FREQUENTLY ASKED QUESTIONS
FOR NEW TRINITY COUNTY
COMMERCIAL CANNABIS APPLICANTS
2020

If you have not submitted a new application to the Trinity County Planning Department by February 28, 2020 or sooner, the likelihood of being able to get through the County and State licensing processes and being able to legally cultivate in the 2020 season is low.

Note: Additional information appears at the end of this document to provide links to guidance documents referenced in the answers to questions provided below.

Q: I submitted an application for a Trinity County commercial cannabis, but I do not have a license yet. How long will it take to get a license from the County and will I be able to cultivate this year?

A: The time it takes for the County to issue a license to you depends largely on the quality of your application. If you submit an application with missing or inconsistent information (the water source reported on your Water Board enrollment, for example, does not match the water source you identify in the County application), processing your application will be delayed as we address deficiencies.

Once County staff deems your application complete, a County site inspection is done and deficiencies are addressed. A CEQA determination will then be made for your site. Refer to Trinity County Commercial Cannabis Program 2020 CEQA Guidelines on the County’s website (https://www.trinitycounty.org/Commercial-Cannabis) for additional information and Categorical Exemption templates and instructions.

If your site qualifies for a Categorical Exemption, the County may be able to process your application and issue your license within 3-6 months of when the application was deemed complete as long as you resolve deficiencies identified on your site.

If your site does not qualify for a Categorical Exemption and an Initial Study must be prepared, the County’s processing timeline will be dependent on completion of the Initial Study. The County recommends that you retain the appropriate approved professional(s) to assist in preparation of this document.

FOR NEW APPLICATIONS ON EXISTING SITES

Q: I have an existing cannabis site. Can I get a Categorical Exemption?
A: If you have an existing site use the Categorical Exemption checklists\textsuperscript{iii} to verify whether a Categorical Exemption is suitable for your site. If you feel that a Categorical Exemption is appropriate, submit a completed checklist for any appropriate Categorical Exemption(s) and provide the information to the County for review. If the County determines that the evaluation is correct, we will prepare a Notice of Exemption for the site.

If a Categorical Exemption is not appropriate, you must prepare an Initial Study to demonstrate that CEQA compliance is underway for your site. The County will issue a Provisional license to you as your Initial Study is being prepared and you will be expected to meet milestones to verify adequate progress with the Initial Study during your valid license period.

An accurate project description\textsuperscript{iv} is required before the County will issue a Provisional license. Demonstration of progress on an Initial Study, necessary to retain a Provisional license, includes specific Environmental Factors in the Appendix G: Environmental Checklist Form. Of the 21 listed environmental factors, 8 must be addressed first. These include Aesthetics, Land Use and Planning, Mineral Resources, Noise, Odor (Air Quality), Recreation, Public Services and Utilities, Traffic and Transportation. Analysis of the impacts associated with these factors must be provided to the County within six months of receiving a Provisional County license. If this information is not provided by that time, the Provisional License may be suspended.

The analysis associated with the remaining subsequent factors must be completed and submitted to the County within six months of receiving a Provisional County license. If these remaining factors are not provided at that time, the Provisional License may be suspended.

Q: What happens after I have completed an Initial Study on an existing site?

A: Upon completion and submission of an Initial Study to the County, staff will review it for completeness, accuracy and adequate documentation. This likely will require a site visit by County staff. County staff will then make a determination of what CEQA document is required – be it a Negative Declaration (ND), a Mitigated Negative Declaration (MND) or an Environmental Impact Report (EIR). Upon this determination, the County will act as the lead agency. The applicant must provide the required CEQA document and all relevant supporting documentation.

Q: If I must prepare an Initial Study on an existing site and am expected to meet milestones to verify adequate progress, what milestones and timelines apply?

A: Guidance regarding timelines associated with preparing an Initial Study is available on the County’s website.\textsuperscript{v} An accurate project description is required before the County will issue a Provisional license. Demonstration of progress on an Initial Study, necessary to retain a Provisional license, includes specific Environmental Factors in the Appendix G: Environmental Checklist Form. Of the 21 listed environmental factors, 8 must be addressed first. These include Aesthetics, Land Use and Planning, Mineral Resources, Noise, Odor (Air Quality), Recreation, Public Services and Utilities, Traffic and Transportation. Analysis of the impacts associated with
these factors must be provided to the County within six months of receiving a Provisional County license. If this information is not provided by that time, the Provisional License may be suspended.

The remaining subsequent factors must be completed and submitted to the County within nine (9) months. If these remaining factors are not provided at that time, the Provisional License may be suspended.

Q: What if I want to change my site while I am completing an initial study and cultivating with a provisional license?

A: If you receive a provisional license and are completing an initial study you may not change your site during the cultivation season. If you do modify your site, the initial study project description becomes invalid and you must start the CEQA process over again. You will not be given any additional time to complete this process. If the CEQA timeline related to your provisional license is not met, due to changes to the operation and required reanalysis, the provisional license may be suspended. You may not cultivate until this process is complete and no site development can occur unless all applicable regulations are followed. Before issuing a license under the subsequent CEQA review (resulting in a new CE, ND/MND/EIR, the County will ask for verification that prior to land development or alteration, the cannabis cultivator complied with all applicable state, and local laws, regulations, and permitting requirements, including retention of qualified professionals, records requests and pre-disturbance surveys to identify sensitive resources. If this information cannot be provided and the County determines that a CE is not appropriate for the site, you must prepare an Initial Study.

No site development or cannabis operations may occur on site until completion of the Initial Study and certification of a CEQA document is complete.

Q: Why does a CE expire with the life of a permit but a ND/MND/EIR is forever? Or will a licensee have to complete a ND/MND/EIR for each license year they operate?

A: A new CE must be issued for each annual license. However, if a site receives an ND/MND/EIR document for a license, that document will remain valid throughout the life of the operation. If the cultivation operation changes, however, an addendum or supplemental ND/MND/EIR must be completed. Any changes to an operation must be covered by a subsequent CEQA document.

Q: I have plans to change my operation in 2021 or later. What will I have to do?

A: If you receive a CE for the 2020 season it is possible you may qualify for another CE in 2021 or later depending on your operation. However, if changes to your operation do not qualify for a CE, you must complete an Initial Study.

If you receive a ND/MND/EIR document for your site in 2020, and you change your operation in subsequent years, you must complete a ND/MND/EIR addendum or supplemental
ND/MND/EIR. The addendum process verifies that your changes have no additional environmental impacts that have not already been disclosed in the original ND/MND/EIR. An addendum is essentially a letter to your file with public notification requirements. The supplemental ND/MND/EIR process recognizes that your changes have additional environmental impacts that were not covered by the original ND/MND/EIR. You must follow the same process of the ND/MND/EIR and address those environmental impacts.

Q: What if I want to change my site during the 2020 season?

A: Before issuing a license to a new applicant that is modifying their site, the County will ask for verification that prior to land development or alteration, the cannabis cultivator complied with all applicable state, and local laws, regulations, and permitting requirements, including retention of qualified professionals, records requests and pre-disturbance surveys to identify sensitive resources. If this information cannot be provided and the County determines that a CE is not appropriate for the site, you must prepare an Initial Study.

No site development or cannabis operations may occur on site until completion of the Initial Study and certification of a CEQA document is complete.

FOR NEW APPLICATIONS ON UNDEVELOPED SITES

Q: I have not yet developed my cannabis site. How do I go through the licensing process with the County?

A: If you have submitted an application for a proposed cannabis site that has not yet been developed, the County will ask for an accurate project description and verification that prior to land development or alteration, the cannabis cultivator has complied with all applicable state, and local laws, regulations, and permitting requirements, including retention of qualified professionals, records requests and pre-disturbance surveys to identify sensitive resources. Following this verification, use the Categorical Exemption checklists to verify whether a Categorical Exemption is suitable for your site. If you feel that a Categorical Exemption is appropriate, submit a completed checklist for any appropriate Categorical Exemption(s) and provide the information to the County for review. If the County determines that the evaluation is correct, we will prepare a Notice of Exemption for the site.

If a Categorical Exemption is not appropriate, you must prepare an Initial Study to demonstrate that CEQA compliance is underway for your site.

An accurate project description reflecting the changes on site will be required before the County will issue a Provisional license. Demonstration of progress on an Initial Study, necessary to retain a Provisional license, includes specific Environmental Factors in the Appendix G: Environmental Checklist Form. Of the 21 listed environmental factors, 8 must be addressed first. These include Aesthetics, Land Use and Planning, Mineral Resources, Noise, Odor (Air
Quality), Recreation, Public Services and Utilities, Traffic and Transportation. Analysis of the impacts associated with these factors must be provided to the County within six (6) months of receiving a Provisional County license. If this information is not provided by that time, the Provisional License may be suspended.

The remaining subsequent factors must be completed and submitted to the County within nine (9) months of receiving a Provisional County license. If these remaining factors are not provided at that time, the Provisional License may be suspended.
### SUMMARY OF CEQA PROCESS FOR TRINITY COUNTY COMMERCIAL CANNABIS CULTIVATION IN 2020

#### RENEWAL APPLICATIONS

<table>
<thead>
<tr>
<th>Site had Categorical Exemption (CE) in 2019 and received a Trinity County Commercial Cannabis License</th>
<th>Site was issued a Trinity County Provisional Commercial Cannabis License in 2019</th>
</tr>
</thead>
<tbody>
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<td>• Applicant use Categorical Exemption template checklists to indicate if a CE is appropriate and submit the completed checklist(s) to the County.</td>
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<td>• Site will likely receive a CE unless exceptions to the CE apply</td>
<td>• If a CE is not justified, prepare an Initial Study.</td>
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<thead>
<tr>
<th>There were no changes to the site in 2019 after the license was issued</th>
<th>The site was changed during 2019</th>
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#### NEW APPLICANT, EXISTING CANNABIS SITE

<table>
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<tr>
<th>No site changes since August, 2016</th>
<th>Site has been changed since August, 2016</th>
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#### NEW APPLICANT, UNDISTURBED SITE

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For guidance regarding qualified professionals, please refer to the *Trinity County Requirements to Become an Approved Professional* link on the County’s commercial cannabis website.

To access Categorical Exemption checklists and instructions, refer to the Trinity County Commercial Cannabis webpage link *Trinity County Commercial Cannabis Program 2020 CEQA Guidelines* in the CEQA Information section of the webpage. This link includes template checklists and instructions for five of the most common Categorical Exemptions applicable to commercial cannabis operations.

For guidance regarding how to write an accurate project description, please refer to the *Trinity County Commercial Cannabis Project Description* link on the County’s commercial cannabis website.

For guidance regarding the timeline associated with demonstrating adequate progress on an Initial Study, please refer to the *Initial Study Milestones* link on the County’s commercial cannabis website.