



TRINITY COUNTY

DEPARTMENT OF TRANSPORTATION

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REQUEST FOR PROPOSALS TO PREPARE AN ENVIRONMENTAL DOCUMENT FOR THE TRINITY COUNTY COMMERCIAL CANNABIS CULTIVATION ORDINANCE

Potential Consultant RFP Questions and Trinity County Responses

1. Ordinance 315-823 is currently in effect. Would the proposed action be the County's re-adoption the ordinance with the environmental document?
No. The current ordinance will remain in effect. However, the environmental document will inform potential future amendments to the current ordinance.
2. Was the September 2017 Mitigated Negative Declaration ever released to the public? If so, can you provide comments received on the document?
The MND was released to the public and the public comment period was from September 28-October 28, 2017. The document was not presented to the Trinity County Planning Commission for adoption. Consider the MND as reference material for the initiation of this new project.
3. How many permitted cultivation operations exist in the County currently?
Since 2016, the County has issued approximately 425 cultivation licenses. Currently, there are approximately 250 active licensed sites and another 100 in the licensing process.
4. Are there areas of the County where cannabis cultivation is concentrated?
Yes, the Trinity Pines area, Hayfork Valley, Hyampom Valley, south County and west County (down the Trinity River Corridor). Note that a large percentage of the County consists of public (USFS) lands.
5. Does the County have an estimate on unpermitted cannabis cultivation operations?
We currently estimate that over 3500 unpermitted cultivation operations exist in the County on private land, and an additional active 10-20 illegal trespass grows on public lands.
6. How effective has County code enforcement efforts been in addressing unpermitted cannabis cultivation? Are there any plans to increase the enforcement capacity of the County?
To date, code enforcement has been understaffed. We currently have funding for two code enforcement positions and expect future funding for two additional positions.

However, we expect an increase in code enforcement type activities by the end of this year and ultimately expect to have 6-8 deputies with a focus on cannabis criminal enforcement within the next year.

7. What concerns are commonly expressed regarding cannabis cultivation? It appears that there are concerns regarding odors, water resources, impacts on lodging resources during harvest, and illegal operations.

All concerns listed above are appropriate. Additionally, the Planning Department has heard concerns from the public regarding wildlife resources, cultural resources, grading, proximity to residential neighbors and the establishment of thresholds (mostly for odor, grading and impacts to wildlife and water quality).

8. Has the County engaged in consultations with California Department of Fish and Wildlife and environmental/interest groups regarding issues? What interest groups have been involved?

Planning Staff regularly coordinates with stakeholders including the California Department of Food and Agriculture, California Department of Fish and Wildlife, North Coast Regional Water Quality Control Board, Calfire, US Forest Service, other County departments, local (County) environmental and social impact interest groups and local individuals (including Cannabis advocates and opponents).

9. We wanted to confirm that the environmental document will only address commercial cannabis cultivation that is regulated under Ordinance 315-823 and not non-cultivation uses such as retail, manufacturing, testing, and other associated uses.

The vast majority of our cultivation licenses are type 1 and 2 cultivation licenses (up to 10,000 square feet of canopy) and are the main point of the environmental document, although if additional non-cultivation Cannabis activities contribute to cumulative impacts, they should be addressed in the environmental document as well. Nearly all of the other commercial non-cultivation Cannabis license types will undergo an independent discretionary review process because they require a Conditional Use Permit.

10. RFP page 6 item 4 requests a description of our proposed approach to delivering the project based on the scope of services provided in the RFP. Can our proposal offer a refined scope of services that meet your needs?

Yes, this is the intent of the RFP. We are seeking proposals that provide approaches to creating an environmental document including potential alternatives. We are looking for innovative ideas and solutions to create an environmental document that adequately addresses the County's needs to demonstrate compliance with CEQA, likely tiering off the CDFA's PEIR. The scope of the RFP is intended to foster a discussion regarding approaches to meet state law requirements.

11. Is the County looking for a recommendation on the type of environmental document for the ordinance (EIR versus Mitigated Negative Declaration) in the proposal?

Yes. The RFP is written to solicit proposals that provide two phases of work: 1) Provide a selection of an appropriate environmental document (EIR or MND) to meet the criteria listed in question 10; and 2) Provide a background and expertise summary to accomplish the project goals in a timely and efficient manner.

12. Will the project be contentious? What is the currently public attitude regarding cannabis cultivation and CEQA requirements?

The County Cannabis Ordinance (and amendments) and the permitting process provided by the Planning Department has been contentious in recent years. In general, while the community is divided regarding land use and planning, Cannabis has been cultivated in the County for decades and is simultaneously accepted as an economic reality, a nuisance and a cultural reality. Overall, the ability for the County to provide legal, appropriate and efficient cannabis regulation is desired by the public.

13. What environmental specialist reports are likely to be of the greatest concern or the most difficult?

Of the 18 required factors in any CEQA analysis, Air Quality (as it relates to odor), Cultural Resources, Hydrology and Water Quality, Geology and Soils, Biological Resources, and Mandatory Findings of Significance are of the greatest likely concern. Of secondary concern are Aesthetics, Agriculture Resources (timber production zones) and Noise. Of tertiary concern are Community Resources, Hazards and Hazardous Materials, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, Transportation/Traffic, Utility and Service Systems.

14. Section 5, Supporting Information, asks for an anticipated project schedule and anticipated staff hours. Section 8 asks for a schedule of completion of each activity. These seem very similar to me. Are these items different? If so, please explain the difference between #5 and #8.

Note that Section 8 provides an overall estimate of the time (days) required for each task in a “*preferred*” timeline. If you wish to propose an alternate timeline that is efficient and meets the required project goal deadlines, please do so. Per Section 5, applicants must also include a project schedule in their proposal supporting information.

15. The Initial Study recommends a Mitigated Negative Declaration be prepared. Has there been direction from the Board of Supervisors or Planning Commission that a Mitigated Negative Declaration will be insufficient?

No. We expect the selected consultant to determine a course of action to achieve the project goals with either a MND or an EIR (for example).

16. Please identify the agencies or environmental groups, if any, challenging the ordinance.

Please see question 8 and question 12.