



**TRINITY COUNTY
PLANNING DEPARTMENT
Cannabis Division**

P.O. BOX 2819 ♦ 61 AIRPORT ROAD
WEAVERVILLE, CALIFORNIA 96093
PHONE (530) 623-1351 ♦ FAX (530) 623-1353

**2019 Commercial Cannabis Cultivation License Renewals and New Applicants
STAFF REVIEW PROCESS**

This document is intended to provide a thorough explanation of how Trinity County is conducting general review and environmental evaluations for Trinity County Commercial Cannabis license renewals and new applicants.

For a detailed description of the application process, see **2019 Commercial Cannabis Cultivation License Renewals APPLICATION GUIDELINES** online at: <https://www.trinitycounty.org/Commercial-Cannabis>

STAFF REVIEW METHODOLOGY

The following is a synopsis of the process and information associated with staff review of individual site conditions used to determine the relative level of compliance with CEQA documentation requirements. Given the number of anticipated renewal applications, a geospatial desktop and records review will be used to generalize site conditions and categorize potential environmental conditions. While efforts will be made to maintain consistency in staff review criteria, this review process is subject to change.

Note: Several licensees have multiple parcels (APN) under a single County Cannabis License (CCL). For this review, each APN has been reviewed individually regardless how each APN, or portion of an APN, is used under the authorization of the CCL.

Staff Review will include the following parameters (see below) to determine the required level of CEQA compliance documentation. Sites are 'flagged' for additional staff review based on the presence/absence/condition of these parameters. Parameters are selected as proxies for sensitive environmental factors and/or likelihood for environmental degradation.

Staff Review Parameters

Northern Spotted Owl proximity (_NSO) – (YES/NO)

Sites are selected based on their proximity to Northern spotted owl activity centers or essential habitat based on the application of 0.5 mile buffer and activity center data from 2000 to 2013 or USFWS analysis. Proximity is determined by the parcel, cultivation location or both.

Willow Flycatcher proximity (_WFC) – (YES/NO)

Sites are selected based on their proximity to WFC GIS layer and habitat potential. Habitat potential is determined by a combination of factors, including site proximity within 300 feet of perennial stream, proximity to Montane Riparian vegetation (USFS vegetation classification) and a slope of 8% or less.

Fisher proximity (Fisher) – (High/Med/Blank)

Sites are selected based on their proximity to Fisher essential or on CNDDDB datasets search and ranked as High or Medium habitat quality. Proximity is determined by the parcel, cultivation location or both.



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Coho distribution streams (_Coho) – (YES/NO)

Sites are selected based on either containing (within site perimeter) or within 300 feet of a stream within the known distribution of coho.

California Natural Diversity Database (_CNDDDB) – (Species)

Sites are flagged if they contained any portion of a species occurrence listed in CNDDDB and available in a state provided shapefile.

Slope (_Slope) – (YES/NO)

Slope is determined with Geodatabase Raster Dataset CSV file including site CCL, APN and mean slope. Sites that have a greater than 30% or greater slope are flagged for review. Sites that had an 8% or less slope and 300 feet from a perennial stream are flagged for Willow Flycatcher (see section).

Presence/Absence of Pond (_Pond) – (YES/NO)

Sites are flagged if a pond is observed to be on site. The impoundment of water - whether through forbearance water storage, natural feature or constructed feature –demonstrates the potential for environmentally sensitive species habitat/occurrence and may relate to density dependent impacts.

Water Source (_Diversion) – (Well/Blank)

Sites with water provided by a well (as opposed to surface diversion, spring or combination) are listed as “well” to highlight those operations that could potentially impact surface waters.

Fire Danger (_VHighFire, _ModFire, _HighFire) – (YES/NO)

Sites are sorted by their ranking on CalFire fire danger data to determine potential remediations.

300' to Perennial Stream (_300_PerSt) – (YES/NO)

Sites are sorted based on whether they are located within 300 feet of a perennial stream. This distance is chosen for both a proxy for potential Willow Flycatcher habitat as a well as potential sedimentation impacts to perennial waters of the state.

Road ownership (_PvtRd, _USFS_Rd, _TC_Rd) – (YES/NO)

Sites are separated based on ownership of the presumed main access road.

Road type (_Native_Rd) – (YES/NO)

The main access road for individual sites is determined to be surfaced with native material. Native material surfaced roads, versus gravel or paved, have a greater propensity for erosion and sedimentation of watercourses.

Density (_Density) – (YES/NO)

Sites are flagged if they met requirements for potential density dependent effects. Sites that are located in watershed (HUC12) or delineated subwatersheds that contained more than 10 licensed sites are presumed to have the potential for density impacts including, but not limited to, noise, odor, dust and water impacts to watercourses.



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Renewal Month (_MnthRenwl [County] and _ST_Rnwl [State] – (Month)
County and State Permit/License renewal month.

If the Review Process Described Above Indicates That a CE is Not Appropriate for Your Site

The county will issue a Provisional Trinity County Commercial Cultivation License to you. Concurrently, staff will direct you to provide additional information to support CEQA compliance for your site that may be used to avoid or mitigate impacts or that may be used to prepare an Initial Study and CEQA document.

Additional information

The requirement for additional application and site information will be made during the staff review process. Causes for County requests for additional information include:

1. Discrepancies in existing site conditions and provided project descriptions, cultivation and infrastructure locations and provided site maps/plans.
 - a. Applications will provide an updated and accurate site plan, project description and delineation of infrastructure for the current operation. This plan will describe any variation with information provided to the county and provide explanation for the cause of the variation.
2. Cultivations sites that are within watersheds that have more than 10 licensed cultivation operations. These are referred to as density dependent impacts. Mitigation plans will apply to all cultivation operations within the designated impact area. Each operation may work independently or in conjunction with other operations to implement mitigations. Mitigations include:
 - a. **Roads Impacts:** Roads can be impacted by cultivation activities. Private roadways that have native material surfaces may be prone to creating fugitive dust and/or surface erosion. Cannabis cultivation activities may create additional road use and may exacerbate these conditions. Multiple cultivation sites within targeted watersheds that make use of a single road network may require additional information. Hard surfaced roads or local, state or federally owned road networks are excluded from this criteria.
 - i. If a site is selected for additional documentation review based road related issues the application will be required to provide a mitigation plan. This plan will include a description of actions to be taken to reduce the generation of dust related to licensed cultivation sites. These measure may include:
 - a. The development of a Road Association with a description of association members, dues to be collected, collection timeline, association president, association budget and association bylaws.
 - b. Development of a dust mitigation plan that includes a detailed description of dust abatement activities. Activities may include
 - i. Water application: Include application timeframe, schedule, water delivery method, contractor, receipts (quarterly), drafting location, any associated state permitting.



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- ii. Road resurfacing: Include timeframe, schedule, construction method, contractor, receipts (quarterly), material source location, any associated state and/or county permitting.
 - iii. Road tackifier: Include application timeframe, schedule, application product and method, contractor, receipts (quarterly), material source location, any associated state and/or county permitting
 - b. **Odor Impacts:** The close proximity of cultivation operations may lead to odor nuisance issues at certain periods of plant development. For cultivation operations in target watersheds, an odor mitigation plan will be required to reduce the impacts to neighboring parcels regardless of the type of operation. If staff determines that an odor mitigation is appropriate, applications will be required to:
 - i. Provide a detailed odor mitigation plan that includes the site specific implementation or installation of greenhouses, hoop houses, filtration systems, fans, generators, times of operation
 - c. **Hydrology Impacts:** Multiple cultivation operations within a confined watershed geography can have significant impacts on surface and ground water resources. Operations within a target watershed are under the same state requirements as cultivation operations regardless of the cumulative impacts of multiple operations within a limited geography. Operations within target watersheds will be required to provide:
 - i. Updated and current well production rates, installation/repair of metering devices, past meter logs and submission of meter logs every quarter. A timeframe and schedule for the ongoing submission of records will be agreed to before a license is issued.
 - ii. Updated and current diversion (seep well, spring, surface water diversion and any other water delivery method other than a well) production rates, installation/repair of metering devices, past meter logs and submission of meter logs every quarter. A timeframe and schedule for the ongoing submission of records will be agreed to before a license is issued. A maintenance schedule of diversion infrastructure will be provided and verified in the field with county compliance staff.
- 3. Slope: (terracing) The average slope for delineated cultivation sites has been calculated for each site. Those operations that are located in areas with greater than 30% slope (for each parcel associated with the operation) are flagged for additional review. Steep slopes are often associated with terracing and the applicant must verify that the required grading and terrace construction has not created unstable site conditions that may lead to terrace failure and sedimentation to nearby watercourses. Steep slopes are often associated with steep access road sections that are prone to failure if compaction is insufficient and best management practices have not been implemented to render the road hydrologically neutral.
 - a. Provide documentation prepared by a Construction General Permit Qualified Stormwater Pollution Prevention Plan (SWPPP) Developer (QSD) that details and affirms that site conditions are not prone to failure and any necessary site stabilization methods are in place.
 - b. Provide documentation prepared by a license Geotechnical Engineer that details and affirms that site conditions are not prone to failure and any necessary site stabilization methods are in place.



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If the Additional Information Provided Indicates That a CE is Appropriate for Your Site

The County will follow the application guidelines described for license renewals and issue a Notice of Exemption and Trinity County Commercial Cannabis Cultivation License to you after appropriate public noticing and the appeal period. (See 2019 Commercial Cannabis Cultivation License Renewals Application Guidelines online at:

If this applies, the following is not applicable.

If an Initial Study and CEQA document are required

You may hire your own consultant or pay the County to prepare an Initial Study and CEQA document. Once prepared, the CEQA document will be routed to the State Clearinghouse for 30 days. The public may comment on the CEQA document during this 30-day period.

Following the 30-day period, a public hearing is scheduled to consider your CEQA document. Public notices will be sent to all adjacent landowners within 300 feet of the parcel boundaries indicating that the County intends to hold a public hearing to consider a CEQA document and Trinity County Commercial Cannabis Cultivation License for your APN and physical address. Similar notices will be posted on the Trinity County Commercial Cannabis website and sent to the Trinity Journal.

Public hearing

A public hearing will be held regarding your CEQA document. At the conclusion of the public hearing, the county will certify or deny your CEQA document. Public notices will be sent to all adjacent landowners within 300 feet of the parcel boundaries indicating that the county intends to consider a CEQA document and Trinity County Commercial Cannabis Cultivation License for your APN and physical address. Similar notices will be posted on the Trinity County Commercial Cannabis website and sent to the Trinity Journal.

Example notice

NOTICE IS HEREBY GIVEN that on April 1, 2019 at 1:00 p.m., in the Trinity County Library Conference Room located at 351 Main Street, Weaverville, California, the Trinity County Planning Director will conduct a public hearing on Proposed Mitigated Negative Declaration for Commercial Cannabis Cultivation License to allow up to 10,000 square feet of canopy of a 10.50-acre parcel for up to one year located at 1234 Main Street, Post Mountain. APN 000-000-00.

Should you desire to appeal the Director's determination, you must do so within 10 working days of the Directors decision, or by June X, 2019 pursuant to County Code Section 17.34.110. Please contact the Planning Department for the correct appeal process and fees.

Following the 10-day appeal period the county will issue or deny a Trinity County Commercial Cultivation License to you. If issued, the certified CEQA document can be uploaded as your documentation that your site is in compliance with CEQA for a State Annual Cultivation license.