

POSTED IN THE OFFICE OF
THE TRINITY COUNTY CLERK

FROM: 2-22-24 TO: 3-22-24

Notice of Determination

Appendix D

To:

Office of Planning and Research

U.S. Mail: Street Address:
P.O. Box 3044 1400 Tenth St., Rm 113
Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk

County of: Trinity
Address: 11 Court Street, P.O. Box 1215,
Weaverville, CA 96093

From:

Public Agency: Trinity County Community
Development Department

Address: 530 Main Street P.O. Box 2819
Weaverville, CA 96093

Contact: Drew Plebani

Phone: 530-623-1351

Lead Agency (if different from above):

Address: _____

Contact: _____

Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2018122049

Project Title: MERLE'S MOUNTAIN, LLC (201629910448), Michael Kennedy

Project Applicant: Michael Kennedy

Project Location (include county): 471 FS Rd 5N60A, Burnt Ranch (Trinity), CA 95527

Project Description: The proposed cultivation project described herein (Project) includes the cultivation of up to 10,000 square feet (SF) of mixed light located in Trinity County on Assessor's Parcel Number (APN): 011-020-002-000. The applicant is seeking a Small Mixed Light Cannabis Cultivation License from the County (CCL-146). Cultivation activities include approx. 10,000 SF of mixed-light canopy area consisting of four (4) 30'x100' greenhouses and a 16'x60' greenhouse for mature canopy and a 25'x60' area for immature canopy. Other support infrastructure includes a 24'x40' two-story building for processing, harvest storage and administrative hold area; an 8'x20' shipping containers for pesticide and agricultural chemical storage; a 20'x20' compost area; two (2) 116,000 gallon water storage ponds, five (5) 2,500-gallon water tanks used for cultivation, two (2) 5,000-gallon water tanks for emergency use and fire suppression, and a 1,550-gallon water tank and a 2,500-gallon water tank for domestic use, and four (4) 550-gallon mixing tanks. The project proposes to demolish the existing 17' by 21' garage and construct a 40' by 60' shop above the northern residence to be used for processing, harvest storage, and an administrative hold area; to construct a 10' by 12' bathhouse; a 20' by 40' shop near the northeast corner of the southern cultivation area to be used for processing and storage; and installation of two (2) 2,500-gallon domestic water storage tanks. The project proposed an additional 90 solar panels on the roofs of both houses as well as in arrays near the house. If 10 panels are installed on each roof, there will be 70 panels on the ground. If each panel has a 2' by 2' concrete footing, there will be an additional 280 ft² of land disturbance. Two (2) 10' by 10'

proposed sheds will house the generators and solar batteries. The project proposes to expand the southern pond on the western side by 30 ft. increasing the capacity to 158,000 gallons. This work will be completed with a mini excavator and skid steer, both of which will be CARB-compliant diesel-powered machines operated temporarily over a number of weeks. The proposed project sites are mostly flat, with the exception of the 40' by 60' proposed shop site, and will require minimal grading prior to concrete pouring for the foundations. There is an estimated 2,700 ft² of grading necessary for construction of the 40' by 60' shop and expanding the width of the pond by 30 feet. The timeline for this construction is within the next three years. Water for this project will be provided through a water right for a spring diversion (forbearance period: April 1- Oct 31), a permitted septic will serve as the project's waste water needs, power is provided by approx. 3,500 gallons of propane and 50 gallons of gasoline. Carbon off-set credits, once they become available, will be purchased to off-set greenhouse gas emissions; backup generators will also be utilized for the project's energy needs. A more detailed project description can be found in the Appendix C Checklist.

This is to advise that the Trinity County Community Development Department- Cannabis Division has approved the above (Lead Agency or Responsible Agency)

described project on February 8, 2024 and has made the following determinations regarding the above described project. (date).

1. The project [will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [was was not] adopted for this project.
5. A statement of Overriding Considerations [was was not] adopted for this project.
6. Findings [were were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:
Trinity County Community Development Department- Cannabis Division (530 Main Street,
Weaverville CA 96093)

The County finds that the adoption of the proposed project falls within the Trinity County Cannabis Program Environmental Impact Report ("EIR")(SCH# 2018122049). Certified by the Board of Supervisors on December 21, 2020 (Resolution 2020-103). Pursuant to CEQA Guidelines (California Code of Regulations, Title 14) Section 15168, the impacts associated with the proposed project were studied, and mitigation measures concerning such impacts were developed, in the Cannabis Program EIR. No further environmental review is required because the County finds, based on substantial evidence in the Record of Proceedings, that approval of this project is a "later activity" associated with the Cannabis Program EIR, as defined by subsection (c) of Section 15168, in that (i)all impacts associated with the approval of this project are within the scope of environmental review previously studied, and (ii) the requirements and mitigations required by Chapter 17.43 and 17.43G of the Trinity County Code, adequately serve to mitigate the impacts associated with approval of this project.

Signature (Public Agency):  Title: Cannabis Division Director

Date: 2/8/24 Date Received for filing at OPR: _____

Filed in County Clerk's Office
Trinity County

Shanna S. White
Clerk/Recorder/Assessor

53-02222024-038

02/22/2024
12:37 PM

Pages: 3

Fees: \$50.00

DocType: CEQA

