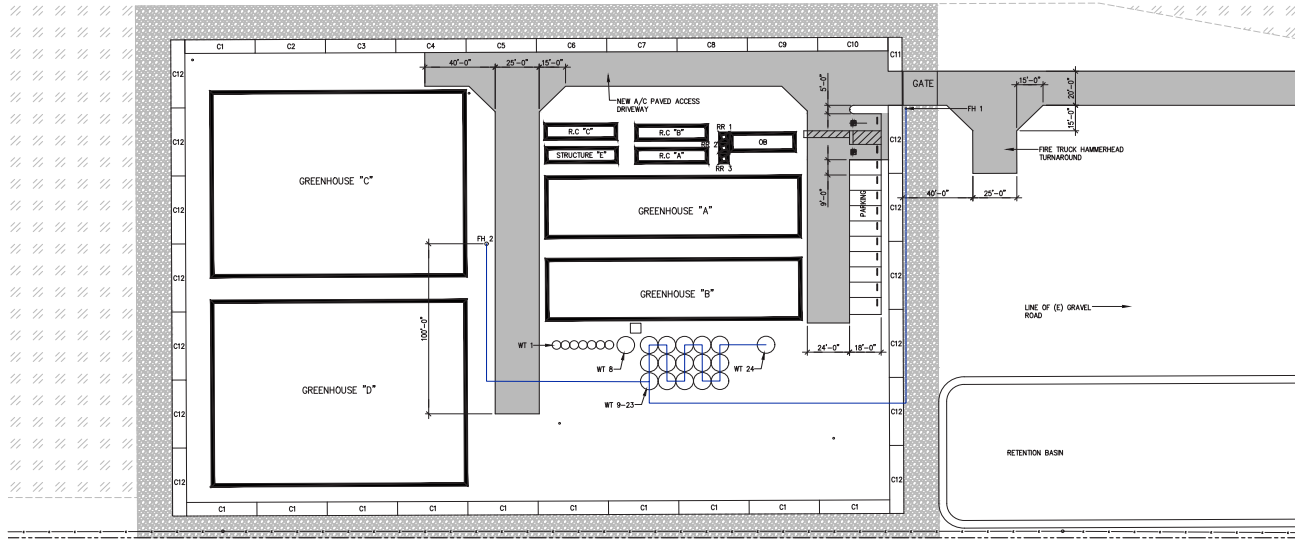
— Project Area - 4.74 Acres

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Source: Aerial Imagery (Nearmap, 6/6/2022)

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- SHEET NOTES**
- PROPOSED STRUCTURES**
- GREENHOUSES**
- A: NURSERY
DM = 35' X 144'
AREA = 4996 SQ FT
- B: VEGETATION
DM = 35' X 144'
AREA = 4996 SQ FT
- C: FLOWER
DM = 103' X 144'
AREA = 15,032 SQ FT
- D: FLOWER
DM = 103' X 144'
AREA = 15,032 SQ FT
- REGENERATED CONTAINERS**
- A: PRODUCT TRIM CONTAINER
DM = 8' X 40' X 8.5'
AREA = 320 SQ FT
- B: PRODUCT TRIM CONTAINER
DM = 8' X 40' X 8.5'
AREA = 320 SQ FT
- C: PRODUCT TRIM CONTAINER
DM = 8' X 40' X 8.5'
AREA = 320 SQ FT
- OTHER STRUCTURES**
- E: CLONE CONTAINER
DM = 8' X 40' X 8.5'
AREA = 320 SQ FT
- OB: CLONE CONTAINER
DM = 10' X 30'
AREA = 300 SQ FT
- RR1: PORTABLE TOILET
- RR2: PORTABLE TOILET
- RR3: ACCESSIBLE PORTABLE TOILET
- FH: FIRE HYDRANT
- RETENTION BASIN
DM = 80' X 530'
- MODERN STANDARD 40' SHIPPING CONTAINERS**
C1-C10, C21, C22
- MODIFICATIONS:** 2 ROLL-UP DOORS and 2 SECURITY DOORS FACING CULTIVATION SITE FOR ADDITIONAL STORAGE.
DM = 40' X 40' X 8.5'
- STANDARD 40' SHIPPING CONTAINERS**
C12-C20, C23-C29
DM = 40' X 40' X 8.5'
- STANDARD 20' SHIPPING CONTAINERS**
C11
DM = 20' X 20' X 8.5'

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Revisions

Notes

COMMERCIAL CULTIVATION FACILITY

407 N Alpine Blvd
Stockton, CA 95215

APN 181 240 29
APN 181 240 30
APN 181 240 31

LATITUDE: 37.97
LONGITUDE: -121.19

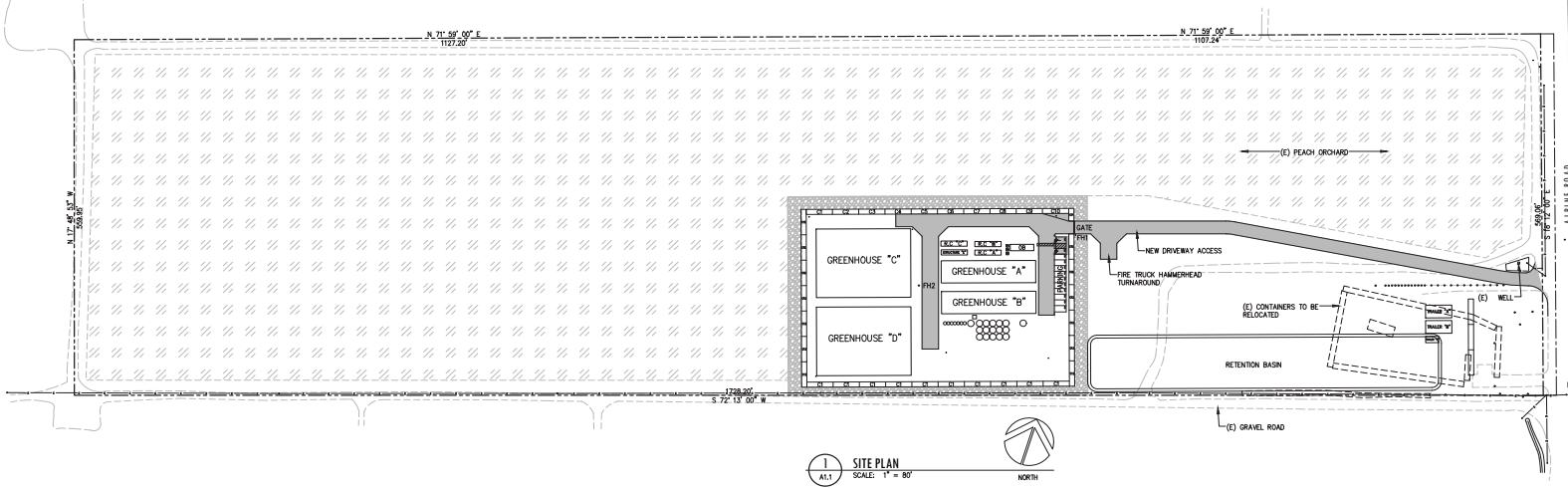
OWNER

Garcia Grow Co. LLC
1234 W Robinson Dr Suite C5
Stockton, CA 95207

Contact:
Arieh Cohen
209.985.5681

Title: SITE PLAN
Scale: as NOTED
Date: 29 NOVEMBER 2022
Sheet:

AI.1



Source: David Kotzue Architecture, 2022



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Source: Aerial (Nearmap, 6/6/2022)



Processing

Processing activities would occur on-site in three proposed refrigerated structures and involve two stages: harvest and live freezing. Once the plants have flowered and are ready for harvest, cultivation technicians would carefully remove the whole plant for storage in one of the three refrigerated containers on-site. From here the plant would be picked up by a third party for processing off-site. A unique identifier would be applied to each batch. A label with detailed information would be physically attached to each packaged batch of cannabis stored on the premises.

Storage

To maintain the integrity of cannabis products, minimizing degradation and contamination potential, the physical environments where cannabis would be processed and stored would be carefully controlled. All areas would be protected from ultra-violet (UV) light, while the temperature and humidity of the storage and processing areas (drying and trimming) would be controlled through a central heating, ventilation, and air conditioning (HVAC) system.

Employment

The project applicant estimates the project would employ a maximum of 4 workers on the project site at any given time. The project proposes three 8-hour shifts with a maximum of four employees each, so that the facility would operate 24 hours per day. Security staff would be onsite 24 hours a day working shifts prescribed by their employer.

Other Project Activities

Ancillary to these activities would be ongoing maintenance of on-site security, administrative functions, and interface with facility personnel. These activities would take place in the proposed office building (see Figure 3, Site Plan). This building would serve as the central location for management and administration for operation of the proposed facility and would also house records and documentation as required by the San Joaquin County Code and State law.

Other Project Features

Access

The project site would be accessed by a proposed paved road leading from the west side of North Alpine Road to the project site. The project proposes main access through an electronically gated 25-foot-wide driveway, which would be located at the northeast end of the project site frontage. In compliance with San Joaquin County Code Development Title Section 9-1015.5(h)(1), access driveways shall have a width of no less than 25 feet for two-way aisles and 16 feet for one-way aisles (San Joaquin County 2010). As indicated in Figure 3, Site Plan, there would be a fire truck hammerhead turnaround prior to entering the gate next to Fire Hydrant 1 (FH 1), with the southern third of the turnaround extending 100 feet to provide adequate Stockton Fire Department emergency vehicle access to all cannabis cultivation

facilities on-site. There would also be a second fire hydrant (FH 2) that would be located adjacent to the hammerhead turnaround 100-foot extension.

Parking

The project proposes the provision of 12 parking spaces on a proposed paved area. All parking spaces, driveways, and maneuvering areas are proposed to be surfaced with asphalt concrete or Portland cement concrete. One of these spaces would be compliant with the Americans with Disabilities Act. Pursuant to San Joaquin County Code Development Title Table 9-1015.3(b), the commercial cannabis-cultivation use type requires 0.2 spaces per 1,000 square-feet (sf) of building, and 0.67 spaces per employee. The proposed project consists of 42,536 sf of proposed buildings and a maximum of four employees per shift, therefore a minimum of 11 parking spaces will be required. With the maximum of four employees on site per shift, the proposed 12 parking spaces planned for the facility would accommodate project needs as required under the provisions of the San Joaquin County Code. Each parking space shall be an unobstructed rectangle, minimum 9 feet wide and 20 feet long as required by Development Title Section 9-1015.5(b).

Utilities

The proposed project includes the construction of an approximately 2.3-acre retention basin. The retention basin is proposed to be located on the west side of the project site to collect stormwater and runoff generated by project development, and the dimensions of the retention basin would be approximately 90 ft wide by 540 ft long with a depth of approximately 18 inches.

Pacific Gas and Electric Company (PG&E) would provide electricity for the project via an existing connection to the San Joaquin County Public Utility Grid.

Cannabis waste would be disposed of in a secured 50-gallon polyethylene container and a 12-yard roll-off bin. The 12-yard roll-off bin would be utilized seasonally and dropped off to the site prior to harvest. Cannabis Waste Solutions (CWS) would remove all waste from the location and thoroughly document the process through an online manifest system. CWS would remove full waste bins from the property and replace it with an empty one during every scheduled service appointment. Once the waste is removed from the premise, CWS would provide three forms of manifests for record keeping.

Pest Management

The project would employ an integrated pest management plan that is compliant with both the Organic Materials Review Institute Standards and State law. The plan would include bio-insecticides, fungicides, bactericides, and irritants/washes, as well as mite and small arthropod predators to control and eliminate insect and microbiological threats to the cannabis crop. The project would use only properly labeled pesticides and comply with all pesticide label directions. It would apply the minimum amount of product necessary to control the target pest and would prevent any off-site drift. All chemicals would be stored in locked metal cabinets. A more complete description of pest management operations, including proposed chemicals for use, is available in Appendix A of this IS/MND.

Odor Control

The proposed project would generate cannabis-related odors throughout the day. The project applicant would implement measures included in the project-specific odor control plan that would limit and

control the cannabis odor such that it is undetectable outside of the premises (see Appendix B for the Odor Control Plan). As part of this plan, an odor control and reduction system would be installed that would include carbon filters and a commercial HVAC system. Along with this system, carbon filters would provide a fail-safe to ensure temperature balance, constant air flow, and odor remediation in the event of an HVAC system failure. Carbon filters are long, tubular inline canisters that filter the air using carbon to “scrub” the air. The disposal or destruction of a carbon filter would be carried out according to the Waste Management Plan provided as Appendix E to this document.

Site Security

The cultivation facility would be fully enclosed by steel storage containers, and the project applicant would ensure that there are no gaps between the containers, except on the northeast portion of the site to allow vehicular access to the site (see Figure 3 for configuration of the proposed storage containers). This access point would be equipped with an electronically controlled sliding 8-foot-tall iron gate, which would be remotely controlled by the security office or by way of a remote control issued to project site managers. Three cameras would be positioned adjacent to the vehicle gate.

The project applicant would engage the services of a licensed alarm company operator to install, maintain, and monitor an alarm system that is always armed when the business is closed or unmanned by a manager. The system would include sufficient components to detect unauthorized entrance to all entry-points to each structure, room, or container of significance.

Product transfer schedules would be staggered to avoid development of patterns, and distribution personnel would be identified, verified, and cleared prior to entering the premises. Transfers would occur only in the presence of a manager and while under video surveillance.

Transfers of product and currency in and out of the facility would be conducted only during hours of operation, and a security staff member would authorize access to and from the premises through the access gate following confirmation of security clearance.

Shipments of cannabis goods would originate from the Value Transfer Area and would remain secured within a closed and locked perimeter fence. Fencing to be considered include a dual 12-foot fencing system or a secondary electrified perimeter fence. The perimeter access gate shall remain closed and locked while the shipment is being loaded into the third-party distribution vehicle.

3.3 Project Construction

The proposed project would be constructed according to the Site Plan provided in Figure 3. The project is expected to have approximately 24,300 cubic yards of cut and 24,300 cubic yards of fill. This cut and fill would be the result of construction of a retention basin at the southeast corner of the property as shown on the site plan. The earthwork would be balanced on-site and would not require the import or export of soil. It is expected that the construction would take approximately 3 to 6 months.

4.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” or “Less than Significant with Mitigation Incorporated” as indicated by the checklist on the following pages.

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

5.0 DETERMINATION

On the basis of this initial evaluation:

<input type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input checked="" type="checkbox"/>	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.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	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.
<input type="checkbox"/>	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.

SAN JOAQUIN COUNTY

Alisa Goulart
Signature

9-20-2023
Date

Alisa Goulart
Printed Name

For

6.0 ENVIRONMENTAL INITIAL STUDY CHECKLIST

The following environmental evaluation considers the potential environmental effects of County approval of the proposed project. The checklist includes a list of environmental considerations against which the project is evaluated. For each question, the County determines whether the project would involve A. a Potentially Significant Impact, B. a Less than Significant Impact with Mitigation Incorporated, C. a Less than Significant Impact, or D. No Impact. The lead agency has defined these column headings in the environmental checklist as follows:

- A. “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.
- B. “Less Than Significant with Mitigation Incorporated” applies where the inclusion of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” All mitigation measures are described, including a brief explanation of how the measures reduce the effect to a less than significant level. Mitigation measures from earlier analyses may be cross-referenced.
- C. “Less Than Significant Impact” applies where the project does not create an impact that exceeds a stated significance threshold.
- D. “No Impact” applies where a project does not create an impact in that category. “No Impact” answers do not require an explanation if they are adequately supported by the information sources cited by the lead agency which 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 would not expose sensitive receptors to pollutants, based on a project specific screening analysis).

The explanation of each issue identifies the significance criteria or threshold used to evaluate each question; and the mitigation measure identified, if any, to reduce the impact to less than significance. 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 [CEQA Guidelines Section 15063(c)(3)(D)]. Where appropriate, the discussion identifies the following:

- a) Earlier Analyses Used. Identifies where earlier analyses are available for review.
- b) Impacts Adequately Addressed. Identifies which effects from the checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and states 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 Incorporated,” describes 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.

I. AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

The project site is set within a predominantly rural area consisting of scattered rural residential, orchards, and other agricultural and commercial land uses. The project site is bounded to the north and west by mature peach orchards, to the south by an unpaved farm road, and to the east by Alpine Road with more mature orchards beyond both roads to the south and east. Views of agricultural lands, consisting primarily of orchards, are available on all sides of the project site.

Environmental Impacts

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

Less than Significant Impact. Scenic vistas are defined as expansive views of highly valued landscapes from publicly accessible viewpoints. In the area east of Stockton, including the project site, potential scenic vistas include the Sierra Nevada to the east and nearby agricultural fields. No scenic views are available to the north or west.

The proposed project would not block views of scenic vistas. In addition, public access to the project site would be restricted by a gate at the North Alpine Road entrance, so there are no publicly accessible viewpoints in the project vicinity. Therefore, while the proposed project would introduce a new cannabis cultivation facility to the project site, it would not result in a substantial adverse effect to a scenic vista, and impacts would be less than significant.

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

No Impact. The project site is a peach orchard with no scenic resources or natural resources of distinct scenic value. According to the Caltrans list of designated scenic highways under the California Scenic Highway Program, there are only two officially designated state scenic highways within San Joaquin County: Interstate 5 from the Stanislaus County Line to Interstate 580 (0.7 mile) and Interstate 580 from Interstate 5 to the Alameda County Line (15.4 miles). Both are officially designated state scenic highways (Caltrans 2019a). The project site is not on or near these highways. The project would have no impact on scenic resources or highways.

- c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point).

Less than Significant Impact. The proposed project would result in the construction of a new commercial cannabis cultivation facility. The proposed development may result in a change to the visual character of the site by removing some of the peach trees to develop the cannabis cultivation facility. However, the existing peach orchard would continue to surround the proposed project following site development and would act as a visual barrier for the project. Additionally, all cultivation activity would occur within enclosed greenhouses, and there would be no views of any cannabis cultivation. Therefore, the construction of the proposed project would not substantially degrade the character of the site or its surroundings or degrade the quality of views from publicly accessible vantage points, and impacts would be less than significant.

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

Less than Significant Impact. The proposed project would include the construction of cultivation within greenhouses, which could result in additional lighting on-site. The cultivation would be required to be designed and installed to prevent light spillover that could be visible from all property boundaries between sunset and sunrise. The greenhouses for the cultivation would include black-out tarps to fully shield any light from escaping the greenhouses. Other potential sources of light and glare include external building lighting, parking lot lighting, and building windows. The introduction of new sources of light and glare may contribute to nighttime light pollution and result in impacts to nighttime views in the area. According to a security lighting plan submitted by the project applicant, the typical range of the exterior lighting at the gate leading to the parcel does not extend beyond approximately 25 feet. With the implementation of the design standards discussed above and the requirement for the project to comply with County design standards and County Code Section 9-1025.6(b), impacts related to light and glare would be less than significant.

II. AGRICULTURE AND FORESTRY RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non- forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Agriculture has been, and continues to be, an important part of the economy in San Joaquin County. Approximately 86.7% of the County's land area was in farms and pasture as of 2017 (U.S. Department of Agriculture 2019). The gross value of agricultural production in the County was \$3,031,279,000 in 2020, which represented an increase in value of approximately 15.79% from 2019. The top five agricultural products in 2020 were almonds, milk, grapes, English walnuts, and cherries (San Joaquin County Agricultural Commissioner's Office 2020).

Historically, the project site has been used for agricultural production and is currently used as a peach orchard. Historically, the project site also contained a single-family residence in the southwest portion of the project site that was burned down in a fire. Agricultural activities, mainly orchards, occur on adjacent properties to the east, south, and west.

Information on legal cannabis activities in San Joaquin County is not available, in large part because the County has only recently enacted ordinances specifying conditions under which commercial cannabis activities would be allowed. Nevertheless, cannabis is defined as an agricultural product by the State of California. The current zoning for the project site is General Agriculture, 40-acre minimum (AG-40). Cannabis cultivation is allowed in the AG zone.

Environmental Impacts

- 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?

No impact. The Important Farmland Maps, prepared by the California Department of Conservation as part of the Farmland Mapping and Monitoring Program (FMMP), designate the viability of lands for farmland use, based on the physical and chemical properties of the soils. Classifications include Prime Farmland, Unique Farmland, and Farmland of Statewide Importance, which are defined as Farmland by CEQA Guidelines Appendix G, along with other agricultural and non-agricultural classifications.

According to the FMMP, the project site is designated Prime Farmland and is part of Agricultural Preserve R-79-7. As noted above, cannabis is defined as an agricultural product by the State of California. Therefore, the proposed project would not convert the project site to a non-agricultural use. Therefore, there would be no impact to the conversion of the property to a non-agricultural use.

- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No impact. As noted, the project site is zoned AG-40, an agricultural zone. Cannabis is defined as an agricultural product by the State of California. The proposed project would be consistent with activities recognized as agricultural by the State and with the land uses allowed by the County in the AG zone. The Williamson Act is State legislation that preserves agricultural land through a program that permits contracts between landowners and local government that keep contracted land in agricultural use in exchange for a lower property tax assessment. The project site is not enrolled in a Williamson Act contract. Therefore, the project impact would have no conflict with zoning for agricultural use or the Williamson Act, and there would be no impact.

- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

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

No Impact. The project site is an undeveloped area surrounded by agricultural land. There are no stands of trees that could be used for timber production on or near the site. The project site is not zoned or otherwise designated as timberland. The project would have no impact on zoning or conversion of forest land for questions c) and d).

- 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?

No impact. Lands south, east, and west of the project site have been designated on the Important Farmland Map of San Joaquin County as Prime Farmland and Farmland of Statewide Importance, both defined as Farmland by the CEQA Guidelines. However, no new infrastructure would be extended beyond the proposed project site to the adjacent or nearby agricultural lands. No other lands zoned for agricultural use in the vicinity would be affected by the project. The project would have no impact

related to indirect conversion of Farmland. As the project site and vicinity contain no designated forest lands, the project would have no impact on indirect conversion of forest lands.

III. AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

The project site is within the San Joaquin Valley Air Basin. The San Joaquin Valley Air Pollution Control District (SJVAPCD), which includes San Joaquin County, has jurisdiction over most air quality matters in the Air Basin; vehicle emissions are the responsibility of the California Air Resources Board (CARB). The SJVAPD is tasked with developing and implementing plans, programs, and regulations that would enable the Air Basin to attain ambient air quality standards for criteria pollutants. Except for ozone and particulate matter, the Air Basin is in attainment of, or unclassified for, all federal and State ambient air quality standards.

Air Pollutants of Concern

Ozone is not emitted directly into the air but is formed when reactive organic gases (ROG) and nitrogen oxides (NO_x) react in the atmosphere in the presence of sunlight. The SJVAPCD currently has a 2007 Ozone Plan and a 2013 Plan for the Revoked 1-Hour Ozone Standard for the Air Basin to attain federal ambient air quality standards for ozone.

Particulate matter is a mixture of solid and liquid particles suspended in air, including dust, pollen, soot, smoke, and liquid droplets. In San Joaquin County, particulate matter is generated by a mix of rural and urban sources, including agricultural operations, industrial emissions, dust suspended by vehicle traffic, and secondary aerosols formed by reactions in the atmosphere. Two types of particulate matter are of concern: particulate matter 10 micrometers or less in diameter (PM₁₀) and particulate matter 2.5 micrometers or less in diameter (PM_{2.5}). The SJVAPCD currently has a 2015 PM_{2.5} Plan for the 1997 Federal PM_{2.5} standard, a 2012 PM_{2.5} Plan for the 2006 federal PM_{2.5} standard, a 2016 Moderate Area Plan for the 2012 federal PM_{2.5} standard, and a 2007 PM₁₀ Maintenance Plan to maintain the Air Basin's attainment status of the federal PM₁₀ standard. CO is an odorless,

colorless gas that is toxic in high concentrations. It is formed by the incomplete combustion of fuels and is emitted directly into the air, unlike ozone. The main source of CO in the San Joaquin Valley is on-road motor vehicles (SJVAPCD 2015). The San Joaquin Valley Air Basin is in attainment/unclassified status for carbon monoxide (CO); as such, the SJVAPCD has no CO attainment plans. However, high CO concentrations may occur in areas of limited geographic size referred to as “hotspots,” which are ordinarily associated with heavy traffic volumes and congestion.

TABLE 2.
SAN JOAQUIN VALLEY AIR BASIN ATTAINMENT STATUS

Designation/Classification		
Criteria Pollutant	Federal Primary Standards	State Standards
Ozone – One hour	No Federal Standard	Nonattainment/Severe
Ozone – Eight hour	Nonattainment/Extreme	Nonattainment
PM ₁₀	Attainment	Nonattainment
PM _{2.5}	Nonattainment	Nonattainment
Carbon Monoxide (CO)	Attainment/Unclassified	Attainment/Unclassified
Nitrogen Dioxide (NO _x)	Attainment/Unclassified	Attainment
Sulfur Dioxide (SO _x)	Attainment/Unclassified	Attainment
Lead	No Designation/Classification	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Sulfates	No Federal Standard	Attainment
Visibility Reducing Particles	No Federal Standard	Unclassified
Vinyl Chloride	No Federal Standard	Attainment

Source: SJVAPCD 2022

In addition to the criteria pollutants, the California Air Resources Board (CARB) has identified other air pollutants as toxic air contaminants (TACs) – pollutants that are carcinogenic (i.e., cause cancer) or that may cause other adverse short-term or long-term health effects. Diesel particulate matter, considered a carcinogen, is the most common TAC, as it is a product of combustion in diesel engines. It is present at some concentration in all developed areas of the state. Other TACs are less common and are typically associated with industrial operations.

Regulatory Setting

As noted, the SJVAPCD is tasked with implementing regulations designed to attain ambient air quality standards. SJVAPCD rules and regulations that are potentially applicable to the project are summarized below:

Rule 2201 (New and Modified Stationary Source Review)

This rule applies to all new stationary sources and all modifications to existing stationary sources which are subject to the District permit requirements and after construction emit or may emit one of more federal or State criteria pollutants. It applies several standards related to emissions.

Rule 4101 (Visible Emissions)

This rule prohibits emissions of visible air contaminants to the atmosphere and applies to any source operation that emits or may emit air contaminants.

Regulation VIII (Fugitive Dust PM₁₀ Prohibitions)

Rules 8011-8081 are designed to reduce PM₁₀ emissions (predominantly dust/ dirt) generated by human activity, including construction and demolition activities, road construction, bulk materials storage, paved and unpaved roads, carryout and track out, landfill operations, etc.

The SJVAPCD requires operations that handle cultivated cannabis to obtain a Permit to Operate from the District. A Permit to Operate would also be required for cannabis cultivation operations occurring indoors. Both types of activities would require an Authority to Construct from the SJVAPCD prior to the start of construction work.

Odors

Odors are an issue with cannabis operations. Cannabis regulations require waste disposal in a manner that minimizes odor development. The SJVAPCD may require odor controls for a project if odor emissions exceed two pounds per day of volatile organic compounds known as terpenes.

Under County Code provisions, cultivation activities that result in an odor of cannabis detectable outside of the premises are prohibited. An applicant for a new cultivation license shall submit an Odor Control Plan, and cultivation activities shall ensure that the premises has an air filtration, ventilation, or other system(s) sufficient to ensure that any odor from cannabis is not detectable outside the premises.

An Odor Control Plan was prepared by Garcia Grow Co. and is included as Appendix B of this IS/MND.

Environmental Impacts

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

Less than Significant Impact. In 2015, the SJVAPCD adopted a revised Guide for Assessing and Mitigating Air Quality Impacts (GAMAQI). The GAMAQI defines an analysis methodology, thresholds of significance, and mitigation measures for the assessment of air quality impacts for land development projects within SJVAPCD's jurisdiction. SJVAPCD Indicated through email to the County that they have no comment on regarding the project.

Project construction emissions are anticipated to be limited to vehicle trips by construction workers, along with some emissions from architectural coating. Operational emissions would be generated mainly by vehicle trips from employees and distribution activities, with some emissions from area sources such as HVAC and irrigation systems.

SJVAPCD indicated through email to the County that they had no comment regarding the project. Project construction and operational emissions would likely be substantially below the significance thresholds established by SJVAPCD for criteria pollutant emissions. As the significance thresholds were established in part to ensure consistency with the objectives of air quality attainment plans adopted by the SJVAPCD, project emissions would be consistent with these plans.

While project emissions would not be significant, the project would still be required to comply with applicable SJVAPCD rules and regulations, which would further reduce potential air quality impacts. As noted, SJVAPCD Regulation VIII contains measures to reduce fugitive dust emissions during construction. Dust control provisions are also routinely included in site improvement plans and specifications, along

with construction contracts. In addition, as noted, the project applicant would be required to obtain an Authority to Construct and a Permit to Operate from SJVAPCD. These approvals typically have conditions of approval attached that are designed to reduce emissions. These rules and approvals would further reduce project impacts related to air quality plans, and impacts would be less than significant.

- 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?

Less than Significant Impact. As noted in a) above, project operational emissions are not anticipated to exceed SJVAPCD significance thresholds. Operational emissions would be generated mainly by vehicle trips from employees and distribution activities, with some emissions from area sources such as HVAC and irrigation systems. Future attainment of federal and State ambient air quality standards is a function of successful implementation of the SJVAPCD's attainment plans. Consequently, the application of significance thresholds for criteria pollutants is relevant to the determination of whether a project's individual emissions would have a cumulatively significant impact on air quality. Pursuant to the SJVAPCD's guidance, if project-specific emissions would be less than the thresholds of significance for criteria pollutants, the project would not be expected to result in a cumulatively considerable net increase of any criteria pollutant for which the SJVAPCD is in nonattainment under applicable federal or State ambient air quality standards. As project emissions would not exceed SJVAPCD significance thresholds, the cumulative impacts of these emissions would be less than significant.

- c) Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact. As defined in the GAMAQI, "sensitive receptors" include residences, schools, parks and playgrounds, day care centers, nursing homes, and hospitals (SJVAPCD 2015). The project would be within a rural agricultural area, land uses within which are not considered sensitive. The nearest sensitive receptor as defined by the GAMAQI appears to be a residence approximately 400 feet to the northeast of the project site. At that distance, this residence would not be exposed to any substantial pollutant emissions generated by project construction or operations, which are not considered significant based on SJVAPCD significance thresholds. There are few other residences in the area, and they are scattered and more distant from the project site. As noted, construction emissions are short-term, and exposure to these emissions would be negligible. Operational emissions would primarily be generated by vehicle traffic, and exposure would likewise be negligible.

In summary, sensitive receptors in the vicinity of the project site would not be exposed to any substantial air pollutant emissions from project construction or operations. The project would have less than significant impacts on sensitive receptors.

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

Less than Significant Impact. The occurrence and severity of potential odor impacts depend on numerous factors. The nature, frequency, and intensity of the source; wind speed and direction; and the sensitivity of receiving location each contributes to the intensity of the impact. Although offensive odors seldom cause physical harm, they can be annoying, cause distress, and generate citizen complaints.

The proposed project would construct a cannabis cultivation facility. During project construction, exhaust from equipment may produce discernible odors typical of most construction sites. Potential odors produced during construction would be attributable to concentrations of unburned hydrocarbons

from the tailpipes of construction equipment. However, such odors would disperse rapidly from the project site and generally occur at magnitudes that would not affect substantial numbers of people. There is an increased potential for odor emanating from project operation due to the strong fragrance of cannabis. The project applicant would implement the Odor Control Plan included as Appendix B to this IS/MND. The potential licensee shall remain in compliance with its approved Odor Control Plan and ensure that the premises have an air filtration, ventilation, or other system(s) sufficient to ensure cannabis odor is not detectable outside of the premises. It is expected that implementing the Odor Control Plan would enable the project to meet SJVAPCD odor requirements as a condition of receiving an Authority to Construct and a Permit to Operate. Also, as noted, cannabis regulations require waste disposal in a manner that minimizes odor development. Compliance with State and local regulations would ensure that project impacts related to odors would be less than significant.

IV. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

HELIX Environmental Planning, Inc. (HELIX) conducted a Biological Resources Assessment (BRA) in August 2022 for the Garcia Grow Cannabis Facility Project (Appendix C). The project site is in an agricultural area, approximately 1.3 miles east of Stockton, immediately west of Alpine Road. The Study Area analyzed in the BRA is the project site plus a 500-foot buffer and is comprised of several vegetation types, described in more detail in Appendix C, including orchards and vineyards (approximately 45.57 acres), ruderal habitat (approximately 4.12 acres), seasonal wetland (approximately 0.05 acre), and urban/industrial/built (approximately 2.46 acres). Surrounding land uses include rural residences and agriculture such as orchards, vineyards, and cropland (HELIX 2022).

“Special-status species” are species that are listed under the federal or California Endangered Species Acts, along with species of concern as designated by State or federal agencies or by organizations such

as the California Native Plant Society. No special-status plants or special-status wildlife were observed during the biological survey conducted by HELIX. According to the database queries, 18 listed and/or special-status plants have the potential to occur onsite or in the vicinity of the Study Area. Based on field observations, published information, and literature review, none of these species have potential to occur within the Study Area. Most of the regional special-status plants identified in the query occur on alkaline sites or within vernal pools, none of which occur in the Study Area.

For special-status wildlife, according to the database query (HELIX 2022), 22 listed and/or special-status wildlife species have the potential to occur onsite or in the vicinity of the Study Area (CDFW 2022). Based on field observations, published information, and literature review, three special-status wildlife species have the potential to occur within the Study Area. These include burrowing owl (*Athene cunicularia*), Swainson's hawk (*Buteo swainsonii*), and white-tailed kite (*Elanus leucurus*). In addition to these special-status wildlife species, other birds and raptors protected under federal, State, and local laws/policies also have potential to occur within the Study Area.

The proposed project involves the construction of a cannabis cultivation facility and recommendations, including avoidance and minimization measures to limit or avoid potential impacts, are included in the BRA (Appendix C).

Sensitive Habitats

Sensitive habitats include those that are of special concern to resource agencies or those that are protected under CEQA; Section 1600 of the California Fish and Game Code, which includes riparian areas; and/or Sections 401 and 404 of the Clean Water Act, which include wetlands and other waters of the U.S. Sensitive habitats or resource types within the Study Area. A total of 0.05 acre of aquatic resources was observed within the Study Area consisting of a seasonal wetland that is associated with an irrigation outlet (HELIX 2022). The Study Area is surrounded by orchards and rural residential properties. Although there is a seasonal wetland present on-site, it is not hydrologically connected to other aquatic resources. The communities within the site do not function as a wildlife migration corridor.

Known or potential biological constraints in the Study Area include:

- Potential habitat for special-status and migratory birds including burrowing owl, Swainson's hawk, and white-tailed kite;
- Sensitive habitats, including potential waters of the U.S. and/or State that are subject to regulation by the USACE and/or CVRWQCB; and Native oak trees that are subject to regulation by San Joaquin County.

Environmental Impacts

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

Less than Significant Impact with Mitigation.

The open ruderal habitat within the Study Area provides suitable foraging habitat and nesting trees for burrowing owl, Swainson's hawk, and white-tailed kite, although no burrows or nesting sites were observed during the biological reconnaissance survey. There are four documented CNDDDB occurrences of burrowing owl, none for white-tailed kite, and many for Swainson's hawk within a 5-mile radius of the Study Area, with the closest for burrowing owl and Swainson's hawk being approximately 2.8 miles to the south and one-mile to the northwest, respectively (CDFW 2022). Given that burrowing owl and Swainson's hawk species are known to occur in the vicinity, there is potential for these species to occur within the Study Area. There is potential for direct and indirect effects to burrowing owl, Swainson's hawk, and white-tailed kite if these species were to nest on or adjacent to the site. However, with implementation of Mitigation Measure (MM) BIO-3.4a and MM BIO-3.4b below, potential impacts would be reduced to a less than significant level.

To avoid potential impacts to burrowing owl and special-status birds, migratory birds, and raptors, the following mitigation measures shall be implemented prior to construction:

Mitigation Measure BIO 1 – Burrowing Owl.

The Project Proponent must prevent ground squirrels from occupying the project site early in the planning process by employing one of the following practices:

- The Project Proponent may plant new vegetation or retain existing vegetation entirely covering the site at a height of approximately 36" above the ground. Vegetation should be retained until construction begins. Vegetation will discourage both ground squirrel and owl use of the site.
- Alternatively, if burrowing owls are not known or suspected on a project site, and the area is an unlikely occupation site for red-legged frogs, San Joaquin kit fox, or tiger salamanders, the Project Proponent shall disc or plow the entire project site to destroy any ground squirrel burrows. At the same time burrows are destroyed, ground squirrels should be removed through one of the following approved methods to prevent reoccupation of the project site. Detailed descriptions of these methods are included in Appendix A of the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), Protecting Endangered Species, Interim Measures for Use of Pesticides in San Joaquin County, dated March 2000:
 - **Anticoagulants.** Establish bait stations using the approved rodenticide anticoagulants Chlorophacinone or Diphacinone. Rodenticides shall be used in compliance with U.S. Environmental Protection Agency label standards and as directed by the San Joaquin County Agricultural Commissioner.
 - **Zinc Phosphide.** Establish bait stations with non-treated grain 5-7 calendar days in advance of rodenticide application, then apply Zinc Phosphide to bait stations.

Rodenticides shall be used in compliance with U.S. Environmental Protection Agency label standards and as directed by the San Joaquin County Agricultural Commissioner.

- **Fumigants.** Use below-ground gas cartridges or pellets and seal burrows. Approved fumigants include Aluminum Phosphide (Fumitoxin, Phostoxin) and gas cartridges sold by the local Agricultural Commissioner's office. NOTE: Crumpled newspaper covered with soil is often an effective seal for burrows when fumigants are used. Fumigants shall be used in compliance with U.S. Environmental Protection Agency label standards and as directed by the San Joaquin County Agricultural Commissioner.
- **Traps.** For areas with minimal rodent populations, traps may be effective for eliminating rodents. If trapping activities are required, the use of, shall be consistent with all applicable laws and regulations.

If the measures described above were not attempted or were attempted but failed, and burrowing owls are known to occupy the project site, then the following measures shall be implemented:

- During the non-breeding season (September 1 through January 31), burrowing owls occupying the project site should be evicted from the project site by passive relocation as described in the California Department of Fish and Game's Staff Report on Burrowing Owls (October 1995).
- During the breeding season (February 1 through August 31), occupied burrows shall not be disturbed and shall be provided with a 75 meter protective buffer until and unless the Technical Advisory Committee, with the concurrence of the Permitting Agencies' representatives on the Technical Advisory Committee; or unless a qualified biologist approved by the Permitting Agencies verifies through non-invasive means that either: 1) the birds have not begun egg laying, or 2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. Once the fledglings are capable of independent survival, the burrow can be destroyed.

Mitigation Measure BIO 2 – Nesting Special-Status Birds, Migratory Birds, and Raptors.

The following measures are recommended to avoid or minimize impacts to nesting birds:

- To avoid impacts to nesting birds, all ground disturbing activity should be completed between September 1 and January 31, if feasible.
- A qualified biologist shall conduct a pre-construction nesting bird survey no more than 14 days prior to initiation of project activities that occur during the nesting season. The survey area should include suitable raptor nesting habitat within 500 feet of the project boundary (inaccessible areas outside of the Study Area can be surveyed from the site or from public roads using binoculars or spotting scopes). Areas that have been inactive for more than 14 days during the avian breeding season must be re-surveyed prior to resumption of project activities. If no active nests are identified, no further mitigation is required. If active nests are identified, the following measure should be implemented:

- A species-specific buffer shall be established by a qualified biologist around active nests and no construction activities within the buffer should be allowed until a qualified biologist has determined that the nest is no longer active (i.e., the nestlings have fledged and are no longer reliant on the nest, or the nest has failed). Encroachment into the buffer may occur at the discretion of a qualified biologist. Any encroachment into the buffer should be monitored by a qualified biologist to determine whether nesting birds are being impacted.
- In addition, a qualified biologist should conduct an environmental awareness training to all project-related personnel prior to the initiation of work.

If construction occurs outside of the nesting bird season (September 1 to January 31), a nesting bird survey and environmental training for nesting birds would not be required.

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

Less than Significant Impact. Approximately 0.05 acre of seasonal wetland constituent habitat occurs within the northeastern portion of the Study Area. This wetland has formed because of excess irrigation water that is discharged from a plastic pipe that emerges in the center of the feature. The aquatic habitat is considered a potential water of the U.S. and water of the State subject to USACE and Central Valley Regional Water Quality Control Board (CVRWQCB) jurisdiction under Sections 404 and 401 of the Clean Water Act. The Study Area is surrounded by orchards and rural residential properties. Although there is a seasonal wetland present, it is not hydrologically connected to other aquatic resources. The communities within the site do not function as a wildlife migration corridor. In addition, the project has been designed to avoid impacts to the wetland (see Figure 4). Therefore, the proposed project would have a less than significant impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

- 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?

Less than Significant Impact with Mitigation. Waters of the U.S., including wetlands, are broadly defined under 33 Code of Federal Regulations 328 to include navigable waterways, their tributaries, and adjacent wetlands. "Waters of the State", subject to oversight by the SWRCB and by the RWQCB with jurisdiction over the affected water, include isolated wetlands not covered by federal regulations. As noted above, approximately 0.05 acre of seasonal wetland constituent habitat occurs within the northeastern portion of the Study Area and has formed because of excess irrigation water that is discharged from a plastic pipe that emerges in the center of the feature. However, the project has been designed to avoid impacts to the wetland (see Figure 4). Therefore, the project would not consist of direct removal, filling, hydrological interruption, or other substantial adverse effect on a State or federally protected wetland. However, if the wetland cannot be avoided as planned, the following mitigation measure would reduce potential impacts to a less than significant level.

Mitigation Measure BIO 3 – Aquatic Resources.

Avoidance measures and best management practices shall be implemented to minimize impacts to the seasonal wetland adjacent to the proposed project footprint. If impacts to the seasonal wetland adjacent to the proposed project footprint cannot be avoided, permits will be required from regulatory agencies (i.e., USACE and CVRWQCB). These permits may require an aquatic resource delineation be conducted to quantify environmental impacts associated with the project.

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

Less than Significant with Mitigation. While the project property may be used by wildlife for movement or migration, the project would not have a significant impact on this movement because it would not block movement and only develop approximately 4.74 acres of a large agricultural property historically used as a peach orchard. The communities within the site do not function as a wildlife migration corridor, however the proposed project has the potential to impact nesting raptors, nesting birds, and other migratory birds. These potential impacts would be mitigated through the implementation of Mitigation Measure BIO 3.4-a, and impacts would be less than significant with mitigation.

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

Less than Significant with Mitigation. The proposed project is subject to the San Joaquin County General Plan, Development Title 9, Division 15, Natural Resources Regulations (Chapter 9-1505). Chapter 9-1505 of the Development Title is intended to preserve the County's tree resources, which includes native oak trees, heritage oak trees, and historical trees. Section 9-1505.3 details tree removal requirements and states that an approved Improvement Plan application, as specified in Chapter 9-884, will be required if any of these trees are proposed to be removed, unless exempted by Sections 9-1505.8 or 9-1505.9. Native oak trees recorded within the Study Area are subject to regulation by San Joaquin County. The proposed project is not anticipated to require the removal of any native oak trees present on-site. However, if the removal of native oak trees cannot be avoided, then Mitigation Measure BIO 3.4-d would be implemented to reduce the potential impact to a less than significant level.

Mitigation Measure BIO 4 – Oak Trees.

If the removal of native oak trees cannot be avoided, the following measures are recommended based on the provisions outlined in Development Title 9-1505:

- **Removal requirements.** The removal of Native Oak Tree, Heritage Oak Tree, or Historical Tree shall require an approved Improvement Plan application, as specified in Chapter 9-884 of the Development Title, and shall be subject to the provisions of Chapter 9-1505, unless exempted by Sections 9-1505.8 or 9-1505.9.
 - **Native Oak Tree.** Removal of a Native Oak Tree shall be permitted subject to an approved Improvement Plan application processed by Staff Review procedure.

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- **Replacement.** Trees removed under the provisions of Chapter 9-1505 shall be replaced subject to the following requirements:
 - **Replacement Stock.** Replacement stock shall be of healthy commercial nursery stock or acorns, of the species removed or other approved species, and shall be established and maintained for at least three (3) years.
 - **Location.** Replacement trees shall be planted as near as possible to the location of the removed tree or in an alternative location acceptable to the Review Authority.
 - **Timing.** Replacement stock shall be planted between October 1 and December 31, and no later than twelve (12) months after the date of tree removal.
 - **Number and Maintenance of Replacement Trees.** The number and maintenance of replacement stock shall be as follows:
 - Each Heritage Oak Tree or Historical Tree that has been removed under the provisions of Section 9-1505.3(a) shall be replaced with five (5) trees or acorns, or combination thereof.
 - Each Heritage Oak Tree or Historical Tree that has been removed under the provisions of Section 9-1505.3(a) shall be replaced with five (5) trees or acorns, or combination thereof.
 - The applicant shall be required to demonstrate to the satisfaction of the Review Authority that replacement stock will be planted and maintained in such a manner as to ensure that the survival of said stock at the end of a three (3) year period commencing from the date of planting.
 - **Replacement Security.** The Review Authority may require, as a Condition of Approval, the applicant to provide a performance bond or other financial security to replant any replacement tree found not to be alive at the end of the required three (3) year maintenance period. The form of the bond or other financial security shall be found acceptable by the County Counsel and the amount shall be sufficient to cover the County's cost to replant said trees. The Director shall, upon written request of the applicant at the end of the maintenance period, determine the health of the replacement trees and release the security, in the event that all replacement trees are alive. In the event that the replacement trees are not alive, the Director shall use all or part of the security to replant said trees. The applicant may be required to provide additional security to ensure maintenance of said trees for an ensuing three (3) year maintenance period.
 - **Development Constraints.** To protect and preserve Heritage Oak Trees, Historical Trees, and Native Oak Trees from development and construction activity, the following standards shall be applicable unless otherwise specified:
 - **Grade Changes.** Grade changes near or within the dripline of said trees shall comply with the following restrictions:

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- No grade changes shall occur within six (6) feet of the trunk of the tree.
 - Extensive cuts or fills that are necessary beyond the protected zone shall have adequate drainage to mitigate adverse effects caused by changes in grade elevation.
 - Any grade changes within the protected zone of the tree shall be accomplished so as to prevent soil compaction and injury to or removal of the tree's roots.
- **Fencing.** Before grading operations may commence, a minimum five (5) foot high chain link fence or other comparable protective fencing shall be installed at the outermost edge of the protected zone of each tree or group of trees. Fencing, however, to protect trees on slopes that will not be graded is not required.
 - Fences shall remain in place throughout the entire construction period.
 - No material, machinery, or objects of any kind may be stored within the fenced area.
 - **Trenching.** No trenching whatsoever shall be allowed within the protected zone of subject trees. If underground utility lines must be installed within the protected zone, the conduit shall be installed by boring or drilling through the soil.
 - **Retaining Walls.** In cases where retaining walls are required within the protected zone of the tree, the property owner shall complete said improvement before the completion of grading operations and before commencement of any construction.
 - **Paving.** Paving within the dripline of affected trees shall be stringently minimized. If paving is necessary, porous materials such as gravel, loose boulders, and cobbles, brick with sand joints, wood chips, or bark mulch shall be used.
 - **Exceptions.** The Development Constraints in this section shall not apply to normal agricultural practices.
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No impact. The proposed project is not part of an adopted Habitat Conservation Plan, Native Community Conservation plan, or other approved local, regional, or state habitat conservation plan.

V. CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

This assessment, which addresses both archaeological and historic architectural resources, is based on the results of an archival records search, Native American outreach, and an intensive pedestrian survey of the Area of Potential Effects (APE) conducted by HELIX.

Regulatory Framework

California Environmental Quality Act

Pursuant to CEQA, a historical resource is a resource listed in, or eligible for listing in, the California Register of Historical Resources (CRHR). In addition, resources included in a local register of historic resources, or identified as significant in a local survey conducted in accordance with state guidelines, are also considered historic resources under CEQA unless a preponderance of the facts demonstrates otherwise. According to CEQA, the fact that a resource is not listed in, or determined eligible for listing in, the CRHR, or is not included in a local register or survey, shall not preclude a Lead Agency, as defined by CEQA, from determining that the resource may be a historic resource as defined in California Public Resources Code (PRC) Section 5024.1.7.

CEQA applies to archaeological resources when (1) the historic or prehistoric archaeological resource satisfies the definition of a historical resource, or (2) the historic or prehistoric archaeological resource satisfies the definition of a “unique archaeological resource.” A unique archaeological resource is an archaeological artifact, object, or site that has a high probability of meeting any of the following criteria (PRC § 21083.2(g)):

1. The archaeological resource contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information.
2. The archaeological resource has a special and particular quality such as being the oldest of its type or the best available example of its type.
3. The archaeological resource is directly associated with a scientifically recognized important prehistoric or historic event or person.

California Register of Historical Resources

Created in 1992 and implemented in 1998, the CRHR is “an authoritative guide in California to be used by state and local agencies, private groups, and citizens to identify the state’s historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change” (PRC § 5024.1(a)). Certain properties, including those listed in or formally determined eligible for listing in the National Register of Historic Places (NRHP) and California Historical Landmarks (CHLs) numbered 770 and higher, are automatically included in the CRHR. Other properties recognized under the California Points of Historical Interest program, identified as significant in historic resources surveys, or designated by local landmarks programs may be nominated for inclusion in the CRHR.

A resource, either an individual property or a contributor to a historic district, may be listed in the CRHR if the State Historical Resources Commission determines that it meets one or more of the following criteria, which are modeled on NRHP criteria (PRC § 5024.1(c)):

- Criterion 1: It is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.
- Criterion 2: It is associated with the lives of persons important in our past.
- Criterion 3: It embodies the distinctive characteristics of a type, period, region, or method of construction; represents the work of an important creative individual; or possesses high artistic values.
- Criterion 4: It has yielded, or may be likely to yield, information important in history or prehistory.

Resources nominated to the CRHR must retain enough of their historic character or appearance to be recognizable as historic resources and to convey the reasons for their significance. It is possible that a resource whose integrity does not satisfy NRHP criteria may still be eligible for listing in the CRHR. A resource that has lost its historic character or appearance may still have sufficient integrity for the CRHR if, under Criterion 4, it maintains the potential to yield significant scientific or historical information or specific data. Resources that have achieved significance within the past 50 years also may be eligible for inclusion in the CRHR, provided that enough time has lapsed to obtain a scholarly perspective on the events or individuals associated with the resource.

Native American Heritage Commission

PRC Section 5097.91 established the Native American Heritage Commission (NAHC), whose duties include the inventory of places of religious or social significance to Native Americans and the identification of known graves and cemeteries of Native Americans on private lands. Under PRC Section 5097.9, a State policy of noninterference with the free expression or exercise of Native American religion was articulated along with a prohibition of severe or irreparable damage to Native American sanctified cemeteries, places of worship, religious or ceremonial sites, or sacred shrines located on public property. PRC Section 5097.98 specifies a protocol to be followed when the NAHC receives notification of a discovery of Native American human remains from a county coroner.

The APE for the proposed project is defined as the geographic area where project activities may directly or indirectly cause changes in the character or use of historic properties of prehistoric or historic age, if any such properties exist. The APE for the current undertaking includes the entire two acres of the proposed project area.

**TABLE 3.
PREVIOUS STUDIES CONDUCTED WITHIN THE STUDY AREA**

Report	Year	Author(s)	Title	Affiliation
SJ-08284	2011	AECOM	Cultural Resources Inventory Report for the Central Valley Independent Network Fiber Optic Communications Network Project, California (Calaveras, Merced, San Joaquin, Stanislaus and Tuolumne Counties in the CCalC Area of Responsibility)	AECOM; for Central Valley Independent Network

Historic Use of the Project Area

Historic Maps and Aerial Photographs

Historic maps and aerial photographs were examined to help contextualize the history of the project area. Historic maps examined include an 1864 map of Township 1 North, Range 7 East; an 1864 map of Township 2 North, Range 7 East; an 1883 San Joaquin County Map; a 1914 *Burnham* USGS 7.5-minute quadrangle map; and an 1952 *Stockton East* USGS 7.5-minute quadrangle map. None of these maps, however, revealed any details pertaining to the occupation or development of the project area. The series of aerial photographs examined include photographs dating from 1967 through 2018 (NETROnline 2022). The aerial photographs show the project area as cleared for agricultural use as early as 1967, with two rectangular structures located mid-way (east to west) within the project area and a third structure which appears to be a residence located within the southeastern corner of the project area which remain on site to the present day. This 1967 photograph also shows that the properties adjacent to the project area had also already been cleared for agricultural use. The project area and the parcels in the project area's vicinity remained largely unchanged from 1967 through 2018, being kept in agricultural use throughout the period of study. The lone change is apparent on the 2010 aerial photograph where the residential structure in the project area's southeast corner is no longer extant (NETROnline 2022).

Additional Information on the History of the Project Area

HELIX also made inquiries with the current owners of the property into the history of the residential structure that appears on historic aerial photographs in the southeastern corner of the project area. According to current property owners the residence was built in 1941 and was a 1,616-square foot, 2-bedroom and 2-bathroom house. The house was lived in continuously from 1941 onward and remained unmodified from its original design until 2009 when it burned down in an electrical fire. After the fire the above-ground house debris were removed and taken to the local dump, but the current owners of the property believe that the structure's foundations, including portions of the footprints of the garage and patio, may remain buried on site.

Intensive Pedestrian Survey

HELIX Staff Archaeologist Jentin Joe conducted an intensive pedestrian survey of the project area on August 11, 2022. The survey involved the systematic investigation of the APE's ground surface by walking in parallel 15-meter transects. During the survey the ground surface was examined for artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools, fire-affected rock, prehistoric ceramics), soil discoloration that might indicate the presence of a prehistoric cultural midden, soil depressions, and features indicative of the former presence of structures or buildings (e.g., standing exterior walls,

postholes, foundations, wells) or historic debris (e.g., metal, glass, ceramics). Ground disturbances such as gopher holes, burrows, cut banks, and drainage banks were also visually inspected.

The APE is a relatively flat area with no discernable changes in topography. The area is bounded to the north, west, and south by agricultural fields, and to the east by Alpine Road. The APE consists of cleared space in the southeast which provided good surface visibility (90% or more of the ground surface visible) and a peach orchard occupying the rest of the APE which offered slightly worse visibility (approximately 60% visible) during the survey. The soils that were visible within the APE consisted of a brown silty sand loam. HELIX's archaeologist noted that the APE has been disturbed through grading, construction of modern water retention systems, and the maintenance of the peach orchard. Modern debris and garbage were also noted around the perimeter of the APE, including various plastics and discarded metal. The surveyor also noted the presence of a compound built out of shipping containers located near the project area's entrance along Alpine Road. Efforts were made to find evidence of the 1941 structure in the southeastern corner of the project area. No traces were encountered.

No prehistoric or historic-era materials or features that would be impacted by project related activities were observed during HELIX's intensive pedestrian survey of the APE.

Environmental Impacts

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

Less than Significant Impact with Mitigation.

The records search conducted by HELIX at CCIC on August 11, 2022, determined that one cultural resource study has previously been conducted within a 0.25-mile radius of the APE and that this study consisted of a survey area that ran parallel to Alpine Road, to the adjacent east of the proposed project. This previous cultural resource study did not identify any cultural resources within the vicinity of the current APE. In addition, the records search revealed that no cultural resources in the vicinity of the APE have been previously recorded and reported to the CCIC.

However, upon making inquiries with the current landowners, HELIX became aware of the likely presence of structural foundations in the southeastern corner of the property area that are associated with a 1941 residence. This residence was in continuous occupation from its construction date through 2009 when it burned down in an electrical fire. After the fire, aboveground surface debris were removed from the site, but it is believed that foundations and/or other structural debris may still exist on site buried beneath the ground surface.

During its survey of the APE on August 11, 2022, HELIX found evidence of disturbance associated with surface grading, water management, and peach orchard maintenance. No surface evidence could be found of remains that could be associated with the 1941 residence that once stood in the southeastern portion of the project area, and no other prehistoric or historic-era materials or features were observed.

HELIX's records searches and survey did not identify any surface expressions of prehistoric or historic-era archaeological resources.

HELIX did find photographic and oral history-based evidence that a historic era structure once stood in the southeastern corner of the APE. The results of this assessment indicate that the only cultural resource potentially within the APE is the buried remains associated with the 1941 residence. Although a formal CRHR eligibility assessment would be required if these remains are encountered during construction, current evidence suggests that the resource would not meet CRHR eligibility Criteria 1, 2, or 3; in that the resource is not associated with events or persons that are important to state or local history and cultural heritage, and the remains of the structure are not likely to represent distinctive design, workmanship, or the work of an important creative individual. It remains to be seen if the structure's subsurface remains, if they are encountered, are likely to yield information important in (California) history (CRHR eligibility Criterion 4).

HELIX recommends that there is a low potential for the proposed project to encounter an undiscovered historical resources or unique archaeological resources within the APE, and there is a moderate chance that buried remains of the 1941 residence would be encountered. With implementation of Mitigation Measure CUL-1, Targeted Archaeological Monitoring During Construction, the project implementation would pose a less than significant impact to any subsurface remains in the southeastern corner of the APE. Further, if these or any other potential historical resources or unique archaeological resources are discovered during construction, implementation of Mitigation Measure CUL-2, an Inadvertent Discovery Plan, would reduce any potential impact to a less than significant level for questions a) and b).

Mitigation Measure CUL-1: Targeted Archaeological Monitoring During Construction

As the proposed project includes plans to construct an onsite retention basin in the area where remains of the 1941 residence may be encountered during grading or excavation, and the significance of those remains could not be evaluated until they are uncovered, project proponents shall retain a qualified archaeologist to monitor ground disturbing activities (i.e. grading, excavation, and scraping) associated with the project within the approximately 0.5-acre area in the southeastern corner of the APE where the historic residence once stood. The monitor shall document any cultural resources that are encountered during these activities so that the client can be advised as to how they should be managed. Daily monitoring notes and photographs shall be kept and compiled into a summary report which shall be produced at the completion of the monitoring effort. This monitor's services shall be retained for the duration of ground disturbing activities within the southeastern corner of the APE until excavations and grading reach a depth of 5 feet (or 1.5 meters) below current ground surface.

Mitigation Measure CUL-2: Inadvertent Discovery Plan

If cultural resources are exposed during ground-disturbing activities, construction activities shall be halted in the immediate vicinity of the discovery. If the site cannot be avoided during the remainder of construction, an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards shall be retained to evaluate the find's significance under CEQA. If the discovery proves to be significant, additional work, such as data recovery excavation, may be warranted and shall be discussed in consultation with the County.

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

Less than Significant Impact with Mitigation. No human remains are known to exist within the project area nor were there any indications of human remains found during the field survey. However, there is

always the possibility that subsurface construction activities associated with the proposed project, such as trenching and grading, could potentially damage or destroy previously undiscovered human remains. This is a potentially significant impact. However, if human remains are discovered, implementation of Mitigation Measure CUL-2 and CUL-3 would reduce this potential impact to a less than significant level.

Mitigation Measure CUL-3: Treatment of Human Remains

If suspected human remains are encountered during project implementation, the specific procedures outlined by the NAHC, in accordance with Section 7050.5 of the California Health and Safety Code and Section 5097.98 of the Public Resources Code, shall be followed:

All excavation activities within 60 feet of the remains shall immediately stop, and the area will be protected with flagging or by posting a monitor or construction worker to ensure that no additional disturbance occurs.

1. The project owner or their authorized representative shall contact the County Coroner.
2. The coroner will have two working days to examine the remains after being notified in accordance with HSC 7050.5. If the coroner determines that the remains are Native American and are not subject to the coroner's authority, the coroner will notify NAHC of the discovery within 24 hours.
3. NAHC will immediately notify the Most Likely Descendant (MLD), who will have 48 hours after being granted access to the location of the remains to inspect them and make recommendations for treatment of them. Work will be suspended in the area of the find until a qualified archaeologist approves the proposed treatment of human remains.
4. If the coroner determines that the human remains are neither subject to the coroner's authority nor of Native American origin, then the qualified archaeologist, in consultation with the County, shall determine mitigation measures appropriate to the discovery.

VI. ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Electricity is a major energy source for residences and businesses in California. In San Joaquin County, based upon the most recent information available, electricity consumption in 2019 totaled approximately 5,583 million kilowatt-hours, of which approximately 1,893 million kilowatt-hours were consumed by residential uses and the remainder by non-residential uses (CEC 2021b). Motor vehicle trips also account for substantial energy usage. The SJCOG estimated countywide daily vehicle miles traveled (VMT) was 17,868,785 miles in 2015, which led to the consumption of approximately 511 million gallons of gasoline and diesel fuel (SJCOG 2018).

California has implemented numerous energy efficiency and conservation programs that have resulted in substantial energy savings. The State has adopted comprehensive energy efficiency standards as part of its Building Standards Code, California Code of Regulations, Title 24. Part 6 of Title 24, known as the California Energy Code, contains energy conservation standards applicable to all residential and non-residential buildings throughout California. These standards are occasionally updated.

Also, in 2009, the California Building Standards Commission adopted a voluntary Green Building Standards Code (CALGreen), which became mandatory effective January 1, 2011. CALGreen sets forth mandatory energy efficiency measures for non-residential structures, which essentially require compliance with the latest building energy efficiency measures adopted by the State. The County has adopted the 2019 version of CALGreen, which is the most current version.

California has adopted a Renewables Portfolio Standard, which requires all electricity retailers in the State to generate 33% of electricity they sell from renewable energy sources (solar, wind, geothermal, etc.) by the end of 2020. As of the end of 2019, most of the retail sellers were on track to meet or exceed the 2020 target (CEC 2020). In 2015, SB 350 was signed into law, which increased the electricity generation requirement from renewable sources to 50% by 2030. In 2018, SB 100 was enacted, which accelerated the schedule for 50% electricity generation from renewable sources to 2026 and set a goal of 60% electrical generation from renewable sources by 2030. It also set the goal that zero-carbon resources will supply 100% of electricity to California by 2045.

Cannabis cultivation activities consume electricity, mainly for grow lights, dehumidification, and space conditioning. The use of electricity by cannabis production varies according to cultivation methods and extent of activities associated with production. Motor vehicle travel associated with employee commutes and delivery vehicles consume gasoline and diesel fuels.

The proposed project would install 36 HiD lights in Proposed Greenhouse Structure 1, 33 HiD lights in Proposed Greenhouse Structure 2, 312 HiD lights in Proposed Greenhouse Structure 3, and 312 HiD lights in Proposed Greenhouse Structure 4 equating to approximately 592.3 kilowatts (kW) total on-site for cultivation purposes. Power to the site would be provided by Pacific Gas and Electric (PG&E). PG&E would upgrade the current service line to accommodate approximately 600 kW at 480 volts, with an estimated current draw of 2.7 kA. The estimated total power needed for cultivation activities would be approximately 2.4 kA.

Environmental Impacts

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

Less than Significant Impact. Project construction activities would involve fuel consumption and use of other non-renewable resources. Construction equipment used for paving and other construction activities typically runs on diesel fuel or gasoline. The same fuels typically are used for vehicles that transport equipment and workers to and from a construction site. However, construction-related fuel consumption would be finite, short-term, and consistent with construction activities of a similar character. This energy use would not be considered wasteful, inefficient, or unnecessary.

The project would be required to comply with the building energy efficiency standards of the California Energy Code and of the CALGreen adopted by the County at the time of project approval. Compliance with these standards would reduce energy consumption associated with project operations, although reductions from compliance cannot be readily quantified. Moreover, indirect consumption of fossil fuels for electricity would be reduced as electricity providers comply with the Renewables Portfolio Standard.

Gasoline and diesel fuels would be consumed by employee vehicles and delivery vans and trucks as part of project operations. The fuel consumption would be consistent with the anticipated number of employees and business volume. Excessive fuel consumption is not anticipated, especially since a range of actions at the federal and State level are being taken to improve vehicle fuel economy (Congressional Research Service 2021).

Overall, project construction and operations would not consume energy resources in a manner considered wasteful, inefficient, or unnecessary. Project impacts related to energy consumption are considered less than significant.

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

No impact. The County has no formal plans for renewable energy or energy efficiency, but County General Plan Policy LU-2.2 promotes an approach to designing and constructing buildings that consume less energy, and Policy LU-6.8 encourages all employment and industrial projects to incorporate sustainable technologies, including energy-efficient practices. As noted in the response to question a) above, the project would be required to comply with the building energy efficiency standards of the

California Energy Code and CALGreen, which would be consistent with these General Plan policies. The project would have no impact related to consistency with energy plans.

VII. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

The project site located near the central portion of the Great Valley geologic province, which is bounded by the Sierra Nevada Mountains to the east, the Coast Ranges to the west, the Mojave Desert and Transverse Ranges to the south, and the Klamath Mountains to the north. The Great Valley is a large north-westward trending, asymmetric structural trough with a long, gently sloping eastern shelf underlain by the subsurface extension of the Sierran granitic rocks and a shorter more steeply sloping western margin. The Central Valley, which is a topographically flat, northwest-trending trough about 50 miles wide and 450 miles long, has been filled with more than 50,000 feet of sediment (Bertoldi and others, 1991; Harwood and Helley, 1985) derived primarily from erosion of the adjacent Sierra Nevada

and Coast Range Mountains. The Geologic Map of the Sacramento Quadrangle (Wagner et al. 1981) designates the underlying geology of the project site as the Modesto Formation. The Modesto Formation, ranging in depth from 10 to 200 feet, consists primarily of sand, silt, and clay seams deposited by the rivers (DWR 2014).

Most of the soils in the Central Valley consist of sand, silt, loamy clay alluvium, peat, and other organic sediments. A Geotechnical Engineering Report (report) was prepared by Wallace Kuhl and Associates in May 2022 and included a site reconnaissance; a review of geologic maps, historic aerial photographs, and available groundwater information; subsurface exploration and excavation of test pits; laboratory testing of soil samples; and engineering analysis.

The Geotechnical Engineering Report is included as Appendix D of this IS/MND. According to this report, the project site is level with a mean elevation of about +46 feet relative to mean sea level (msl), with the south-central portion of the site covered by disturbed soil. The project site is located near the central portion of the Great Valley geologic province, which is bounded by the Sierra Nevada Mountains to the east, the Coast Ranges to the west, the Mojave Desert and Transverse Ranges to the south, and the Klamath Mountains to the north. The Great Valley is a large north-westward trending, asymmetrical structural trough with a long, gently sloping eastern shelf underlain by the subsurface extension of the Sierran granitic rocks and a shorter more steeply sloping western margin where the basin sediments have been upturned and dip eastward back toward the valley axis. The Central Valley has been filled with more than 50,000 feet of sediment derived primarily from erosion of the adjacent Sierra Nevada and Coast Range Mountains. Bedrock underlying the sediment are predominantly marine deposits of siltstone, claystone, and sandstone. The United States Department of Agriculture, Natural Resources Conservation Service Website maps the project area as being underlain by the alluvial Hollenbeck silt clay to a depth of at least five feet that is cemented below a depth of about 3.5 feet.

There are several faults and potential fault traces located within San Joaquin County, concentrated along its eastern and western margins. No active or potentially active faults have been identified in the Stockton vicinity - the nearest active fault is the Greenville Fault, approximately 22 miles west-southwest of Stockton (City of Stockton 2018).

However, San Joaquin County is in a region that lies between two areas of seismic activity - the San Andreas Fault System of the greater San Francisco Bay Area to the west, and the Foothills Fault System in the Sierra Nevada foothills to the east. Active faults associated with the San Andreas Fault System include the Concord, Calaveras, Hayward, and San Andreas faults, all of which can cause ground shaking that could potentially be felt within the County (San Joaquin County 2016).

Paleontological resources are fossils or groups of fossils that are unique, unusual, rare, uncommon, or important, and that add to an existing body of knowledge in specific areas. A record search of the Museum of Paleontology at the University of California in Berkeley indicated that 97 paleontological finds have been made in the County (UCMP 2020). Most County specimens have been found in rock formations in the foothills of the Diablo Mountain Range. However, remains of extinct animals, such as mammoth, could be found virtually anywhere in the County, especially along watercourses such as the San Joaquin River and its tributaries (San Joaquin County 2016).

The Geotechnical Engineering Report prepared by Wallace Kuhl and Associates concluded that the Garcia Grow Cannabis Cultivation Project is feasible from a geotechnical standpoint, provided the

conclusions and recommendations presented in the report are incorporated into the project design and specifications.

Environmental Impacts

- 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.

Less than Significant Impact. The project site is not on or near a known earthquake fault. It is not within an Alquist-Priolo Special Studies Zone, nor is it on a seismic hazard zone map prepared under the Seismic Hazards Mapping Act. The project would have no impact related to fault rupture hazards.

- ii. Strong seismic ground shaking?

Less than Significant Impact. As noted, the project site may be subject to ground shaking from earthquakes occurring outside the County. The proposed project would comply with applicable provisions of the California Building Code adopted at the time of their construction. The 2019 California Building Code is the current version adopted by the County. The California Building Code includes seismic safety provisions that minimize ground shaking impacts. Project impacts related to ground shaking would be less than significant.

- iii. Seismic-related ground failure, including liquefaction?

Less than Significant Impact. Liquefaction generally occurs in areas where moist, fine-grained, cohesionless sediment or fill materials are subjected to strong seismic ground shaking. Under certain circumstances, seismic ground shaking can temporarily transform an otherwise solid, granular material to a fluid state. Liquefaction is most often triggered by seismic shaking, but it can also be caused by improper grading, landslides, or other factors. Neither the California Geological Survey nor the U.S. Geological Survey has mapped any seismically induced liquefaction hazard zones in the Stockton area (City of Stockton 2018). According to the most recent available groundwater report, the groundwater level in the vicinity of the project site is between 50 and 80 feet below ground surface (San Joaquin County Flood Control District 2021). Proposed structures would comply with the seismic requirements of the California Building Code in effect at the time of construction, which would reduce potential impacts of other seismic hazards on structures. Project impacts related to other seismic hazards would be less than significant.

- iv. Landslides?

No Impact. The project site is within a relatively flat area. There are no slopes that could be subject to landslides on or near the project site. The project would have no impact related to landslide risk.

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

Less than Significant Impact. Laboratory tests performed on representative samples of the near-surface soils show that the site is underlain by moderately plastic clay that has a “medium” potential for expansions with increases in soil moisture content. These results are generally consistent with the Stockton area, and there would be less than significant impacts to soil erosion and topsoil.

- 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?

Less than Significant Impact. According to the Geotechnical investigation provided in Appendix D, there is no evidence of soil instability on the project site. As noted, project structures would comply with the California Building Code, which addresses potential seismic and other geotechnical issues. Project impacts related to unstable soils would be less than significant.

- 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?

Less than Significant with Mitigation. Laboratory tests performed on representative samples of the near-surface soils show that the site is underlain by moderately plastic clay that has a “medium” potential for expansion with increases in soil moisture content. These results are generally consistent with previous findings in the Stockton area and pose a risk of future heave and cracking of concrete slabs and lightly loaded foundations. The following measures would be incorporated into the design and construction of projects located on sites featuring soils with a “medium” capacity for expansion as defined in the Geotechnical Engineering Report provided as Appendix D.

Mitigation Measure GEO-1: Soil Expansion Minimization Measures

To reduce the potential for post-construction heave and cracking due to the expansive clay conditions encountered at the site, the proposed buildings shall be underlain by at least 12-inches of non-expansive fill. The non-expansive soil pads can be prepared by removing and replacing the native clay, raising the building pads above existing site grade, or a combination of both. Any floor slab underlayment, such as capillary break or aggregate base, should not be considered part of the non-expansive fill layer. The zone of non-expansive soil shall extend laterally at least three feet outside the perimeter of the structures. Prior to placement of the non-expansive fill, the exposed clay subgrade soil should be scarified and compacted to a minimum depth of 12 inches as discussed above. The moisture content of the clay shall be maintained until placement of the non-expansive fill. A representative of the Geotechnical Engineer shall perform a field check of the soil moisture content and relative compaction prior to placement of the non-expansive fill.

As an alternative to non-expansive fill, the upper 12-inches of native subgrade soil and/or clay fill within the proposed building areas shall be mixed with dolomitic or high calcium quick lime (lime-treatment) and compacted to at least 90 percent relative compaction. Recommendations for lime-treatment are provided in the Geotechnical Engineering Report provided as Appendix D to this document. Lime-treated soil tends to remain reasonably stable during and following rainfall, thus providing a firm, accessible working platform for construction. The Landscape

Architect shall be consulted prior to construction to verify that the landscaping is suitable for lime-treated soils.

Disturbed subgrade soils may require additional processing and re-compaction just prior to construction, depending on the level of disturbance. All subgrade preparations shall be performed in the presence of the Geotechnical Engineer or representative who shall evaluate the performance of the subgrade under compaction loads and identify any loose or unstable soil conditions that could require remediation.

With the implementation of Mitigation Measure GEO-1, potential impacts to life or property due to location on expansive soil would be reduced to less than significant.

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

Less than Significant Impact. The project site does not contain soil with a high risk of liquefaction, or soil with a high risk for erosion. According to the Onsite Wastewater Treatment System Permits from the project site, the soil has previously (as recently as 2011) supported a subsurface septic tank. Thus, the soils have been and are capable of supporting the use of septic tanks, pursuant to the construction recommendations and best practices outlined in the Geotechnical Engineering Report. Impacts would be less than significant.

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

Less than Significant Impact. The project site has no unique geologic features, and there are no known existing paleontological resources on the project site. The project site is underlain by the Modesto Formation, which has in the past been associated with discovery of paleontological resources. However, as discussed in Section 6.V, Cultural Resources, given past ground disturbance by agricultural activities and development, it is unlikely that any paleontological resources would be found intact on the project site. It is unlikely that any paleontological resources would be encountered during project construction. Project impacts on paleontological resources would be less than significant.

VIII. GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The discussion below is based on analysis prepared for a recently approved Cannabis Cultivation Project located approximately three miles north of 407 North Alpine Road named the Navone Road Cannabis Cultivation Project (Basecamp 2022). This recently approved project is of similar scope and size to the Garcia Grow Cannabis facility but anticipates approximately 42 daily trips as compared to proposed project's anticipated 28 daily trips. Thus, the analysis prepared for the Navone Road project can be used to analyze impacts qualitatively and conservatively for greenhouse gas emissions.

Environmental Setting

Background

Greenhouse gases (GHGs) are gases that absorb and emit radiation within the thermal infrared range, trapping heat in the earth's atmosphere. GHGs are both naturally occurring and are emitted by human activity. Increased atmospheric concentrations of GHGs are considered a primary contributor to global climate change, which is a subject of concern for the State of California. Potential climate change impacts occurring in the San Joaquin Valley include more intense and frequent heat waves, higher frequency of catastrophic floods, more intense and frequent drought, and more severe and frequent wildfires (Westerling et al. 2018).

GHG emissions in California in 2019, the most recent year for which data are available, was estimated at approximately 418.2 million metric tons carbon dioxide equivalent (CO₂e) – a decrease of approximately 14.6% from the peak level in 2004. Transportation was the largest contributor to GHG emissions in California, with almost 40% of total emissions. Other significant sources include industrial activities, with approximately 21% of total emissions, and electric power generation, both in-state and imported, with approximately 14% of total emissions (CARB 2021).

Unlike the criteria air pollutants described in Section 6.III, Air Quality, GHGs have no "attainment" standards established by the federal or State government. In fact, GHGs are not generally thought of as traditional air pollutants, because their impacts are global in nature, while air pollutants mainly affect the general region of their release to the atmosphere. Nevertheless, the U.S. Environmental Protection Agency has found that GHG emissions endanger both the public health and public welfare under Section 202(a) of the Clean Air Act due to their impacts associated with climate change (EPA 2009).

Regulatory Framework

The State of California has implemented GHG emission reduction strategies through Assembly Bill (AB) 32, the Global Warming Solutions Act of 2006, which requires total statewide GHG emissions to reach 1990 levels by 2020, or an approximately 29% reduction from 2004 levels. As noted above, total state GHG emissions in 2018 were approximately 418.2 million metric tons CO_{2e}, which were almost 13 million metric tons CO_{2e} below the 2020 target established by AB 32 (CARB 2021).

In 2016, SB 32 was enacted. SB 32 extends the GHG reduction objectives of AB 32 by mandating statewide reductions in GHG emissions to levels that are 40% below 1990 levels by the year 2030. The State has adopted an updated Scoping Plan that sets forth strategies for achieving the SB 32 target. The updated Scoping Plan continues many of the programs that were part of the previous Scoping Plans, including the cap-and-trade program, low-carbon fuel standards, renewable energy, and methane reduction strategies. It also addresses for the first time GHG emissions from the natural and working lands of California, including the agriculture and forestry sectors (CARB 2017).

The County currently does not have a GHG emission reduction plan, also known as a Climate Action Plan. Policy PHS-6.2 of the County General Plan states that the County shall reduce community GHG emissions by 15% below 2005 levels by 2020 and shall strive to reduce GHG emissions by 40% and 80% below reduced 2020 levels by 2035 and 2050, respectively. These goals are consistent with State reduction goals.

Environmental Impacts

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less than Significant Impact. Estimates of GHG emissions for a project of similar scope and size to this project were developed using the CalEEMod program (Navone Road 2022). The GHG analysis assumed a larger floor area than what would be developed at Garcia Grow. Most GHG emissions would be from vehicle traffic. Indirect GHG emissions would be generated by project energy use.

Project operational emissions would be below approximately 132 metric tons CO_{2e} annually under unmitigated conditions and approximately 113.6 metric tons CO_{2e} under mitigated conditions (Navone Road 2022). "Mitigated emissions" are the result of project compliance with applicable rules, laws, and regulations, along with inclusion of project features that reduce GHG emissions. These include the following:

- The project site is approximately 7 miles from downtown Stockton.
- SB X7-7, enacted in 2009, sets an overall goal of reducing per capita urban water use by 20% by December 1, 2020.
- AB 341 establishes the goal of diverting 75% of California's waste stream from landfills by 2020.

Mitigated operational GHG emissions would be approximately 14% less than under unmitigated conditions.

As the County has no GHG reduction plan, this analysis will be based on the 2017 Scoping Plan, since County General Plan Policy PHS-6.2 is consistent with the targets the Scoping Plan intends to achieve. The 2017 Scoping Plan proposes various measures to achieve the 2030 target. Most of these are State measures, such as the use of the cap-and-trade program, the Short-Lived Climate Pollutant Plan, and achievement of the 50% renewable sources of electricity in the Renewables Portfolio.

Based on estimates in the 2017 Scoping Plan, State actions would account for 89.8% of GHG reductions needed by 2030, with local actions accounting for approximately 9.3% of reductions. Applying this ratio to the percentage reduction for 2030, then approximately 6.0% of the reduction from 2030 business-as-usual levels would be achieved by local measures. A project that can show GHG reductions greater than 6.0% can be said to be consistent with the reduction goals of SB 32. The project would achieve at least a 14.0% reduction in GHG emissions from business-as-usual emissions. Therefore, the project would be consistent with the reduction goals of SB 32.

The State of California has the most comprehensive GHG regulatory requirements in the United States, with laws and regulations requiring reductions that affect project emissions. The project is subject to several State regulations applicable to project design, construction, and operation that would reduce GHG emissions, increase energy efficiency, and provide compliance with the Climate Change Scoping Plan (CARB 2017). Legal mandates to reduce GHG emissions from vehicles, for example, would reduce project-related vehicular emissions. Other mandates that would reduce GHG emissions include reducing per capita water consumption and imposing waste management standards to reduce methane and other GHGs from solid wastes.

As discussed in Section 6.VI, Energy, the project would be subject to codes promoting energy efficiency. Also, as discussed in Section 6.VI, attainment of the targets of the Renewables Portfolio Standard would reduce the amount of electricity generated by fossil fuels. Based on the information provided above, project energy usage is expected to result in a minimal increase in indirect GHG emissions from electrical generation from fossil fuels.

Overall, the project would be consistent with GHG reduction plans of the State and with the County General Plan policy on mitigation of GHG emissions. Project impacts related to GHG emissions and consistency with GHG emissions reduction plans would be less than significant for questions a) and b).

IX. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The State of California maintains two hazardous material site databases: the EnviroStor database, maintained by the Department of Toxic Substances Control; and the GeoTracker database, maintained by the SWRCB. Neither database had a record of any active hazardous material cases on or within one-half mile of the project site (DTSC 2022, SWRCB 2022).

Environmental Impacts

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

Less than Significant Impact. Cannabis cultivation operations, including nursery operations, may involve the use of pesticides, fertilizers, and other agricultural chemicals that may be considered hazardous. Chapter 3.0, Project Description, describes the agricultural chemicals that may be used by the project. Under the Cal Cannabis Licensing Program by CDFA, cultivators would be required to store, use, and dispose of hazardous materials in accordance with a broad range of applicable laws and regulations.

All use of pesticide products shall comply with State pesticide laws and regulations, enforced by the County Agricultural Commissioner's Office, the County Environmental Health Division, and the California Department of Pesticide Regulation (CDPR). For pesticides exempt from registration requirements, licensees shall comply with all pesticide laws and regulations enforced by the CDPR and with additional pesticide application and storage protocols. These protocols include containing any chemical leaks and immediately clean up any spills, preventing off-site drift, and not applying pesticides when they may reach surface water or groundwater, among others.

The County Code requires applicants for a cultivator license to submit a Pesticide Use Plan, which shall include details of the planned pesticide use for all agricultural activities conducted on the applicant's property, including the pesticides to be used. Pesticides are to be stored in an enclosed area with proper warning signs, and workers must be protected from exposure to pesticides.

Project site activities that would transport, use, or store hazardous materials would be required to do so in compliance with applicable local, State, and federal hazardous material regulations. Compliance with these regulations, along with the requirements of CDFA, would reduce impacts regarding the transport, use, and storage of hazardous materials to a level that would be less than significant.

- 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?

Less than Significant Impact. The storage and use of hazardous materials by the project would involve potential for on-site releases of these materials. Employees and other persons could be exposed to hazardous material releases through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The main concern would be employee exposure; the size of the project site would make it unlikely that any releases of hazardous materials would extend beyond site boundaries.

As discussed in the response to question a) above, project site activities that would transport, use, or store hazardous materials would be required to do so in compliance with applicable local, State, and federal regulations. These regulations are designed to ensure that these materials are properly stored and transported, thereby reducing the likelihood of accidental release. In the event of an accidental release of hazardous materials during operations or routine maintenance, steps would immediately be taken in accordance with applicable local, State, and federal regulations to contain the release and clean up any exposed areas. Compliance with these regulations, along with the requirements of the County

Code discussed in the response to question a) above, would reduce project impacts related to potential release of hazardous materials to a level that would be less than significant.

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

No Impact. The nearest school to the project site is Redwood School, which is approximately three miles to the northwest. The project would not involve toxic air emissions. As discussed in the response to question b) above, it is unlikely that any potential release of hazardous materials would extend beyond site boundaries. The project would have no impact on schools that is related to hazardous material releases.

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

No Impact. As noted above, neither the GeoTracker nor the EnviroStor databases have any records of active hazardous material sites on or in the vicinity of the project site. Based on this information, the project would have no impact related to hazardous material sites.

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

No Impact. There are no public or public-use airports within two miles of the project site. The nearest public airport is Stockton Metropolitan Airport, approximately seven miles to the southwest. Given this distance, the project would not expose employees to potential safety hazards from airport operations. The project would have no impact related to airport hazards.

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

No Impact. No obstructions or other alterations that could hinder traffic flow would be installed; all improvements would occur on the project site. The project would not alter or obstruct public roads in the vicinity, such as SR 26. The project would have no impact on emergency response and evacuations.

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

No Impact. The project is in a rural area of primarily agricultural land. It is not located adjacent to any significant natural open spaces where wildland fires may occur. Agricultural land, due to its cultivated character and typical irrigation, does not involve an accumulation of fuel or otherwise create a significant fire hazard. Therefore, the project would have no impact related to wildland fire hazards. Refer to Section 6.XX, Wildfire, for more detailed information on wildfires.

X. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. Result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off- site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional resources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

Surface and Groundwater Hydrology

There are no streams or other surface water bodies on or in the immediate vicinity of the project site. The nearest stream to the project site is the Calaveras River, approximately 5.5 miles to the north.

The project site overlies the Eastern San Joaquin Subbasin of the San Joaquin Valley Groundwater Basin. Groundwater levels may fluctuate over time depending on precipitation, aquifer recharge, and pumping demands. As noted in Section 6.VII, Geology and Soils, the groundwater level in the vicinity of the project site is between 50 and 80 feet below ground surface (San Joaquin County Flood Control District 2021). The Eastern San Joaquin Subbasin is critically overdrafted, which has led to significant

groundwater level depressions developing east of Stockton, west of the community of Linden, and east of the city of Lodi.

In 2014, the California Legislature passed the Sustainable Groundwater Management Act, the purpose of which is to give local agencies greater authority to manage groundwater supplies. The legislation requires the formation of local groundwater sustainability agencies that must assess conditions in their local water basins and adopt locally based management plans. Local groundwater sustainability agencies for High and Medium priority basins were to have been formed by June 30, 2017. Groundwater Sustainability Plans for critically over drafted basins must be adopted by January 31, 2020.

The Eastern San Joaquin Groundwater Authority, which oversees the Eastern San Joaquin Subbasin, submitted a Groundwater Sustainability Plan for the Subbasin to the California Department of Water Resources on January 29, 2020, as the subbasin is classified as a critically over drafted basin. Achieving sustainability in the Subbasin requires implementation of projects and management actions, including water supply projects that either replace groundwater use or supplement groundwater supplies to attain the current estimated pumping offset and/or recharge need. A final list of 23 potential projects is included in the Groundwater Sustainability Plan, representing a variety of project types, including direct and in-lieu recharge, intra-basin water transfers, demand conservation, water recycling, and stormwater reuse (ESJGA 2019).

Flooding

The Federal Emergency Management Agency (FEMA) prepares maps that delineate areas subject to potential flooding. According to the floodplain map prepared for the project area, the project site is in Zone X, which indicates areas within a 500-year floodplain; that is, the area of occurrence of a flood that is expected once every 500 years on average (FEMA 2009). The 500-year floodplain is not an area of concern under the National Flood Insurance Program. The 100-year floodplain (i.e., the area of occurrence of a flood that is expected once every 100 years on average) is considered a Special Flood Hazard Area that is an area of concern under FEMA's National Flood Insurance Program. No Special Flood Hazard Areas are in the project vicinity.

In 2007, the State of California approved SB 5 and a series of related Senate and Assembly bills known as "the SB 5 Bills;" the SB 5 bills that define the State standard for flood protection in urban areas in the Central Valley as protection from the 200-year flood; the bills establish other requirements for application of the 200-year standard. After July 2, 2016, new development in areas potentially exposed to 200-year flooding more than three feet deep is prohibited, unless the local land use agency certifies that 200-year flood protection has been provided or that "adequate progress" has been made toward provision of 200-year flood protection by 2025. The project site is not in an area that is potentially exposes to 200-year flooding more than three feet deep; therefore, SB 5 requirements do not apply.

Water Quality

The Central Valley RWQCB has prepared a Water Quality Control Plan (Basin Plan) for the Sacramento River and San Joaquin River Basins. The Basin Plan identifies water quality standards that are based on identified beneficial uses and water quality objectives based on those uses. Beneficial uses listed for

surface water bodies in the vicinity of the project site include municipal and domestic supply, agriculture supply, and industrial process and service supply, among others (RWQCB 2015).

In 2019, the SWRCB issued Order WQ 2019-0001-DWQ, known as the Cannabis Cultivation General Order, which superseded a previous order issued in 2017. Cannabis cultivators who are seeking coverage for their operations will now be enrolling under the Statewide Cannabis General Order. The Cannabis Cultivation General Order sets general waste discharge requirements associated with cannabis cultivation activities, which are specified in Attachment A of the order. Among these requirements are restrictions on land disturbance activities and prohibitions of specific discharges to surface waters. The General Order also requires that enrollees allow Water Board staff reasonable access to their cannabis cultivation operations for the purpose of performing inspections to determine compliance. Enrollment in the Statewide Cannabis General Order is required for all legal cannabis cultivation facilities and is a required step to obtaining a CalCannabis license for cannabis cultivation.

Environmental Impacts

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

Less than Significant Impact. The project site is not located on or near any streams or any surface waters. The project site would be served by a proposed new septic system to be installed on-site, which would receive a permit from the County Environmental Health Division. Requirements associated with this permit would ensure that groundwater contamination would not occur with the use of the septic system.

Cultivation operations would use an on-site wastewater system to collect wastewater from cannabis cultivation activities. Cultivation wastewater would not be discharged into any streams or other surface waters. The project also must comply with the requirements of the SWRCB's Cannabis Cultivation General Order. The project proponent would be required to enroll under the SWRCB Cannabis General Order WQ 2019-0001-DWQ. One of the requirements is to prepare a Site Management Plan (SMP), which includes identifying potential sources of water quality violations or waste discharge requirements, corrective actions including implementing and monitoring BMPs, and documenting water usage and timing to ensure the water use is not impacting water quality objectives and beneficial uses. The project applicant would be required to prepare and implement a SMP. The project proponent would also be required to provide a final copy or proof of a lake or streambed alteration agreement issued by CDFW or written verification that an agreement is not needed. Based on this information, project impacts on water quality would be less than significant.

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

Less Than Significant Impact. The project proposes to use groundwater from an existing, permitted on-site well and also proposes to construct a new well on-site for cultivation purposes. The total fresh groundwater in storage within the Eastern San Joaquin Groundwater Subbasin was estimated at more than 50 million acre-feet in 2015 (ESJGA 2019). Proposed project groundwater usage would have a minimal effect on stored groundwater in the Subbasin.

The proposed project is an indoor cannabis cultivation and would not produce agricultural runoff related to cultivation activities. Runoff created by impervious surfaces would be collected on the project site

would be conveyed to a proposed retention basin to the east, where the collected runoff would percolate into the ground, thereby recharging the local aquifer. Project impacts related to groundwater would be less than significant.

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:

i. Result in substantial erosion or siltation on- or off-site?

Less than Significant Impact. The project would not result in substantial erosion or siltation on or off site. The project site plan includes the construction of a basin that would settle the silt before it could be transported off-site. The basin would also provide a detention for the increased runoff created by the impervious surfaces on site.

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional resources of polluted runoff?

iv. Impede or redirect flood flows?

Less than Significant Impact. Runoff from impervious surfaces would be collected within a proposed retention basin, and the project would not impede or redirect flood flows. Therefore, the project would have a less than significant impact to drainage patterns and runoff related to questions c.ii), c.iii), and c.iv).

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

Less than Significant Impact. As noted in c.iv) above, the project site is not within a Special Flood Hazard Area. It is also not within an SB 5 200-year flood hazard area. The project site is neither near a large body of water nor on the coast, so it would not be subject to any seiche or tsunami hazards.

California Government Code Section 65302 (g) requires local governments to assess the potential impacts a dam failure might have on their jurisdiction. As part of preparation of the County General Plan, potential dam inundation areas were identified and delineated. Dams that pose a direct threat to the project site if they fail include Camanche Dam and New Hogan Dam (San Joaquin County 2016). However, the potential for dam failure at any given time is considered low, and the project would not exacerbate existing risk.

In summary, the project site is unlikely to be inundated and therefore it is unlikely to lead to a release of any pollutants due to flooding. Project impacts on this issue would be less than significant.

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

Less than Significant Impact. As noted, the project would be required to comply with the Cannabis Cultivation General Order, which contains requirements for cannabis operations that are designed to

maintain water quality. The project would not conflict with known water quality objectives of the Basin Plan.

As noted, the Eastern San Joaquin Subbasin was identified as critically over drafted; therefore, a Groundwater Sustainability Plan for the Subbasin is required under the Sustainable Groundwater Management Act. Such a plan has been submitted. To implement this plan, the Eastern San Joaquin Groundwater Sustainability Agency proposes various projects and management actions. None of these projects or actions apply at an individual development project level; however, the project would not interfere with the implementation of these projects and management actions. Project impacts related to water plans would be less than significant.

XI. LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

The proposed project is within a rural, agricultural area. Orchards are the predominant agricultural use in the project vicinity, along with rural residential development. The site itself is bounded to the north and west by mature orchards, to the south by an unpaved farm road, and to the east by North Alpine Road with orchards beyond to the south and east. The site contains a mature peach orchard.

The current San Joaquin County General Plan was adopted in 2016. The County General Plan is a legal document that serves as the County's guide for all future land use, development, preservation, and resource conservation decisions. The horizon year for the General Plan, except for the Housing Element, is 2035, which reflects the 20-year planning period for the General Plan. The County General Plan has designated the project site General Agriculture (AG).

The San Joaquin County Development Code (San Joaquin County Code Title 9) applies to lands in unincorporated San Joaquin County. The Development Code designates zoning districts that are distinguished by the allowable land uses in each district. It also specifies development standards for each zoning district, along with more generalized standards such as height of structures, yards, and infrastructure standards. As noted, the project site is zoned General Agriculture, 40-acre minimum (AG-40).

a) Physically divide an established community?

No Impact. The project site is set within a predominantly agricultural area and is bounded by orchards. There are only scattered residences in the vicinity. The project would have no impact related to the division of an established community.

b) Cause 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?

Less than Significant Impact. The proposed use is consistent with the existing General Agriculture designation and zoning of the project site. The AG designation and zoning allow for the proposed cannabis operations. Cannabis cultivation is considered an agricultural activity by the State of California.

The County Code requires a site zoned General Agriculture that is proposed for cannabis cultivation activities to be within 2,000 feet of a major intersection or arterial road. The project site is located approximately 2,800 feet to the west from East Main Street, the nearest major intersection. It is 5,700 feet from SR 26 the closest main arterial road to the east, so it does not meet this requirement. However, the County Code does allow a parcel to be more than 2,000 feet from a major intersection or arterial road if the following are found to be true:

- *There is sufficient ease of access from the proposed parcel to an arterial road.* The project site has direct and easy access to East Main Street that is a major intersection about 2,800 feet away. Only the turn out of the project site driveway is required to head directly to East Main Street on a public and well-maintained paved County Road; or a 5,700 feet drive to the east allows well maintained paved access to SR26.
- *There is sufficient access for emergency vehicles.* The project was reviewed by the Fire Marshall and was found to need additional turning points for access to the parcel. Those design features were added through the planning process. The project would now have sufficient access for emergency vehicles. A paved 20 feet wide road would be provided as shown on the Project Site Plan. The paved road is approximately 750 feet and ends at the project security gate. A hammerhead turnaround is provided on the site plan as was requested by the Fire Marshall. A lock box is provided for emergency personnel and their vehicles to ensure they will always have access to the project site.
- *The Cultivator License holder demonstrates that the parcel may be secured to the satisfaction of the County.* A Security plan was prepared as a part of this application process. The Security Plan shall be reviewed by the Sheriff to ensure that it meets the requirements of the County.

Therefore, the proposed project would not conflict with plans and programs that mitigate environmental effects, and impacts would be less than significant.

XII. MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

As mandated by the Surface Mining and Reclamation Act, the California Geological Survey has classified mineral resource development potential of lands in counties into an appropriate Mineral Resource Zone, in accordance with the California Mineral Land Classification System. Local agencies are required to use this information when developing land use plans and when making land use decisions. The County has not designated any Mineral Resource Zones in the vicinity of the project site (San Joaquin County 2016). Information from the Department of Conservation’s Geologic Energy Management Division (CalGEM) indicate no oil or natural gas wells on or near the project site (CalGEM 2022).

Environmental Impacts

- 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?
- 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?

No Impact. No mineral resources or active mineral resource operations have been identified on or near the project site. No Mineral Resource Zones have been designated on or near the project site, and no oil or gas wells are in the area. Therefore, the project would have no impact on availability of mineral resources for questions a) and b).

XIII. NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Assessment of noise impacts focuses on the “ambient” noise level, which is the general noise level in a project area. Near the project site, the main sources of noise are vehicle traffic on local roads.

San Joaquin County Code Chapter 9-1025.9 establishes standards for maximum allowable exposure of noise-sensitive land uses to noise from stationary sources. “Noise-sensitive land uses,” as defined by the County in Table 9-1025.9, include residential development, educational services, religious assemblies, lodging, libraries, medical services, and professional services, among others. Table 4 shows the maximum allowable noise exposure, as determined at outdoor activity areas or at the property line of the receiving land use. Proposed projects that will create new stationary noise sources or expand existing stationary noise sources are required to mitigate the noise levels from these stationary noise sources so as not to exceed the noise level standards specified in Table 4. The noise level standards are in terms of Leq.

In addition, private development projects that include the development of new transportation facilities or the expansion of existing transportation facilities shall be required to mitigate the noise levels from these transportation facilities so that the resulting noise levels on noise sensitive land uses within and adjacent to said development projects do not exceed the standards specified in Table 9-1025.9, Part I. This table indicates that transportation noise sources shall not exceed 65 decibels (dB) Ldn at outdoor activity areas of residential land uses and 45 dB Ldn in interior spaces of such uses.

**TABLE 4.
MAXIMUM ALLOWABLE NOISE EXPOSURE- STATIONARY NOISE SOURCES**

Noise Level Descriptor	Outdoor Activity Areas Daytime (7 a.m. – 10 p.m.)	Outdoor Activity Areas Nighttime (10 p.m.- 7 a.m.)
Hourly Equivalent Sound Level (L_{eq}), dB	50	45
Maximum Sound Level, dB	70	65

Source: San Joaquin County Code Development Title, Table 9-1025.9

Environmental Impacts

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

Less than Significant Impact. As per Chapter 9 of the San Joaquin County Code Development Title, Section 1025.9- noise sources emanating from any agricultural operation, including activities associated with the processing or transportation of crops when such activities are conducted on agriculturally zoned lands, are exempt from the provisions of the chapter. The proposed project is an agricultural area that is not noise sensitive. Agricultural orchards are adjacent to the project site. The nearest sensitive receptor to the project site is a residence located approximately 400 feet north of the project site.

All project activities, other than deliveries, would occur in enclosed buildings per the County Code. As such, noise from project operations is unlikely to reach any sensitive receptors at levels that would exceed County noise standards, as set forth in Table 4 above. In addition, County Code Section 9-1025.9(c)(5) exempts noise sources emanating from any agricultural operation, including activities associated with the processing or transportation of crops when such activities are conducted on agriculturally zoned lands. The project would be exempt from County noise standards, as the project is considered an agricultural activity that would occur in an agricultural zone.

The project is expected to generate traffic from delivery vehicles and from employees commuting to the project site (see Section 6.XVII, Transportation). It is expected that most vehicle traffic would use North Alpine Road. Access to the project site is from the west side of North Alpine Road, a road that extends south from State Route 26. North Alpine Road is a one-lane County road that serves the project site.

SR 26 is a two-lane State highway that connects SR 99 to the West with Amador and Alpine Counties to the east. It passes through the community of Linden in San Joaquin County. SR 26 is functionally classified by the County as a principal arterial. As of 2020, the annual average daily traffic volume on SR 26 east of Alpine Road was 8,100 (Caltrans 2020).

On North Alpine Road the project is expected to add approximately 28 daily vehicle trips (see Section 6.XVII, Transportation). Project traffic is not expected to occur at night, and traffic noise levels would not noticeably increase during hours when residences would be sensitive to noise. In summary, noise impacts from project traffic would be less than significant.

Project construction activities may generate a temporary increase in noise levels in the immediate vicinity of the site. The nearest sensitive receptor is a rural residence approximately 400 feet north of

the project site; any noise from project construction would be substantially reduced at that distance. Use of any construction equipment would be short-term and intermittent during the construction day. Construction noise would cease once work is completed. As per San Joaquin County Code Development Title Chapter 9 Section 1025.9 part C) 3, noise sources associated with construction shall be exempt from the provisions of the chapter, provided such activities do not take place before 6:00 a.m. or after 9:00 p.m. on any day.

In summary, noise generated by project construction or operations would not exceed applicable noise standards. Project impacts related to noise increases would be less than significant.

b) Generation of excessive groundborne vibration or groundborne noise levels?

Less than Significant Impact. Groundborne vibration is not a common environmental problem. Some common sources are trains, buses on rough roads, and construction activities such as blasting, pile driving, and operating heavy earth-moving equipment. Construction vibration impacts include human annoyance and building structural damage. Human annoyance occurs when construction vibration rises significantly above the threshold of perception.

Construction activity on the project site would cease when work is completed. Also, the work would occur within a large parcel, so it is unlikely that any substantial vibration would affect distant sensitive land uses. Project operations are not expected to generate any groundborne vibrations. Project impacts related to groundborne vibrations would be less than significant.

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?

No Impact. There are no public airports within two miles of the project site; the nearest public airport is approximately seven miles to the southeast. No private airstrips have been identified in the vicinity. The project would have no impact related to airport or airstrip noise.

XIV. POPULATION AND HOUSING

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

Environmental Setting

As of January 1, 2021, the population of unincorporated San Joaquin County was estimated at 155,691 – an increase from the 2010 U.S. Census population of 141,995. An estimated 52,405 housing units were in unincorporated San Joaquin County as of January 1, 2021 – an increase from the 2010 total of 48,231. Total single-family detached units were 43,352, approximately 82.7% of total housing units in the unincorporated County (California Department of Finance 2021). There are no homes on the project site.

Environmental Impacts

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

No Impact. The project proposes cannabis cultivation and distribution activities. As noted in Section 6.XI, Land Use and Planning, the proposed project would be consistent with the existing County General Plan designation and zoning. The project does not propose the construction of any residences or removal of any existing homes, so the project would have no direct impact on population growth.

As described in Chapter 3.0, Project Description, it is expected that a maximum of four workers would be on the project site during a shift with three shifts proposed for a maximum of 12 workers daily. While the project is expected to generate employment, it is anticipated that most employees would be sourced from existing residents in San Joaquin County. The project would not create new roads off-site, water or wastewater lines, or other infrastructure that could be used by others; instead, it would make use of the existing infrastructure at and near the site.

Based on the information presented above, the project is not expected to directly induce substantial population growth nor encourage population growth not otherwise planned for in the County General Plan. The project would have no impact related to unplanned population growth.

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

No Impact. There are no existing residences on the project site. As noted in the response to question a) above, the project would not result in the removal of any existing homes. Therefore, the project would not displace housing or people, and there would be no impact.

XV. PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

The project site is within the boundaries of the Stockton Fire District. The Fire District provides fire protection, prevention, and suppression; hazardous materials; water rescue; and basic emergency medical services to San Joaquin County. The closest fire station to the project site is Stockton Fire Station 12, located at 4010 East Main Street approximately 2.79 miles southwest of the project site near east Stockton. In the event a more complex incident should occur, the nearest bordering agency to the incident would be automatically dispatched to augment support. The nearest police station to the project is the Stockton Police Department, located approximately 5.61 miles southwest of the project site. The project site is within the boundaries of the Linden Unified School District. The closest active school to the project site is the Redwood School, located approximately three miles to the northwest. The Redwood School provides instruction to students from kindergarten to 8th grade. There are no parks in the vicinity of the project site. The nearest parks are in the City of Stockton, which are provided and maintained by the City. There are no other public facilities in the project vicinity.

Environmental Impacts

a) Fire protection?

Less than Significant Impact. Cultivation activities have the potential to generate calls for fire protection service, such as the storage and use of flammable materials and the use of power equipment.

The potential fire risk associated with cannabis cultivation and processing would not be substantially different from that posed by other agricultural operations that use similar equipment and practices. Electrical service installations are permitted and inspected by the County, which would reduce potential fire risk from faulty electrical equipment. The project would be subject to the provisions of the adopted California Fire Code. Required fire protection systems would be regulated by California Fire Code

Chapter 9 and applicable chapters of the California Building Code and California Electrical Code. Fire apparatus access roads must be provided pursuant to California Fire Code Section 503, portable fire extinguishers must be provided as required by California Fire Code Section 906, and any Knox box shall be installed according to local fire department's instructions as required by California Fire Code Section 506, among other requirements.

The County Code requires preparation of a Fire Mitigation Plan that must be approved by a County fire official. Compliance with applicable ordinances and codes would reduce project impacts on fire protection services to a level that would be less than significant.

b) Police protection?

Less than Significant Impact. The project has the potential to increase calls for law enforcement services from the project site. In assessing potential impacts on law enforcement, the CalCannabis Licensing Program EIR concluded that, while some crime associated with licensed cannabis cultivation activities is likely to continue, no information has been found that indicates these activities would increase law enforcement needs overall compared to baseline conditions. If anything, demand may decrease due to a larger number of lawful cultivators and their coordination and cooperation with law enforcement authorities (CDFA 2017).

CDPH licensing, along with the County Code, require preparation of a Security Plan. The County Code specifies that the Security Plan must include measures that accomplish the following:

- Prevent individuals that are not owners, employees, agents, or business associates from remaining on the premises.
- Limit access to areas with cannabis or cannabis products to authorized personnel.
- Store all cannabis and cannabis products except for live cannabis plants being cultivated within the licensed cultivation facility in a secured and locked room, safe, or vault.
- Prevent diversion, theft, and loss of all cannabis and cannabis products, including live plants.

In addition, the Security Plan must include installation of a designed security system with a professionally installed and maintained alarm system that monitors all perimeter entry points and windows, and 24-hour infrared security surveillance cameras of at least high-definition quality to monitor activity occurring within 20 feet of all entrances and exits to and from the premises, specified interior spaces, and parking lot areas in a manner sufficient to clearly observe facial features and to obtain a clear view of license plates as vehicles enter. As noted, the County Sheriff's Department has an Ordinance Compliance Unit that would ensure the project complies with County codes and ordinances and State law.

Implementation of the CDPH licensing and County Code requirements would likely limit demand on police protection resources. No new or expanded Sheriff's Department facilities that could have a

potential environmental impact would be required to meet anticipated demands for law enforcement services. Project impacts on police protection services would be less than significant.

c) Schools?

No Impact. The project is not expected to induce substantial population growth, which is a main factor in demand for school facilities. The project is not expected to generate additional demand for school services or facilities. The project would have no impact on schools.

d) Parks?

No Impact. The project is not expected to generate significant additional demand for parks. The project would have no impact on parks.

e) Other public facilities?

No Impact. The project is not expected to generate significant additional demand for other public services or facilities, such as libraries and courthouses. The project would have no impact on other public services.

XVI. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

There are no parks in the project vicinity. The San Joaquin County Parks and Recreation Department manages 11 regional parks that offer a wide range of recreational facilities and activities. The nearest park to the project site is East Side Community Park, a community park approximately three miles to the southwest. East Side Community Park is approximately 10 acres in size.

Environmental Impacts

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

No Impact. The project is not expected to induce substantial population growth, which is a main factor in demand for recreational facilities. Therefore, the project is not expected to generate additional demand for recreational services or facilities, and the project would have no impact on recreational services for questions a) and b).

XVII. TRANSPORTATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Setting

Access to the project site is from the west side of North Alpine Road, a road that extends south from East Main Street. North Alpine Road is a county road that serves the project site.

SR 26 is a two-lane State highway that connects SR 99 to the West with Amador and Alpine Counties to the east. It passes through the community of Linden in San Joaquin County. SR 26 is functionally classified by the County as a principal arterial. As of 2020, the annual average daily traffic volume on SR 26 east of Alpine Road was 8,100 vehicles (Caltrans 2020).

No buses or other public transit serves the project site and vicinity. There are no designated bikeways in the area. No sidewalks have been installed along the project site frontage or in the vicinity.

Recently, Section 15064.3 was added to the CEQA Guidelines. Section 15064.3 states that “vehicle miles traveled” (VMT) is the preferred metric for evaluating transportation impacts, rather than the Level of Service (LOS) metric commonly used. VMT measures the total miles traveled by vehicles generated by a project. While LOS focuses on motor vehicle traffic, VMT accounts for the total environmental impact of transportation associated with a project, including use of travel modes such as buses or bicycles. Section 15064.3(b) sets forth the criteria for analyzing transportation impacts using the preferred VMT metric.

The Governor’s Office of Planning and Research has issued a Technical Advisory on evaluating CEQA transportation impacts using VMT. Included in this Technical Advisory are screening criteria to determine if a project may have a VMT impact that is less than significant. Land use projects generally are presumed to cause a less-than- significant VMT 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. Also, projects that decrease VMT in the project area compared to existing conditions or generate less than 110 daily trips are presumed to have a less-than-significant transportation impact (OPR 2018).

Environmental Impacts

- a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less than Significant Impact. The project is expected to generate traffic from employees and delivery vehicles entering and leaving the project site. As noted in Chapter 3.0, Project Description, the project would employ a maximum of four workers at a given time, with three shifts, plus anticipated product transports approximately 10 times per week, or about two per day. If it is assumed that there are four employees per shift and that each employee accounts for a round trip (two trip-ends), plus one round trip for each product transport, then the project would generate approximately 28 daily vehicle trips.

The San Joaquin County General Plan states that all State highways, at a minimum, shall maintain a LOS of D. LOS measures the quality of traffic movement on roadways and through intersections. LOS is represented by letter designations from A to F, with A representing the best movement conditions and F representing the worst. For a two-lane, local road in a commercial/industrial area, the maximum volume for LOS C is 7,000 daily (San Joaquin County 2016).

The San Joaquin County General Plan states that all local County roads, at a minimum, shall maintain a LOS of C. For a two-lane, local road in a commercial/industrial area, such as Fairchild Lane, the maximum volume for LOS C is 7,000 daily (San Joaquin County 2016). The projected traffic generated by the project, when added to the current traffic volume on Alpine Road, would not cause traffic volumes on Alpine Road to exceed this volume. Moreover, workers on the project site would come and go in shifts, so project traffic would be spread out over the course of a day.

As noted above, the County classifies SR 26 as a principal arterial. The San Joaquin County General Plan states that all State highways, at a minimum, shall maintain a LOS of D. Given the existing traffic volume on SR 26 west of Fairchild Lane (8,100), the project would not contribute substantially to LOS conditions on SR 26 such that LOS would decline below D.

The project would not affect bus routes or stops, since no bus routes extend to the project site. There are no bikeways or sidewalks along the project site frontage, and no such facilities are planned. The project would have no impact related to non-vehicular transportation, including plans relevant to such transportation facilities.

In summary, the project is not expected to conflict with policies and plans related to transportation, and impacts would be less than significant.

- b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Less than Significant Impact. The project site is not within one-half mile of an existing major transit stop or a stop along an existing high-quality transit corridor. However, it can make the following findings regarding site distance and adequate access regarding the roadway.

Findings:

1. It is an adequate roadway.
2. The pavement is wide enough for easy travel.
3. It well-maintained.

4. It is not curvy, so sight distance is direct and adequate.
5. There are no side streets or driveways to obscure sight of the cultivation facility.

Therefore, the project would not conflict with CEQA Guidelines Section 15064.3(b), and impacts are considered less than significant.

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

Less than Significant Impact. Project construction would involve movement of some light construction equipment to and from the site which would be similar to the movement of farm equipment in the project vicinity. Construction traffic related to the movement of construction equipment would be intermittent and temporary and would cease following project construction which is estimated to take between 3 to 6 months. Therefore, no significant amount of construction traffic is anticipated. Additionally, the project does not propose any alterations to public roads and would not contribute to potential traffic hazards on public roads. Therefore, the project would have a less than significant impact related to traffic safety.

- d) Result in inadequate emergency access?

No Impact. According to San Joaquin County Ordinance No. 4531 Table 9-605.2 – Uses in Agricultural Zones, cannabis cultivation, distribution, and manufacturing use in agricultural zones is permitted subject to Use Permit and Site Approval. According to Section 9-605.6 of the ordinance, commercial cannabis cultivation located in the AG zone shall be located no more than 2,000 feet from a major intersection or arterial road as measured from the closest edge of the parcel to the closest edge of the major intersection or arterial road. A parcel may be located more than 2,000 feet from a major intersection or arterial road if all of the following are found to be true:

- (A) There is sufficient ease of access from the proposed parcel to an arterial road;
- (B) There is sufficient access for emergency vehicles; and
- (C) The Cultivator License Applicant demonstrates that the premises can be secured to the satisfaction of the County.

The site plan indicates that the project site would have one gated driveway, as well as a road with 20-foot-wide minimum road width and 26-feet-wide where there are fire hydrants installed adjacent to the road. A three-point turnaround area is provided at the midway section of the driveway to allow fire apparatus to turn around. The County Code requires a site zoned General Agriculture that is proposed for cannabis cultivation activities to be within 2,000 feet of a major intersection or arterial road. The project site is located approximately 2,800 feet to the west from East Main Street, the nearest major intersection. It is 5,700 feet from SR 26 the closest main arterial road to the east, so it does not meet this requirement. However, the County Code does allow a parcel to be more than 2,000 feet from a major intersection or arterial road if the following are found to be true:

- *There is sufficient ease of access from the proposed parcel to an arterial road.* The project site has direct access to East Main Street which is a major intersection about 2,800 feet away. Only the turn out of the project site driveway is required to head directly to East Main Street on a

public and well-maintained paved County road; or a 5,700 feet drive to the east allows well maintained paved access to SR 26.

- *There is sufficient access for emergency vehicles.* The project was reviewed by the Fire Marshall and was found to need additional turning points for access to the parcel. Those design features were added through the planning process. The project would now have sufficient access for emergency vehicles. A paved 20-foot-wide road would be provided as shown on the project site plan. The paved road is approximately 750 feet and ends at the project security gate. A hammerhead turnaround is provided on the site plan as was requested by the Fire Marshall. A lock box is provided for emergency personnel and their vehicles to ensure they will always have access to the project site.
- *The Cultivator License holder demonstrates that the parcel may be secured to the satisfaction of the County.* A Security plan was prepared as a part of this application process. The Security Plan shall be reviewed and approved by the Sheriff to ensure that it meets the requirements of the County.

Therefore, the proposed project would not conflict with plans and programs that mitigate environmental effects, and impacts would be less than significant.

XVIII. TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) 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:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

The project site is within the identified territory of the Northern Valley Yokuts. Their territory extended from the foothills of the Coast Range east into the foothills of the Sierra Nevada, north to the Calaveras River, and south to the San Joaquin River. Ethnographic information for the Yokuts of San Joaquin County is based primarily on what was known prior to 1925 concerning the Southern Valley Yokuts, as the northern tribe had been virtually wiped out by malaria and smallpox epidemics in the 1830s (San Joaquin County 2016).

Yokuts villages, consisting of a few families to several hundred people, usually were located along principal watercourses. The Northern Valley Yokuts constructed several types of dwellings, including the mat-covered gabled kawi, a communal dwelling, and a wedge-shaped family dwelling (te) made of tule, in which each family had separate quarters. Other structures included flat-roofed shades supported by posts. Sweathouses were built by digging a pit several feet deep and building within it a pole framework covered with earth (San Joaquin County 2016).

One of the primary sources of food for California Native Americans, the acorn, was scarce in many parts of the Yokuts territory, but they made use of other edibles, gathering nuts, seeds, and roots of many plants. Yokuts made pottery simply by smoothing or pressing out a lump of clay obtained from riverbanks. The Yokuts used flaked stone tools (arrowheads and knives) made of chert or obsidian, the

latter obtained from sources east of the Sierra Nevada through trade with neighboring Paiute or Miwok (San Joaquin County 2016).

In 2015, the California Legislature enacted AB 52, which focuses on consultation with Native American tribes to avoid or mitigate potential impacts on tribal cultural resources, which are defined as “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe.” When a tribe requests consultation with a CEQA lead agency on projects within its traditionally and culturally affiliated geographical area, the lead agency must provide the tribe with notice of a proposed project within 14 days of a project application being deemed complete or when the lead agency decides to undertake the project if it is the agency’s own project. The tribe has up to 30 days to respond to the notice and request consultation; if consultation is requested, then the local agency has up to 30 days to initiate consultation.

Matters which may be subjects of AB 52 consultation include the type of CEQA environmental review necessary, the significance of tribal cultural resources, and project alternatives or appropriate measures for preservation or mitigation of the tribal cultural resource that the tribe may recommend to the lead agency. The consultation process ends when either (1) the resource in question is not considered significant, (2) the parties agree to mitigate or avoid a significant effect on a tribal cultural resource, or (3) a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. Regardless of the outcome, a lead agency is still obligated under CEQA to mitigate for any significant environmental effects, as explicitly noted in AB 52.

The County provided AB 52 notice of the proposed project to the following tribes: Buena Vista Rancheria, California Tribal TANF Partnership, California Valley Miwok Tribe, North Valley Yokuts Tribe, United Auburn Indian Community. To date the County has not received any consultation requests from tribes.

Environmental Impacts

- a) 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:
 - i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?
 - ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Less than Significant Impact. The Central California Information Center did not identify any prehistoric resources, including tribal resources, on the project site (CCIC 2022).

The County provided AB 52 notice of the proposed project to tribes that requested notification. To date the County has not received any consultation requests from tribes.

As discussed in Section 6.V, Cultural Resources, given past ground disturbance by agricultural activities and development, it is unlikely that any archaeological resources, including tribal resources, would be found intact on the project site. As such, it is unlikely that any tribal cultural resources would be encountered during project construction. Project impacts related to tribal cultural resources are considered less than significant.

XIX. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

There are no utility service systems serving the project site and vicinity, other than electrical and natural gas systems by PG&E. Water supply for the project site would be provided by a new groundwater well that is proposed to be drilled. As noted in Section 6.XII, Geology and Soils, the depth to groundwater at the project site is 50-80 feet below ground surface. The project proposes the use of a new septic system to be constructed as part of the project. Storm drainage would be collected and sent to an on-site retention basin to be constructed as part of the project.

Solid waste collection services for commercial and industrial activities are arranged between customers and private companies. Solid waste collected within the County is transported and disposed of primarily at three landfills: the North County Landfill on East Harney Lane, with available capacity to the year 2048, and the Foothill Sanitary Landfill on North Waverly Road, with available capacity to 2082 (CalRecycle 2019). The Forward Landfill on Austin Road near Stockton was expected to have reached its capacity in 2020; however, the County Board of Supervisors recently approved an expansion of Forward Landfill that would extend its life to 2036 (Crunden 2020).

Electricity is provided by the Pacific Gas and Electric Company (PG&E). Existing distribution lines maintained by PG&E are available at the project site. Natural gas service is also provided by PG&E, and

the site is connected to gas service through a gas meter. Telecommunication service is provided by AT&T and available through existing lines in the area.

- 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?

Less than Significant Impact. The project proposes to add a well and a septic system on the project site. The new well would provide water to 2 acres of the proposed site and be used to support proposed cannabis operations. The water distribution system would be used for cannabis, potable water, and firefighting purposes.

The septic system would be used for the disposal of wastewater, in accordance with permits issued by the County Environmental Health Department. As described in Chapter 3.0, Project Description, the project proposes a system for the collection and off-site disposal of wastewater from cannabis cultivation. Portable toilets would be made available to support employees on-site during project construction and operation as needed.

The on-site retention basin proposed in the southeast portion of the project would be used for the collection and percolation of stormwater drainage. Existing electrical lines in the vicinity of the project site would be used to provide electricity for project operations. Project impacts related to construction or relocation of infrastructure would be less than significant.

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

Less than Significant Impact. An existing well would be used to provide 1,750 gallons per minute (GPM) fire suppression flow per the communication with the Stockton Fire Department Assistant Fire Marshall, Phil Simon. The project applicant also proposes to construct a new well on-site for cultivation purposes. Expected water use for cannabis operations would be 2,000-3,000 gallons per day, so actual well use would be much less than holding capacity. Domestic water use would be limited to employee use and two trailers for seasonal workers on site.

As discussed in Section 6.X, Hydrology and Water Quality, the project is not expected to have an adverse impact on groundwater supplies, as water required for project operations would not be a significant fraction of available groundwater in the basin. Project impacts related to water supply would be less than significant.

- 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?

No Impact. Wastewater from most project operations, including domestic sewage and grey water, would be disposed on-site. As noted in the response to question a) above, the proposed new septic system would be permitted by the County Environmental Health Department, which would issue permits if it can be demonstrated that the septic systems can accommodate the amount of sewage that is anticipated. As noted, wastewater from cannabis cultivation would be collected by a receptacle system and ultimately removed by a local waste management service, which would dispose of the wastewater in accordance with County regulations.

The project would not connect to any wastewater collection and treatment system. As such, it would not affect the treatment capacity of any such system. The project would have no impact on wastewater treatment systems.

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

Less than Significant Impact. Cannabis operations may generate solid waste from various materials and containers used and household trash from workers and discarded equipment. Cannabis processing typically generates green waste from trimming of unwanted leaves and plant parts. While there are no official numbers as to how much waste cannabis businesses generate in California, one estimate indicates that a typical, mid-sized manufacturer will produce 250 to 500 pounds of waste a day (Katims 2019). Both CDFA and CDPH regulations require that the cultivator develop a cannabis waste disposal plan, which would require that the waste be disposed of at either a solid waste facility that has a permit to operate from the California Department of Resources Recycling and Recovery (CalRecycle), a composting facility that has a permit to operate from CalRecycle, or a designated composting area. Additionally, the County Code requires new cannabis operations to develop and implement a Waste Destruction Plan for the disposal of cannabis waste.

Cannabis waste would be disposed of in a secured 50-gallon polyethylene container and a 12-yard roll-off bin. The 12-yard roll-off bin would be utilized seasonally and dropped off to the site prior to harvest. Cannabis Waste Solutions (CWS) would remove all waste from the location and thoroughly document the process through an online manifest system. CWS would remove full waste bins from the property and replace it with an empty one during every scheduled service appointment. Once the waste is removed from the premise, CWS would provide three forms of manifests for record keeping. It is expected that the proposed disposal method would comply with State and County requirements. Project impacts related to solid waste would be less than significant for questions d) and e).

XX. WILDFIRE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Setting

Wildland fires are an annual hazard in San Joaquin County. Wildland fires burn natural vegetation on undeveloped lands and include rangeland, brush, and grass fires. Long, hot, and dry summers with temperatures often exceeding 100°F add to the county's fire hazard. Human activities are the major causes of wildland fires, while lightning causes the remaining wildland fires. High hazard areas for wildland fires are the grass-covered areas in the east and the southwest foothills of the county (San Joaquin County 2016). As noted in Section 6.IX, Hazards and Hazardous Materials, the project is in an area of agricultural development. It is not located adjacent to any significant natural open spaces where wildland fires may occur.

The California Department of Forestry and Fire Protection's Fire and Resource Assessment Program identifies fire threat based on a combination of two factors: 1) fire frequency, or the likelihood of a given area burning, and 2) potential fire behavior (hazard). These two factors are combined in determining the following Fire Hazard Severity Zones: Moderate, High, Very High, Extreme. These zones are mapped for two separate areas: State Responsibility Areas are where the State of California is financially responsible for the prevention and suppression of wildfires, while Local Responsibility Areas are where fire protection is typically provided by city fire departments, fire protection districts, counties, or by Cal Fire under contract to local government. The project site and surrounding lands are within a Local Responsibility Area and have not been placed in a Fire Hazard Severity Zone (Cal Fire 2007a, 2007b).

Environmental Impacts

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

Less than Significant Impact. As discussed in Section 6.IX, the project proposes no changes to the adjacent public roads, which would be the main roads for emergency vehicle access and for evacuations. No obstructions or other alterations that could hinder access would be installed by the project. The project would have a less than significant impact on emergency response and evacuations.

- 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?

Less than Significant Impact. The project site is not part of a State Responsibility Area, and Cal Fire maps indicate the site and vicinity are not designated within a Fire Hazard Severity Zone for local responsibility areas. The project site is in an area not prone to wildfires, and the site itself is mostly paved. The project would have a less than significant impact related to exposure of project occupants to wildfire hazards.

- 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?

Less than Significant Impact. As noted, the project site is not in an area prone to wildfires. The project would not require the installation or maintenance of infrastructure that would exacerbate fire risks. The project would have a less than significant impact related to this issue.

- 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?

Less than Significant Impact. The project site is in a topographically flat area. There are no streams or other channels that cross the site. As such, it is not expected that people or structures would be exposed to significant risks from changes resulting from off-site wildfires including downslope or downstream flooding or landslides. The project would have no impact related to risks from runoff, post-fire slope instability, or drainage changes.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present and probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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 Impact with Mitigation. Potentially significant environmental impacts to biological resources were identified, but with the implementation of the identified mitigation measures, impacts would be reduced to a level that would be less than significant. See Section 6.IV for the biological resources mitigation measures.

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

Less than Significant Impact with Mitigation. According to CEQA Guidelines Section 15130(a)(1), a cumulative impact is created by the combination of a proposed project with other past, present, and probable future projects (or programs) causing related impacts. Cumulative impacts can result from individually minor, but collectively significant, projects taking place over a period of time (CEQA Guidelines Section 15355[b]). Proposed project activities involving cannabis cultivation and nurseries

may have impacts that are cumulatively considerable when considering cannabis activities, both legal and illegal, at the State and County levels.

The project, along with any other cannabis businesses, would be subject to the provisions of County Code Title 4, Division 10, Chapter 1, which would limit potential impacts of such businesses, thereby limiting their cumulative effect. No other proposed or existing cannabis cultivation projects have been identified in the vicinity of the proposed project.

Resource topics evaluated in this IS/MND were evaluated and eliminated from further consideration in the analysis of cumulative impacts for one of the following reasons: significant cumulative impacts do not exist, the project would not have the potential to make a considerable contribution to any significant cumulative impacts, or insufficient information exists to reach a conclusion regarding these topics without significant speculation. Environmental issues were considered in this IS/MND and were found to either have no environmental impact or impacts that were less than significant, either on their own or with implementation of described mitigation measures. Under these circumstances, none of the environmental issues are considered to make a considerable contribution to a cumulative impact.

In summary, the project would be required to comply with the County Code for commercial cannabis licenses, designed in part to reduce the environmental impacts of cannabis operations, along with State regulations. The project also would be required to implement mitigation measures identified in this IS/MND that would reduce the project's individual contribution to environmental impacts. Therefore, the project would not have an impact on the environment that is cumulatively considerable.

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

Less than Significant Impact. Potential adverse effects on human beings were discussed in Section 6.III, Air Quality (TACs); Section 6.VII, Geology and Soils (seismic hazards); Section 6.IX, Hazards and Hazardous Materials; Section 6.X, Hydrology and Water Quality (flooding); Section 6.XVII, Transportation (traffic hazards); and Section 6.XX, Wildfire. No significant adverse effects were identified in these sections. Project impacts related to potential adverse effects on human beings would be less than significant.

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