



**Planning Department
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RECIRCULATED
DRAFT MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT
AND INITIAL STUDY

PROJECT TITLE: Conditional Use Permit (CUP) 2021-03/Glacier Fed Farms; Parcel Merger (PM) 2021-02/ Glacier Fed Farms; Variance (VAR) 2021-03/Weston; Variance 2021-08/ Glacier Fed Farms

PROJECT LOCATION: 3080, 3084, and 3086 Glacier Lodge Road, in the community of Big Pine (map attached)


PROJECT DESCRIPTION: The project consists of 5,000-sqft of organic cannabis cultivation to be conducted within a high-tunnel greenhouse. The cultivation will take place during the months of May through October and includes harvesting and drying, within a temporary canvas tent, annually. Curing, trimming, grading and packaging will be conducted by a different entity and offsite. This project has been applied for concurrently with a request for a PM and a setback VAR.

FINDINGS:


- A. The proposed project is consistent with goals and objectives of the Inyo County General Plan.
- B. The proposed project is consistent with the provisions of the Inyo County Zoning Ordinance.
- C. Potential adverse environmental impacts will not exceed thresholds of significance, either individually or cumulatively.
- D. Based upon the environmental evaluation of the proposed project, the Planning Department finds that the project does not have the potential to create a significant adverse impact on flora or fauna; natural, scenic and historic resources; the local economy; public health, safety, and welfare. This constitutes a Mitigated Negative Finding for the Mandatory Findings required by Section 15065 of the CEQA Guidelines.

The 21-day public review period for this Draft Mitigated Negative Declaration will expire on February 25, 2022. Inyo County is not required to respond to any comments received after this date.

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



Name



Date

INYO COUNTY PLANNING DEPARTMENT

CEQA APPENDIX G: INITIAL STUDY & ENVIRONMENTAL CHECKLIST FORM

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

- a) the significance criteria or threshold, if any, used to evaluate each question; and
- b) the mitigation measure identified, if any, to reduce the impact to less than significance issues.



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INYO COUNTY PLANNING DEPARTMENT

APPENDIX G: CEQA INITIAL STUDY & ENVIRONMENTAL CHECKLIST FORM

1. Project title: Conditional Use Permit (CUP) 2021-03/ Glacier Fed Farms; Parcel Merger (PM) 2021-02/ Glacier Fed Farms; Variance (VAR) 2021-03/ Glacier Fed Farms; VAR 2021-08/ Glacier Fed Farms
2. Lead agency name and address: Inyo County Planning Department, PO Drawer L, Independence, CA 93526
3. Contact person and phone number: Cathreen Richards: 760-878-0447
4. Project location: 3080, 3084, and 3086 Glacier Lodge Road
5. Project sponsor's name and address: Jennifer Weston – Glacier Fed Farms, PO Box 816, Big Pine, CA 93513
6. General Plan designation: Residential Rural Medium Density (RRM)
7. Zoning: Rural Residential (RR) and Rural Residential with Avalanche Overlay (RR-SAHO)
8. Description of project: The project consists of a CUP to permit cannabis cultivation 5,000-sqft or less that includes growing and drying. This project has been applied for concurrently with a Parcel Merger, a Variance for setbacks and a Variance for fence height.
9. Surrounding land uses and setting: The proposed cannabis cultivation project is located in an area that is dominated by vacant, open space, land with a few single family homes found throughout. The terrain is sloped, has riparian areas along the creek and most is covered with desert scrub.

Location:	Use:	Gen. Plan Designation	Zoning
North	Vacant	Residential Rural Medium Density (RRM)	Rural Residential (RR)
South	Vacant	Residential Estate (RE)	State and Federal Lands (SFL)
East	Single family home	Residential Rural Medium Density (RRM)	Rural Residential (RR)
West	Vacant	Residential Estate (RE)	Rural Residential – Snow Avalanche Hazard Overlay (RR-SAHO)

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

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

Inyo County started the 60-day Tribal Consultation opportunity period according to Public Resource code section 21080.31 by sending out a certified written notices on February 5, 2021 inviting the Tribes to consult on the project. This notification was done incorrectly and a new notification was sent on December 21, 2022. It described the project and location. The tribes that were notified are: Big Pine Tribe of Owens Valley, Bishop Paiute Tribe, Fort Independence Indian Community of Paiutes, Lone Pine Paiute-Shoshone Tribe, Timbisha Shoshone tribe, Twenty-Nine Palms Band of Mission Indians, Cabazon Band of Mission Indians and the Torrez Martinez Desert Cahuilla Indians.

The Big Pine Tribe of the Owens Valley requested consultation on the project. One consultation meeting has been held with the Tribe to date. Changes to the ISMND have been made based on the Tribe's concerns related to the monitoring program related to possible runoff to Big Pine Creek. This ISMND is being recirculated for an additional 21-day public review as the Tribal noticing was done incorrectly previously. No new information has been brought to light that would affect State Agency comments or mitigation recommendations already received by the County and applied to the project as conditions of approval during the initial CEQA comment period ending on January 14, 2022 (SCH-2021120279).

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Name

2/3/22
Date

INYO COUNTY PLANNING DEPARTMENT ENVIRONMENTAL CHECKLIST FORM

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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I. AESTHETICS -- Would the project:

a) Have a substantial adverse effect on a scenic vista?
No, project's proposed cultivation will take place in an existing, high-tunnel, temporary greenhouse. The site is located within the Big Pine Creek canyon. The high tunnel is 12-feet in height, this does not exceed the allowed height of 30-feet of the zoning district. It will intermittently be noticeable from Glacier Lodge Road through a line of trees. Views from Glacier Lodge Road and the surrounding properties will not be affected as to surrounding mountains is very limited due to being in a canyon. There are some views to the Inyo Mountains located to the east from the road, but the project is located south and is completely out of the view to them.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
No, there are no scenic resources other than distant views of the Inyo Mountains from the road. There are no trees, rock outcroppings or historic buildings resources, nor is the project located within a scenic highway corridor.

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). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
No, the project will not affect the overall scenic integrity of the area as views in the area are limited to east facing from the road to the Inyo Mountains. This view would not be blocked by the 12-foot tall high-house as it is located to the south and completely out of the view to the mountains from the road.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?
No, the project is required to meet State regulations and County General Plan policy, related to light and glare; therefore, will not affect day or nighttime views. The project will not use grow lights and security lights will be motion activated. No lights will be left on continually at night.

II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including The Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology Provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
No, the project is not located on land designated as farmland.

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

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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No, the project is not located on land zoned exclusively for agriculture and is itself a type of agriculture. Inyo County has no Williamson Act contracts.

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"/>
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No, the project is not located on timberland.

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"/>
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No, the project is not located on forestland.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project is not located on farmland.

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

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, there is not an air quality plan for the area in which the project is proposed.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, there are not air quality standards being violated in the area for the area in which the project is proposed.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, the project includes a small cannabis cultivation operation. It is not within an area that is in non-attainment for any criteria pollutants and none of the project components will release emissions that exceed ozone thresholds.

d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, the proposed project includes that it is organic. Also, the use of any type of fertilizer or pesticide will be regulated by the County Environmental Health Department and State regulations ensuring a less than significant impact.

e) 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"/>
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No, although the project is cannabis cultivation that does produce seasonal odors, the project area is relatively small and is located approximately 525-feet from the nearest residential dwelling.

IV. BIOLOGICAL RESOURCES: Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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A Biological Resources Report was prepared by applicant-supplied biologists from the firm TEAM Engineering. The California Natural Diversity Data Base (CNDDDB); All Species Occurrences Database, US Fish and Wildlife; and, the California Native Plant Society (CNPS) databases were queried to identify special-status plant and wildlife species that could potentially be found in the project impact area. The majority of the project parcel is already disturbed, and the proposed project area is completely disturbed. There are several special status bird, wildlife and plant species with the potential to occur on the site. Field surveys for the presence of special status species were conducted on September 17, 2021, which resulted in no observed candidate, sensitive or special status species. The biologist concluded that it is unlikely that any of these species occur at the site due to the almost completely disturbed nature of the property. However, since there is potential habitat on the site for special status species, conditions will be added to the project to mitigate possible impacts by requiring pre-construction nesting bird surveys to be conducted between March 1 and August 31, prior to any grading or building activities for the project. An additional pre-construction, biological resources survey will also be required to ensure none of the species with potential habitat on the site have moved there since the September 2021 survey.

The biological resources report can be found at: <https://www.inyocounty.us/services/planning-department/current-projects>

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

No, there is riparian area on the project site based on the USFWS National Wetlands Inventory Mapping Tool. It will not be affected by the project as it is located to the north of it. The existing road and bridge will continue to be used with no change; and therefore, no changes to the riparian area will occur due to the project.

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?

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

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

No, although the project site could potentially have occurrences of wildlife species, the project will not interfere with migratory fish or wildlife species.

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

No, there are no local policies or ordinances protecting biological resources that pertain to the project site.

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, there are no adopted habitat or conservation plans that affect the project site.

V. CULTURAL RESOURCES: Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

No, a records search was completed by the California Historical Resources Information System, UC Riverside. The search indicated that no archeological surveys have been conducted on the property and no cultural resources have been recorded there. There is one recorded site located about a half-mile from the site. The project will have no effect on it.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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Also, the applicant had an archaeological resource assessment prepared for the project site. It was conducted by TEAM Engineering on November 12, 2021. A single piece of obsidian debitage was found on the site within an area that has been graded and filled. This find does not meet the criteria as an archeological site pursuant to CEQA or for listing on the California Register of Historical Places or the National Register of Historic Places. In the unlikely event an archaeological or cultural resource is discovered on the site during any future development, work shall immediately stop and Inyo County staff shall be notified per Inyo County Code (ICC) Chapter 9.52, Disturbance of Archaeological, Paleontological and Historical Features of the Inyo County Code. Therefore, the project will not cause an adverse change in the significance of an archaeological or cultural resource if by chance one is discovered, pursuant to Section 15064.5.

The Archaeologic Resource Assessment can be found at: <https://www.inyocounty.us/services/planning-department/current-projects>

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

No, an archaeological resource assessment was conducted by TEAM Engineering on the project site on November 12, 2021. The area is already graded and highly disturbed. A single piece of obsidian debitage was found on the site. This find does not meet the criteria as an archeological site pursuant to CEQA or for listing on the California Register of Historical Places or the National Register of Historic Places. In the unlikely event an archaeological or cultural resource is discovered on the site during any future development, work shall immediately stop and Inyo County staff shall immediately be notified per Inyo County Code (ICC) Chapter 9.52, Disturbance of Archaeological, Paleontological and Historical Features of the Inyo County Code. Therefore, the project will not cause an adverse change in the significance of an archaeological resource if by chance one is discovered, pursuant to Section 15064.5.

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

No, there are no known human remains or burial sites on the parcels. Refer to the response to (V b) for the potential for archaeological resources. While unlikely, human remains are a potential archaeological resource, and will be handled similar to other archaeological resources, as outlined in (V b)

VI. ENERGY: 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?

No, the project is a commercial cannabis cultivation facility. It will not require large amounts of energy and is required to meet California Building Standards including Green and Title 24 Standards.

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

No, the project is not located in one of the County's Solar Energy Development Areas (SEDA), as identified by the General Plan.

VII. GEOLOGY AND SOILS: Would the project:

a) Directly or indirectly cause 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.

No, the project is not in an Alquist-Priolo zone. Also, since anywhere in California can be subject to earthquakes, subsequent to the approval of the CUP, the applicant shall work with the Inyo County Department of Building and Safety to ensure any building activities meet State and County Codes.

ii) Strong seismic ground shaking?

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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No, the California Building Code ensures that structures be built according to required seismic standards, designed to withstand such events.

iii) Seismic-related ground failure, including liquefaction?

No, the project site is not in an area known to be prone to ground failure. Also, as part of Inyo County Building and Safety Code, the site will be assessed and a determination will be made if a soils report is necessary to avoid ground failure impacts to the built structures.

iv) Landslides?

No, the project area is not in an area prone to landslides and no grading is proposed.

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

No, the proposed project will not result in the disturbance of soil due to pre-construction grading. Future development will require compliance with the California Building Standards that require Best Management Practices be implemented to minimize erosion and keep all site materials from leaving the site.

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?

No, the proposed project is not located in an area with a geologic unit or soil that is known to be unstable. If any questions arise about the quality of the soil during the development of the property, the applicant/developer shall work with Inyo County's Building and Safety Department to employ the proper design standards that mitigate for expansive soils.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

No, the proposed project is not located in an area with a known expansive soil type. If any questions arise about the quality of the soil during the development of the property, the applicant/developer shall work with Inyo County's Building and Safety Department to employ the proper design standards that mitigate for expansive soils.

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?

No, the project requires a County approved waste handling system in the form of an underground septic system. The parcel already has an approved septic system that meets the needs of the project based on the description. If the applicant expands the project in the future, upgrades to the existing septic system would be required and these upgrades would be subject to State and Codes.

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

No, the project site does not include a unique paleontological or geologic feature.

VIII. GREENHOUSE GAS EMISSIONS: Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

No, the proposed cannabis cultivation project will not generate greenhouse gas emissions that will have a significant impact.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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No, the proposed project will not cause conflicts with a plan, policy or regulation adopted for the purpose of reducing greenhouse gasses.

IX. HAZARDS AND HAZARDOUS MATERIALS: Would the project:

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

No, the project, a cannabis cultivation facility, will only use organic fertilizers and if any, organic pesticides in the cultivation activities. The use of fertilizers and/or pesticides will be regulated by the County Department of Environmental Health and will be required to follow all State and local regulations regarding hazardous materials.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

No, the project, a cannabis cultivation facility, will use organic fertilizers and possibly organic pesticides in the cultivation activities. The use of fertilizers and/or pesticides will be regulated by the County Department of Environmental Health and will be required to follow all State and local regulations regarding hazardous materials.

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

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

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

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

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

No, the project is not included in an airport land use plan or within two miles of a public or public use airport.

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

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

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

No, risk of loss, injury, and death involving wildland fires are not significant from this project. Fire risks are identified as moderate at the project site, and no areas in proximity to it can be considered urbanized. Land surrounding the project site is not heavily vegetated and there are only a few residences in proximity of the project; therefore, the risk of loss, injury or death involving wildland fires is less than significant at this site, and any potential risk is further mitigated by compliance with California Building Standards and is under 10-miles from the local fire department.

X. HYDROLOGY AND WATER QUALITY: Would the

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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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"/>
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No, the project will not violate any water quality standards or waste discharge requirements. The applicant will coordinate with Inyo County's Environmental Health Department, the Inyo County Building and Safety Department, as well as the State Regional Water Quality Board (Lahontan), to determine what is required in terms of the NPDES/SWPPP process (possible waste discharge requirements for the project), based on regulatory criteria and site characteristics (soils, slopes, etc.).

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"/>
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No, the project proposes approximately 0.3-acre feet of water annually for the cultivation. The parcel already has an existing riparian water right which has been in place since 1974. This gives the applicant continued access to surface water for irrigation. Six-acre-feet of water usage has been reported under this water right, indicating the change to cannabis cultivation will reduce the water use on the property. No, groundwater use is required for this project, however, the property also has a permitted well.

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 a substantial erosion or siltation on- or off-site;

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, the project proposes no grading and no new impervious surfaces. All vehicle use, parking and the grow area will be on existing roads, parking and agriculture areas. There will be no paving or other activities that will increase impervious surfaces from the project that would cause erosion or siltation. Big Pine Creek runs through the north side of the property. It will also not be affected by the project as a driveway and bridge over the creek already exist and no alterations to the creek will occur.

ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, the project is proposed in an area that is already disturbed. No additional grading will occur on the site for the project and an existing high-house will be used for the cultivation. Big Pine Creek flows along the north side of the project parcel. There will be no paving or other activities that will increase impervious surfaces from the project that would cause an increase of surface water runoff.

iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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The project is proposed in an area that is already disturbed and no new additional grading will occur. Big Pine Creek flows along the north side of the parcel the project will be located. The project will not affect this area. The project has been reviewed by the County Public Works Department and they found no issues regarding grading and runoff. In the unlikely event issues are found during the building permit review, they will be addressed at that time.

Also, the Big Pine Paiute Tribe of the Owens Valley did bring up concerns regarding the fact after rainstorms and/or during regular watering, some runoff could reach the creek. This runoff could contain some contamination from the use of organic fertilizers and pesticides. The project will be conditioned with the applicant following all runoff mitigation as proposed by CDFW as well as work with the County Environmental Health Department on creating a fertilizer and pesticide plan for the project, and the Big Pine Paiute Tribe of the Owens Valley on a monitoring plan for Big Pine Creek.

iv) impede or redirect flood flows?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, the project is proposed in an area that is already disturbed and no new additional grading or paving will occur. Big Pine Creek flows along the north side of the parcel the project will be located. The project will not affect the creek.

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project is proposed in an area that is not included in a flood hazard, seiche or tsunami zone.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? <i>No, the project is not proposed in an area that is included in a water quality control or sustainable ground water management plan.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XI. LAND USE AND PLANNING: Would the project:

a) Physically divide an established community? <i>No, the proposed project does not physically divide an established community.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? <i>No, the applicant is requesting a conditional use permit grow commercial cannabis, which is required by the County's zoning code. The project site is located in the Rural Residential zoning designation, with a Rural Residential Medium Density (RRM) General Plan designation. Both allow for agriculture uses and more specifically cannabis.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XII. MINERAL RESOURCES: Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? <i>No, the project makes use of already disturbed land and no known mineral resources are located on it. No extraction of known mineral resources is being foregone by this project.</i>	<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? <i>There are no known locally-important mineral resources being foregone as a result of this project</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIII. NOISE: Would the project result in the:

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? <i>No, no construction related noise from grading activities, engine noise from trucks, and building construction will occur. Once the cultivation project is underway there will be minimal additional noise from vehicles coming and going from the property. This noise will not exceed acceptable levels.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels? <i>No, this project is not expected to increase exposure to noise levels.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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? <i>No, the proposed project is not located within an airport land use plan, or within 2-miles of a public airport.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIV. POPULATION AND HOUSING: Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? <i>The proposed project is not likely to induce population growth. Workers will be hired, to the extent possible, from the local area and would likely live in the general vicinity.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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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"/>
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No, the proposed project will not displace existing housing or create a situation where replacement housing will be necessary. It is in an area of low density residential development, vacant open space and land under federal jurisdiction.

XV. PUBLIC SERVICES: Would the project:

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, the County Public Works Department (Fire Marshall) was consulted on the project. No concerns related to the project area were given.

Police protection?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No new police service will be required because of this project. Onsite private security measures will be used at the project location.

Schools?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No new school service will be required because of this project.

Parks?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No new parks will be required because of this project.

Other public facilities?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project will not create a need for additional public services.

XVI. RECREATION: Would the project:

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project will not increase the use of existing recreational facilities. No portion of this project anticipates any change in the level of service required.

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project does not include, nor will it cause, a need for an increase in parks or other recreational facilities that might have an adverse physical effect on the environment.

XVII. TRANSPORTATION:

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"/>
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No, the proposed project will not significantly increase traffic, and therefore, will not affect public transit, bicycle, or pedestrian facilities. Because of the rural nature of the project location, few alternative transportation opportunities exist, but those that would be unchanged by this project. The cultivation project was reviewed by the County Road Department, with regard to the roadway.

b) Conflict or be inconsistent with CEQA Guidelines § 15064.3,

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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subdivision (b)?

No, the project consists of a cannabis cultivation of about 5,000-sqft. This will not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). The applicant estimates that this cultivation project will generate approximately 3-5 daily trips (arrivals and departures) by employees, double that during harvest and 1-2 trucks per month for hauling product offsite per month also during harvest. Based on this information, it can be determined that the average daily trips are less than the 100 trips that would require a detailed traffic analysis on the project. Therefore, the Project will result in less than significant impacts to this resource. The subject site is not within one-half mile of either an existing major transit stop or high quality transit corridor.

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

The proposed project will not result in any design features for transportation that increase hazard. Autos and trucks will be accommodated on the project site.

d) Result in inadequate emergency access?

No, the project is proposed on a site that is directly off a major road. Also, proof of access for emergency vehicles will be required as part of the project's final design.

XVIII. TRIBAL CULTURAL RESOURCES: Would the project:

a) cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 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

No, a cultural study was conducted by RECON Environmental Inc. on the project site including a records request to the California Historical Resources Information System and the Native American Heritage Commission. Local Tribes were also invited to comment pursuant to AB 52 and none provided information related to cultural resources. A field survey was also conducted on November 12, 2021. No archaeological resources as defined in Section 15064.5 that includes resources as defined in Public Resources Code Section 5020.1(k) were found. If any archaeological or cultural resource is discovered on the site during any future development, work shall immediately stop and Inyo County staff shall immediately be notified per Inyo County Code (ICC) Chapter 9.52, Disturbance of Archaeological, Paleontological and Historical Features of the Inyo County Code. Therefore, the project will not cause an adverse change in the significance of an archaeological resource if by chance one is discovered, pursuant to 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 § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

XIX UTILITIES AND SERVICE SYSTEMS: 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?

No, the proposed project will not result in the construction of new or expanded utility or service systems. Electricity is at the site on an existing pole. The project will connect to that. Water will be obtained per an existing riparian water right and wastewater will be treated by on-site septic systems.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Yes, all water necessary for the project is available from an existing riparian water right. The proposed Conditional Use Permit will not result in a need for new entitlements of water resources, nor will the proposed future use of the site, a commercial cannabis cultivation business. Current principle uses for the project site, under the County's "Rural Residential" designation, include not only a primary and secondary dwelling unit, but also orchards, vegetable and field crops. Such land uses would likely have equivalent water usage as the proposed cannabis facilities.

c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

No, the proposed project's wastewater treatment will not unduly burden the commitments of any potential treatment provider and it is not anticipated that any increase to capacity will be needed. Wastewater disposal will utilize on-site septic systems that will be reviewed and approved by the Inyo County Environmental Health Department if any changes are necessary.

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?

No, the proposed project will not create a need for additional solid waste capacity. Solid waste needs for the project will be minimal. Most of the volume of solid waste (biomass refuse) will be collected and recycled for further use at an onsite composting yard.

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

No, the proposed project and any subsequent development will comply with Inyo County's solid waste standards, as required by the Inyo County Department of Environmental Health.

XX. WILDFIRE:

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

No, there is not an adopted emergency response or evacuation plan for the area the project is proposed.

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?

No, there are no extenuating factors that will expose project occupants to pollutant concentrations from wildfire. Fire risks are moderate at the project site. The project site and land surrounding the project site is moderately vegetated primarily with desert scrub. The proposed project does little to add to the wildfire risk in the area. The risk of loss, injury or death involving wildland fires is less than significant at this site, and any potential risk is further mitigated by compliance with California Building Standards. The project site is also located under 10-miles from the local fire department.

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?

No, the project will not cause the need for additional wildfire associated infrastructure.

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?

No, the proposed project location is on already graded and disturbed land. The addition of cannabis cultivation activities will not create downslope or downstream flooding or landslides.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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XXI. MANDATORY FINDINGS OF SIGNIFICANCE:

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant 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"/>
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No, the project will not impact or degrade the quality of the environment. The limited impacts to resources on the project area can be mitigated to less than significant. Minimization, mitigation and monitoring measures will be written into the Conditions of Approval for the permit & include the following: the applicant shall conduct additional surveys (pre-construction) to ensure the absence of sensitive plant or animal species; the applicant shall follow the County's General Plan Visual Resources Policy 1.6- Light and Glare; the applicant shall consult with the County Environmental Health Department to assure that all septic requirements and water standards are met and all potential pesticide and fertilizer use is conducted with the appropriate permitting and best practices; the applicant shall work with the Environmental Health Department and the Big Pine Paiute Tribe of the Owens Valley on a monitoring plan for Big Pine Creek with regard to the project and, the applicant shall work with the Lahontan Regional Water Quality Control Board to determine if an application for a Stormwater Pollution Prevention Plan (S.W.P.P.P) permit is necessary.

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project does not have impacts that are individually limited, but cumulatively considerable. Due to the sparseness of development in the area, and lack of disturbance to plant or animal habitat, this location is well suited for the proposed cultivation project.

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 type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project has no known environmental effects which will cause substantial adverse effects on human beings either directly or indirectly. The proposed project would not adversely impact the residents in the vicinity and may have some positive impacts resulting from employment opportunities.

