

Summary Form for Electronic Document Submittal

Form F

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH #: _____

Project Title: PA-2200075 Commercial Cannabis Cultivation

Lead Agency: San Joaquin County - Community Development Department

Contact Name: Alisa Goulart

Email: alisa.goulart@sjgov.org Phone Number: 209-468-0222

Project Location: Stockton San Joaquin County
City *County*

Project Description (Proposed actions, location, and/or consequences).

The project site is located at 407 North Alpine Road, approximately three miles east of the City of Stockton in unincorporated San Joaquin County. The approximately 4.74-acre project is located on Assessor's Parcel Numbers 101-260-29, 101-260-30 (partial), and 101-260-31 (partial). The project proposes a commercial cannabis cultivation and processing facility within an existing agricultural area. All activities, cultivation and processing, will take place inside enclosed structures as required by San Joaquin County regulations. The project involves the construction of four (4) greenhouses totaling approximately 40,896 SF, four (4) storage containers totaling 12,960 SF for storage, 35 storage containers totaling 95,200 square feet to surround the site perimeter, a 360-SF office, approximately 30,161-SF of all-weather road, an electronically gated 25-foot-wide driveway, 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. 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 8-hour shifts with a maximum of four (4) employees each, so that the facility would operate 24 hours per day, and 28 daily vehicle trips are anticipated. Security staff would be onsite 24 hours a day working shifts prescribed by their employer.

The project applicant would implement a project-specific odor control plan to include an odor control and reduction system that will include carbon filters and a commercial HVAC system that would limit and control the cannabis odor such that it is undetectable outside of the premises

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.

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 a Commercial Cannabis Development Agreement, and issue a Commercial Cannabis License, subject to obtaining all required State cannabis licenses.

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

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.
 - **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.

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.

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.

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.

- **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:
 - 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.

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.

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.

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.

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.

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

The project involves Commercial Cannabis cultivation and processing. Although legal in the state of California, cannabis is an illegal controlled substance under federal law (Title 21 USC Controlled Substances Act), therefore, the project includes activities that are illegal under federal law.

Provide a list of the responsible or trustee agencies for the project.

San Joaquin County Community Development Department