

ENVIRONMENTAL INITIAL STUDY

INITIAL STUDY CHECKLIST PROPOSED MITIGATED NEGATIVE DECLARATION Mines Douglas City Rezone and Cannabis Distribution Facility Project

Rezone: P-17-45

Conditional Use Permit No.: CCUPD-18-001

Prepared by:
TRINITY COUNTY
Department of Planning
61 Airport Road
Weaverville, California 96093
(530) 623-1351

October 2018

TRINITY COUNTY ENVIRONMENTAL CHECKLIST FORM

1. **Project Title:** Mines Douglas City Rezone and Cannabis Distribution Facility Project
2. **Lead Agency Name and Address:**

TRINITY COUNTY
Department of Planning
61 Airport Road
Weaverville, CA 96093
3. **Contact Person and Phone Number:** Leslie Hubbard (530) 623-1351 ext. 3
4. **Project Location:** The Mines Douglas City Rezone and Cannabis Distribution Facility project is located within Trinity County, approximately ½ mile southeast of the Douglas City Community Core Area. The project site is located on State Highway 3 (SR-3), between the north and south connection to Marshall Ranch Road. The project site is situated approximately ¾-mile southwest of the existing SR-299 and SR-3 intersection, and is found on the Weaverville, California 7.5-minute USGS quadrangle map, Township 32 North, Range 10 West, Section 12 West, Mount Diablo Base Meridian (MDBM). The location of the proposed project is shown in **Figure 1**.
5. **Applicant's Name and Address:**
Terry Mines
P.O. Box 381
Junction City, CA 96048
6. **General Plan Designation:** Village
7. **Zoning:** Highway Commercial
8. **Description of Project:** The project applicant proposes to rezone four (4) parcels located at 221, 141 and 123 Marshall Ranch Road and 30661 SR-3, Douglas City, California, parcels 015-490-11, 015-490-09, 015-490-08, and 015-490-10 respectively, and then develop a cannabis distribution facility on one parcel. The proposed rezone would change the existing Highway Commercial (HC) zoning designation to Heavy Commercial (C-3) zoning designation. The four parcels are part of a Highway Commercial Zone existing of eight parcels along SR-3 between Marshall Ranch Road to the west and SR-3 to the east. The applicant intends to renovate an existing building into a commercial cannabis storage and distribution facility. The proposed facility is expected to employ 8-10 full time employees and an additional 8-10 seasonal employees. The existing structure would have interior and exterior developments that consist of:
 - Three (3) refrigerated cannabis storage units inside of a storage cage;
 - A surveillance monitoring room;
 - Restroom for employees and visitors;
 - Secured perimeter fencing;
 - An exterior Guard Hut at the security perimeter fence;
 - An exterior above ground fuel storage tank (AST) will be installed that will hold 5,000 gallons of diesel fuel for power generation in case of emergency; and,
 - Employee and Visitor parking (14 designated spaces).

The distribution facility has existing access onto State Highway 3, which will be the primary access providing ingress and egress for vehicle traffic. The distribution facility will have truck traffic for approximately 3 months of the year which will result in a maximum of about 43 daily trip ends (a start of a trip, or end of a trip) during peak season.

The applicant proposes to provide potable water from an onsite groundwater well and sewage disposal through an onsite septic system. Additionally, there are two (2) 2,500-gallon water storage tanks currently onsite that would be used for fire water storage in compliance with the minimum standards of the Fire Safe Ordinance 1162.

9. Surrounding Land Uses and Setting: Rural Residences/Timber Production/Auto Storage/Mini Storage/Highway Commercial /Industrial/Public Transit Stop.

The neighboring parcel, south of the project site, APN 015-490-07, was rezoned to Heavy Commercial (C-3) in 1989, to establish the AmeriGas tank farm. There are five parcels zoned Manufacturing/ Heavy Industrial (I) on the east side of SR-3, across the street from the project site. The parcels along the highway are flat, with upland vegetation concentrated along the perimeter of the general area. The Reading Creek Tree Farm, an approximately 19-acre parcel that lies between the Rural Residential property to the west of Marshall Ranch Road and the Trinity River, is zoned Highway Commercial. A large storage yard for discarded and inoperable vehicles, on APN 015-490-08, is adjacent to the north end of the project site. AmeriGas has a storage facility at the south end of Marshall Ranch Road and is zoned Heavy Commercial (C-3). Douglas City Storage provides storage rentals between AmeriGas and the applicant's parcel that contains the large building (**Figure 2**).

The parcels located west of the project area are zoned Rural Residential, 2.5 acre minimum and support a variety of brushy and hardwood upland vegetation on the west side, and dense hardwood tree cover on the east side. The Trinity River is located to the west of the residences behind Marshall Ranch Road. Large tracts of Bureau of Land Management (BLM) and Sierra Pacific Industries Timber Production Zone (TPZ) lands lie to the east and west of the highway corridor.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement): Trinity County as Lead Agency for the proposed project has discretionary authority over the primary project proposal. To implement this project, the applicant may need to obtain, at a minimum, the following discretionary permits/approvals from other agencies:

- National Pollutant Discharge Elimination System (NPDES) Stormwater General Construction Permit
- Trinity County Department of Transportation – Encroachments
- Trinity County Department of Environmental Health – Drinking Water and Wastewater
- CALFIRE
- California Department of Transportation (District 2) – Encroachments
- California Department of Fish & Game (Region 1)

11. Tribal Consultation: Tribal consultation pursuant to AB 52 has been initiated. A response was received from the Nor Rel Muk Tribe indicating that the project site does not have cultural significance.

12. Purpose of this Document: This document seeks to analyze the environmental impacts of rezoning four parcels from Highway Commercial to Heavy Commercial and adapting parcel APN 015-490-10 and the existing structure for use as a cannabis storage and distribution facility.

SECTION 1.0 INTRODUCTION

1.1 Introduction and Regulatory Guidance

This document is an Initial Study (IS) that summarizes the technical studies prepared for the proposed *Mines Douglas City Rezone* project and provides justification for a Mitigated Negative Declaration (MND). This document has been prepared in accordance with the current California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., and the State *CEQA Guidelines*. Proposed CEQA Guidelines amendments regarding Greenhouse Gas Emissions are also included. The purpose of this document is to evaluate the potential environmental impacts of the proposed Mines Douglas City Rezone and Cannabis Distribution Facility project. Mitigation measures have been proposed to avoid or minimize any significant impacts that were identified.

1.2 Lead Agency

The Lead Agency is the public agency with primary responsibility for implementing a proposed project. Accordingly, the Trinity County Planning Department (County) is the CEQA Lead Agency.

1.3 Purpose of the Initial Study

CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects. An Initial Study is a public document used by the decision-making lead agency to determine whether a project may have a significant impact on the environment. If the agency finds that the proposed project may have a significant impact on the environment, but that these impacts will be reduced to a less than significant level through revisions to the project and/or implementation of specific mitigation measures, a Mitigated Negative Declaration shall be prepared.

This IS/MND is a public information document that describes the proposed project, existing environmental setting at the project site, and potential environmental impacts of construction and operation of the proposed project. It is intended to inform the public and decision-makers of the proposed project's potential environmental impacts and to document the lead agency's compliance with CEQA and the State CEQA Guidelines.

1.4 Review Process

This IS/MND is being circulated for public and agency review as required by CEQA. Because state agencies will act as responsible or trustee agencies, the County will circulate the IS/MND to the State Clearinghouse of the Governor's Office of Planning and Research for distribution and a 30-day review period.

During the review period, written comments may be submitted to:

TRINITY COUNTY
Department of Planning
61 Airport Road
Weaverville, CA 96093

Leslie Hubbard, Deputy Director of Planning
lhubbard@trinitycounty.org
(530) 623-1351 ext. 3

SECTION 2.0 PROJECT DESCRIPTION

2.1 Project Location and Setting

Regional Setting

The project area lies within Trinity County, California in the Klamath Mountain Province. This region is at the junction of the uplifted Coast Ranges, the volcanic Cascades, and the ancient volcanic roots of the Sierra Nevada. The Trinity Basin is characterized by cold, wet winters and dry summers. The Trinity watershed drains into the Klamath River, which empties into the Pacific Ocean west of Trinity County. Several plant communities are present in the region, including Klamath mixed conifer, foothill pine (gray pine), mixed chaparral, montane hardwood, montane riparian, and riverine. In general, the growing season ranges from March 1 to November 15, but may be as short as mid-June through early September in some areas. Most herbaceous growth occurs during a relatively short period in late spring, ceasing as soil moisture depletes in early summer.

Local Setting

The proposed project is located in the Reading Creek watershed, a sub-watershed of the Trinity River watershed. The sparsely populated mountain community consists of private lands surrounded by the Shasta-Trinity National Forest. The proposed rezone properties are located outside the floodplain of the Trinity River, roughly 500 feet from the edge of the river, with a rough elevation of 50 - 60 feet above the banks of the river. The current and recent land uses associated with the project study area include a number of industrial/light manufacturing activities, including a pallet-making facility and a trucking company.

Project Location

The proposed project site is located within Trinity County, approximately ½ mile southeast of the Douglas City Community Core Area. The project site is located on Highway 299, between the north and south connection to Marshall Ranch Road. The project site is approximately ¾ of a mile southwest of the Highway 299 and Highway 3 intersection, and is found on the Weaverville, California 7.5-minute USGS quadrangle map, Township 32 North, Range 10 West, Section 12 West, Mount Diablo Meridian (MDM). The general location of the proposed project is shown in **Figure 1**. The project area corresponds to a Trinity County right-of-way easement through APN 015-490-10 (the subject property), and 015-490-05 (the neighboring ministorage facility located to the south of the subject property). A site plan is provided as **Figure 2**.

Existing Conditions

The land surrounding the project area was part of a large parcel (400+ acres) rezoned to AF-160, RR-2.5 and TPZ in 1996 as part of a large subdivision (Reading Creek Tree Farm). This 1996 rezone project area encompasses most of the land around the HC, C-3, and zoned I parcels through this stretch of Highway 3. East of the proposed project location (east of Highway 3), several parcels are zoned I (industrial). In effect, there is a mixture of commercial zoning on the west side of Highway 3 and Industrial zoning on the east side. Refer to **Figure 3** for a map of the existing zoning.

Residential parcels and homes, which were established in 1996, are located west of the subject parcels on a river terrace between Marshall Ranch Rd., a county-maintained road, and the Trinity River. Marshall Ranch Road is the only access road to the adjacent Rural Residential properties west of the subject parcels.

Along Highway 3, in the vicinity of the project, all the parcels between Marshall Ranch Road and the highway are zoned Highway Commercial (HC), except for APN 015-490-07, which was rezoned to Heavy Commercial (C-3) in 1989 under P-89-72 (Calgas Bulk Storage Facility). At one time, on one of the subject parcels (APN 015-490-10), there was a pallet manufacturing plant operating. The pallet site became Shelton Logging for a number of years but ceased operating about 4 years ago. A mini-storage business was established to the south of the subject properties which shares a state highway encroachment with the subject properties and a propane company, AmeriGas, to the south; both of these uses exist today. The AmeriGas property (currently a tank farm) was rezoned from HC to C-3, as the C-3 zone was considered consistent with neighboring heavy commercial uses and industrial zoning.

The existing building on APN 015-490-10 of the subject project is a metal steel building with corrugated metal siding. Large single side rolling hanger doors that stack on one side make up the east and west walls of the metal building. This access system enables large commercial transportation vehicles convenient access to the interior of the building.

The existing building on APN 015-490-11 of the subject property is a legally permitted single-family dwelling that has been used as a property caretaker unit for the four project properties. Accompanying the single-family dwelling are a wood garage and a metal carport. An old wood building is adjacent to the metal carport and appears to be abandoned. Near the Marshall Ranch Road auxiliary access point are a well water pump house and two adjacent 2,500-gallon water storage tanks. The auxiliary access point to the rear of the subject properties does not appear to be in regular use. A locked gate prevents regular access from the county-maintained Marshall Ranch road to the subject properties.

2.2 Proposed Rezone

The purpose of this project is to rezone four parcels from their existing Highway Commercial (HC) zoning designation to Heavy Commercial (C-3) zoning designation. Due to the limited supply of parcels zoned as Heavy Commercial and the need for additional parcels with close highway access, this rezone project is being proposed by the applicant. The project, as proposed, appears to meet the need for Heavy Commercial-zoned properties that are accessible. This section of Highway 3 borders three of the four project properties and access provides good line-of-sight from Marshall Ranch Road (both encroachments) and the Highway 3 encroachment.

Alignment with Douglas City Community Plan

The Douglas City Community Plan (the plan) was adopted in 1987. The plan preserved the Village General Plan (Village GP) designation for the core area of Douglas City, including the areas of, the post office/general store/motel area; Douglas City Elementary School; the residential areas along Riverview Road including the first mile of Steiner Flat Road; and a stretch of area south along Highway 3 (**Figure 1**). Most zoning districts within these areas are consistent with the Village General Plan designation.

The Douglas City Community Plan, in its discussion under the chapter Economic Development (page 23), emphasizes the following:

- Designate an industrial area or similar employment intensive activities in the Douglas City Core Area.
- Maintain a surplus of commercially zoned acreage within the Plan area.

The Land Use Element of the General Plan, which was updated in 1988, includes the following language regarding the Village GP designation:

The "Village" designation allows a variety of land uses within the area, including: single-family residences, service stations, grocery stores, fast-food and regular restaurants, post offices and other state and federal service facilities, county service facilities, schools, recreation facilities, general stores, hardware stores, realty offices, agriculture, feed stores, and the like.

Not allowed in the village are heavy industrial uses that are potentially dangerous to surrounding structures (i.e. highly flammable fuel storage) and multi-family residential units over twelve units per acre. (Trinity County General Plan, Land Use Element, page 10).

Related Zoning and Uses within Douglas City Community

The subject properties are referenced in the General Plan and Community Plan, as designated for industrial or similar intensive use. In the immediate area surrounding the subject properties are; to the north, the Douglas City Garage (HC); to the south, Douglas City Self Storage (HC), Sheldon Trucking and RV Storage (HC), AmeriGas (C-3), and Reading Creek Tree Farm (HC). Across Highway 3, to the west, from the subject properties are 21.3 acres of Heavy Industrial and Manufacturing (I) that is currently occupied by Cross Construction.

Roughly 1.5 miles to the northeast, there are a handful of HC parcels on and around the intersection of Wilson Mountain Road and Highway 299. These properties include the Red Barn Café (HC), a Mobile Home and RV park (HC), and the Indian Creek Lodge (HC).

Across the Trinity River, from the subject property in the Douglas City community core, is a Mobile Home Park (MHP) and a cluster of Public Facilities (PF), which include Douglas City Elementary School, Douglas City Fire Station, and the Douglas City Post Office. Adjacent to the Public Facilities are a cluster of properties zoned General Commercial (C-2) established in the community core area (Figure 1). Among the C-2 cluster are the Timber Lodge, Douglas City Store, and a motel.

The subject properties' and adjacent properties' past and current uses provide some indication of demand: a rezone from HC to C-3 to support a propane tank farm was approved in 1989, a mini-storage facility in an HC zone to the south of the subject properties is currently listed for sale, a pallet company and logging operation in an HC zone on the subject property are no longer in business, and an automobile junk yard with a potential visual public nuisance to the north of the subject properties could all be considered underutilized or public visual nuisances. In staff's opinion, past and present uses of the properties in the area indicate a mix of light Industrial and Commercial uses.

Use Comparison

The Highway Commercial zoning designation permits; restaurants without a drive through, retail stores, hotels and motels with 10 units or less, among others, do not require a use permit. These uses are typically associated with a higher degree of consumer traffic than Heavy Commercial uses. The Trinity County Zoning Code general description of Highway Commercial zoning states:

The purpose of the Highway Commercial Zoning District is to provide appropriate sites for the needs of recreation and business travelers. This District is intended to be applied to sites fronting on State Highways or along arterial roads that provide access to major recreation destinations. Highway Commercial areas should be designed so that all or most of the needs of the traveling public can be accommodated at one stop. This Zoning District is not intended to be applied to strip commercial development along highways or arterials.

The Heavy Commercial zoning designation permits warehouses, commercial services, and metal fabrication shops. These uses have a higher intensity use but a lower amount of consumer traffic than HC uses. The Trinity County Zoning Code general description of Heavy Commercial zoning states;

The purpose of the Heavy Commercial Zoning District is to provide appropriate sites for uses which do not generally need highly visible locations and for sites for more intensive commercial uses as well.

There is some degree of overlap between Highway Commercial and Heavy Commercial zoning uses, including Auto repair shops and Mini-Storage. These uses are permitted in both HC and C-3 zoning designations. Both uses require a use permit in the HC district, although both are allowed without a use permit in the C-3 district. Refer to Table 1 below, COMPARISON OF HIGHWAY COMMERCIAL AND HEAVY COMMERCIAL ZONING.

**Table 1
COMPARISON OF HIGHWAY COMMERCIAL AND HEAVY COMMERCIAL ZONING**

USES PERMITTED WITHOUT A USE PERMIT	
Highway Commercial (HC)	Heavy Commercial (C-3)
Convenience food store with or without petroleum sales.	Warehouse
Restaurant without drive-thru service.	Mini Storage
Auto service station (See Special Regulations on design in Section 30)	Cabinet Shop
Hotel/Motel ten (10) units or less hooked up to a community sewer system	Commercial Services
General office, retail stores and services when in addition to other highway commercial uses	Metal Fabrication
Recycling Center when conducted entirely indoors.	Welding Shop
Church (Resolution No. PC-2005-04)	Wholesale Sales and Storage
Other uses found to be similar in nature as determined by the Planning Commission	Auto Repair Shop
USES PERMITTED SUBJECT TO A USE PERMIT	
Highway Commercial (HC)	Heavy Commercial (C-3)
Recycling Center when outdoor area is utilized	Heavy Equipment Repair Shop
Campground	Bulk Petroleum storage plant
Commercial amusement enterprise	Lumber Yards
Hotel/Motel over ten (10) units or not hooked up to community sewer system	Construction Storage Yards
Recreational Vehicle Park	Truck Repair Shop
USES PERMITTED SUBJECT TO A USE PERMIT (continued)	
Highway Commercial (HC)	Heavy Commercial (C-3)
Restaurant with Drive-Thru Service	Other Uses Found to be Similar in as Determined by the Planning Commission

Resort	Residential caretaker unit
Truck Service Station	
Auto Repair	
Outdoor storage or sales associated with any of the uses permitted without a use permit	
Auto Sales	
Highway Commercial complex containing more than 10,000 square feet of gross building area or occupying more than two (2) acres	
Mini-Storage	
Residential Caretaker Unit	

Design Criteria

With a maximum building height of thirty-five (35) feet, the existing zoning designation of Highway Commercial for the subject properties permits a larger building mass, or general shape and size of buildings. This could translate to multistory commercial buildings, up to 3 stories, within the Highway Commercial zoning district.

The Heavy Commercial zoning designation has a more restrictive maximum building height limit, set at twenty-five (25) feet from grade. Given the more intense uses allowed within Heavy Commercial zones, there is reason to believe that these uses will rely on single story commercial buildings, similar to the existing steel building located on APN 015-490-10.

Traffic Impact

The anticipated traffic for Heavy Commercial (C-3) is equivalent to or less than the daily trips generated from Highway Commercial (HC) zoning designations.

When examining the allowable uses that do not require a conditional use permit for Highway Commercial;

- Restaurant without drive-thru service – 46.48 trips per 1000 sq. ft.
- Convenience store with petroleum sales – 50.92 trips with 4 fueling positions, per 1000 sq. ft.
- Convenience store without petroleum sales – 31.02 trips per 1000 sq. ft.

Uses that are permitted in both zoning designations;

- Auto Repair – 2.25 trips per 1000 sq. ft.
- Mini-Storage – 2.5 trips per 1000 sq. ft.

Uses permitting in Heavy Commercial Zones;

- Wholesale Market – 8.21 trips per 1000 sq. ft.
- Manufacturing – 2.3 trips per 1000 sq. ft.
- Light Industrial – 3.02 trips per 1000 sq. ft.

Traffic impacts estimated above are based on The Trip Generation Handbook analysis and indicated a lower level of traffic associated with Heavy Commercial uses than Highway Commercial uses.

Site Access

The four subject properties' main access are an encroachment to Highway 3 on APN 015-490-10, which shares an encroachment driveway with the neighboring parcels (DC Storage, AmeriGas, the former site of Shelton Trucking and RV storage) to the south by way of a gravel frontage road. Staff investigated the four subject properties to examine internal circulation. Staff found an auxiliary access point to the rear of the properties connecting them to Marshall Ranch Road. This access point appears to be for emergency vehicles and does not appear to be in regular use. A locked gate prevents regular access from the county-maintained Marshall Ranch road to those parcels.

In 1989 APN 015-490-07, a property to the south of the subject properties, was rezoned from HC to C-3. This rezone permitted AmeriGas to site a large natural gas tank on the property. A condition of approval for this rezone was the requirement that the southern encroachment to Marshall Ranch Road, adjacent to the AmeriGas property, be improved from a rural to commercial grade.

Should Caltrans and Trinity DOT determine a second access point be necessary, planning staff recommends adding an alternative to the Marshall Ranch Road access point. There appears to be ample room to include a second encroachment to/from Highway 3, north of the existing encroachment abutting APN 015-490-08. Keeping the current Marshall Ranch Road encroachment looking residential and improving the Highway 3 encroachment(s) to the subject properties could spur travelers etc. to avoid Marshall Ranch Road altogether, and, in turn, reduce potential impacts to existing residents. Caltrans may require a new encroachment application with a change in ownership.

Water Availability

Several members of the Douglas City community voiced concerns over the subject properties ability to access potable water during an April 2018 Planning Commission meeting. The applicant provided a well water recovery test, conducted on October 1, 2014. The well water recovery test indicates the on-site well produces over 10 gallons per minute (GPM). According to Trinity County Environmental Health Staff, this rate exceeds the minimum rate necessary for the range of uses included under the proposed Heavy Commercial (C-3) zoning designation.

There are two (2) 2,500-gallon storage tanks currently on-site that are consistent with the minimum standards of the Fire Safe Ordinance 1162, which requires buildings created and/or approved after January 1, 1992 to provide a minimum 2,500-gallon water tank. The dedicated 2,500-gallon tank system is for the purpose of water for fire suppression during a wild land fire or a fire originating from within the building. Additional fire suppression systems may be required based on the ultimate occupancy and use of the property. A County Fire inspector will advise fire suppression equipment specifications during the review of a Conditional Use permit.

In addition to the well water recovery report, the applicant has furnished a potable water test result. Analytical tests indicate that potable water is available at the site; but has taste and odor issues. The applicant will provide bottled water in the short term and plans to install a reverse-osmosis (RO) system at some future point.

Waste Water Discharge

The Industrial properties to the west across Highway 3 (**Figure 3**) have been reported to have issues with hazardous materials clean-up in the past, in addition to poor sewage disposal capacity. It's unclear whether these same issues are present on the subject parcels. The 1989 rezoning findings listed in the Staff Report for AmeriGas state that "the land is not suitable for most uses allowed under the existing zoning (HC) due to poor soils for sewage disposal systems."

Previous uses on the subject properties include a logging company and pallet manufacturing activities. The Douglas City community has expressed concern over potential hazardous waste contamination to the soil and groundwater supply. The applicant provided septic disposal system verification for two existing septic systems on the subject properties. APN 015-490-11, which has a 2-bedroom 1 bath mobile home, has a septic and leaching system that has been deemed adequate by the County Environmental Health Department. The commercial shop located on APN 015-490-10 also has a septic and leaching system that has been deemed adequate by the County Environmental Health Department for the ½ bathroom within the shop.

Depending on the type of use and occupancy proposed in the future on the subject properties, there may need to be an independent wastewater system developed to handle traditional low-risk on-site septic wastewater affiliated with the proposed activities. Any waste deemed hazardous by the County Environmental Health Department produced from on-site activities could trigger the use of an independent wastewater catchment system, on-site storage in drums and/or shipping waste to an off-site Hazardous wastewater disposal facility. These concerns will need to be addressed when additional entitlements, e.g. CUPs, are requested when projects are identified.

Future On-Site Development

Any future development and occupancy, independent of use, of the subject properties APN 015-490-08 or APN 015-490-09, would require some level of review of new construction since both of these parcels are currently undeveloped. The applicant has indicated

that future cannabis manufacturing may occur adjacent to the distribution facility, but there is no current plan for this use. Future site development and uses would require separate discretionary approval and permits by Trinity County.

SECTION 3.0 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

This chapter provides an evaluation of the potential environmental impacts of the proposed rezone of four parcels in Douglas City, as well as the CEQA Mandatory Findings of Significance. A discussion of cumulative impacts is included at the end of this chapter. The issue areas evaluated in this Initial Study include:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation and Traffic
- Tribal Cultural Resources
- Utilities and Service Systems

The environmental analysis in this section is patterned after the Initial Study Checklist recommended by the State *CEQA Guidelines* and used by Trinity County in its environmental review process. For the preliminary environmental assessment undertaken as part of this Initial Study's preparation, a determination that there is a potential for significant effects indicates the need to more fully analyze the development's impacts and to identify mitigation.

For the evaluation of potential impacts, the questions in the Initial Study Checklist are stated and an answer is provided according to the analysis undertaken as part of the Initial Study. The analysis considers the long-term, direct, indirect, and cumulative impacts of the development. To each question, there are four possible responses:

- **No Impact.** The development will not have any measurable environmental impact on the environment.
- **Less Than Significant Impact.** The development will have the potential for impacting the environment, although this impact will be below established thresholds that are considered to be significant.
- **Potentially Significant Impact Unless Mitigation Incorporated.** The development will have the potential to generate impacts which may be considered as a significant effect on the environment, although mitigation measures or changes to the development's physical or operational characteristics can reduce these impacts to levels that are less than significant.
- **Potentially Significant Impact.** The development will have impacts which are considered significant, and additional analysis is required to identify mitigation measures that could reduce these impacts to less than significant levels.

All answers must take into account the whole action involved, including potential off- and on-site, indirect, direct, construction, and operation, except as provided for under State *CEQA Guidelines* Section 15183 and State *CEQA Statute* Section 21083. The setting discussion under each resource section in this chapter is followed by a discussion of impacts and applicable mitigation measures.

I. <u>AESTHETICS</u> : <i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Setting: The project site is surrounded by land zoned for Rural Residential, Highway Commercial, and Heavy Industrial and Manufacturing. Three of the four parcels are along to State Route 3 and face land designated for Heavy Industrial and Manufacturing. State Route 3 is not designated as a state scenic highway.

Discussion: Based on a field review by the Planning Department and other agency staff, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a) Scenic vistas are defined as expansive views of highly-valued landscapes from publicly accessible viewpoints. Scenic vistas include views of natural features such as topography, water courses, outcrops, and natural vegetation, as well as man-made scenic structures. The proposed project has previously been developed for commercial uses and the existing structure will be repurposed; there are no existing significant topographical features of high scenic value within the proposed project site and the area is not regarded or designated as visually important or “scenic” in the County’s *General Plan*. Additionally, development of the proposed project would not block or preclude views to any area containing important or what would be considered visually appealing landforms. Therefore, the proposed project would not have a significant impact on a scenic vista.
- b) There are not any scenic resources located on-site. California’s Scenic Highway Program was created by the Legislature in 1963. Its purpose is to preserve and protect scenic highway corridors from changes that would diminish the aesthetic value of lands adjacent to highways. According to Caltrans’ California Scenic Highway Program and the National Scenic Byways Program, the proposed project is located near State Route 3 (0.3 miles) which has been listed as an Eligible State Scenic Highway-Not Officially Designated. While eligible for designation, this section of SR-3 has not been officially designated as a state scenic route and therefore there are no limitations on the types of activities or uses along the route that could affect scenic views. Additionally, the proposed project site is not visible from a designated local scenic highway. Therefore, impacts associated with the discussed resources are less than significant.
- c) The site has previously been developed for commercial uses under the Highway Commercial building criteria. The proposed project would renovate an existing structure and would adhere to the more restrictive design criteria of the Heavy Commercial (C-3) zoning. Due to the limited scope of the change to the site, the visual character of the site and its surroundings would not be substantially degraded. Therefore, impacts associated with the change in zoning and development of the project site would not have a significant impact.
- d) Light pollution occurs when nighttime views of the stars and sky are diminished by an over-abundance of light coming from the ground. Light pollution is a potential impact from the operation of any light source at night. Downward light shielding, lighting design, and landscaping are commonly used to reduce light pollution generated from lighting by blocking the conveyance of light upwards. The result is that the lights are not visible from above; therefore, ambient light is not added to the nighttime sky. In addition, light reflecting off surfaces during daylight hours has the potential to create a source of glare in the vicinity of the proposed project.

Introduction of new lighting from the proposed project may include lighting for surface parking lots, and lighting required for the security and surveillance of the site. The light generated by the proposed project would be typical of any commercial site and would be required to comply with current County General Plan standards, the Cannabis Ordinance and other related County standards and policies for the shielding of outdoor lights to reduce light trespass off of the project site. These measures are considered standard conditions of approval. After evaluation of the project site and the limited potential for impacts from new lighting sources, impacts have been found to be less than significant.

Findings: In the course of the above evaluation, impacts associated with *Aesthetics* resources were found to not be significant because of the inability of a project of this scope to create such impacts or the absence of project characteristics producing effects of this type.

Documentation:

Documentation:

Trinity County General Plan, Open Space and Conservation,

Douglas City Community Plan, 1987

California Scenic Highway System, 2018

National Scenic Byways Program, 2018

II. AGRICULTURE RESOURCES: <i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural, Land Evaluation and Site Assessment Mode (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:</i>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?				X

Setting: The proposed project is located on lands that have been designated and used for commercial development since the 1950s. These uses have installed paved surfaces, buildings, and utility systems.

Discussion: Based on a field review by the Planning Department and other agency staff, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a) The project site has not been historically used for agricultural purposes, nor does it possess soils that are prime for agricultural production. The site is not located within an area of Prime Farmland as identified by the California Department of Conservation’s Important Farmland Series Mapping and Monitoring Program. The Soil Survey prepared by the Soil Conservation Service identifies the very gravelly clay loam, extremely gravelly clay loam, and weathered bedrock classifications on the property. The depth to the water table is more than 80 inches. This type of soil is typically eroded from hydraulic mining alluvium derived from sedimentary rock and/ or mica schist. These soil classifications and the past uses of the property do not represent prime suitability for agricultural use; therefore, development of the property would not result in a significant impact to agricultural resources.
- b) The proposed project site is not under a current Williamson Act contract. Therefore, project implementation would not result in conflicts with existing agricultural zoning. There is no impact.
- c) See discussions II.a and II.b, above. There is no impact from the proposed project.

Findings: In the course of the above evaluation, impacts associated with *Agricultural Resources* were found to not be significant because of the inability of a project of this scope to create such impacts or the absence of project characteristics producing effects of this type.

Documentation:

- Trinity County General Plan, Open Space and Conservation,*
- Douglas City Community Plan, 1987*
- Phase I Cultural Resource Inventory Report for Terry Mines, 2018
- Farmland Mapping and Monitoring Program
- United States Department of Agriculture, Soil Conservation Service and Forest Service, Soil Survey of Trinity County Area

III. AIR QUALITY: <i>Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</i>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	

Setting: The project is located in Trinity County, which is a part of the North Coast Air Basin (NCAB). The NCAB extends for 250 miles from Sonoma County in the south to the Oregon border. The climate of NCAB is influenced by two major topographic units: the Klamath Mountains and the Coast Range provinces. The climate is moderate with the predominant weather factor being moist air masses from the ocean. Average annual rainfall in the area is approximately 50 to 60 inches with the majority falling between October and April. Predominate wind direction is typically from the northwest during summer months and from the southwest during winter storm events.

Project activities are subject to the authority of the North Coast Unified Air Quality Management District (NCUAQMD) and the California Air Resources Board (CARB). The NCUAQMD is listed as "attainment" or "unclassified" for all the federal and state ambient air quality in Trinity County. The only exception is for 24-hour particulate (PM10) standards in Humboldt County (which is not a part of the project area). Due to the large size of the NCUAQMD, it is well understood that particulate matter can travel from other areas into Humboldt County (such as from Trinity County) and affect air quality. In the NCUAQMD, particulate matter has been determined to be primarily from vehicles, with the largest source of fugitive emissions from vehicular traffic on unpaved roads.

In determining whether a project has significant air quality impacts on the environment, agencies often apply their local air district's thresholds of significance to project in the review process. The District has not formally adopted specific significance thresholds, but rather utilizes the Best Available Control Technology (BACT) emissions rates for stationary sources as defined and listed in the NCUAQMD Rule and Regulations, Rule 110 – New Source Review (NSR) and Prevention of Significant Deterioration (PSD), Section 5.1 – BACT (pages 8-9) (NCUAQMD, 2018).

Sensitive receptors (e.g. children, senior citizens, and acutely or chronically ill people) are more susceptible to the effect of air pollution than the general population. Land uses that are considered sensitive receptors typically include residences, schools, parks, childcare centers, hospitals, convalescent homes, and retirement homes. The nearest sensitive receptors to the project site are residential developments (0.25 miles) and the Hayfork Elementary School (0.7 miles distant).

Discussion: Based on a field review by the Planning Department and other agency staff, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a-c) Since Trinity County is in attainment or unclassified for all federal and state air quality standards, the project is not subject to an air quality plan. The NCUAQMD prepared a Draft Particulate Matter Attainment Plan in May 1995, which is only applicable to portions of the District which are nonattainment for PM₁₀ (e.g., Humboldt County).

Construction activities may create minor amounts of dust but would not create dust emissions that would be significant enough to require specialized abatement practices. Vehicle use during operation of the project would be limited to light duty vehicles and truck traffic for distribution purposes, which would occur on paved roads. Dust emissions would be minor and insignificant. Vehicle traffic

associated with the project is not expected to generate dust emissions that would cause a substantial increase in PM₁₀ within Trinity County or the NCUAQMD. Developing a cannabis distribution facility within Douglas City is anticipated to reduce vehicle miles traveled and associated vehicular exhaust emissions generated by existing cannabis operations in the more rural areas of Trinity County. This would include a reduction in fine particulate matter (PM₁₀) generated by traffic on unpaved rural roads. As such, the project will not violate any air quality standard, contribute substantially to an existing or projected air quality violation, or result in a cumulative increase of any criteria pollutant for which the region is in non-attainment.

The project does propose to use generators for emergency power, when site power provided by the Trinity Public Utility District is interrupted. Generators will only run for short periods and are not proposed for use as stand-alone power generation sources for the project. Use of generators will be required to be in compliance with the California Air Resources Board (CARB) requirements for the Portable Equipment Registration Program (PERP), should the generators qualify for coverage by this permitting program, or as may be required by the NCUAQMD. Based on the analysis above, impacts are expected to be less than significant.

- d-e)** Due to the nature and size of the project, construction and operational activities are not expected to generate air quality pollutants that would cause a significant impact, and the development of the project will not expose sensitive receptors or a large number of people to substantial pollutant concentrations or objectionable odors.

Cannabis distribution facilities are not expected to generate significant odors. Air quality standards of the county cannabis ordinances will promote adequate regulatory protection of air quality. Impacts are considered less than significant.

Based on the analysis above and proposed operating restrictions, development of the project would have a less than significant impact.

Findings: In the course of the above evaluation, impacts associated with *Air Quality* were found to be less than significant.

Documentation:

California Air Resources Board, 2017. Area Designation Maps / State and National.

Douglas City Community Plan, 1987

North Coast Unified Air Quality Management District (NCUAQMD, 2018).

Trinity County Cannabis Distribution Ordinance No. 315-828

Trinity County Cannabis Distribution Ordinance No. 315-834

IV. <u>BIOLOGICAL RESOURCES</u> : <i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Have a substantial effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on Federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community, Conservation Plan, or other approved local, regional, or State habitat conservation plan?				X

Discussion: Based on a field review by the Planning Department and other agency staff, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a-d) The project site has been developed and has been used for commercial uses since at least the 1950s. The proposed project will repurpose an existing structure and adapt the site for use as a cannabis distribution facility. The project does not propose any development or impact to any habitat, wetlands, or natural communities. Due to the scale of the proposed project, the movement of any native resident or migratory wildlife species or established native resident or migratory wildlife corridors is not anticipated to be significant.
- e) The County General Plan, Conservation Element, discusses the need for the protection and conservation of natural resources including biological resources within the county. Similarly, the Douglas City Community Plan (a part of the General Plan) also discussed biological, mineral, water and timber resources in the Douglas City area. While these plans outline various goals and objectives, there has been no policy developed related to specific biological resources or tree preservation or management that would specifically apply to the project and the lands where the project is located. The project does not propose to remove any trees or otherwise impact tree vegetation, as there are no trees on the project site that would be impacted. Impacts to these resources from development of the project are considered less than significant.
- f) No habitat conservation plans or other similar plans have been adopted for the project site or project area. No impact would occur in this regard.

Findings: In the course of the above evaluation, impacts associated with *Biological Resources* were found to not be less than significant because of the project size, location, and limited scope of potential impact and lack of suitable habitat on site.

Documentation:

Trinity County General Plan, Open Space and Conservation Element

California Department of Fish and Wildlife: Natural Diversity Data Base

Douglas City Community Plan, Natural Resources, 1987

Phase I Cultural Resource Inventory Report for Terry Mines, 2018

V. CULTURAL RESOURCES: <i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		X		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d) Disturb any human remains, including those interred outside of formal cemeteries?		X		

Discussion: Based on a field review by the Planning Department and other agency staff, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a) A cultural resources report dated September 18, 2018 was submitted by DZC Archaeology and Cultural Resource Management, who conducted a cultural resources survey of the project. The survey identified one previously recorded cultural resource. The survey identified a deposit of mining tailings originally recorded in March 2000. The narrow 2,275 foot-long tailing deposit was characterized as discontinues piles of tailings which were very disturbed from industrial development and the construction of State Route 3. Although the site has not been formally evaluated for the National Register of Historic Places (NRHP), tailings and isolated artifacts are generally considered Not Eligible for the NRHP. Additionally, there are no other NRHP or California Register of Historic Resources (CRHR) sites located at the project, or within close proximity of the site, that would call for the retention of the historical structure or listing. The project is considered to have a less than significant impact on this resource.
- b) A cultural resources review completed for the project did not find any archaeological site that could be impacted by this project. However, there is a possibility that cultural resources, including buried archaeological materials, could exist in the area and may be uncovered during project development. Therefore, if any resources are found during the construction of the proposed project, they will be mitigated as necessary by contacting the appropriate agencies. By incorporating **Mitigation Measure CR-1**, the proposed project will not cause a substantial adverse change in the significance of an archaeological resource as defined in CEQA §15064.5 and will have a less than significant impact.
- c) No paleontological resources or unique geologic features have been identified on the proposed project site, and the potential for their occurrence is considered minimal. Impacts are considered less than significant.
- d) There are no known burial sites on the proposed project site. If human remains are unearthed during future development of the site, the provisions of California Health and Safety Code Section 7050.5 shall apply. Under this Section, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition, pursuant to California Public Resources Code Section 5097.98. By incorporating **Mitigation Measure CR-2**, the proposed project will not cause a substantial adverse change in the significance of an archaeological and will have a less than significant impact.

Findings: Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts, and a mitigation monitoring plan, will be included in the EIR prepared for this proposed project.

Cultural Resources Mitigation Measures:

The following mitigation measures have been developed, so that when implemented the project will have a less than significant impact on this resource:

Mitigation Measure CR-1. If cultural resources, such as chipped or ground stone, or bone are discovered during ground-

disturbance activities, work shall be stopped within 50 feet of the discovery, as required by the California Environmental Quality Act (CEQA; January 1999 Revised Guidelines, Title 14 California Code of Regulations [CCR] 15064.5 (f)). Work near the archaeological finds shall not resume until a professional archaeologist, who meets the Secretary of the Interior's Standards and Guidelines, has evaluated the material and offered recommendations for further action.

Mitigation Measures CR-2. If human remains are discovered during Project construction, work will stop at the discovery location, within 20 meters (66 feet), and any nearby area reasonably suspected to overlie human remains (Public Resources Code, Section 7050.5). The Trinity County Coroner will be contacted to determine if the cause of death must be investigated. If the Coroner determines that the remains are of Native American origin, it will be necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the North American Heritage Commission (NAHC) (Public Resources Code, Section 5097). The Coroner will contact the NAHC. The descendants, or most likely descendants, of the deceased will be contacted and work will not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98. Work may resume if NAHC is unable to identify a descendant or the descendant failed to make a recommendation.

Documentation:

Trinity County General Plan, Open Space and Conservation Element
Douglas City Community Plan, Natural Resources, 1987
Phase I Cultural Resource Inventory Report for Terry Mines, 2018

VI. GEOLOGY AND SOILS: <i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"> i) Rupture of a known earthquake, fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publications 42. ii) Strong seismic ground shaking? iii) Seismic-related ground failure, including liquefaction? iv) Landslides? 			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?			X	

Setting: The project is situated in the Trinity River watershed and has soils that are predominately classified as Xerals and Xerorthents. These soils are derived eroded alluvium from sedimentary rock, schist, and mica schist. All of the soils have gravelly compositions and are well drained.

Discussion: Based on a field review by the Planning Department and other agency staff, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

a) The project may expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault:

There are no active faults mapped in the project vicinity. The California Geological Survey (CGS, 2018) has the responsibility for mapping active earthquake faults in California, through legislation referred to as the Alquist-Priolo Earthquake Fault Zoning Act. There are no Alquist-Priolo earthquake fault zones identified in close proximity to the project site. There is no supplemental geologic data to suggest unmapped active faults in the region. Based on this existing information, there will be no impact to the project components from impacts related to surface fault rupture.

ii) Strong seismic ground shaking:

Although there are no known earthquake faults in the project vicinity, the entire northern California region is subject to the potential for moderate to strong seismic shaking due to distant seismic sources. Seismic shaking can be generated on faults many miles from the project vicinity. Seismic shaking potential is considered minimal and the hazard is not higher or lower at the project site than throughout the region. Standard design and construction practices meeting current California Building

Code (where applicable) will provide adequate protection for buildings, pipelines and other facilities anticipated for the project. The implementation of these standard building practices will allow the project to have less than significant impacts.

iii) Seismic-related ground failure, including liquefaction:

Although located in a seismically active region (northern California), the project site is not likely to be subject to seismic shaking of adequate strength or duration to generate secondary seismic effects. Likely seismic sources are too far from the project site to generate sufficient long-duration strong shaking. Construction standards that meet the current California Building Codes (as applicable) will provide adequate protections and ensure less than significant impacts.

iv) Landslides:

The proposed project site is located on a flat parcel surrounded by flat terrain. There are no documented landslide hazard areas identified within the immediate vicinity.

- b) The project soil classifications that have gravelly loam and extremely gravelly clay loam soils in areas of terraced alluvial deposits. These gravelly soils have high permeability as indicated by their well drained, and in the case of the Atter-Dumps soil types "somewhat excessively drained" conditions; runoff is very slow. The hazard of erosion is minor. There are no significant proposed modifications to the surface terrain from the project, as historical land development has significantly modified the site; therefore, the project is not expected to alter the susceptibility of the land to unstable earth conditions or erosion.
- c) See discussion VI.a, above. Impacts are considered to be less than significant.
- d) There are no documented expansive soils located at the project site. There will be no impact.
- e) The applicant has an existing septic system installed on the project site that has been in operation for several years. The applicant must comply (as a Condition of Approval) that the septic system meets the requirements of Trinity County Environmental Health Department. Implementation of these standard County requirements results in impacts that are less than significant.

Findings: Based upon the review of the information above, the implementation of the project will have a less than significant impact with respect to *Geology and Soils*.

Documentation:

Douglas City Community Plan, Natural Resources, 1987
Division of Mines and Geology Special Publication 42
USDA NRCS WebSoil Service, 2018

VII. GREENHOUSE GAS EMISSIONS: <i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Setting: Greenhouse gases (GHGs) are gases in the atmosphere that absorb and emit radiation. The greenhouse effect traps heat in the troposphere through a three-fold process, summarized as follows: short wave radiation emitted by the sun is absorbed by the Earth; the Earth emits a portion of this energy in the form of long wave radiation; and GHGs in the upper atmosphere absorb this long wave radiation and emit this long wave radiation into space and toward the Earth. This “trapping” of the long wave (thermal) radiation emitted back toward the Earth is the underlying process of the greenhouse effect. The main GHGs in the Earth’s atmosphere are water vapor, carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), ozone (O₃), hydrofluorocarbons (HCFs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆).

California has passed Assembly Bill 32, mandating a reduction in greenhouse gas (GHG) emissions and Senate Bill 97, evaluating and addressing GHG under CEQA. On April 13, 2009, Governor’s Office of Planning and Research (OPR) submitted to the Secretary for Natural Resources its proposed amendments to the state CEQA Guidelines for GHG emission, as required by Senate Bill 97 {Chapter 185, 2007} and they became effective March 18, 2010. As a result of these revisions to the CEQA Guidelines, lead agencies are obligated to determine whether a project’s GHG emissions significantly affect the environment and to impose feasible mitigation to eliminate or substantially lessen any such significant effects.

At this time, neither the NCUAQMD nor Trinity County has established thresholds of significance for evaluating a project’s GHG emissions. In addition, neither a Climate Action Plan nor GHG Reduction Plan has been developed for Trinity County.

Discussion: Based on a field review by the Planning Department and other agency staff, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a) There are several unique challenges to analyzing greenhouse gas emissions and climate change largely because of the global nature of climate change. Most environmental analyses examine the “project specific” impacts that a particular project is likely to generate. With regard to global warming, however, it is generally accepted that while the magnitude of global warming effects is substantial, the contribution of an individual project is so small that direct project specific impacts are highly unlikely.

The proposed project involves the rezone of parcels and operation of a cannabis distribution facility. The proposed project could generate both direct and indirect GHG emissions. Direct GHG emissions include emissions from construction activities, area sources, and mobile (vehicle) sources. Typically, mobile sources make up the majority of direct emissions. Indirect GHG emissions are generated by incremental electricity consumption and waste generation. Electricity consumption is responsible for the majority of indirect emissions.

As noted above, neither the NCUAQMD nor Trinity County has established thresholds of significance for evaluating a project’s GHG emissions. Since there are no applicable thresholds for projects in the Air District or Trinity County, the NCUAQMD recommends the use of thresholds and guidance provided by other air districts in the State such as the Bay Area Air Quality Management District (BAAQMD). The BAAQMD has developed project screening criteria to provide lead agencies and project applicants with a conservative indication of whether a project could result in potentially significant impacts related to greenhouse gas emissions. Projects below the applicable screening criteria would not exceed the 1,100 metric tons (MT) of CO₂e/yr GHG threshold established by the BAAQMD for land use projects, other than permitted stationary sources.

The analysis assumes that the project would renovate the existing approximately 7,500 -square foot building for the distribution building, which would have the most significant GHG contributions from refrigeration units for the storage of cannabis. For construction impacts, the BAAQMD screening project size is 259,000 square feet for land use type. For operational impacts, the BAAQMD screening project size is 89,000 square feet for the land use type. Since the proposed project is well below these screening criteria, emissions from construction and operation of the project are determined to be less than significant.

As described in subsection b) below, the proposed facility will provide a centralized location for nearby agricultural operations to bring their cannabis material for distribution, which will reduce vehicle miles traveled by farm owners and employees who would have traveled to more distant rural properties in the area to conduct these activities.

Based on the analysis above, development of the project would have a less than significant impact.

- b) The proposed project involves the adaption of existing infrastructure to develop a distribution facility. As a result, the proposed project could generate both direct and indirect GHG emissions. As noted above, there are no local plans that have been adopted for the purpose of reducing the emissions of greenhouse gases.

In 2006, the California Global Warming Solutions Act (Assembly Bill 32) definitively established the state's climate change policy and set GHG reduction targets (Health & Safety Code §38500 et sec.), including setting a target of reducing GHG emissions to 1990 levels by 2020. AB 32 requires local governments to take an active role in addressing climate change and reducing greenhouse gas (GHG) emissions. Recommendations to reduce residential GHG emissions include promoting energy efficiency in new development and improved coordination of land use and transportation planning on the city, county and subregional level, and other measures to reduce automobile use.

It is noted that the California Air Resources Board (CARB) announced in July 2018, that the State has already met the AB 32 goal of reducing emissions to 1990 levels by 2020 approximately four years early. As stated in the Executive Summary of the 2018 Edition of the California Greenhouse Gas Emissions Inventory: 2000-2016:

"The inventory for 2016 shows that California's GHG emissions continue to decrease, a trend observed since 2007. In 2016, emissions from routine GHG emitting activities statewide were 429 million metric tons of CO₂ equivalent (MMTCO_{2e}), 12 MMTCO_{2e} lower than 2015 levels. This puts total emissions just below the 2020 target of 431 million metric tons. Emissions vary from year-to-year depending on the weather and other factors, but California will continue to implement its greenhouse gas reductions program to ensure the state remains on track to meet its climate targets in 2020 and beyond."

The project is subject to a myriad of state regulations applicable to project design, construction, and operation that would reduce GHG emissions, increase energy efficiency, and provide compliance with the California Air Resources Board (CARB) Climate Change Scoping Plan (CARB, 2017). The State of California has the most comprehensive GHG regulatory requirements in the United States, with laws and regulations requiring reductions that affect project emissions. Legal mandates to reduce GHG emissions from vehicles, for example, reduce project-related vehicular emissions. Legal mandates to reduce GHG emissions from the energy production sector that will serve the proposed project would also reduce project-related GHG emissions from electricity consumption. Legal mandates to reduce per capita water consumption and impose waste management standards to reduce methane and other GHGs from solid wastes, are all examples of mandates that reduce GHGs.

As described above under subsection a), due to the limited size of the proposed project, it falls well below the project screening criteria used by the BAAQMD to determine whether construction and operation of a project could result in potentially significant impacts related to greenhouse gas emissions. In addition to the existing regulatory requirements that will reduce the project's GHG emissions, the proposed project incorporates several features that will assist the State of California in meeting its GHG reduction goals in 2020 and beyond, which include the following:

- Locating the proposed cannabis facility in the community of Douglas City will provide a centralized location for nearby agricultural operations to bring their cannabis material for distribution and will reduce vehicle miles traveled by farm owners and employees who would have traveled to more distant rural properties in the area or urban properties outside of Trinity County to conduct these activities.

- Power service to the project will be provided by the Trinity Public Utility District (TPUD), which serves most of the customers in Trinity County with 100% renewable hydroelectric energy (TPUD, 2018).

In addition, the proposed project is consistent with the Trinity County 2016 Regional Transportation Plan (RTP), which promotes integrating transportation and land use to reduce CO₂ emissions from the regional transportation system. As a centrally-located infill development project, the proposed cannabis facility is consistent with the goals and objectives in the RTP, which encourage a mixture of land uses to reduce vehicle miles traveled and GHG emissions.

Based on the analysis above, development of the project would have a less than significant impact.

Findings: In the course of the above evaluation, impacts associated with *Greenhouse Gas Emissions* were found to be less than significant because of the limited size, nature, and location of the project.

Documentation:

Bay Area Air Quality Management District (BAAQMD), 2017. California Environmental Quality Act Air Quality Guidelines. May.
California Air Resources Board (CARB), 2017. 2017 Climate Change Scoping Plan: The Strategy for achieving California's 2030 greenhouse gas reduction target. November.
California Air Resources Board (CARB), 2018. 8th Edition, California Greenhouse Gas Emissions Inventory: 2000-2016. California Greenhouse Gas Emissions for 2000 to 2016, Trends of Emissions and Other Indicators. Executive Summary.
Trinity County Cannabis Distribution Ordinance No. 315-828
Trinity County Cannabis Distribution Ordinance No. 315-834
Trinity County Public Utility District (TCPUD), 2018. Website – District History.
Trinity County, 2016. Regional Transportation Plan. October 2017.

VIII. HAZARDS AND HAZARDOUS MATERIALS: <i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas, or where residences are intermixed with wildlands?			X	

Setting: Hazards are those physical safety factors that can cause injury or death, and while by themselves in isolation may not pose a significant safety hazard to the public, when combined with development of projects can exacerbate hazardous conditions. Hazardous materials are typically chemicals or processes that are used or generated by a project that could pose harm to people, working at the site or on adjacent areas. Many of these chemicals can cause hazardous conditions to occur should they be improperly disposed of or accidentally spilled as part of project development or operations. Hazardous materials are also those listed as hazardous pursuant to Government Code Section 65962.5.

Lists of hazardous materials are maintained by federal and state agencies and are available for public review. The US Environmental Protection Agency (USEPA) maintains a database of hazardous materials as well as radiological materials as part of its RCRAInfo database (USEPA, 2018). The State of California Department of Toxic Substances Control (DTSC) maintains a list of hazardous substances and contaminated sites as part of its Envirostor database (DTSC, 2018), as well as other hazardous and waste sites being overseen by the various State Water Resources Control Board which are inventoried in their Geotracker database (SWRCB, 2018). These databases are available to the public for review. No hazardous facilities or sites have been documented to be present at the project site. Review of the applicants’ biological report indicates that the site contains hazardous materials, this is incorrect. The site formerly contained an underground fuel storage tank (UST) that was identified as part of the State of California Leaking Underground Storage Tank (LUST) program. Documentation on the Geotracker data base indicates that this is a “Closed Case” meaning that the site has been cleaned up or remediated and a hazard or contamination from this case no longer exists.

The CALFIRE Fire and Resource Assessment Program (FRAP), delineates the project area as a part of a designated “High Fire Hazard Severity Zone” (HFHSZ). The FRAP designates lands in three general classifications, “Moderate”, “High” and “Very High” Fire Hazard Severity Zones. Fire suppression for the area is provided by a combination of first responders such as CALFIRE with additional fire fighting support from nearby the US Forest Service stations, and local volunteer fire companies

Additionally, the Trinity County General Plan-Safety Element discusses wildland fires and outlines Wildland Urban Interface Zones

Fuels Treatment Goals (Safety Plan, 2002) that describe fuel treatment activities around residential and other structures.

Discussion: Based on a field review by the Planning Department and other agency staff, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a) Small quantities of potentially hazardous substances (e.g., petroleum and other chemicals used to operate and maintain construction equipment) would be used at the project site and transported to and from the site during construction. In addition, some potentially hazardous construction waste may be generated during the construction phase. Construction wastes from the site would be disposed of in accordance with the Standard Specifications in the California Code of Regulations. Compliance with federal and state laws would reduce the potential for hazards related to construction waste to a less than significant level.

Operation of the proposed project would include the use or transportation of potentially hazardous materials, including fuels or other hazardous liquids. The proposed project use an existing 5,000 gallon above ground storage tank on site for use in powering emergency generators during power outages. There is a concrete wall around the storage tank for use as secondary containment in the case of a spill. In compliance with the California Health and Safety Code 25270 a Spill Prevention Control and Countermeasure (SPCC) plan is required to be developed to prevent any petroleum product from reaching navigable waters and to contain any discharges. The project will be conditioned as part of the use permit to comply with applicable regulations and hazardous materials plans, that when implemented sufficiently minimize potential exposure and risk. Based on these standard conditions, the proposed project would therefore not result in a significant hazard to workers, the public, or the environment through the routine transport, use, or disposal of hazardous materials. Impacts are less than significant.
- b) Construction of the proposed project could expose construction workers, the public, or the environment to hazardous materials through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Small quantities of potentially hazardous substances (e.g., petroleum and other chemicals used to operate and maintain construction equipment) would be used at the proposed project site. Accidental releases of these substances could potentially contaminate soils and degrade the quality of surface water and groundwater, resulting in a public safety hazard. Compliance with standard safety procedures and hazardous materials handling regulations will reduce any impacts to a less than significant level.
- c) The proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. There will be no impact.
- d) The proposed project is not located on a site which is included on a list of hazardous materials sites and would not create a significant hazard to the public or the environment. There will be no impact.
- e) The proposed project is not located within an airport land use plan or within two miles of a public airport or public use airport. Therefore, there will be no impacts.
- f) The proposed project is not located within the vicinity of a private airstrip; there are no impacts.
- g) There are no indications at this time that the proposed project would impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. Impacts would be less than significant.
- h) The project site does have a moderate wildland fire-hazard potential due to its location in the HFHSZ. However, the site has been disturbed in the past and is surrounded primarily by developed commercial uses and vacant land which reduce potential severity of impacts. Additionally, the proposed project must be in compliance with current state Fire Safe Regulations related to vegetation clearing, flammable materials and other objects and uses that might result in greater fire hazards for the project and offsite uses. Implementation of these standard requirements results in impacts that are less than significant.

Findings: In the course of the above evaluation, impacts associated with *Hazards* were found to be less than significant because of the limited size, nature, and location of the project.

Documentation:

Trinity County General Plan, Safety Element, Revised March 2002

Trinity County General Plan, Circulation Element, Revised 2002

State of California, Fire and Resource Assessment Program, State Responsibility Areas, 2012

State of California, Fire and Resource Assessment Program, Fire Hazard Severity Zones, 2007

Trinity County Cannabis Distribution Ordinance No. 315-828

Trinity County Cannabis Distribution Ordinance No. 315-834

USEPA RCRA Database Review, 2018

State Water Resources Control Board (SWRCB) Geotracker Database Review, 2018

California Department of Toxic Substances Control (DTSC) Envirostor Database Review, 2018

IX. <u>HYDROLOGY AND WATER QUALITY</u> : <i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a new deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?			X	
g) Place housing within 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

Setting: The proposed project site sits east of the Trinity River and north of Reading Creek. There are no rivers, streams or other surface waters project site, and the applicant does not propose to cross any offsite waterways for the uses of this proposed project. The proposed project site is not located within a mapped Federal Emergency Management Agency (FEMA) flood zone.

The Cannabis Ordinances developed by the County identify specific requirements for water use and quality, including compliance with Senate Bill 94 (SB 94), RWQCB Order No. 2015-0023, and the State’s Construction General Permit (2009-0009-DWQ) for construction projects.

Discussion: Based on a field review by the Planning Department and other agency staff, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a) The proposed project is served by existing onsite septic systems for the treatment of domestic wastewater. There are no activities proposed by the applicant that would require a new wastewater collection and disposal system, as nonindustrial/commercial wastes are proposed for disposal. If any new industrial/commercial wastewater disposal is proposed in the future, the treatment and disposal of those wastes would be regulated at that time by the Trinity County Department of Environmental Health and the State Regional Water Quality Control Board (RWQCB) through individual regulatory permits. Any site development activities that would disturb over 1-acre of land would be required to be in compliance with a State of

California Construction General Permit. The applicant will be required to comply with the provisions of the Construction General Permit for these covered activities as a condition of approval. Based on the above, the project will have a less than significant impact.

- b) The project site uses a groundwater well that has been tested for production and has been found to be a reliable water source for the proposed project uses. Impacts will be less than significant.
- c) No land alteration is proposed by this project; land alteration has generally occurred with the historic developments at the site and the proposed uses will continue to operate within existing facilities. Any future uses on the site would be regulated by separate permits at the time of the proposed new activity. Impacts will be less than significant.
- d-e) Historic site development activities have graded and previously altered the surface drainage at the project site parcels, and there are no drainages or other features that would be impacted by the proposed project or future activities. Grading and land disturbances are minor activities that are anticipated to be required for the development of the distribution facility parking and security fencing, and are anticipated for other future uses on the undeveloped parcels. This type of activity would be required for development regardless of the zoning. Trinity County does not have a grading ordinance or permit requirement at this time. However, grading and land altering activities greater than 1-acre are regulated by the State of California through the Construction General Permit process. If the applicant determines that the distribution facility will require grading or site disturbance of one acre or more, then the applicant will be responsible for obtaining coverage for the activities under a Construction General Permit. Implementation of these standard conditions will result in the protection of water quality and not impact drainage patterns or surface runoff. Impacts are considered to be less than significant.
- f) The proposed project does not propose to dispose of wastes, other than domestic wastewater in existing septic systems. With the implementation of the standard conditions applied to the project through Conditions of Approval of the various Cannabis Ordinances, as well as implementation of the Construction General Permit conditions, the proposed project will have a less than significant impact on water quality.
- g-h) This project is not within a flood hazard area as mapped by FEMA, and the project does not propose any new housing. There will be no impact.
- i) There are no dams or levees located upstream or adjacent to the proposed project, and the project does not propose to construct any of these structures. Therefore, there will be no impact.
- j) The threat of a tsunami wave is not applicable to inland areas; there is no potential for the generation of a seiche. No impact has been identified.

Findings: In the course of the above evaluation, impacts associated *Hydrology and Water Quality* were found to be less than significant.

Documentation:

Douglas City Community Plan, Natural Resources, 1987
Federal Emergency Management Agency, 2018
Regional Water Quality Control Board Order No. 2015-0023
Trinity County Cannabis Wholesale Nursery Ordinance No. 315-826
Trinity County Cannabis Distribution Ordinance No. 315-828
Trinity County Cannabis Distribution Ordinance No. 315-834

X. <u>LAND USE AND PLANNING</u> : <i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Physically divide an established community?			X	
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

The lands at the project site have a County General Plan Designation of Village and are zoned as Highway Commercial (HC). Both the County General Plan and Zoning Districts did not specifically anticipate development of cannabis cultivation, nurseries and distribution facilities when these land use plans and zoning districts were developed. In response to California State Law that allows cannabis cultivation and distribution, under permitted and controlled conditions, Trinity County developed County-specific ordinances to regulate commercial cannabis cultivation, distribution and sales within the County. Ordinance 315-828 and 834 regulate distribution, Ordinance 315-828, specifically titled “*An Ordinance of the Board of Supervisors of the County of Trinity Allowing for Distribution of Cannabis*”, referred to in this section as the “Cannabis Ordinance”.

The Cannabis Ordinance, in combination with the provisions of the General Plan and requirements of the Zoning Districts are used to determine appropriate land uses of cannabis operations in Trinity County. An Applicant can apply for a Use Permit for cannabis operations under the Cannabis Ordinance, including a variance to the provisions and requirements of the Cannabis Ordinance, with approval at the discretion of the County Planning Commission and Board of Supervisors.

Discussion: Based on a field review by the Planning Department and other agency staff, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a) The project site is currently partially fenced and access is limited and restricted from current and historical uses by these fences and other gates on the property. Rezoning and the issuance of a use permit for a cannabis distribution facility would not physically divide an established community. The rezoning from HC to C-3 (Heavy Commercial) is consistent with the historic land uses in the area; rezoning from one commercial district to another would not create an environment which would divide this community. The area is currently physically divided by the Trinity River, where most residential and commercial/retail activities occur in the developed Douglas City community. Adjacent commercial, industrial properties and residential zoned properties are currently divided by existing roads consisting of Highway 3 and Marshall Ranch Road.
- b) The County’s General Plan and the Douglas City Community Plan serve as the overall guiding policy documents for land use and development in the area. The Douglas City Community Plan provides detailed land uses (consistent with the General Plan) and zoning for the Douglas City planning area, which includes the project site.

The proposed project would change the existing zoning from HC to C-3, which would allow more heavy commercial activities to be allowed within the zone. Those new heavy commercial uses are activities such as heavy equipment repair facilities, bulk petroleum storage, truck repair shops and lumber yards. A comparison list of the allowable existing uses in the HC zone and those proposed uses of the C-3 zone are provided in Table 1 of Section 2.2. The proposed project re-zoning would allow gross building area development to be 40-percent of the total parcel area. For this project, that would result in an allowable development area of 20,37.6 square feet for APN 015-490-08; 18,643.68 square feet for APN 015-490-09; 27,181.44 square feet for APN 015-490-10; and, 31,188.96 square feet for APN 015-490-11.

The uses in the HC and C-3 zones at time overlap, and impacts from these uses can be hard to distinguish especially when intensities can vary between uses. For example, a seemingly lower intensity use such as a car wash (which is allowed in HC

zone) is likely to have a higher impact on land uses due to the intensity of vehicle trips to the site, use of water, increased lighting, hourly uses, and noise, when compared to a truck repair shop (which is allowed in the C-3 zone) which is likely to have less traffic, a much lower demand on water, reduced noise, and about the same lighting and hourly use impacts.

For the proposed project, the change in zoning for all the parcels would not significantly impact adjacent uses, because the types of uses currently allowed by the HC zoning, and those in the immediate vicinity are either similar to, or are allowed at more intense levels (Industrial Zoning). Rezoning to C-3 would actually reduce the development density levels on the parcels and reduce the allowable building heights, as the C-3 zone has more restrictive development standards. The numbers of nearby sensitive receptors are low, though the nearest offsite residence is approximately 520 feet away from the current building proposed for a distribution facility. Should rezoning be allowed, the implementation of zoning standards, the requirement for a use permit and compliance with other County and State regulations and ordinances is expected to reduce any impacts from the potential future uses at these sites to a less than significant level.

- c) The proposed project would not conflict with any applicable habitat conservation plan or natural community conservation plan. There is no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plans for the proposed project site or area.

Findings: In the course of the above evaluation, impacts associated with *Land Use and Planning* were found to be less than significant as the project is compatible with the current land use designations.

Documentation:

Douglas City Community Plan, Land Use and Community Design, 1987

Trinity County Cannabis Distribution Ordinance No. 315-828

Trinity County Cannabis Distribution Ordinance No. 315-834

XI. MINERAL RESOURCES: <i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local General Plan, specific plan or other land use plan?				X

Setting: Mineral production has historically been a significant part of the economy of the County but has waned in the last 75 years. Historically, the County has seen a wide array of mineral production, including asbestos, chromite, copper, sand and gravel, limestone and manganese to name a few. Within the vicinity of the project, historical gold mining has occurred, and ancillary sand and gravel has been removed. The project area has not been designated by the State or Trinity County as an area of significant mineral resources or an area of locally important minerals.

Discussion: Based on a field review by the Planning Department and other agency staff, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

a-b) A mineral resource is land on which known deposits of commercially viable mineral or aggregate deposits exist. The designation is applied to sites determined by the California Geological Survey as being a resource of regional significance and is intended to help maintain any quarrying operations and protect them from encroachment of incompatible uses. The project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State and would not result in the loss of availability of a locally-important mineral resource recovery site. The site has not been designated as an important mineral resource recovery site by a local general plan, specific plan, or other land use plan or by the State of California. No impact has been identified.

Findings: In the course of the above evaluation, it was determined that there were no impacts associated with *Mineral Resources*.

Documentation:

Trinity County General Plan, Open Space and Conservation Element
Douglas City 1987 California Geological Survey, Mineral Land Classifications, 2018

XII. NOISE: <i>Would the project result in:</i>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Setting: Noise impacts are those that exceed general plan or other local ordinances developed to provide reasonable control of noise to residences, parks, open spaces and other specific designated sites. Noise sources typically include roadways, freeways, schools, industrial and commercial operations and other facilities that can generate noise. The Trinity County General Plan Noise Element and the Cannabis Ordinances provide guidelines and direction for noise sources and attenuation requirements for various uses. Projects proposed for development within the County will have their development evaluated to determine potential conformance with the Noise Element and as necessary, specific conditions of approval will be placed on projects.

In the vicinity of the project, noise generation sources are varied and consist of vehicle traffic along Highway 3 and Highway 299, and activities on adjacent lands. The flat and level terrain of the area allows noise to travel significant distances, without attenuation due to structures or vegetation, and the adjacent hillsides act as sound reflectors that enhance sounds in the canyons. Existing traffic generated noise from both of the nearby state highways is the dominant noise in the area, as it bounces off adjacent canyon hillsides and is heard throughout the area.

Residential developments, schools and hospitals are considered sensitive noise receptors as these are locations where people sleep or typically expect quiet conditions. Sensitive noise conditions are typically at night and measured as indoor levels in decibels (dB). The nearest sensitive receptors to the project site are residential developments (approximately 520 feet southwest) and the Douglas City Elementary School (located about 0.6 miles west).

Discussion: Based on a field review by the Planning Department and other agency staff, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a) The nearest offsite sensitive receptor is a residential development approximately 520 feet to the southwest. Project generated noise may be heard at this residence, but daily distribution facility activities are typically confined indoors and would not be a significant impact on the adjacent residence. Typical trucking operations are not considered significant as they would occur during standard daytime business hours, and would not be consistent throughout the year. Truck noise generation would have a typical peak level for about three months of the year, after cannabis harvest, with estimated truck trips at 43 trips per day. While it is likely that these trucks could generate noise that would be heard at the adjacent residence, the existing background traffic noise from both Highway 3 and 299 is the dominant noise generator in the area, and seasonal truck noise at the distribution facility would likely be masked.

The project will not regularly use any onsite generators, however generators will be used in case of a power outage, therefore there will be no stationary noise associated with stationary generation devices unless in case of emergency. Minor amounts of noise could be generated from refrigeration units in the distribution facility, but this noise is considered minor in comparison to existing vehicle traffic noise. Site development activities for distribution facility renovation, access road and parking upgrades and site security fencing could generate short-term noise from construction activities, but this noise is time limited to daytime hours, for short periods, then it would cease. Implementation of standard conditions of the General Plan and the Cannabis Distribution Facility Ordinance, and review by County for compliance staff during operations will reduce impacts to less than significant.

- b) Ground borne vibrations are usually associated with heavy vehicle traffic (including railroad traffic), and with heavy equipment operations. The proposed project does not include activities that would be considered heavy vehicle traffic or include groundborne vibration activities, such as pile driving. The reconstruction and normal use of the cannabis distribution facility is considered to have a less than significant impact.
- c) Once developed, the project is not expected to generate any significant noise. As noted in (XIIa), noise from short-term development activities for (grading, fencing, etc.) will be limited in time, duration and location, and once complete noise levels will return to ambient conditions. Impacts will be less than significant.
- d) A temporary increase in noise in the project vicinity above existing ambient noise levels could occur for very short periods during operations of the distribution facility, especially seasonally after cannabis harvest. However, with the application of standards developed in the General Plan and the County's Cannabis Ordinance, noise levels are expected to be less than significant for this project.
- e) The proposed project is not located within an airport land use plan or within close proximity to an airport. There will be no impact.
- f) The proposed project is not located within the vicinity of a private airstrip; therefore there are no impacts.

Findings: In the course of the above evaluation, impacts associated with *Noise* were found to be less than significant.

Documentation:

Trinity County General Plan, Noise Element, 2003

Douglas City Community Plan, Land Use and Community Design, 1987

XIII. POPULATION AND HOUSING: <i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

Setting: The community of Douglas City has an estimated population of approximately 713 persons based on the 2010 US Census data, with median household income at \$34,808. The poverty rate is approximately 37.4%. Housing is clustered in the community on the west side of the Trinity River, with some scattered residences located along Highway 3 east of the Trinity River. Housing is a typically single family units and mobile homes/manufactured homes. The small community, relatively low volume of developable building sites and lack of public infrastructure restricts the population growth in the community.

Discussion: Based on a field review by the Planning Department and other agency staff, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a) Implementation of the proposed project would result in the development and use of existing lands and facilities; no new housing is required or proposed. The applicant anticipates that between 8 to 10 permanent workers would be employed at the distribution facility, as well as approximately 8-10 seasonal workers, for about three months. There is no new worker housing proposed by the applicant, and it is anticipated that workers will come from the local workforces, including seasonal workers, and would be housed offsite at existing residential sites. Based on the information provided by the applicant and evaluation of the information for the area, there are no growth-inducing impacts associated with this project and impacts are less than significant.
- b) The proposed project would not displace any existing housing; the existing housing onsite would be retained for use by facility caretakers. No impact has been identified.
- c) The project site is currently minimally developed with commercial buildings; there one single-family residence that would be retained and used as a residence. The project would not result in the displacement of people; there would be no impact.

Findings: Based on the information reviewed for the *Population and Housing* resource, the project will have no impact.

Documentation:

Douglas City Community Plan 1987

US Census Bureau, American Fact Finder, 2018

XIV. PUBLIC SERVICES: <i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Fire Protection?			X	
b) Police Protection?			X	
c) Schools?			X	
d) Parks?				X
e) Other public facilities?				X

Setting: The project site is located central Trinity County, in the community of Douglas City, there are minimal public services available. Fire protection is provided by CALFIRE, the US Forest Service and the Douglas City Volunteer Fire Department; these fire services provide mutual aid to each other. Law enforcement in the area is provided by the Trinity County Sheriff’s Department and the California Highway Patrol. There are no medical services in the immediate vicinity, with the nearest medical services provided in Weaverville. The Douglas City Elementary School provides the only public education services. There are no parks in the community, and power is provided by the Trinity County Public Utility District. Water and wastewater services are private onsite facilities at each parcel.

Discussion: Based on a field review by the Planning Department and other agency staff, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a-b) Fire and police protection services to the proposed project are currently provided by County and State agencies and private emergency and volunteer responders. Development of the project within the community is not expected to significantly increase the demand for these protection services. As required by the County Cannabis Ordinance for Distribution Facilities, a security plan must be developed for the distribution operations and must be approved by the County, as a condition of approval. Based on these factors and standard conditions, impacts are considered less than significant. The distribution facility will be required to comply with the State Fire Safe Standards, as regulated by CALFIRE. The project site has two existing 2,500-gallon water storage tanks for use in wildland and building fire suppression. Implementation of these standard ordinances and regulations will result in a less than significant impact.
- c) While the development of this project could attract employees with families that may have school age children, and those students may contribute to the total student enrollment in Douglas City elementary school, the implementation of the proposed project is not expected to result in a significant increase in the number of school-age children as the result of 8-10 employees who may work and may also reside within the school district boundary. Therefore, the potential impacts are considered less than significant.
- d) There are no parks in the area and the project does not propose to develop any new parks or require the construction of recreational facilities. Therefore, there is no impact.
- e) The proposed project would connect to the existing public electrical infrastructure. There are no other public utilities or services. There would be no impact.

Findings: Based on the evaluations above for Public Services, the impacts associated with development of the project were found to be less than significant.

XV. RECREATION:	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Setting: Douglas City and the project site are a rural area, and there are no regional parks, recreation facilities or other developed recreation facilities other than those at the Douglas City Elementary School.

Discussion: Based on a field review by the Planning Department and other agency staff, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a) The proposed project does not propose to add significant new numbers of people that would require housing and ancillary recreation facilities. There would be no impact from this project.
- b) The proposed project would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. Therefore there is no impact.

Findings: In the course of the above evaluation, it was determined that there were no impacts associated with *Recreation*.

Documentation:

Trinity County General Plan, Open Space and Conservation
Douglas City Community Plan, 1996

XVI. <u>TRANSPORTATION/TRAFFIC</u> : <i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?			X	
b) Exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highway?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?			X	
g) Conflict with adopted policies, plans or programs supporting alternative transportation (e.g. bus turnouts, bicycle racks)?				X

Setting: The project site is located on private property that has existing unpaved private roads, with access from both Highway 3 and Marshall Ranch Road. The access point from Highway 3 is an existing encroachment that serves the existing commercial building that is proposed for re-use as a cannabis distribution facility. The single access point onto Marshall Ranch Road is an existing road that has been gated to restrict access. Both Highway 3 and Marshall Ranch Road accommodate passenger and highway truck traffic, with Highway 3 being the primary north/south state highway in the area, connecting to SR-299 to the north and to SR-36 in the south.

The residential traffic route on Marshall Ranch Road to the west is considered independent on the subject commercial properties, both during any site construction and regular operations. Both Highway 3 and Marshall Ranch Road are considered emergency access to the proposed project

The Trinity County Department of Transportation (DOT) prepared a Memo “*Traffic Study Requirements for Mines: P17-45, CUP 18-07*” that evaluated the proposed project in relation to the need for a traffic study and evaluated potential uses. The Memo concluded that no detailed traffic study was required.

Public transit services are provided by the County through Trinity Transit, which provides daily bus service from Hayfork to Douglas City and Weaverville, and from Weaverville to Douglas City and Redding, with route stops. Other private transit carriers also operate in the area to provide services to the elderly, disabled, school children and others.

The Trinity County Department of Transportation determined that the existing Level of Service (LOS) on State Highway 3 and surrounding intersections was LOS “A” (uncongested) which is well below the County General Plan requirements of LOS “C”.

Discussion: Based on a field review by the Planning Department and other agency staff, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

a-b) Project approval would allow for the rezone of the applicants four parcels and development of a cannabis distribution facility in the community of Douglas City. At the proposed projects busiest time of year, vehicles are estimated to generate approximately 2.13 daily trip ends (based on an average of 0.36 daily trips per employee based on the ITE Manual, Table 140) when analyzed as an industrial facility, for which it is zoned. The analysis assumes a maximum of 20 employees at the facility. These numbers of trips are not considered significant and will not change any level of service on Highway 3 as a result of the

project. The LOS with the proposed project will remain at LOS "A", which is much lower than the County General Plan standard of LOS "C". Standard conditions of approval through the Cannabis Ordinance, Caltrans standards for access and encroachments onto State Route 3, and County DOT standards for encroachments onto Marshall Ranch Road, if requested, will be implemented as part of the approval process. Impacts from development of this project are considered less than significant.

- c) The proposed project site is not located within the vicinity of an airport. There is no impact.
- d) The proposed project does not modify the geometric design of Highway 3 or Marshall Ranch Road. Uses will be consistent with both Caltrans and County DOT standard encroachment permits, as required. The project would have a less than significant impact.
- e) Adequate existing emergency access is provided to the site with State, County and onsite private roads. The project does not change the existing emergency access to the project site; emergency access will remain at existing conditions post-project. No impacts are anticipated in this regard.
- f) Parking for the proposed project would be provided by onsite parking. There is sufficient parking identified by the applicant for the proposed uses at the cannabis distribution facility. Should additional seasonal employees be required, there is more than adequate areas onsite for parking. No impact is anticipated. Future uses of the remainder of the project site would have their own site specific parking requirements, which would be reviewed and approved as part of future discretionary actions. Impacts are considered less than significant.
- g) Existing transit service is provided primarily by Trinity Transit and other private carriers. Employees are anticipated to arrive by private vehicles to the site each day, and there is no expectation that the project would generate additional demand for public transit services. No impact is anticipated.

Findings: In the course of the above evaluation, impacts associated with *Transportation and Traffic* were found to be less than significant.

Documentation:

Trinity County Department of Transportation, Memo: Traffic Study Requirements for Mines: P17-45, CUP 18-07
Trinity County General Plan, Circulation Element, 2002
Douglas City Community Plan, 1987

XVII. TRIBAL CULTURAL RESOURCES: <i>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</i>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			X	
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			X	

Setting: Outreach and consultation with potentially affected Tribal entities to determine the potential impact of the proposed project to Tribal cultural resources, as prescribed by AB 52, have been completed by the County.

Discussion: Based on a field review by the Planning Department and other agency staff, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a, b) The County initiated outreach as required by AB 52 and received a response from the Nor Rel Muk Nation who commented that there were no Tribal cultural resources present at the proposed project site.. Additional Native American Outreach was conducted by DZC (applicant's archaeologist) contacted persons listed in the Native American Heritage Commission (NAHC) Sacred Land File Search request response letter to seek out those who may have knowledge of or concerns for, cultural resources within the project area. Review of this outreach and determined that there were no known cultural resources that might be impacted by the project.

Findings: In the course of the above evaluation, impacts associated with *Tribal Cultural Resources* were found to be less than significant. Mitigation measures for the protection of currently unknown but discovered resources are provided for in Section IV- Cultural Resources.

Documentation:

Phase I Cultural Resources Inventory Report for Terry Mines, 2018

XVIII. UTILITIES AND SERVICE SYSTEMS: <i>Would the project:</i>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project which serves or may serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Comply with Federal, State, and local statutes and regulations related to solid waste?			X	

Setting: The only public utilities and service systems that are provided to the proposed project are from the Trinity Public Utility District (TPUD) which provides power, and solid waste services that are provided by the Trinity County Solid Waste Department and private waste haulers. All water and wastewater services are private onsite septic and wells. TPUD limits power service to 400 amps per parcel, unless the parcel is zoned commercial or industrial. It is the responsibility of the property owner/developer connecting to TPUD services to verify with the TPUD that sufficient power infrastructure is available for their intended uses.

Discussion: Based on a field review by the Planning Department and other agency staff, information provided by the applicant, existing information available to the Planning Department, and observations made on the project site and in the vicinity, the following findings can be made:

- a) The proposed project has existing onsite septic systems that dispose of residential wastewater from the existing residence and commercial building. These systems would continue to be utilized for the 8-10 full-time workers at the site as well as the approximate 8-10 seasonal workers. The applicant is required by existing County ordinances to have the existing systems verified as having sufficient capacity for the proposed uses by the County Environmental Health Department, which is a condition of approval for any use permit. It is the applicants' responsibility to continue to provide normal maintenance and repairs to the septic systems. The applicant has indicated that no other wastewater would be generated from the uses of the proposed project. Based on this information and required conditions of approval, impacts are considered to be less than significant.
- b) Implementation of the proposed project would use existing wastewater and water systems in-place at the project site. While upgrades may be required for the water system to remove taste and odor issues, it is not anticipated that new systems will be required. Even if they are required, they are private systems that would be permitted through normal County standards, permits and conditions. Impacts of any future need for water or septic system expansion or replacement is considered less than significant.
- c) The proposed project will not result in the creation of new impermeable surfaces. The existing site has been partially

developed for previous commercial purposes, and this project will continue to utilize those areas. Surface stormwater flows are expected to rapidly percolate into the ground as soils are comprised of gravelly soils. Development of the proposed project will result in less than significant impacts related to stormwater systems.

- d) Water is currently provided to the site by an existing private groundwater well. The applicant has provided information that indicates there is sufficient water for the uses proposed. Should the applicant want to expand the groundwater capture and install additional wells, this can be done by standard permit with the County. The applicant has told County staff that bottled water will be provided in the short-term due to poor taste and odor of the groundwater, and that a reverse-osmosis (RO) system will be installed as part of distribution facility at some time in the future. Based on this information the impacts are considered to be less than significant.
- e) There are no wastewater treatment providers in the area. There will be no impact.
- f) Non-cannabis solid waste produced by the project would be disposed of at existing solid waste facilities as other residential and commercial solid waste is currently handled in the County. Sending the solid waste stream to existing permitted facilities, either by existing contract haulers or self disposal, will ensure that the project does not violate any federal, state or local statutes related to solid waste. No cannabis solid waste is proposed for disposal by the applicant. Based on the above, the impact to solid waste services will be less than significant.
- g) The County regulates and operates programs that promote the proper disposal of toxic and hazardous materials from households, including those created by the project. The proposed project would comply with Federal, State, and local statutes and regulations related to solid waste. Less than significant impacts are anticipated in this regard.

Findings: In the course of the above evaluation, impacts associated with *Utilities and Service Systems* were found to be less than significant. Additionally, it is the applicant/developer's responsibility to have a "will serve" letter or other agreement from the TPUD related to connection of electrical services at the site for uses above the 400 amps per parcel. This agreement shall be made a condition of approval of any use permit for the proposed project or other uses associated with the undeveloped parcels in the C-3 zone.

Documentation:

Douglas City Community Plan, 1987

XVIV. <u>MANDATORY FINDINGS OF SIGNIFICANCE:</u>	Potentially Significant Impact	Potentially Significant Impact Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below the self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have potential environmental effects which may cause substantial adverse effects on human beings, either directly or indirectly?			X	

Discussion: Based on the analysis undertaken as part of this Initial Study the, following findings can be made:

- a) Based on the discussion and findings in Section V. *Cultural Resources*, there is evidence to support a finding that the proposed project is not eligible for listing in the NRHP or CRHR under any significance criteria. Considering the results of the archaeological study and the history of past disturbance within the project area, the potential for discovery of intact archaeological deposits or features by implementation of this project is considered low. Although no archaeological deposits or features were identified, the implementation of standard mitigation measures and monitoring will ensure that any additional archaeological deposits or features that may be discovered during project development are fully protected, resulting in a less than significant impact.
- b) Based on the discussion and findings in all Sections above, there is no evidence to suggest that the proposed project would have impacts that are cumulatively considerable. This is a finite project and impacts are limited in scope and duration and are not linked with future projects that may have an impact. Future development activities that may be proposed on parcels that are rezoned from Highway Commercial to Heavy Commercial would have separate discretionary reviews and approvals at the time the uses are proposed by Trinity County. Those future projects, if approved, would have commensurate conditions and mitigation measures that would be specific for those future activities. These impacts are considered less than significant.
- c) Based on the discussion and findings in all Sections above, there is evidence to support a finding that the proposed project does not have the potential environmental effects which may cause substantial adverse effects on human beings, either directly or indirectly, and impacts are considered less than significant.

DETERMINATION: (To be completed by the Lead Agency)

On the basis of the initial evaluation:

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

Copies of the Initial Study and related materials and documentation may be obtained at the Trinity County Planning Department, 61 Airport Road, Weaverville, CA 96093. Contact Leslie Hubbard, Deputy Director of Planning (530) 623-1351 ext. 3.

Leslie Hubbard, Deputy Director of Planning
Trinity County Planning Department

Date

Attachment A – Project Exhibits



Mines Rezone and Cannabis Distribution Facility
 Conditional Use Permit Project
 APN 015-490-08, 09, 10, 11
 Douglas City, Trinity County, California

Project Location
 JOB #518009.200

October 2018

I:\2018\518009-TrinityCo-CUP\200-Mines Rezone\Figure 1-project location.docx

Figure #1



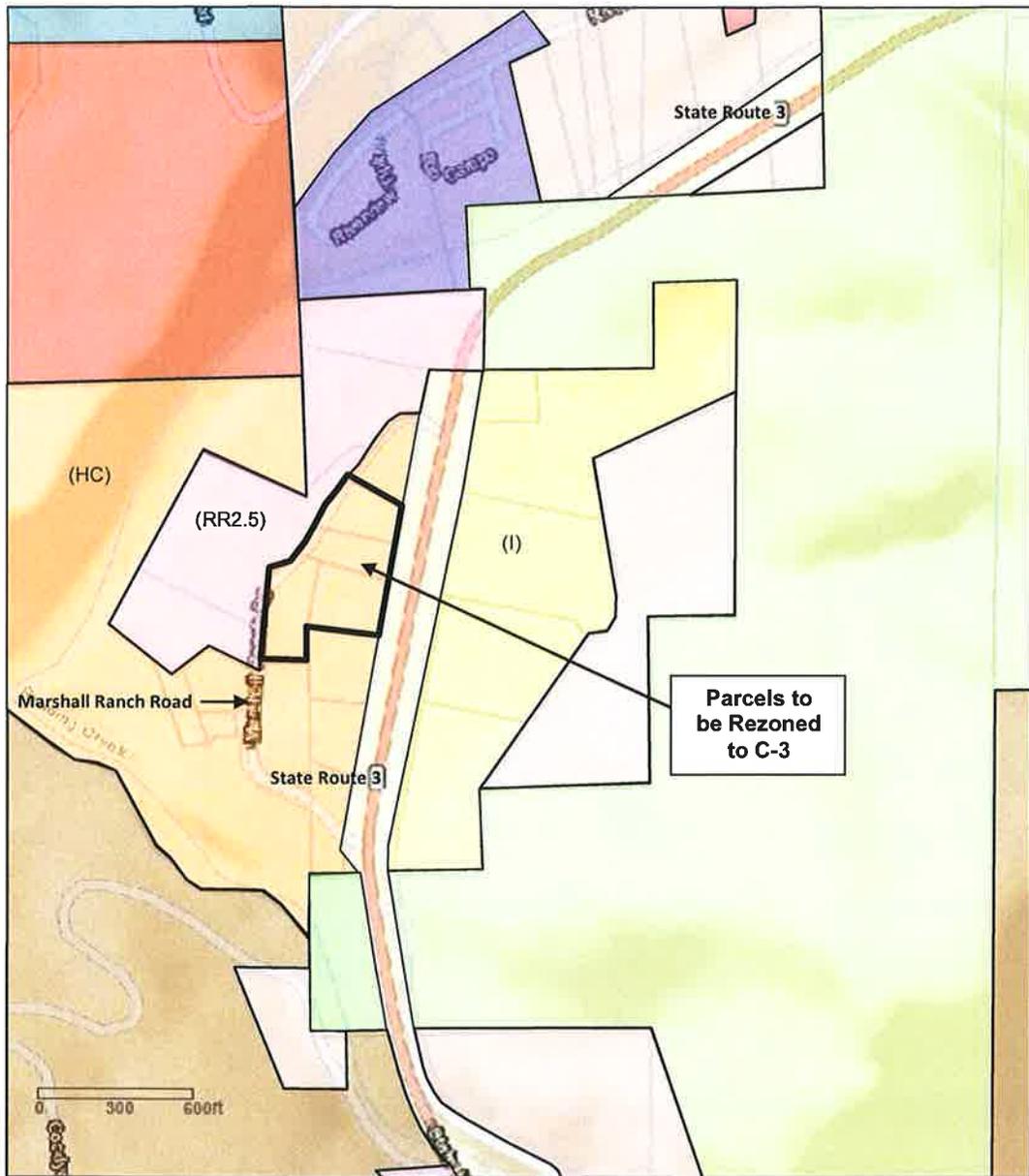
Mines Rezone and Cannabis Distribution Facility
 Conditional Use Permit Project
 APN 015-490-08, 09, 10, 11
 Douglas City, Trinity County, California

Proposed Site Plan
 Rezone and Cannabis Distribution
 JOB #518009

August 2018

Figure 2-site plan.docx

Figure #2



Color	Zoning
	Agricultural Forest (AF)
	General Commercial (C-2)
	Heavy Industrial/ Manufacturing (I)
	Highway Commercial (HC)
	Mobile Home Park (MHP)
	Open Space (OS)
	Public Facility (PF)
	Rural Residential 2.5 acre minimum (RR2.5)
	Timber Production (TPZ)



Mines Rezone and Cannabis Distribution Facility
Conditional Use Permit Project
APN 015-490-08, 09, 10, 11
Douglas City, Trinity County, California

Existing Zoning

JOB #518009.200

October 2018

Mines CUP Figure 3- Current County Zoning Map.docx

Figure #3

ERRATA

**INITIAL STUDY CHECKLIST
PROPOSED MITIGATED NEGATIVE DECLARATION
Mines Douglas City Rezone and
Cannabis Distribution Facility Project**

Rezone: P-17-45
Conditional Use Permit No.: CCUPD-18-001

Prepared by:
TRINITY COUNTY
Department of Planning
61 Airport Road
Weaverville, California 96093
(530) 623-1351

February 2019

PUBLIC REVIEW PROCESS

The Initial Study (IS) and Mitigated Negative Declaration (MND) for the proposed Mines Douglas City Rezone and Cannabis Distribution Facility Project was circulated for review and comment by the public, agencies, and organizations. The IS/MND was also circulated to State agencies for review through the State Clearinghouse, Office of Planning and Research. The 30-day public review period ran from November 2, 2018 to December 3 2018. Public testimony on the proposed MND was accepted during the regularly scheduled Trinity County Planning Commission meeting held on January 17, 2019. The meeting focused on the objectivity and adequacy of the Initial Study in discussing potential impacts upon the environment and ways in which adverse effects might be mitigated consistent with the intent of the California Environmental Quality Act (CEQA).

ERRATA TO THE INITIAL STUDY TEXT

This ERRATA includes minor edits to the circulated Initial Study. These modifications are based on public testimony and other general public comments received during the review period. Added or modified text is underlined (example) while deleted text is struck out (~~example~~).

The revisions, as noted below, fall within the scope of the original project analysis included in IS/MND and do not result in an increase to any identified impacts or produce any new impacts. Revisions herein do not constitute significant new information, nor do they alter the conclusions of the environmental analysis. No new significant environmental impact would result from the changes or from a new or modified mitigation measure proposed to be implemented. Therefore, no significant revisions have been made which would require recirculation of the Initial Study pursuant to State *CEQA Guidelines* §15073.5 (Recirculation of a IS/MND Prior to Certification). Consistent with §15073.5(c) of the State *CEQA Guidelines* recirculation of a IS/MND is not required where changes or new information added to the IS/MND merely clarifies for amplifies or makes insignificant modifications to an adequate IS/MND. Changes are listed by page and where appropriate by paragraph.

ENVIRONMENTAL CHECKLIST FORM

Page 3, Item 9, has been revised as follows:

The Reading Creek Tree Farm, an approximately 19-acre parcel that lies between the Rural Residential property to the west of Marshall Ranch Road and the Trinity River, is zoned ~~Highway Commercial~~ Rural Residential 2.5. A large storage yard for discarded and inoperable vehicles, on APN 015-490-12, is adjacent to the north end of the project site.

Page 3, Item 11, has been revised as follows:

Tribal consultation pursuant to AB 52 has been initiated. ~~A response was received from Mor Rel Muk Tribe indicating that the project site does not have cultural significance.~~ No requests for consultation were received.

SECTION 1.0 – INTRODUCTION

No changes or revisions are necessary to Section 1.0.

SECTION 2.0 – PROJECT DESCRIPTION

Page 5, third paragraph under “Existing Conditions” has been revised to reflect the following:

Along Highway 3, in the vicinity of the project, ~~all~~ the majority of the parcels between Marshall Ranch Road and the highway are zoned Highway Commercial (HC), except for APN 015-490-07, which was rezoned to Heavy Commercial (C-3) in 1989 under P-89-72 (Calgas Bulk Storage Facility), and APN 015-070-77, which is a large parcel that wraps around the neighborhood to the north side of the river, which was rezoned to Rural Residential 2.5 in 1996. At one time, on one of the subject parcels (APN 015-490-10), there was a pallet manufacturing plant ~~operating~~. The pallet site became Shelton Logging for a number of years but ceased operating about 4 years ago. A mini-storage business was established to the south of the subject properties which shares a state highway encroachment with the subject properties and a propane company, AmeriGas, to the south; both of these uses exist today. The AmeriGas property (currently a tank farm) was rezoned from HC to C-3, as the C-3 zone was considered consistent with neighboring heavy commercial uses and industrial zoning.

Page 6, second full paragraph, has been revised to reflect the following:

The existing building on APN 015-490-11 of the subject property is a legally permitted single-family dwelling that has been used as a property caretaker unit for the four project properties. This residence is a non-conforming existing use with the current zoning. Accompanying the single-family dwelling are a wood garage and a metal carport. An old wood building is adjacent to the metal carport and appears to be abandoned. Near the Marshall Ranch Road auxiliary access point are a well water pump house and two adjacent 2,500-gallon water storage tanks. The auxiliary access point to the rear of the subject properties does not appear to be in regular use. A locked gate prevents regular access from the county-maintained Marshall Ranch road to the subject properties.

Page 6 under “Proposed Rezone”, has been revised to include the following:

The purpose of this project is to rezone four parcels from their existing Highway Commercial (HC) zoning designation to Heavy Commercial (C-3) zoning designation. Due to the limited supply of parcels zoned as Heavy Commercial and the need for additional parcels with close highway access, this rezone project is being proposed by the applicant. The project, as proposed, appears to meet the need for Heavy Commercial-zoned properties that are accessible. This section of Highway 3 borders three of the four project properties and access provides good line-of-sight from Marshall Ranch Road (both encroachments) and the Highway 3 encroachment. It is also approximately 0.7 miles south of the Highway 299, the major east/west transport route in the region.

Page 9, first paragraph under “Water Availability”, has been revised as follows:

Several members of the Douglas City community voiced concerns over the subject properties ability to access potable water during an April 2018 Planning Commission meeting. The applicant provided a well water recovery test, conducted on October 1, 2014. The well water recovery test indicates the ~~on-site~~ connected well, on an adjacent parcel, produces over 10 gallons per minute (GPM). According to Trinity County Environmental Health Staff, this rate exceeds the minimum rate necessary for the range of uses included under the proposed Heavy Commercial (C-3) zoning designation.

Page 9, under “Waste Water Discharge”, has been revised as follows:

The Industrial properties to the ~~west~~ east across Highway 3 (**Figure 3**) have been reported to have issues with hazardous materials clean-up in the past, in addition to poor sewage disposal capacity. It’s unclear whether these same issues are present on the subject parcels.

The 1989 rezone findings listed in the Staff Report for AmeriGas state that “the land is not suitable for most uses allowed under the existing zoning (HC) due to poor soils for sewage disposal systems.” The applicant provided septic disposal system verification for two existing septic systems on the subject properties. APN 015-490-11, which has a 2-bedroom 1 bath mobile home, has a septic and leaching system that has been deemed adequate by the County Environmental Health Department. The commercial shop located on APN 015-490-10 also has a septic and leaching system that has been deemed adequate by the County Environmental Health Department for the ½ bathroom within the shop.

Previous uses on the subject properties includes truck maintenance a logging company and pallet manufacturing activities. The Douglas City community has expressed concern over potential hazardous waste contamination to the soil and groundwater supply. According to the online Department of Toxic Substances Control (DTSC) Enviro Stor database there was contamination identified across the road on parcel APN 015-490-17-00, for what was then Cheek Skyline Logging. An assessment was done in May 1990 which found that there were 55 gallon drums stored incorrectly and with spillage. A removal assessment of the site was completed by the United States Environmental Protection Agency (USEPA) in 1999, and of thirteen soil samples and four water samples only one soil sample showed detection of PCP. It was determined that given the low soil concentration there was no evidence of groundwater contamination. Following this assessment, and unsuccessful contact with the property owners, the RWQCB named International Paper as a Potentially Responsible Party due to being the successor of the current company. International Paper conducted a Site Assessment in October 2006 which indicated there were low levels of petroleum hydrocarbons. According to the RWQCB’s Geotracker database it was recommended that a deed restriction be filed in 2009 in order for the site be to be considered for closure, there is no record confirming if the restriction was completed. The site was officially referred to the RWQCB on June 24, 2011. The site has not been closed but was identified as being inactive in May 2015. The applicant provided septic disposal system verification for two existing septic systems on the subject properties. APN 015-490-11, which has a 2-bedroom 1 bath mobile home, has a septic and leaching system that has been deemed adequate by the County Environmental Health Department. The commercial shop located on APN 015-490-10 also has a septic and leaching system that has been deemed adequate by the County Environmental Health Department for the ½ bathroom within the shop.

SECTION 3.0 – ENVIRONMENTAL IMPACTS AND MTIGATION MEASURES

Section I – Aesthetics

Page 12, under discussion b), has been revised as follows:

There are not any scenic resources located on-site. California’s Scenic Highway Program was created by the Legislature in 1963. Its purpose is to preserve and protect scenic highway corridors from changes that would diminish the aesthetic value of lands adjacent to highways. According to Caltrans’ California Scenic Highway Program and the National Scenic Byways Program, the proposed project is located near along State Route 3 ~~(0.3 miles)~~ which has been listed as an Eligible State Scenic Highway-Not Officially Designated. While eligible for designation, this section of SR-3 has not been officially designated as a state scenic route and therefore there are no limitations on the types of activities or uses along the route that could affect scenic views. Additionally, the proposed project site is not visible from a designated local scenic highway. Therefore, impacts associated with the discussed resources are less than significant.

Section II – Agricultural Resources

No changes or revisions are necessary to Section II, *Agricultural Resources*.

Section III – Air Quality

Page 16, fourth full paragraph, has been revised as follows:

The nearest sensitive receptors to the project site are residential developments (0.25 miles) and the Hayfork Elementary School (0.7 miles distant) neighboring residences (520 feet from the existing structure) and Douglas City Elementary School (0.63 miles distant).

Section IV – Biological Resources

No changes or revisions are necessary to Section IV, *Biological Resources*.

Section V – Cultural Resources

Page 20, under “Findings”, has been revised as follows:

In the course of the above evaluation, impacts associated with Cultural Resources were found to be less than significant. Mitigation measures CR MM-1 and CR MM-2 provide protection of currently unknown but discoverable resources which reduces any potential impacts to less than significant. Additional project and environmental data, further discussion and analysis of environmental impacts, recommendations for mitigations for potential impacts and a mitigation monitoring plan, will be included in the EIR prepared for this proposed project.

Mitigation Measure (MM) CR-2 on page 21 has been modified as follows:

If in the event that previously unidentified evidence of human burial or human remains are discovered during human remains are discovered during Pproject construction, work will stop at the discovery location, within 20 meters (66 feet), and any nearby area reasonably suspected to overlie human remains (Public Resources Code, Section 7050.5). The Trinity County Coroner must be informed and consulted, per State law. If the coroner determines the remains to be Native American, he or she shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent. The most likely descendent will be given an opportunity to make recommendations for means of treatment of the human remains and any associated grave goods. when the commission is unable to identify a descendant or the descendants identified fail to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendants and the mediation provided for in subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance. Work in the area shall not continue until the human remains are dealt with according to the recommendations of the County Coroner, Native American Heritage Commission and/or the most likely descendent have been implemented. The Trinity County Coroner will be contacted to determine if the cause of death must be investigated. If the Coroner determines that the remains are of Native American origin, it will be necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the North American Heritage Commission (NAHC) (Public Resources Code, Section 5097). The Coroner will contact the NAHC. The descendants, or most likely descendants, of the deceased will be contacted and work will not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of

~~the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98. Work may resume if NAHC is unable to identify a descendant or the descendant failed to make a recommendation.~~

Section VI – Geology and Soils

No changes or revisions are necessary to Section VI, *Geology and Soils*.

Section VII – Greenhouse Gas Emissions

No changes or revisions are necessary to Section VII, *Greenhouse Gas Emissions*.

Section VIII – Hazards and Hazardous Materials

Page 28, second paragraph under “Setting”, has been revised as follows:

~~Lists of hazardous materials are maintained by federal and state agencies and are available for public review. The US Environmental Protection Agency (USEPA) maintains a database of hazardous materials as well as radiological materials as part of its RCRAInfo database (USEPA, 2018). The State of California Department of Toxic Substances Control (DTSC) maintains a list of hazardous substances and contaminated sites as part of its Envirostor database (DTSC, 2018), as well as other hazardous and waste sites being overseen by the various State Water Resources Control Board which are inventoried in their Geotracker database (SWRCB, 2018). These databases are available to the public for review. No hazardous facilities or sites have been documented to be present at on the project site. ~~Review of the applicants’ biological report indicates that the site contains hazardous materials, this is incorrect. The site formerly contained an underground fuel storage tank (UST) that was identified as part of the State of California Leaking Underground Storage Tank (LUST) program. Documentation on the Geotracker data base indicates that this is a “Closed Case” meaning that the site has been cleaned up or remediated and a hazard or contamination from this case no longer exists.~~~~

Section IX – Hydrology and Water Quality

No changes or revisions are necessary to Section IX, *Hydrology and Water Quality*.

Section X – Land Use and Planning

Page 33, under discussion b), has been revised as follows:

The proposed project would change the existing zoning from HC to C-3, which would allow more heavy commercial activities to be allowed within the zone. Those new heavy commercial uses are activities such as heavy equipment repair facilities, bulk petroleum storage, truck repair shops and lumber yards. A comparison list of the allowable existing uses in the HC zone and those proposed uses of the C-3 zone are provided in Table 1 of Section 2.2. The proposed project re-zoning would allow gross building area development to be 40-percent of the total parcel area. For this project, that would result in an allowable development area of 20,037.6 ~~square feet sq ft~~ for APN 015-490-08; 18,643.68 ~~square feet sq ft~~ for APN 015-490-09; 27,181.44 ~~square feet sq ft~~ for APN 015-490-10; and, 31,188.96 ~~square feet sq ft~~ for APN 015-490-11. The building currently on APN-015-490-10 is 7,500 sq ft.

Section XI – Mineral Resources

No changes or revisions are necessary to Section XI, *Mineral Resources*.

Section XII – Noise

Page 36, third paragraph under “Setting”, has been revised as follows:

Residential developments, schools and hospitals are considered sensitive noise receptors as these are locations where people sleep or typically expect quiet conditions. Sensitive noise conditions are typically at night and measured as indoor levels in decibels (dB). The nearest sensitive receptors to the project site are residential developments (approximately 520 feet southwest from the current structure) and the Douglas City Elementary School (located about 0.63 miles west distant).

Page 36, first paragraph under discussion a), has been revised as follows:

The nearest offsite sensitive receptor is a residential development approximately 520 feet to the southwest. Project generated noise may be heard at this residence, but daily distribution facility activities are typically confined indoors and would not be a significant impact on the adjacent residence. Typical trucking operations are not considered significant as they would occur during standard daytime business hours, and would not be consistent throughout the year. Truck noise generation would have a typical peak level for about three months of the year, after cannabis harvest, with estimated truck trips at 43 trips per day. While it is likely that these trucks could generate noise that would be heard at the adjacent residence, the existing background traffic noise from both Highways 3 and 299 is the dominant noise generator in the area, and seasonal truck noise at the distribution facility would likely be masked.

Section XIII – Population and Housing

No changes or revisions are necessary to Section XIII, *Population and Housing*.

Section XIV – Public Services

No changes or revisions are necessary to Section XIV, *Public Services*.

Section XV – Recreation

No changes or revisions are necessary to Section XV, *Recreation*.

Section XVI – Transportation/Traffic

No changes or revisions are necessary to Section XVI, *Transportation/Traffic*.

Section XVII – Tribal Cultural Resources

Page 43, under discussion a,b), has been revised as follows:

The County initiated outreach as required by AB 52, ~~and received a response from the Nor-Rel Muk Nation who commented that there are no Tribal Cultural Resources present at the proposed project site~~ no comments or requests for consultation were received. Additional Native American Outreach was conducted by DZC (applicant's archaeologist) contacted persons listed in the Native American Heritage Commission (NAHC) Sacred Land File Search request response letter to seek out those who may have knowledge of or concerns for, cultural resources within the project area. Review of this outreach and determined that there were no known cultural resources that might be impacted by the project.

Section XVIII – Utilities and Service Systems

No changes or revisions are necessary to Section XVIII, *Utilities and Service Systems*.

Section XVIV – Mandatory Findings of Significance

No changes or revisions are necessary to Section XVIII, *Mandatory Findings of Significance*.