

# ATTACHMENT B

## MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires public agencies to report on and/or monitor measures adopted as part of the environmental review process (see Public Resources Code Section 21081.6 and CEQA Guidelines Sections 15091[d] and 15097).

This mitigation monitoring and reporting program (MMRP) identifies all relevant, feasible mitigation measures necessary to mitigate potentially significant and significant impacts attributable to the proposed project, which is adoption and implementation of the Cannabis Program, including issuance of cannabis licenses for future individual cannabis operations and activities. Each of these measures to reduce environmental effects has been incorporated into the Cannabis Program in the form of regulations and therefore, will be implemented and enforced through the implementation of the Cannabis Program. The timing of implementation of individual regulations will be ongoing as license applications of all types are received, processed, issued, inspected and/or renewed.

Public Resources Code Section 21081.6(b) and Section 15097(b) of the CEQA Guidelines establish that when the project examined in an EIR is a “plan-level document” such as a zoning ordinance, mitigation measures may be incorporated into the regulations. This is the approach that has been taken by the County with the proposed Cannabis Program.

### PURPOSE OF MITIGATION MONITORING AND REPORTING PROGRAM

This MMRP has been prepared to ensure that all required mitigation measures are implemented and completed in a satisfactory manner prior to implementation of the proposed ordinance. The attached table has been prepared to assist the responsible parties in implementing the mitigation measures. The table identifies the impact, mitigation measures (as amended through the Final EIR), monitoring responsibility, mitigation timing, and provides space to confirm implementation of the mitigation measures. The numbering of mitigation measures follows the numbering sequence found in the EIR.

The Cannabis Program Final EIR identifies all relevant, feasible mitigation measures necessary and available to mitigate significant impacts to acceptable levels. As part of the Board of Supervisors’ adoption of the Cannabis Program and certification of the EIR, each of the measures are substantially incorporated into the Cannabis Program making the plan "self-mitigating" in that respect. The measures therefore will be implemented and enforced through the application of the Cannabis Program to individual cannabis projects.

### ROLES AND RESPONSIBILITIES

Unless otherwise specified herein, the County is responsible for taking all actions necessary to implement the mitigation measures under its jurisdiction according to the specifications provided for each measure and for demonstrating that the action has been successfully completed.

### REPORTING

The County shall document and describe compliance of future cannabis projects with the required mitigation measures as part of processing cannabis applications under the Cannabis Program. The staff analysis of the

merits of each proposed cannabis use will include a determination of consistency and compliance with the adopted Cannabis Program.

## MITIGATION MONITORING AND REPORTING PROGRAM TABLE

The categories identified in the attached MMRP table are described below.

- Mitigation Measure – This column provides the verbatim text of the adopted mitigation measure
- Implementation Responsibility – This column identifies the party responsible for implementing the mitigation measure.
- Timing – This column identifies the time frame in which the mitigation will be implemented.
- Verification – This column may be dated and signed by the person (either project manager or his/her designee) responsible for verifying compliance with the requirements of the mitigation measure.

**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
<p>3.1 Aesthetics</p>				
<p><b>Impact 3.1-1: Have a Substantial Adverse Impact on Scenic Vistas or Damage Scenic Resources</b></p> <p><b>Impact 3.1-2: Substantially Degrade the Existing Visual Character or Quality of the Project Area</b></p>	<p><b>Mitigation Measure 3.1-1a: Screen Cultivation Sites from County Scenic Roadways</b> Section 315-843(6) will be amended to include the following new performance standard:</p> <ul style="list-style-type: none"> <li>License applications for new cultivation sites and requests for license renewal for sites located within 0.5 mile of a County-designated scenic roadway will provide details on methods to screen the cultivation site from public views along the scenic roadway so that the developed site conditions blends with the existing visual character of the viewshed and does not dominate the view. Screening may be accomplished through retention of perimeter trees and other vegetation, revegetation with locally appropriate native vegetation as part of site modification or closure, or other methods determined acceptable to the County. This requirement will not apply to cultivation sites that demonstrate the site is not visible from the scenic roadway. Due to the topography of specific sites, a fence may not be adequate to screen a cultivation site from the roadway. For these sites, perimeter trees and other vegetation shall be used.</li> </ul> <p><b>Mitigation Measure 3.1-1b: Maintain Cultivation Premises</b> Section 315-843(6) will be amended to include the following new performance standard:</p> <ul style="list-style-type: none"> <li>License applications for new cultivation sites and requests for license renewal will maintain the premises clear of trash and debris piles. No trash or debris, including abandoned cars, various woody materials, plastic tarps, cannabis waste, or household appliances, will be allowed to accumulate on the premises for a period greater than two weeks for the life of the license. The County will inspect compliance with this measure prior to license renewal.</li> </ul> <p><b>Mitigation Measure 3.1-1c: Fence Cultivation Site</b> Section 315-843(6) will be amended to include the following new performance standard:</p> <ul style="list-style-type: none"> <li>Covered and solid fencing shall be designed to blend with the surrounding rural or natural conditions of the parcel and will be maintained in good working condition. If topography prevents fencing from being adequate screening, a vegetative fence will be maintained in good condition to comply with screening requirements. The County will inspect compliance with this measure prior to license renewal.</li> </ul>	<p>Trinity County</p>	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	

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3.3 Air Quality				
<p><b>Impact 3.3-1: Construction-Generated Emissions</b></p>	<p><b>Mitigation Measure 3.3-1a: Prohibit Burning Vegetation</b>                      The following shall be included as a new performance standard in Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis):</p> <ul style="list-style-type: none"> <li>• Prohibit the burning of vegetation that has been cleared for cultivation purposes unless proof is submitted that all required permits have been obtained, including, but not limited to, a standard burn permit and/or a non-standard burn permit. It should also be noted that CDFA regulations prohibit the burning of cannabis waste under CCR, Title 3, Division 8, Chapter 1, Section 8308.</li> </ul> <p><b>Mitigation Measure 3.3-1b: Implement Diesel Engine Exhaust Control Measures and Dust Control</b>                      The following shall be included as a new performance standard in Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis); Section 315-842(6) (Required Conditions); Section 315-838(6) (Required Conditions); Section 315-837(3) (Required Conditions); Section 315-835(2) (Regulations); Section 315-824(5) (Required Conditions); Section 315-827(4) (Required Conditions of Use Permit Approval); and Section 315-828(5) (Required Conditions):</p> <ul style="list-style-type: none"> <li>• All diesel-powered off-road equipment used in construction shall meet EPA’s Tier 4 emission standards as defined in 40 CFR 1039 and comply with the exhaust emission test procedures and provisions of 40 CFR Parts 1065 and 1068. Tier 3 models or best available construction equipment can be used if a Tier 4 version of the equipment type is not available. This measure can also be achieved by using battery-electric off-road equipment as it becomes available. Implementation of this measure shall be required in the contract the project applicant establishes with its construction contractors.</li> <li>• Construction activities will implement measures to control dust such as:                             <ul style="list-style-type: none"> <li>○ Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) two times per day.</li> <li>○ Cover all haul trucks transporting soil, sand, or other loose material off-site.</li> </ul> </li> </ul>	<p>Trinity County</p>	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	

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	<ul style="list-style-type: none"> <li>○ Remove all visible mud or dirt track-out onto adjacent roads.</li> <li>○ Limit all construction vehicle speeds on unpaved roads to 15 miles per hour.</li> </ul> <p><b>Mitigation Measure 3.3-1c: Use Alternative Fuels</b>                      The following shall be included as a new performance standard in Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis); Section 315-842(6) (Required Conditions); Section 315-838(6) (Required Conditions); Section 315-837(3) (Required Conditions); Section 315-835(2) (Regulations); Section 315-824(5) (Required Conditions); Section 315-827(4) (Required Conditions of Use Permit Approval); and Section 315-828(5) (Required Conditions):</p> <ul style="list-style-type: none"> <li>● Renewable diesel (RD) fuel shall be used in diesel-powered construction equipment if commercially available in reasonable proximity. RD fuel must meet the following criteria:                             <ul style="list-style-type: none"> <li>○ meet California’s Low Carbon Fuel Standards and be certified by CARB Executive Officer;</li> <li>○ be hydrogenation-derived (reaction with hydrogen at high temperatures) from 100 percent biomass material (i.e., non-petroleum sources), such as animal fats and vegetables;</li> <li>○ contain no fatty acids or functionalized fatty acid esters; and</li> <li>○ have a chemical structure that is identical to petroleum-based diesel and complies with American Society for Testing and Materials D975 requirements for diesel fuels to ensure compatibility with all existing diesel engines.</li> </ul> </li> </ul> <p>The County shall require implementation of this measure of the licensed entities building a new cannabis site.</p>			
<p><b>Impact 3.3-2: Long-Term Operational Emissions</b></p>	<p><b>Mitigation Measure 3.3-2a: Limit the Use of Fossil Fuel–Powered Outdoor Power Equipment at All Commercial Cannabis Cultivation and Noncultivation Sites</b>                      The following shall be included as a new performance standard in Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis); Section 315-842(6) (Required Conditions); Section 315-838(6) (Required Conditions); Section 315-837(3) (Required Conditions); Section 315-835(2) (Regulations); Section 315-824(5) (Required Conditions); Section 315-827(4) (Required Conditions of Use Permit Approval); and Section 315-828(5) (Required Conditions):</p>	<p>Trinity County</p>	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	

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	<ul style="list-style-type: none"> <li>Limit the use of off-road equipment that is powered by gasoline, diesel, or other fossil fuels where available. This requirement does not apply to generators.</li> </ul> <p><b>Mitigation Measure 3.3-2b: Require Use of Low Emission Diesel Back-Up Generators at All Commercial Cannabis Cultivation and Noncultivation Sites</b>                      The following shall be included as a new performance standard in Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis); Section 315-842(6) (Required Conditions); Section 315-838(6) (Required Conditions); Section 315-837(3) (Required Conditions); Section 315-835(2) (Regulations); Section 315-824(5) (Required Conditions); Section 315-827(4) (Required Conditions of Use Permit Approval); and Section 315-828(5) (Required Conditions):</p> <ul style="list-style-type: none"> <li>All generators shall meet EPA's Tier 4 emission standards as defined in 40 CFR 1039 and comply with the exhaust emission test procedures and provisions of 40 CFR Parts 1065 and 1068. Tier 3 models or best available model can be used if a Tier 4 version of the equipment type is not available. This measure can also be achieved by using battery-electric off-road equipment as it becomes available. Implementation of this measure shall be required in the contract the project applicant establishes with its construction contractors.</li> </ul>			
<p><b>Impact 3.3-3: Exposure of People to Objectionable Odors</b></p>	<p><b>Mitigation Measure 3.3-3: Implement Odor Control Plan for the Growing, Cultivating, Processing, Handling of Cannabis</b>                      The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions):</p> <ul style="list-style-type: none"> <li>This mitigation shall not apply to lands zoned Agricultural, Agriculture-Forest, or Agricultural Preserve.</li> <li>Cannabis sites shall develop and implement an odor control plan that contains the following requirements as appropriate for each cannabis use:                             <ul style="list-style-type: none"> <li>Identify and describe odor-emitting activities and the nature and characteristics of the emissions.</li> </ul> </li> </ul>	<p>Trinity County</p>	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	

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	<ul style="list-style-type: none"> <li>○ Location and distance of sensitive receptors (e.g., residents, youth-oriented facilities, schools, churches, residential treatment centers) from the site.</li> <li>○ Demonstrate that the cannabis site’s distance to receptors, wind direction, and local topographic conditions would not result in detection of cannabis odors by off-site sensitive receptors that would create a nuisance.</li> <li>○ If off-site odor nuisance impacts cannot be avoided without odor controls, identify procedures and controls for reducing/controlling odors on-site, including the following as applicable to the cannabis use and license type (outdoor, mixed-light, and indoor). The operator may propose a numeric odor detection threshold for on-site operations (such as dilution-to-threshold standard that is verified by persons of normal odor sensitivity as defined by European Standard EN 13725) subject to County review and approval.<sup>1</sup> <ul style="list-style-type: none"> <li>▪ All fully enclosed and secure structures that contain cannabis plants or products that generate odors will employ mechanical ventilation controls, carbon filtration, or other equivalent or superior method(s) to eliminate the detection of cannabis off the parcel. This will include all drying and processing of cannabis plant material recently harvested.</li> <li>▪ Outdoor operations may include different plant strains and smaller grow areas or relocation of outdoor activities indoors or, in a mixed-light facility contained within an enclosed structure, use of site design or other technology and/or use of odor easements to address odor impacts.</li> <li>▪ Corrective actions to address County-verified off-site odor complaints will be identified and methods to be developed and applied for the next harvest to minimize off-site odor impacts so that they do not conflict with other applicable standards of the</li> </ul> </li> </ul>			

<sup>1</sup> The use of a dilution-to-threshold (D/T) standard is based on scientific publications on odor pollution control that have identified that odors above 7 D/T will often result in complaints (i.e., objectionable), with 15 D/T often described as a nuisance, and odors above 30 D/T described as a serious nuisance (i.e., nauseating) (McGinley 2000; Huey et al. 1960).

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Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
	County’s Cannabis Program or State license requirements.			
<b>3.4 Biological Resources</b>				
<p><b>Impact 3.4-1: Disturbance to or Loss of Special-Status Plant Species and Habitat</b></p>	<p><b>Mitigation Measure 3.4-1a: Conduct Preapproval Biological Reconnaissance Surveys</b>                      The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions). This mitigation measure will determine whether there is potential for 103 special-status plants, 38 special-status wildlife, or sensitive habitats identified in the Cannabis Program, EIR to be present within a proposed commercial cannabis operation seeking a permit or licensed from the County:</p> <ul style="list-style-type: none"> <li>• Prior to approval of any application for commercial cannabis operations or renewal of an existing licensed cultivation site that is planning to expand its Designated Area, a biological reconnaissance survey shall be conducted by a qualified biologist approved by the County. The survey area shall include the proposed development area, including areas of anticipated construction and ground disturbance, as well as staging areas, areas of anticipated light or noise impact, ingress and egress routes, and utility routes. The survey area shall be large enough to encompass areas subject to both direct and indirect impacts. The qualified biologist shall assess the habitat suitability of the proposed development area for all special-status plant, wildlife species, and sensitive habitats identified as having potential to occur in the county. The biologist shall provide a letter report to the project applicant and the County with evidence to support a conclusion as to whether special-status species and sensitive habitats are present or are likely to occur within the proposed development area. At a minimum, the letter report shall include:                         <ul style="list-style-type: none"> <li>○ date, time, and weather conditions during the survey;</li> <li>○ a description and explanation of whether the site conditions during the survey are considered typical or atypical;</li> <li>○ a map depicting the proposed development area and the unique, rare, and special-status species, sensitive habitats, or sensitive natural communities found;</li> </ul> </li> </ul>	Trinity County	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	



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	<ul style="list-style-type: none"> <li>○ a vegetation map of the proposed development area using the National Vegetation Classification System (e.g., A Manual of California Vegetation) and an associated table, including acreage of vegetation types that could be adversely affected by project implementation;</li> <li>○ a special-status species table generated from review of the CNDDDB, the California Native Plant Society Inventory of Rare and Endangered Plants, lists maintained by USFWS, and the most recent, best-available range information for special-status species;</li> <li>○ a description of survey methods and any protocols utilized during the survey; and</li> <li>○ a list of common and special-status species and habitats observed in the proposed development area.</li> </ul> <ul style="list-style-type: none"> <li>● If the reconnaissance survey identifies no potential for special-status plant, wildlife species, or sensitive habitats to occur, the applicant will not be subject any additional biological resource protection measures identified in the ordinance.</li> <li>● If special-status species or sensitive habitats are present, the letter report will include a discussion of potential direct and indirect impacts on these resources, and the appropriate biological resource protection measures identified in Mitigation Measures 3.4-1b, 3.4-2a through 3.4-2o, 3.4-4a, 3.4-4b, 3.4-5, and 3.4-6b will be included in the letter report and shall be implemented.</li> </ul> <p><b>Mitigation Measure 3.4-1b: Conduct Special-Status Plant Surveys and Implement Avoidance Measures and Mitigation</b></p> <p>The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions). Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2019-0001-DWQ:</p> <ul style="list-style-type: none"> <li>● Prior to commencement of new development related to cannabis activities or the expansion of the Designated Area for existing licensed cultivation sites and during the blooming period for the special-status plant species</li> </ul>			

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	<p>with potential to occur on the site, a qualified botanist approved by the County shall conduct protocol-level surveys for special-status plants in all proposed disturbance areas following survey methods from CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW 2018a).</p> <ul style="list-style-type: none"> <li>• If special-status plants are not found, the botanist shall document the findings in a letter report to CDFW and the applicant, and no further mitigation will be required. Reports shall be submitted to CDFW via email at R1LSARedding@wildlife.ca.gov and shall include the project applicant's name, address, and Assessor's Parcel Number in the subject line.</li> <li>• If special-status plant species are found, the qualified botanist shall consult with CDFW to designate a no-disturbance buffer that will be reflected in the application to the County. If the special-status plant species cannot be avoided, the application will be denied.</li> </ul> <p><b>Mitigation Measure 3.4-1c: Implement Measures to Avoid Introduction or Spread of Invasive Plant Species</b></p> <p>The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions). Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2019-0001-DWQ to avoid the introduction or spread of plants classified as invasive plant species by the California Invasive Plant Council:</p> <ul style="list-style-type: none"> <li>• The application will include identification of invasive plant species that occur on the site to the extent practicable and where they are located, including noxious weed species prioritized by the Trinity County Weed Management Association. The application will identify specific measures to be employed for the removal invasive species and on-site management practices.</li> <li>• All invasive plant species shall be removed from the site using measures appropriate to the species to the extent practicable. For example, species that cannot easily reroot, resprout, or disperse seeds may be left on site in a debris pile. Species that resprout readily (e.g., English ivy) or disperse seeds (e.g., Pampas grass) should be hauled off-site and disposed of appropriately at a landfill site.</li> </ul>			

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	<ul style="list-style-type: none"> <li>Applicants shall monitor annually to ensure successful removal and prevention of new infestations of invasive species.</li> <li>Heavy equipment and other machinery shall be inspected for the presence of invasive species before on-site use, and shall be cleaned before entering the site, to reduce the risk of introducing invasive plant species.</li> <li>Only weed-free erosion control materials and mulch shall be used on-site.</li> </ul>			
<p><b>Impact 3.4-2: Disturbance to or Loss of Special-Status Wildlife Species and Habitat</b></p>	<p><b>Mitigation Measure 3.4-2a: Conduct Preconstruction Surveys for Special-Status Amphibians</b>                      The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions). Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2019-0001-DWQ for the protection of special-status amphibian species from new development related to cannabis activities.</p> <ul style="list-style-type: none"> <li>If special-status amphibians are detected during the initial biological reconnaissance survey (see Mitigation Measure 3.4-1a) or are determined to be likely to occur based on the presence of suitable habitat, consultation with CDFW shall be initiated to determine whether mitigation measures, such as project design modifications, relocation of the site, relocation of individual animals, or installation of exclusionary fencing, will be necessary and appropriate.</li> <li>Regardless of detection during the initial biological reconnaissance survey, if suitable habitat for special-status amphibians is present within the proposed development area, a qualified biologist approved by the County and familiar with the life cycle of Cascades frog, foothill yellow-legged frog, Pacific tailed-frog, southern long-toed salamander, and southern torrent salamander shall conduct preconstruction surveys of proposed new development activities 48 hours before new development activities. Preconstruction surveys for special-status amphibians shall follow widely used and accepted standardized protocols that control for habitat type, seasonality, and environmental conditions, including the methods described in <i>Considerations for Conserving Foothill Yellow-Legged Frog</i> (CDFW 2018b), and <i>Visual Encounter Survey Protocol for Rana Boylii</i> in</li> </ul>	<p>Trinity County</p>	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	

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	<p><i>Lotic Environments</i> (UC Davis 2017). Preconstruction surveys for special-status amphibian species shall be conducted throughout the proposed construction area and at least a 400-foot buffer around the proposed development area. Surveys shall consist of “visual encounter” as well as “walk and turn” surveys of areas beneath surface objects (e.g., rocks, leaf litter, moss mats, coarse woody debris) for salamanders, and visual searches for frogs. Preconstruction surveys shall be conducted within the appropriate season to maximize potential for observation for each species, and appropriate surveys will be conducted for the applicable life stages (i.e., eggs, larvae, adults).</p> <ul style="list-style-type: none"> <li>• If special-status amphibians are not detected during the preconstruction survey, then further mitigation is not required.</li> <li>• If special-status amphibians are detected during the preconstruction survey, work on the site shall not commence until the applicant has consulted with CDFW as described above. Injury to or mortality of special-status amphibians will be avoided by modifying project design, relocating the cultivation site, or relocating individual animals. If impacts to Cascades frog or foothill yellow-legged frog (both listed under CESA) are unavoidable, then the applicant will submit an incidental take permit (ITP) application to CDFW and receive take authorization before commencing development of the cultivation site. Conditions of incidental take authorization may include minimization measures to reduce impacts to individual Cascades frogs or foothill yellow-legged frogs, or compensation for loss of the species including but not limited to purchasing credits from a CDFW-approved mitigation bank.</li> </ul> <p><b>Mitigation Measure 3.4-2b: Conduct Surveys for Western Pond Turtle and Relocate Individuals</b></p> <p>The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions). Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2019-0001-DWQ for the protection of western pond turtle from new development related to cannabis activities:</p> <ul style="list-style-type: none"> <li>• If pond turtles are detected during the initial biological reconnaissance survey (see Mitigation Measure 3.4-1a), preconstruction surveys, or are</li> </ul>			

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	<p>determined to be likely to occur, consultation with CDFW shall be initiated to determine whether additional measures, such as project design modifications, relocation of the site, relocation of individual animals by a qualified biologist with a valid CDFW Scientific Collecting Permit, or installation of exclusionary fencing, will be necessary and appropriate.</p> <ul style="list-style-type: none"> <li>• Regardless of detection during the initial biological reconnaissance survey, if suitable aquatic habitat for western pond turtle is present within the proposed development area, a qualified biologist approved by the County and familiar with the life history of western pond turtle shall conduct preconstruction surveys of proposed new development activities within 200 feet of any aquatic habitat 24 hours before such development activities.</li> <li>• If pond turtles are not detected during the preconstruction survey, then further mitigation is not required.</li> <li>• If pond turtles are detected during the preconstruction survey, then consultation with CDFW shall be initiated as described above. Injury or mortality of western pond turtle will be avoided through project design modification, cultivation site relocation, or relocation of the turtle by a qualified biologist with a valid CDFW Scientific Collecting Permit. If relocation of western pond turtles is determined to be necessary, turtles shall be relocated to similar nearby habitat free of predators (e.g., racoon, coyote, raptors, bullfrog, nonnative turtles, other western pond turtles) as determined by the qualified biologist. If western pond turtles are relocated, a report shall be submitted electronically to CDFW within 15 days of the relocation. The report shall include the location, date, time, and duration of collection and release; the number of individuals relocated; and identification of the qualified biologist.</li> </ul> <p><b>Mitigation Measure 3.4-2c: Conduct Preconstruction Nesting Raptor Surveys and Establish Protective Buffers</b></p> <p>The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions). Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2019-0001-DWQ for the protection of nesting raptors from new development related to cannabis activities:</p>			

**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
	<ul style="list-style-type: none"> <li>• To minimize the potential for loss of nesting raptors, tree removal activities shall occur only during the nonbreeding season (September 1–January 31).</li> <li>• Prior to removal of any trees or ground-disturbing activities between February 1 and August 31, a qualified biologist approved by the County shall conduct preconstruction surveys for nesting raptors and shall identify active nests within 500 feet of the proposed development area. The surveys shall be conducted between February 1 and August 31.</li> <li>• Impacts to nesting raptors, including direct impacts and indirect impacts (e.g., noise, presence of construction crews) shall be avoided by establishing appropriate buffers around active nest sites identified during preconstruction raptor surveys. Factors to be considered for determining buffer size will include the presence of natural buffers provided by vegetation or topography; nest height; locations of foraging territory; and baseline levels of noise and human activity. Buffer size if the qualified biologist and the applicant, in consultation with CDFW, determine that such an adjustment would not be likely to adversely affect the nest. The buffer areas shall be protected with construction fencing, and no activity shall occur within the buffer areas until the qualified biologist has determined, in coordination with CDFW, that the young have fledged, the nest is no longer active, or reducing the buffer would not likely result in nest abandonment. Monitoring of the nest by a qualified biologist approved by the County during and after construction activities (e.g., ground disturbance, vegetation removal, installation cultivation sites) will be required if the activity has potential to adversely affect the nest.</li> <li>• Removal of bald and golden eagle nests is prohibited regardless of the occupancy status under the federal Bald and Golden Eagle Protection Act. If bald or golden eagle nests are found during preconstruction surveys, then the nest tree shall not be removed.</li> <li>• Trees shall not be removed during the breeding season for nesting raptors unless a survey by the qualified biologist verifies that there is not an active nest in the tree.</li> </ul> <p><b>Mitigation Measure 3.4-2d: Conduct Northern Spotted Owl Preconstruction Habitat Suitability Surveys and Determine Presence or Absence of the Species</b>                      The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required</p>			

**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
	<p>Conditions), and Section 315-842(6) (Required Conditions). Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2019-0001-DWQ for the protection of northern spotted owl from new development related to cannabis activities:</p> <ul style="list-style-type: none"> <li>• To avoid the potential for loss of northern spotted owl and their nests, or loss or fragmentation of occupied or suitable habitat for northern spotted owl, removal of old-growth habitat shall be prohibited, as outlined in Mitigation Measure 3.4-4a.</li> <li>• If the area of proposed new development activities (e.g., any application for commercial cannabis operations or renewal of an existing licensed cultivation site that is planning to expand its Designated Area) is within suitable habitat for northern spotted owl (e.g., coniferous forest), and is within 1.3 miles (average species home range) of a known occurrence of northern spotted owl, as determined by a qualified biologist familiar with the species and protocol, and approved by the County, the following measures shall be followed:</li> <li>• Prior to removal of any trees, or ground-disturbing activities adjacent or within suitable nesting, roosting, or foraging habitat (e.g., forest clearings) for spotted owl, a qualified biologist approved by the County and familiar with the life history of the northern spotted owl shall conduct preconstruction surveys for nests within a 1.3-mile buffer around the site as described in Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls (USFWS 2012). Surveys shall take place between March 1 and August 31. Three complete surveys spaced at least 7 days apart must be completed by June 30. Six complete surveys over the course of 2 years must be completed to determine presence or absence of northern spotted owl.</li> <li>• If northern spotted owls are determined to be absent 1.3 miles from the site, then further mitigation is not required.</li> <li>• If northern spotted owls are determined to be present within 1.3 miles of the site, then it is presumed that habitat removal could cause harm to northern spotted owl populations in the area and could result in direct take of northern spotted owls. If northern spotted owls are determined to be present within 1.3 miles of the site, proposed cultivation activities, including expansion of an existing Designated Area, will not be permitted.</li> </ul>			

**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
	<p><b>Mitigation Measure 3.4-2e: Conduct Preconstruction Special-Status Nesting Bird Surveys and Establish Protective Buffers</b></p> <p>The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions). Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2019-0001-DWQ for the protection of little willow flycatcher, olive-sided flycatcher, yellow warbler, yellow-breasted chat, or other bird nests from new development related to cannabis activities:</p> <ul style="list-style-type: none"> <li>• To minimize the potential for disturbance to or loss of little willow flycatcher, olive-sided flycatcher, yellow warbler, yellow-breasted chat, or other bird nests, vegetation removal activities shall occur only during the nonbreeding season (September 1-January 31).</li> <li>• If little willow flycatcher is detected during the initial biological reconnaissance survey (see Mitigation Measure 3.4-1a) or is determined to be likely to occur based on the presence of suitable habitat, a protocol-level survey shall be conducted by a qualified biologist familiar with the species and the protocol prior to removal of any vegetation or any ground disturbance. The protocol-level survey shall utilize methods outlined in <i>A Willow Flycatcher Survey Protocol for California</i> (Bombay et al. 2003).</li> <li>• If little willow flycatcher is determined to be present during the protocol-level survey, no development activity shall occur during the breeding season (May 1 through August 31) in and within 300 feet of the little willow flycatcher habitat. Development activities within or adjacent to identified little willow flycatcher habitat shall not damage or destroy willows or other riparian shrubs unless agreed upon through consultation with CDFW.</li> <li>• If olive-sided flycatcher, yellow warbler, yellow-breasted chat, or other bird nests are detected during the initial biological reconnaissance survey (see Mitigation Measure 3.4-1a) or are determined to be likely to occur based on the presence of suitable habitat, prior to removal of any vegetation or any ground disturbance between February 1 and August 31, a qualified biologist approved by the County shall conduct preconstruction surveys for nests on any structure or vegetation planned for removal. The surveys shall be conducted no more than 7 days before construction commences. If no</li> </ul>			



**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
	<p>active nests are found during focused surveys, no further action under this measure will be required. If active nests are located during the preconstruction surveys, the biologist shall notify the Planning Director and CDFW. If deemed necessary by the Planning Director in consultation with CDFW, modifications to the project design to avoid removal of occupied habitat while still achieving project objectives may be required. If the County determines in consultation with CDFW that avoidance is not feasible or conflicts with project objectives, construction shall be prohibited within a minimum of 100 feet of the nest to avoid disturbance until the nest is no longer active.</p> <p><b>Mitigation Measure 3.4-2f: Conduct Preconstruction Surveys for Trinity Bristle Snail</b>                      The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions). Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2019-0001-DWQ for the protection of the Trinity bristle snail from new development related to cannabis activities:</p> <ul style="list-style-type: none"> <li>• If Trinity bristle snail is detected during the initial biological reconnaissance survey (see Mitigation Measure 3.4-1a) or are determined to be likely to occur due to the presence of suitable habitat, consultation with CDFW shall be initiated to determine whether mitigation measures, such as project design modifications or relocation of the site, will be necessary and appropriate.</li> <li>• Regardless of detection during the initial biological reconnaissance survey, if suitable habitat for Trinity bristle snail is present within the proposed development area, a qualified biologist approved by the County and familiar with the species shall conduct preconstruction surveys of proposed new development activities within the period when the species is the most active (between May and October and between dusk and dawn) prior to new development activities. Preconstruction surveys shall be conducted using a widely used and accepted standardized protocol that controls for seasonality and environmental conditions, such as the <i>Survey Protocol for Survey and Manage Terrestrial Mollusk Species from the Northwest Forest Plan</i> (BLM 2003). Surveys shall be conducted throughout the proposed construction area and an appropriate buffer around the proposed</li> </ul>			

**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
	<p>development area as determined by the qualified biologist familiar with the species and survey protocols.</p> <ul style="list-style-type: none"> <li>• If Trinity bristle snail or its habitat is not detected during the preconstruction survey, then further mitigation is not required.</li> <li>• If Trinity bristle snail is detected during the preconstruction survey, then consultation with CDFW shall be initiated as described above. Injury or mortality of this species will be avoided through project design modification or cultivation site relocation.</li> <li>• If impacts to Trinity bristle snail are unavoidable, then the applicant will submit an ITP application to CDFW and receive authorization prior to commencing development of the cultivation site. Conditions of incidental take authorization may include minimization measures to reduce impacts to individual Trinity bristle snails, or compensation for loss of the species including but not limited to purchasing credits from a CDFW-approved mitigation bank.</li> </ul> <p><b>Mitigation Measure 3.4-2g: Implement Measures to Avoid Take of Special-Status Bumble Bees or Obtain Incidental Take Coverage</b></p> <p>The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions). Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2019-0001-DWQ for the protection of special-status bumble bees from new development related to cannabis activities:</p> <ul style="list-style-type: none"> <li>• If special-status bumble bees are detected during the initial biological reconnaissance survey (see Mitigation Measure 3.4-1a) or are determined to be likely to occur due to the presence of suitable habitat, consultation with CDFW shall be initiated to determine whether mitigation measures, such as protocol-level surveys, project design modifications, or relocation of the site, will be necessary and appropriate.</li> <li>• If impacts to special-status bumble bees are determined to be unavoidable, then the applicant will submit an ITP application to CDFW and receive authorization prior to commencing development of the cultivation site. Conditions of incidental take authorization may include minimization measures to reduce impacts to individual bumble bees, or compensation</li> </ul>			

**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
	<p>for loss of the species including but not limited to purchasing credits from a CDFW-approved mitigation bank.</p> <p><b>Mitigation Measure 3.4-2h: Conduct Preconstruction American Badger Survey and Establish Protective Buffers</b></p> <p>The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions). Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2019-0001-DWQ for the protection of the American badger from new development related to cannabis activities:</p> <ul style="list-style-type: none"> <li>• Prior to the commencement of construction activities, a qualified wildlife biologist approved by the County shall conduct surveys of the suitable grassland or agricultural habitats slated for conversion within the site to identify any American badger burrows/dens. These surveys shall be conducted not more than 7 days prior to the start of construction. If occupied burrows are not found, further mitigation shall not be required. If occupied burrows are found, impacts to active badger dens shall be avoided by establishing exclusion zones around all active badger dens, within which construction related activities shall be prohibited until denning activities are complete or the den is abandoned. The qualified biologist shall monitor each den once per week to track the status of the den and to determine when it is no longer occupied.</li> </ul> <p><b>Mitigation Measure 3.4-2i: Conduct Preconstruction Fisher and Humboldt Marten Survey and Preserve Active Den Sites</b></p> <p>The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions). Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2019-0001-DWQ for the protection of the fisher and Humboldt marten from new development related to cannabis activities:</p>			

**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
	<ul style="list-style-type: none"> <li>• To minimize the potential for loss of or disturbance to fisher and Humboldt marten habitat and dens, removal of old-growth habitat shall be prohibited, as outlined in Mitigation Measure 3.4-4a.</li> <li>• Prior to commencement of new development related to cannabis activities occurring within the fisher and Humboldt marten denning season (March 1 to July 31), including tree removal (non-old growth), a qualified wildlife biologist approved by the County will conduct preconstruction surveys of all suitable habitat within the site, and will identify sightings of individual fishers or martens, as well as potential dens.</li> <li>• If individuals or potential or occupied dens are not found, further mitigation will not be required.</li> <li>• If fisher or Humboldt marten are identified or if potential dens of these species are located, an appropriate method shall be used by the qualified wildlife biologist to confirm whether a fisher or marten is occupying the den. This may involve use of remote field cameras, track plates, or hair snares. Other devices such as fiber optic scope may be utilized to determine occupancy. If no fisher or marten occupies the potential den, the entrance will be temporarily blocked so that no other animals occupy the area during ground disturbance, vegetation removal, or installation of cultivation sites, but only after it has been fully inspected. The blockage will be removed once these activities have been completed.</li> <li>• If a den is found to be occupied by a fisher or marten, a no-disturbance buffer will be placed around the occupied den location. The no-disturbance buffer will include the den tree (or other structure) plus a suitable buffer as determined by the biologist in coordination with CDFW. Construction activities in the no-disturbance buffer will be avoided until the nest is unoccupied as determined by a qualified wildlife biologist in coordination with CDFW.</li> </ul> <p><b>Mitigation Measure 3.4-2j: Conduct Preconstruction Surveys for Ringtail and Implement Avoidance Measures</b></p> <p>The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions). Compliance documentation will be provided to the County as part of the application materials and may be combined with</p>			

**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
	<p>required compliance with SWRCB Order WQ 2019-0001-DWQ for the protection of the ringtail from new development related to cannabis activities:</p> <ul style="list-style-type: none"> <li>• Prior to commencement of new development related to cannabis activities occurring within the ringtail nesting season (not well defined but likely approximately March 1 to July 31), including tree or shrub removal, a qualified wildlife biologist approved by the County will conduct preconstruction surveys of all suitable habitat within the site, and will identify sightings of individual ringtails, as well as potential nests.</li> <li>• If individuals or potential or occupied nests are not found, further mitigation will not be required.</li> <li>• If ringtail are identified or if potential nests of this species are located, an appropriate method shall be used by the qualified wildlife biologist to confirm whether a ringtail is occupying the den. This may involve use of remote field cameras, track plates, or hair snares. Other devices such as a fiber optic scope may be utilized to determine occupancy. If no ringtail occupies the potential nest, the entrance will be temporarily blocked so that no other animals occupy the area during ground disturbance, vegetation removal, or installation of cultivation sites, but only after it has been fully inspected. The blockage will be removed once these activities have been completed.</li> <li>• If a nest is found to be occupied by a ringtail, a no-disturbance buffer will be placed around the occupied den location. The no-disturbance buffer will include the nest tree (or other structure) plus a suitable buffer as determined by the biologist in coordination with CDFW. Construction activities in the no-disturbance buffer will be avoided until the nest is unoccupied as determined by a qualified wildlife biologist in coordination with CDFW.</li> </ul> <p><b>Mitigation Measure 3.4-2k: Conduct Preconstruction Surveys for Oregon Snowshoe Hare and Implement Avoidance Measures</b></p> <p>The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions). Compliance documentation will be provided to the County as part of the application materials and may be combined with</p>			

**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
	<p>required compliance with SWRCB Order WQ 2019-0001-DWQ for the protection of Oregon snowshoe hare from new development related to cannabis activities:</p> <ul style="list-style-type: none"> <li>• If it is determined during the initial biological reconnaissance survey (see Mitigation Measure 3.4-1a) that suitable habitat for Oregon snowshoe hare is present within a proposed cultivation area, then preconstruction surveys will be required. Prior to removal of any vegetation or any ground disturbance within suitable Oregon snowshoe hare habitat, a qualified biologist approved by the County shall conduct preconstruction surveys of all suitable habitat within the site.</li> <li>• If Oregon snowshoe hares or occupied reproductive sites are not found, further mitigation will not be required.</li> <li>• If Oregon snowshoe hares or potential or occupied reproductive sites are observed, a no-disturbance buffer will be placed around the occupied nest. The no-disturbance buffer will include the nest plus a suitable buffer as determined by the biologist in coordination with CDFW. Construction activities in the no-disturbance buffer will be avoided until the reproductive site is unoccupied as determined by the qualified biologist in coordination with CDFW.</li> </ul> <p><b>Mitigation Measure 3.4-2: Preconstruction Bat Survey and Exclusion</b>                      The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions). Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2019-0001-DWQ for the protection of the pallid bat and Townsend’s big-eared bat from new development related to cannabis activities:</p> <ul style="list-style-type: none"> <li>• Before commencing any development related to cannabis activities, a qualified biologist approved by the County shall conduct surveys for roosting bats. If evidence of bat use is observed, the species and number of bats using the roost shall be determined. Bat detectors may be used to supplement survey efforts. If no evidence of bat roosts is found, then no further study will be required.</li> </ul>			

**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
	<ul style="list-style-type: none"> <li>• If pallid bats or Townsend’s big-eared bats are found in the surveys, a mitigation program addressing mitigation for the specific occurrence shall be submitted to the Planning Director and CDFW by the qualified biologist subject to the review and approval of the Planning Director in consultation with CDFW. Implementation of the mitigation plan shall be a condition of project approval. The mitigation plan shall establish a buffer area around the nest during hibernation or while females in maternity colonies are nursing young that is large enough to prevent disturbance to the colonies.</li> </ul> <p><b>Mitigation Measure 3.4-2m: Preconstruction Vole Survey</b>                      The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions). Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2019-0001-DWQ for the protection of the Sonoma tree vole from new development related to cannabis activities:</p> <ul style="list-style-type: none"> <li>• To minimize the potential for loss of or disturbance to vole habitat and nests, removal of old-growth habitat shall be prohibited, as outlined in Mitigation Measure 3.4-4a.</li> <li>• Before commencing any tree or other vegetation removal activities, or ground-disturbance, a qualified biologist approved by the County shall conduct surveys for vole nests (e.g., nest searching within trees on the site, and confirming that nests belong to voles rather than squirrels or birds). If no evidence of vole nests is found, then no further study shall be required. A report summarizing the results of the surveys shall be prepared and submitted to the Planning Director and shall be subject to his review and approval in consultation with CDFW.</li> <li>• If occupied trees or nests are identified within 100 feet of the site, the biologist shall determine whether project development activities will adversely affect the voles, based on factors such as noise level of development activities, or line of sight between the tree and the disturbance source. If it is determined that development activities would not affect the voles, then development can proceed without protective measures.</li> </ul>			

**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
	<ul style="list-style-type: none"> <li>• If the biologist determines that development activities would likely disturb voles, the proposed area of disturbance shall be relocated a minimum of 200 feet from the nest.</li> </ul> <p><b>Mitigation Measure 3.4-2n: Implement Generator Noise Reduction Measures</b> Section 315-843(6)(b) will be modified as shown to include standards to protect wildlife (USFWS 2006):</p> <ul style="list-style-type: none"> <li>• The cultivation of cannabis shall not exceed the noise level standards as set forth in the County General Plan: 55 A-weighted decibels (dBA) from 7:00 a.m. to 7:00 p.m. and 50 dBA from 7:00 p.m. to 7:00 a.m. measured at the property line, except that generators associated with a commercial grow are not to be used between 10:00 p.m. and 7:00 a.m. (Section 315-843[6][b]). The following additional noise performance standards shall apply to generator use:                             <ul style="list-style-type: none"> <li>○ Project-generated sound must not exceed ambient nesting conditions by 20-25 dBA.</li> <li>○ Project-generated sound, when added to existing ambient conditions, must not exceed 90 dBA.</li> </ul> </li> </ul> <p><b>Mitigation Measure 3.4-2o: Implement Measures to Avoid Take of Gray Wolf</b> The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions). Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2019-0001-DWQ for the protection of gray wolf from new development related to cannabis activities:</p> <ul style="list-style-type: none"> <li>• If gray wolf is detected during the initial biological reconnaissance survey (see Mitigation Measure 3.4-1a) or is determined to be likely to occur due to the presence of suitable habitat and recent species range information, consultation with CDFW shall be initiated to determine whether mitigation measures, such as protocol-level surveys, project design modifications, relocation of the site, limited operating periods, or biological monitoring will be necessary and appropriate.</li> </ul>			



**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
	<ul style="list-style-type: none"> <li>If impacts to gray wolf cannot be avoided, then proposed cultivation activities will not be permitted.</li> </ul>			
<p><b>Impact 3.4-3: Disturbance to or Loss of Special-Status Fisheries</b></p>	<p><b>Mitigation Measure 3.4-3: Implement Mitigation Measures 3.10-1a and 3.10-1b.</b></p>	<p>Trinity County</p>	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	
<p><b>Impact 3.4-4: Disturbance to or Loss of Riparian Habitat, Old-Growth Habitat, or Other Sensitive Natural Communities</b></p>	<p><b>Mitigation Measure 3.4-4a: Identify, Avoid, and Protect Sensitive Natural Communities, Riparian Habitat, and Wetland Vegetation or Provide Compensation</b></p> <p>The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions). Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2019-0001-DWQ for the protection of sensitive natural communities and riparian habitat:</p> <ul style="list-style-type: none"> <li>For projects that could disturb sensitive natural communities or riparian habitat, the application shall include a report prepared by a qualified biologist approved by the County that surveys the site for these sensitive resources identified from biological reconnaissance survey conducted under Mitigation Measure 3.4-1a, including riparian habitat associated with aquatic features; old-growth Douglas fir forests; oak woodlands; special-status fish stream habitats; and Darlingtonia seep habitat.</li> <li>The report shall include requirements that before development activities commence, all sensitive areas identified above shall be flagged or fenced with brightly visible construction flagging and/or fencing under the direction of the qualified biologist to require that grading, excavation, other ground-disturbing activities, and vegetation removal will not occur within these areas. Foot traffic by construction personnel shall also be limited in these areas to prevent the introduction of invasive or weedy species. Periodic inspections during construction shall be conducted by the monitoring biologist to maintain the integrity of exclusion fencing/flagging throughout the period of construction involving ground disturbance.</li> </ul>	<p>Trinity County</p>	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	

**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
	<ul style="list-style-type: none"> <li>• If the report documents that site development would affect the bed, bank, channel, or associated riparian habitat subject to CDFW jurisdiction under California Fish and Game Code Section 1602, a Streambed Alteration Notification shall be submitted to CDFW, pursuant to Section 1600 et seq. of the California Fish and Game Code. If proposed activities are determined to be subject to CDFW jurisdiction, the applicant shall abide by the conditions of any executed agreement prior to any ground disturbance.</li> <li>• Subject to the review and approval of the County in consultation with CDFW, applicants shall compensate for permanent loss of riparian habitat at a minimum of a 2:1 ratio through contributions to a CDFW-approved wetland mitigation bank or through the development and implementation of a Compensatory Stream and Riparian Mitigation and Monitoring Plan for creating or restoring in-kind habitat in the surrounding area. If mitigation credits are not available, stream and riparian habitat compensation shall include establishment of riparian vegetation on currently unvegetated bank portions of streams affected by the project and enhancement of existing riparian habitat through removal of nonnative species, where appropriate, and planting additional native riparian plants to increase cover, continuity, and width of the existing riparian corridor along streams in the site and surrounding areas. Construction activities and compensatory mitigation shall be conducted in accordance with the terms of a streambed alteration agreement as required under Section 1602 of the California Fish and Game Code as well as the SWRCB Order WQ 2019-0001-DWQ. The Compensatory Stream and Riparian Mitigation and Monitoring Plan shall include the following:                         <ul style="list-style-type: none"> <li>○ identification of compensatory mitigation sites and criteria for selecting these mitigation sites;</li> <li>○ in-kind reference habitats for comparison with compensatory riparian habitats (using performance and success criteria) to document success;</li> <li>○ monitoring protocol, including schedule and annual report requirements (compensatory habitat will be monitored for a minimum of 5 years from completion of mitigation, or human intervention [including recontouring and grading], or until the success criteria identified in the approved mitigation plan have been met, whichever is longer);</li> </ul> </li> </ul>			

**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
	<ul style="list-style-type: none"> <li>○ ecological performance standards, based on the best available science and including specifications for native riparian plant densities, species composition, amount of dead woody vegetation gaps and bare ground, and survivorship; at a minimum, compensatory mitigation planting sites must achieve 80 percent survival of planted riparian trees and shrubs by the end of the 5-year maintenance and monitoring period or dead and dying trees will be replaced and monitoring continued until 80 percent survivorship is achieved;</li> <li>● corrective measures if performance standards are not met;</li> <li>● responsible parties for monitoring and preparing reports; and</li> <li>● responsible parties for receiving and reviewing reports and for verifying success or prescribing implementation or corrective actions.</li> </ul> <p><b>Mitigation Measure 3.4-4b: Restore Abandoned Cultivation and Nursery Sites</b>                      The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis) and Section 315-826(3) (Regulation of Nurseries) for the protection of sensitive natural communities and riparian habitat:</p> <ul style="list-style-type: none"> <li>● Upon revocation of a use permit or abandonment of a licensed cultivation or nursery site, the permittee and/or property owner shall remove all materials, equipment, and improvements on the site that were devoted to cannabis use, including but not limited to concrete foundations and slabs; bags, pots, or other containers; tools; fertilizers; pesticides; fuels; hoop house frames and coverings; irrigation pipes; water bladders or tanks; pond liners; electrical lighting fixtures; wiring and related equipment; fencing; cannabis or cannabis waste products; imported soil or soil amendments not incorporated into native soil; generators; pumps; or structures not adaptable to noncannabis permitted use of the site. If any of the above described or related material or equipment is to remain, the permittee and/or property owner shall prepare a plan and description of the noncannabis continued use of such material or equipment on the site. The property owner shall be responsible for execution of the restoration plan that will reestablish the previous natural conditions of the site, subject to monitoring and periodic inspection by the County. Failure to adequately execute the plan shall be subject to the enforcement provisions by the County.</li> </ul>			

**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
<p><b>Impact 3.4-5: Disturbance or Less of Waters of the United States</b></p>	<p><b>Mitigation Measure 3.4-5: Identify Wetlands and Other Waters of the United States and Avoid These Features</b>                      The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions). Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2019-0001-DWQ for the protection of waters of the United States from new development related to cannabis activities:</p> <ul style="list-style-type: none"> <li>• The application shall include a report prepared by a qualified biologist approved by the County that surveys the site for sensitive resources, including wetlands, streams, and rivers identified from biological reconnaissance survey conducted under Mitigation Measure 3.4-1a. Wetlands and other waters of the United States are of special concern to resource agencies and are afforded specific consideration, based on Section 404 of the Clean Water Act and other applicable regulations.</li> <li>• If the report documents waters of the United States to be present, a delineation of waters of the United States, including wetlands that would be affected by the project, shall be prepared by a qualified biologist approved by the County through the formal Section 404 wetland delineation process. The delineation shall be submitted to and verified by USACE.</li> <li>• If, based on the verified delineation, it is determined that fill of waters of the United States would result from implementation of the project, authorization for such fill from USACE through the Section 404 permitting process would be required. USACE may not issue a Section 404 permit for activities associated with cannabis cultivation. If a Section 404 permit cannot be obtained, then the applicant shall modify the proposed project to avoid any wetlands or other waters of the United States by providing a buffer of at least 50 feet around these features.</li> </ul>	<p>Trinity County</p>	<p>This will be incorporated into the Cannabis Program.                       This requirement will be applied to cannabis licenses.</p>	
<p><b>Impact 3.4-6: Interference with Resident or Migratory Wildlife Corridors or Native Wildlife Nursery Sites</b></p>	<p><b>Mitigation Measure 3.4-6a: Implement Mitigation Measure 3.4-5: Identify Wetlands and Other Waters of the United States and Avoid These Features</b></p>	<p>Trinity County</p>	<p>This will be incorporated into the Cannabis Program.</p>	

**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
	<p><b>Mitigation Measure 3.4-6b: Retention of Fisher and Humboldt Marten Habitat Features</b>                      The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions). Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2019-0001-DWQ for the protection of the habitat for fisher and Humboldt marten:</p> <ul style="list-style-type: none"> <li>To minimize the potential for loss of or disturbance to fisher and Humboldt marten habitat, removal of old-growth habitat shall be prohibited, as outlined in Mitigation Measure 3.4-4a.</li> <li>Habitat features within non-old-growth habitat, such as large trees, large snags, coarse woody debris, and understory vegetation (e.g., shrubs), shall be retained within the site to the extent feasible, to maintain connectivity of fisher and marten habitat.</li> </ul> <p><b>Mitigation Measure 3.4-6c: Implement Mitigation Measure 3.1-1b: Maintain Cultivation Premises</b></p>		<p>This requirement will be applied to cannabis licenses.</p>	
<p><b>3.5 Archaeological, Historical, and Tribal Cultural Resources</b></p>				
<p><b>Impact 3.5-1: Cause a Substantial Adverse Change in the Significance of a Historic Resource</b></p>	<p><b>Mitigation Measure 3.5-1a: Conduct Historic Evaluations for Existing Operations</b>                      The following shall be included as a new performance standard for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis) and Section 315-828(5) (Required Conditions):</p> <ul style="list-style-type: none"> <li>Annual relicensing of cannabis operations licensed before 2019 shall require a one-time historic building evaluation, and the results of the evaluation shall be submitted to the County if buildings on-site are over 45 years old and are expected to be used in future operations. If the buildings are determined to be a significant historic resource, then the applicant shall be required to comply with historic resource protection standards set forth in Mitigation Measure 3.5-1b. This requirement does not apply to buildings that are currently being used as part of the cannabis operation.</li> </ul> <p><b>Mitigation Measure 3.5-1b: Revise Ordinance to Include All Historic Districts and Additional Measures to Protect Historic Resources</b></p>	<p>Trinity County</p>	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	

**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
	<p>The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions) for the protection of historic resources:</p> <ul style="list-style-type: none"> <li>• Cannabis cultivation operations shall not be permitted within the historic districts of Weaverville, Denny, Helena, and Lewiston, unless the operations occur indoors, do not require modification of historic features, and do not conflict with any limitation on location to cultivate cannabis.</li> <li>• Applicants shall identify and evaluate all historic-age (over 45 years in age) buildings and structures that are proposed to be removed or modified as part of cannabis operations. This shall include preparation of a historic structure report and evaluation of resources to determine their eligibility for recognition under federal, state, or County local official register of historic resources criteria. The evaluation shall be prepared by an architectural historian or historical architect meeting the Secretary of the Interior’s Standards and Guidelines for Archeology and Historic Preservation, Professional Qualification Standards. The evaluation shall comply with State CEQA Guidelines Section 15064.5(b) and, if federal funding or permits are required, with Section 106 of the NHPA of 1966 (16 U.S. Code Section 470 et seq.).</li> <li>• If resources eligible for inclusion in the NRHP, CRHR, or local official register of historic resources are identified, an assessment of impacts on these resources shall be included in the report, as well as detailed measures to avoid impacts. If avoidance of a significant architectural/built environment resource is not feasible, additional mitigation options include, but are not limited to, specific design plans for historic districts or plans for alteration or adaptive reuse of a historical resource that follows the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitation, Restoring, and Reconstructing Historic Buildings.</li> </ul>			

**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
<b>3.7 Geology and Soils</b>				
<p><b>Impact 3.7-2: Create Geologic Hazard and Soil Stability Issues and Associated Soil Erosion Impacts</b></p>	<p><b>Mitigation Measure 3.7-2: Implement Mitigation Measure 3.10-1a: Demonstrate Compliance with Water Resource Standards</b></p>	<p>Trinity County</p>	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	
<p><b>Impact 3.7-4: Adverse Effects to Paleontological Resources</b></p>	<p><b>Mitigation Measure 3.7-4: Protect Discovered Paleontological Resources</b>                      The following shall be included as a new performance standard for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions):</p> <ul style="list-style-type: none"> <li>• If a paleontological discovery is made during construction, the contractor shall immediately cease all work activities in the vicinity (within approximately 100 feet) of the discovery and shall immediately contact the County.</li> <li>• A qualified paleontologist shall be retained to observe all subsequent grading and excavation activities in the area of the find and shall salvage fossils as necessary. The paleontologist shall establish procedures for paleontological resource surveillance and shall establish, in cooperation with the project developer, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of fossils. If major paleontological resources are discovered that require temporarily halting or redirecting of grading, the paleontologist shall report such findings to the County. The paleontologist shall determine appropriate actions, in cooperation with the applicant and the County, that ensure proper exploration and/or salvage. It is encouraged that the excavated finds first be offered to a state-designated repository such as the Museum of Paleontology, University of California, Berkeley, or the California Academy of Sciences. Otherwise, the finds may be offered to the County for purposes of public education and interpretive displays. The paleontologist shall submit a follow-up report to the County that shall include the period of inspection, an analysis of the fossils found, and the present repository of fossils.</li> </ul>	<p>Trinity County</p>	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	

**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
<b>3.8 Greenhouse Gas Emissions and Climate Change</b>				
<p><b>Impact 3.8-1: Generate Greenhouse Gas Emissions</b></p>	<p><b>Mitigation Measure 3.8-1a: Implement Mitigation Measures 3.3-1a, 3.3-1b, and 3.3-1c</b></p> <p><b>Mitigation Measure 3.8-1b: Implement Mitigation Measures 3.3-2a and 3.3-2b</b></p> <p><b>Mitigation 3.8-1c: Renewable Electricity Requirements</b>                      The following shall be included as a new performance standard in Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis); Section 315-842(6) (Required Conditions); Section 315-838(6) (Required Conditions); Section 315-837(3) (Required Conditions); Section 315-835(2) (Regulations); Section 315-824(5) (Required Conditions); Section 315-827(4) (Required Conditions of Use Permit Approval); and Section 315-828(5) (Required Conditions) by January 1, 2023 for consistency with California Code of Regulations Title 3, Division 8, Chapter 1, Section 8305 (Renewable Energy Requirements):</p> <ul style="list-style-type: none"> <li>• All electricity sources used for commercial cannabis cultivation, manufacturing, microbusinesses, non-storefront retail, testing, nurseries, and distribution shall be from renewable sources by conforming to one or more of the following standards:                             <ul style="list-style-type: none"> <li>○ Grid-based electricity supplied from 100 percent renewable sources</li> <li>○ On-site power supplied fully by renewable source (e.g., photovoltaic system)</li> <li>○ On-site power supplied by partial or wholly non-renewable source with purchase of carbon offset credits</li> <li>○ Or some combination of the above.</li> </ul> </li> </ul> <p>This mitigation measure is consistent with a local action measure recommended in Appendix B, Local Action, of the 2017 Scoping Plan, which reads, “Require on-site renewable energy generation” (CARB 2017:B-8).</p> <p><b>Mitigation Measure 3.8-1d: Lighting Efficiency Requirements</b>                      The following shall be included as a new performance standard for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis); Section 315-842(6) (Required Conditions); Section 315-838(6) (Required Conditions); Section 315-837(3) (Required Conditions); Section 315-835(2) (Regulations); Section 315-824(5) (Required Conditions); Section 315-827(4) (Required Conditions of Use Permit Approval); and Section 315-828(5) (Required Conditions):</p>	<p>Trinity County</p>	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	



**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
	<ul style="list-style-type: none"> <li>• Only light-emitting diodes (LEDs) or double-ended high-pressure sodium (HPS) fixtures shall be used in all existing and new mixed-light cultivation operations (i.e., sites not seeking relicensing).</li> <li>• Only high efficacy lighting shall be used in all existing and new noncultivation operations (i.e., sites not seeking relicensing).</li> </ul> <p>Examples of high efficacy lighting include:</p> <ul style="list-style-type: none"> <li>• Pin-based linear fluorescent or compact fluorescent light sources using electronic ballasts;</li> <li>• Pulse-start metal halide light sources;</li> <li>• HPS light sources;</li> <li>• Luminaries with hardwired high frequency generator and induction lamp; and</li> <li>• LEDs.</li> </ul> <p>LED or HPS lighting has been considered feasible in cannabis cultivation sites by numerous studies conducted by utility providers throughout California (SDG&amp;E 2016). This is consistent with a local action measure recommended in Appendix B, Local Action, of the 2017 Scoping Plan, which reads, “Require the use of energy-efficient lighting for all street, parking, and area lighting” (CARB 2017:B-10).</p>			
<p><b>3.9 Hazards and Hazardous Materials</b></p>				
<p><b>Impact 3.9-2: Create Potential Human Health Hazards From Exposure to Existing Onsite Hazardous Materials</b></p>	<p><b>Mitigation Measure 3.9-2a: Prepare Environmental Site Assessments</b></p> <p>The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions):</p> <ul style="list-style-type: none"> <li>• Applications for new cannabis activities on sites that contain existing or previous commercial, business park, or industrial uses shall include a site assessment for the presence of potential hazardous materials, including an updated review of environmental risk databases. If this assessment indicates the presence or likely presence of contamination, the applicant shall prepare a Phase I ESA in accordance with the American Society for Testing and Materials’ E-1527-05 standard. For work requiring any demolition, the Phase I ESA shall make recommendations for any</li> </ul>	<p>Trinity County</p>	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	

**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
	<p>hazardous building materials survey work that shall be done. All recommendations included in a Phase I ESA prepared for a site shall be implemented to protect public health. If a Phase I ESA indicates the presence or likely presence of contamination, the applicant shall prepare a Phase II ESA, and recommendations of the Phase II ESA shall be fully implemented before ground disturbance, which will be made a condition of approval for the project.</p> <p><b>Mitigation Measure 3.9-2b: Prepare a Hazardous Materials Contingency Plan for Construction Activities</b></p> <p>The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions):</p> <ul style="list-style-type: none"> <li>• Applications for new licensed commercial cannabis on commercial, business park, or industrial sites shall include a hazardous materials contingency plan for review and approval by Trinity County Division of Environmental Health. The plan shall describe the necessary actions that would be taken if evidence of contaminated soil or groundwater is encountered during construction. The contingency plan shall identify conditions that could indicate potential hazardous materials contamination, including soil discoloration, petroleum or chemical odors, and presence of underground storage tanks or buried building material. The plan shall include the provision that, if at any time during constructing the project, evidence of soil and/or groundwater contamination with hazardous material is encountered, the project applicant shall immediately halt construction and contact Trinity County Division of Environmental Health. Work shall not recommence until the discovery has been assessed/treated appropriately (through such mechanisms as soil or groundwater sampling and remediation if potentially hazardous materials are detected above threshold levels) to the satisfaction of Trinity County Division of Environmental Health, RWQCB, and DTSC (as applicable). The plan, and obligations to abide by and implement the plan, shall be incorporated into the conditions of approval for the project.</li> </ul>			
<p><b>Impact 3.9-6: Impair Emergency Response or Evacuation Plans</b></p>	<p><b>Mitigation Measure 3.9-6: Implement Mitigation Measures 3.14-3 and 3.14-4.</b></p>	<p>Trinity County</p>	<p>This will be incorporated into the Cannabis Program.</p>	

**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
			This requirement will be applied to cannabis licenses.	
<b>3.10 Hydrology and Water Quality</b>				
<b>Impact 3.10-1: Degrade Water Quality</b>	<p><b>Mitigation Measure 3.10-1a: Demonstrate Compliance with Water Resource Standards</b>                      The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis). Compliance documentation will be provided to the County as part of the application materials and may be combined with required compliance with SWRCB Order WQ 2019-0001-DWQ:</p> <ul style="list-style-type: none"> <li>All cultivation sites (new and licensed renewals) are required to demonstrate compliance with all applicable requirements of SWRCB Order WQ 2019-0001-DWQ or any subsequent water quality standards that apply to all new commercial cannabis cultivation operations and will not limited by a minimum area of disturbance as part of application review and at annual licensed renewal. This will include documentation, Site Management Plan, and grading details prepared by a qualified professional to help ensure that any grading of the site will be stable and describing how stabilization will be achieved. The documentation will also identify the location of all water quality control features for the site and associated access roads. Roadway design, water quality control, and drainage features shall be designed and maintained to accommodate peak flow conditions and will be consistent with The Road Handbook, per CCR Title 14, Chapter 4. Compliance with water diversion standards and restrictions of SWRCB Order WQ 2019-0001-DWQ will also be provided to the County. The County will annually inspect compliance with this measure as part of license issuance or license renewal to confirm compliance.</li> <li>On-site sewage systems shall be designed to accommodate employees and seasonal employees during harvest consistent with the requirements of County Code of Ordinances Section 16.48.122.</li> </ul> <p>The following shall be included as a new performance standard for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions):</p> <ul style="list-style-type: none"> <li>Applications will identify drainage and water quality controls for the site, including roads leading to and from a site, that ensure no sedimentation or other pollutants leave the site as part of project construction and operation.</li> </ul>	Trinity County	This will be incorporated into the Cannabis Program.  This requirement will be applied to cannabis licenses.	

**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
	<p>Compliance with this requirement may be combined with the NPDES Construction General Permit compliance measures. Roadway design, water quality control, and drainage features shall be designed and maintained to accommodate peak flow conditions and will be consistent with The Road Handbook, per CCR Title 14, Chapter 4. Compliance with water diversion standards and restrictions of SWRCB Order WQ 2019-0001-DWQ will also be provided to the County. The County will annually inspect compliance with this measure as part of license issuance or license renewal to confirm compliance.</p> <p><b>Mitigation Measure 3.10-1b: Restrict Cultivation Operations in Floodplains</b>                      The following shall be included as a new performance standard for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis):</p> <ul style="list-style-type: none"> <li>• Cultivation sites shall not place any structures or involve any grading that alters the capacity of the 100-year floodplain. No storage of pesticides, fertilizers, fuel, or other chemicals will be allowed within the 100-year floodplain. All cultivation uses (plants, planter boxes and pots, and related materials) will be removed from the 100-year floodplain between November 1 and April 1 each year.</li> </ul>			
<p><b>Impact 3.10-2: Result in Groundwater Supply Impacts</b></p>	<p><b>Mitigation Measure 3.10-2: Conduct Groundwater Monitoring and Adaptive Management</b>                      The following shall be included as a new performance standard for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions) associated with projects using groundwater as a water supply source:</p> <ul style="list-style-type: none"> <li>• As part of the application and license renewal process, applicants shall provide the County with groundwater monitoring data for existing on-site well facilities that documents water usage and changes in groundwater levels during each month of the year. Should this monitoring data identify potential drawdown impacts on adjacent well(s), surface waters, and waters of the state and sensitive habitats, and indicate a connection to operation of the on-site wells, the cannabis operators, in conjunction with the County, shall develop adaptive management measures to allow for recovery of groundwater levels that would protect adjacent wells and habitat conditions that could be adversely affected by declining</li> </ul>	<p>Trinity County</p>	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	

**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
	<p>groundwater levels. Adaptive management measures may include forbearance (e.g., prohibition of groundwater extraction from the months of May to October), water conservation measures, reductions in on-site cannabis cultivation, alteration of the groundwater pumping schedule, or other measures determined appropriate. Adaptive management measures will remain in place until groundwater levels have recovered and stabilized based on annual monitoring data provided to the County as part of subsequent annual inspections. Any monitoring cannabis cultivation irrigation wells that demonstrate hydrologic connection to surface waters shall be subject to surface water diversion requirements and restrictions in SWRCB Order WQ 2019-0001-DWQ. Wells shall also be sited outside of the stream setbacks as set forth in SWRCB Order WQ 2019-0001-DWQ.</p>			
<p><b>Impact 3.10-3: Result in Diversion of Surface Water</b></p>	<p><b>Mitigation Measure 3.10-3a: Implement Mitigation Measure 3.10-1a: Demonstrate Compliance with Water Resource Standards</b></p> <p><b>Mitigation Measure 3.10-3b: Prohibit Commercial Cannabis Operations in Watersheds under a CDFA Moratorium</b>                      The following shall be included as a new performance standard for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions) associated with projects using groundwater as a water supply source:</p> <ul style="list-style-type: none"> <li>• Prior to the issuance of a license and/or use permit, the County will determine if the application site is located within a watershed on which the CDFA has placed a moratorium on state licensing pursuant to CCR Section 8216. The County will reject the application should the site be located in such a watershed. Noncultivation uses may still be allowed if the applicant can demonstrate that the project’s water source is groundwater that is not hydrologically connected to the watershed to the satisfaction of the County.</li> </ul>	<p>Trinity County</p>	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	
<p><b>Impact 3.10-4: Result in Alteration of Drainage Conditions and Floodplains</b></p>	<p><b>Mitigation Measure 3.10-4: Implement Mitigation Measure 3.10-1b: Restrict Cultivation Operations in Floodplains</b></p>	<p>Trinity County</p>	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	

**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
<b>3.12 Noise</b>				
<p><b>Impact 3.12-1: Create Short-Term, Construction-Related Noise</b></p>	<p><b>Mitigation Measure 3.12-1: Implement Construction Noise Mitigation</b>                      The following shall be included as a new performance standard for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions):</p> <ul style="list-style-type: none"> <li>All outdoor construction activity and use of heavy equipment outdoors shall take place between 7:00 a.m. and 7:00 p.m.</li> </ul>	Trinity County	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	
<b>3.13 Public Services</b>				
<p><b>Impact 3.13-1: Result in Substantial Adverse Physical Impacts Associated with the Need for New or Physically Altered Fire Protection Facilities</b></p>	<p><b>Mitigation Measure 3.13-1: Implement Mitigation Measures 3.14-3 and 3.14-4.</b></p>	Trinity County	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	
<b>3.14 Transportation/Traffic</b>				
<p><b>Impact 3.14-3: Roadway Hazards Due to Geometric Design</b></p>	<p><b>Mitigation Measure 3.14-3: Provide Site Access Free of Hazards Due to Geometric Roadway Design</b>                      The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions):</p> <ul style="list-style-type: none"> <li>Applications for new commercial cannabis activities and license renewals for existing cannabis operations shall provide documentation showing that roadways providing site access are in compliance with Chapter 12.10: Design Policies of the Trinity County Code of Ordinances. New roadway water quality control and drainage features or new drainage features on existing roadways shall be designed to accommodate peak flow conditions and will be consistent with the Road Handbook, per CCR Title 14, Chapter 4 and SWRCB Order WQ 2019-0001-DWQ.</li> </ul>	Trinity County	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	

**Table 1 Mitigation Monitoring and Reporting Program – Cannabis Land Use Ordinance**

Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
<p><b>Impact 3.14-4: Conflict with Adequate Emergency Access</b></p>	<p><b>Mitigation Measure 3.14-4: Provide Adequate Emergency Access</b>                      The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions):</p> <ul style="list-style-type: none"> <li>• Applications for new commercial cannabis activities and license renewals for existing cannabis operations shall provide documentation showing that site access is in compliance with Chapter 8.30 – Fire Safe Ordinance of the Trinity County Code.</li> </ul>	<p>Trinity County</p>	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	
<p><b>3.15 Utilities and Service Systems</b></p>				
<p><b>Impact 3.15-1: Increase Demand on Wastewater Treatment Systems</b></p>	<p><b>Mitigation Measure 3.15-1a: Prepare a Treatment Program for Noncultivation Activities</b>                      The following shall be included as new performance standards for Section 315-824(5) (Required Conditions), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions):                      Applicants for new commercial noncultivation cannabis operations shall prepare a materials management plan that will address each permit type sought within a site. Compliance with state licensing that addresses these items may be used to demonstrate compliance with this measure. The plan shall include:</p> <ul style="list-style-type: none"> <li>• a detailed description of activities and processes occurring on site, including:                             <ul style="list-style-type: none"> <li>○ equipment type and number,</li> <li>○ detailed standard operating procedures for processes,</li> <li>○ chemical requirements and reactions,</li> <li>○ cleaning procedures for equipment,</li> <li>○ required pretreatment requirements for discharge to a public wastewater treatment system, and</li> <li>○ disposal methods for all materials (e.g., plant materials, solvents, empty containers).</li> </ul> </li> <li>• Identification of type and quantity of items produced, including:</li> </ul>	<p>Trinity County</p>	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	

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	<ul style="list-style-type: none"> <li>○ material Safety Data Sheets for all chemical substances occurring on site,</li> <li>○ manifests for each chemical describing quantities purchased, date used, and quantities disposed,</li> <li>○ facility site plan with storage map, showing where hazardous materials will be stored,</li> <li>○ an inventory of all emergency equipment with the location and description of items, including:                             <ul style="list-style-type: none"> <li>▪ personal protective equipment,</li> <li>▪ fire extinguishing systems,</li> <li>▪ spill control equipment and decontamination equipment, and</li> <li>▪ communication and alarm systems.</li> </ul> </li> <li>● An employee training plan that includes:                             <ul style="list-style-type: none"> <li>○ emergency response procedures and incident reporting, and</li> <li>○ chemical handling procedures.</li> </ul> </li> </ul> <p>The materials management plan shall be submitted to Trinity County Division of Environmental Health and public agencies or private enterprises accepting waste materials, including CSDs and waste transfer stations. Commercial cannabis permits shall not be granted without approval of the materials management plan from relevant agencies and identification and construction of any required pretreatment facilities for wastewater.</p> <p><b>Mitigation Measure 3.15-1b: Verification of Adequate Wastewater Service and Necessary Improvements for Public Wastewater Systems</b></p> <p>The following shall be included as new performance standards for Section 315-824(5) (Required Conditions), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions):</p> <ul style="list-style-type: none"> <li>● Applicants not relying on septic systems shall determine whether sufficient public wastewater treatment capacity exists for a proposed project. These determinations must ensure that the proposed development can be served by its existing or planned treatment capacity and wastewater conveyance through approval of the relevant service provider. If adequate capacity does not exist, the application will be denied.</li> </ul>			



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Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
<p><b>Impact 3.15-2: Increase Demand of Public Water Supplies</b></p>	<p><b>Mitigation Measure 3.15-2: Verify Adequate Water Supply and Service for Municipal Water Service</b>                      The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions):</p> <ul style="list-style-type: none"> <li>• Applicants for new commercial cannabis operations that plan to obtain water from a retail water supply will obtain, and provide to the County, written verification from the water service provider that adequate water supply and water distribution facilities are or will be available to serve the site including peak operations (e.g., growing season). If adequate capacity does not exist, the application will be denied.</li> </ul>	<p>Trinity County</p>	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	
<p><b>Impact 3.15-3: Solid Waste Impacts</b></p>	<p><b>Mitigation Measure 3.15-3: Implement a Cannabis Waste Composting Management Plan</b>                      The following shall be included as new performance standards for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions):</p> <ul style="list-style-type: none"> <li>• Applicants for new commercial cannabis operations and relicensed sites will develop and implement a cannabis waste composting management plan if the operator proposes to dispose of cannabis waste through onsite composting. The plan shall meet all state requirements and the following requirements that will be confirmed by the County during inspections.                             <ul style="list-style-type: none"> <li>○ Designation of the composting area on a site plan that is contained within the site boundaries (must be located within the Designated Area for cultivation operations) that is of adequate size to accommodate site cannabis waste needs.</li> <li>○ Identification of water quality control features that ensure no discharge of cannabis waste or other pollutants.</li> <li>○ Details on routine management and equipment used in the composting area that ensures proper composting and control of odors, potential fuel hazards, and pests for the life of the cannabis operation.</li> </ul> </li> </ul>	<p>Trinity County</p>	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	

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Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
3.16 Wildfire				
Impact 3.16-1: Exposure to Wildfire Hazards or Exacerbate Wildfire Risk	<p><b>Mitigation Measure 3.16-1: Implement Mitigation Measure 3.1-1b: Maintain Cultivation Premises</b></p>	Trinity County	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	
Impact 3.16-2: Installation and Operation of Associated Infrastructure That May Exacerbate Fire Risk	<p><b>Mitigation Measure 3.16-2a: Implement Fire Prevention Measures for New Power Lines and Electrical Facilities</b></p> <p>The following shall be included as a new performance standard for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions):</p> <ul style="list-style-type: none"> <li>• New power lines extended to sites shall be placed underground. If power lines cannot be placed underground, fuel breaks shall be provided along power lines and any stand-alone electrical facilities in a manner that would avoid ignition of adjacent vegetation to the satisfaction of the County and CAL FIRE. Fuel breaks shall be maintained and verified by the County as part of annual license renewal.</li> </ul> <p><b>Mitigation Measure 3.16-2b: Implement Fire Prevention Measures for On-Site Construction and Maintenance Activities</b></p> <p>The following shall be included as a new performance standard for Section 315-843(6) (Performance Standards for Commercial Cultivation of Cannabis), Section 315-824(5) (Required Conditions), Section 315-826(3) (Regulation of Nurseries), Section 315-828(5) (Required Conditions), Section 315-835(2) (Regulations), Section 315-837(3) (Required Conditions), and Section 315-842(6) (Required Conditions):</p> <ul style="list-style-type: none"> <li>• The operation of outdoor motorized equipment on-site for construction and maintenance activities shall be required to be covered under a fire protection plan that includes the following provisions:                             <ul style="list-style-type: none"> <li>○ Fire watch personnel responsible for watching for the occurrence of fire during and after equipment use shall be identified.</li> <li>○ Equipment shall be located so that exhausts do not discharge against combustible materials.</li> </ul> </li> </ul>	Trinity County	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	

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Impact	Mitigation Measure	Implementation Responsibility	Timing	Verification
	<ul style="list-style-type: none"> <li>○ Equipment shall not be refueled while in operation and not until after a cooldown period.</li> <li>○ Water and tools dedicated to fire fighting shall be on hand in the area of onsite construction and maintenance activities at all times.</li> <li>○ Designated smoking areas with cigarette disposal receptacles that are burn resistant.</li> </ul>			
<p><b>Impact 3.16-3: Expose People to Increased Risk of Landslides from Post-Fire Slope Instability</b></p>	<p><b>Mitigation Measure 3.16-3: Implement Mitigation Measure 3.10-1a: Demonstrate Compliance with Water Resource Standards</b></p>	<p>Trinity County</p>	<p>This will be incorporated into the Cannabis Program.</p> <p>This requirement will be applied to cannabis licenses.</p>	

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