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NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

NOTICE IS HEREBY GIVEN that the County of El Dorado, as lead agency, has prepared a Mitigated Negative Declaration (MND) for the below referenced Project. The Draft MND analyzes the potential environmental effects associated with the proposed Project in accordance with the California Environmental Quality Act (CEQA). This Notice of Intent (NOI) is to provide responsible agencies and other interested parties with notice of the availability of the Draft MND and solicit comments and concerns regarding the environmental issues associated with the proposed Project.

LEAD AGENCY: County of El Dorado, 2850 Fairlane Court, Placerville, CA 95667

CONTACT: County Planner: Evan Mattes, 530-621-5994

PROJECT: CCUP22-0001/BH&2K Commercial Cannabis Cultivation

PROJECT LOCATION: The property, identified by Assessor's Parcel Number 094-090-010, consisting of 67.53 acres, is located on the west side of Fairplay Road, approximately 0.5 mile north of the intersection with Omo Ranch Road in the Fairplay area, Supervisorial District 2.

PROJECT DESCRIPTION: Commercial Cannabis Use Permit (CCUP) for the construction and operation of a cannabis cultivation/nursery, harvest, processing, storage, and distribution facility on a 67.53-acre parcel. The project would consist of approximately 50,000 square feet (sf) of mature outdoor cannabis canopy grown in 5 license areas of 10,000 sf each, 9,990 sf of mature mixed-light cannabis canopy grown in six 3,136-sf hoop houses, and 4,200 sf of immature canopy grown in two 2,880-sf greenhouses. Phase II of the project would add four 2,880-sf greenhouses for an additional 8,400 sf of mature mixed-light canopy, resulting in a total of 68,390 sf of mature canopy and 4,200 sf of immature canopy at full buildout. Additional support structures include an 800-sf processing building, a 1,000-sf dry/cure building, a 640-sf equipment and storage building, five 5,000-gallon water storage tanks, a 504-sf cannabis waste area, and a 504-sf compost area.

PUBLIC REVIEW PERIOD: The public review period for the Draft MND set forth in CEQA for this project is **30** days, beginning **September 14, 2026**, and ending **October 13, 2026**. Any written comments must be received within the public review period. Copies of the Draft MND for this project may be reviewed and/or obtained in the County of El Dorado Planning and Building Department, 2850 Fairlane Court, Placerville, CA 95667, during normal business hours or online at <https://www.eldoradocounty.ca.gov/Services/Businesses/Cannabis-Information/Cannabis-Current-CEQA-Documents>

Please direct your comments to: County of El Dorado, Planning and Building Department, County Planner: Evan Mattes, 2850 Fairlane Court, Placerville, CA 95667 or EMAIL: CannabisInfo@edcgov.us

PUBLIC HEARING: A public hearing before the Planning Commission has not been scheduled. Once that date has been determined, a public notice will be issued.

COUNTY OF EL DORADO
PLANNING AND BUILDING DEPARTMENT
KAREN L. GARNER, Director
September 11, 2026

DRAFT MITIGATED NEGATIVE DECLARATION

FILE: CCUP22-0001

PROJECT NAME: BH&2K

NAME OF APPLICANT: Binh Ly

ASSESSOR'S PARCEL NO.: 094-090-010-000 **SECTION:** 33 **T:** 9N **R:** 12E

LOCATION: The property, identified by Assessor's Parcel Number(s) 094-090-010-000, consisting of approximately 67.53 acres, is located on the west side of Fairplay Road approximately 0.7 mile north from Omo Ranch Road, in the Fairplay area.

☐ **GENERAL PLAN AMENDMENT:** **FROM:** **TO:**

☐ **REZONING:** **FROM:** **TO:**

☐ **TENTATIVE PARCEL MAP** ☐
SUBDIVISION (NAME):

☒ **SPECIAL USE PERMIT TO ALLOW:** Commercial Cannabis Use Permit (CCUP) for the construction and operation of a cannabis cultivation/nursery, harvest, processing, storage, and distribution facility on a 67.53-acre parcel. The project would consist of approximately 50,000 square feet (sf) of mature outdoor cannabis canopy grown in 5 license areas of 10,000 sf each, 9,990 sf of mature mixed-light cannabis canopy grown in six 3,136-sf hoop houses, and 4,200 sf of immature canopy grown in two 2,880-sf greenhouses. Phase II of the project would add four 2,880-sf greenhouses for an additional 8,400 sf of mature mixed-light canopy, resulting in a total of 68,390 sf of mature canopy and 4,200 sf of immature canopy at full buildout. Additional support structures include an 800-sf processing building, a 1,000-sf dry/cure building, a 640-sf equipment and storage building, five 5,000-gallon water storage tanks, a 504-sf cannabis waste area, and a 504-sf compost area.

☐ **OTHER:**

REASONS THE PROJECT WILL NOT HAVE A SIGNIFICANT ENVIRONMENTAL IMPACT:

☐ **NO SIGNIFICANT ENVIRONMENTAL CONCERNS WERE IDENTIFIED DURING THE INITIAL STUDY.**

☒ **MITIGATION HAS BEEN IDENTIFIED WHICH WOULD REDUCE POTENTIALLY SIGNIFICANT IMPACTS.**

☐ **OTHER:**

In accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), State Guidelines, and El Dorado County Guidelines for the Implementation of CEQA, the County Environmental Agent analyzed the project and determined that the project will not have a significant impact on the environment. Based on this finding, the Planning Department hereby prepares this MITIGATED NEGATIVE DECLARATION. A period of thirty (30) days from the date of filing this mitigated negative declaration will be provided to enable public review of the project specifications and this document prior to action on the project by COUNTY OF EL DORADO. A copy of the project specifications is on file at the County of El Dorado Planning Services, 2850 Fairlane Court, Placerville, CA 95667.

This Mitigated Negative Declaration was adopted by the _____ on _____.

Executive Secretary

BH&2K, LLC Commercial Cannabis Cultivation Project

Administrative Draft
Initial Study/Mitigated Negative Declaration

Prepared for:

County of El Dorado Planning and Building Department
2850 Fairlane Court
Placerville, CA 95667

Prepared by:

HELIX Environmental Planning, Inc.
1180 Iron Point Road, Suite 130
Folsom, CA 95630

September 2026

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ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
AL	Agricultural Lands
amsl	above mean sea level
APCD	Air Pollution Control District
APN	Assessor's Parcel Number
BMP	Best Management Practices
BRA	Biological Resources Assessment
BTU	British thermal units
CalARP	California Accidental Release Prevention
CalEPA	California Environmental Protection Agency
CALGreen	California Green Building Standards Code
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBC	California Building Standards Code
CCUP	Commercial Cannabis Use Permit
CDC	California Department of Conservation
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
Cf	cubic feet
CFR	Code of Federal Regulations
CH ₄	methane
CHL	California Historic Landmark
CHRIS	California Historical Resources Information Center
CIWMB	California Integrated Waste Management Board
CNDDDB	California Natural Diversity Database
CNPS	California Native Plant Society
CRHP	California Register of Historic Places
CRHR	California Register of Historic Resources
CO	Carbon monoxide
CO ₂	Carbon dioxide
County	El Dorado County
CUPA	Certified Unified Program Agencies
CWA	Clean Water Act
Dbh	diameter at breast height
DCC	Department of Cannabis Control
DPM	Diesel particulate matter
DTSC	Department of Toxic Substances Control
EDCAQMD	El Dorado County Air Quality Management District
ESA	Environmental Species Act
FAA	Federal Aviation Administration
FDCP	Fugitive Dust Control Plan
FEMA	Federal Emergency Management Agency
FHSZ	Fire Hazard Severity Zone
FMMP	Farmland Mapping and Monitoring Program
FPA	Z'Berg Nejedly Forest Practices Act
FPR	Forest Practice Rules
GHG	Greenhouse gas
GPY	gallons per year

ACRONYMS AND ABBREVIATIONS (cont.)

GWh	gigawatt hours
GWP	Global warming potential
HAP	Hazardous air pollutants
HCP	Habitat Conservation Plan
HFC	hydrofluorocarbons
HRA	Historic Resource Associates
H ₂ S	Hydrogen sulfide
HVAC	Heating, ventilation, or air conditioning
IBC	Important Biological Corridor
IS/MND	Initial Study/Mitigated Negative Declaration
kWh	kilowatt hours
LCFS	low carbon fuel standard
LCI	Office of Land Use and Climate Innovation
MBTA	Migratory Bird Treaty Act
MCAB	Mountain Counties Air Basin
MRZ	Mineral Resource Zone
MT	metric tons
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCIC	North Central Information Center
NEHRP	National Earthquake Hazards Reduction Program
NHL	National Historic Landmark
NHT	National Historic Trails
NHTSA	National Highway Traffic Safety Administration
NIST	National Institute of Standards and Technology
NMFS	National Marine Fisheries Service
NOA	Naturally Occurring Asbestos
N ₂ O	Nitrous oxide
NO ₂	Nitrogen dioxide
NO _x	Nitrogen oxides
NPDES	National Pollutant Discharge Elimination Program
NPPA	Native Plant Protection Act
NRCS	National Resources Conservation Service
NRT	National Recreation Trails
NSAQMD	Northern Sierra Air Quality Management District
NST	National Scenic Trails
NSF	National Science Foundation
NWI	National Wetlands Inventory
O ₃	Ground-level ozone
OEHHA	Office of Environmental Health Hazard Assessment
OES	Office of Emergency Services
ORMP	Oak Resources Management Plan
OSHA	Occupational Safety and Health Administration
PA	Planned Agriculture
PCAPCD	Placer County Air Pollution Control District
PFC	perfluorocarbons
PM	Particulate Matter
PPV	peak particle velocity

ACRONYMS AND ABBREVIATIONS (cont.)

RCRA	Resource Conservation and Recovery Act of 1976
RMP	risk management plan
ROG	Reactive Organic Gas
RPF	Registered Professional Forester
RWQCB	Regional Water Quality Control Board
Sf	square feet
SHMA	Seismic Hazards Mapping Act
SMAQMD	Sacramento Metropolitan Air Quality Management District
SMP	Site Management Plan
SO ₂	Sulfur dioxide
SPCC	Spill Prevention, Control, and Countermeasure
SPI	Sierra Pacific Industries
SRA	State Responsibility Area
SUV	sport utility vehicles
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminants
THP	Timber Harvest Plan
TPZ	Timber Protection Zone
UBC	Uniform Building Code
USACE	United States Army Core of Engineers
USC	U.S. Code
USDA	US Department of Agriculture
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USGS	US Geological Survey
UST	Underground Storage Tank
UWMP	urban water management plan
VMT	Vehicle Miles Traveled
WEAP	Worker Environmental Awareness Program
WUI	Wildland Urban Interface



EL DORADO COUNTY PLANNING SERVICES
2850 FAIRLANE COURT
PLACERVILLE, CA 95667

INITIAL STUDY
ENVIRONMENTAL CHECKLIST

Project Title: Commercial Cannabis Use Permit CCUP22-0001/BH&2K, LLC

Lead Agency Name and Address: El Dorado County, 2850 Fairlane Court, Placerville, CA 95667

Contact Person: Evan Mattes, Senior Planner

Phone Number: (530) 621-5355

Applicant's Name and Address: Binh Ly; 6011 Rose Arbor Boulevard, San Pablo, CA 94806

Project Agent's Name and Address: Same as applicant

Project Engineer's Name and Address: Eric Lind, Graphia Architecture and Design; 100 Gateway Drive Suite 120, Lincoln, CA 95648

Project Location: The project site is located in southwestern El Dorado County at 8260 Fairplay Road, Somerset, CA 95684. The project site is located southeast of the community of Somerset, and it is generally situated west of Fairplay Road and north of Omo Ranch Road. See Figure 1 for the Site and Vicinity Map and Figure 2 for an Aerial Map of the project site. All Figures are included in Appendix A.

Assessor's Parcel Number (APN): 094-090-010

Acres: 67.53

Sections: USGS Aukum 7.5-minute Quadrangle, Section 33 of Township: 9N, Range: 12E

General Plan Designation: Agricultural Lands (AL) -Agricultural District (-A)

Zoning: Planned Agriculture, 20-acre (PA-20)

Description of Project: The project applicant is seeking a Commercial Cannabis Use Permit (CCUP) for the construction and operation of a cannabis cultivation/nursery, harvest, processing, storage, and distribution facility on a 67.53-acre parcel. The project would consist of approximately 50,000 square feet (sf) of mature outdoor cannabis canopy grown in 5 license areas of 10,000 sf each, 9,990 sf of mature mixed-light cannabis canopy grown in six 3,136-sf hoop houses, and 4,200 sf of immature canopy grown in two 2,880-sf greenhouses. Phase II of the project would add four 2,880-sf greenhouses for an additional 8,400 sf of mature mixed-light canopy, resulting in a total of 68,390 sf of mature canopy and 4,200 sf of immature canopy at full buildout. Additional support structures include an 800-sf processing building, a 1,000-sf dry/cure building, a 640-sf equipment and storage building, five 5,000-gallon water storage tanks, a 504-sf cannabis waste area, and a 504-sf compost area. The applicant would access power from an existing connection to the El Dorado County grid and water from an existing on-site well.

Surrounding Land Uses and Setting:

	Zoning	General Plan	Land Use/Improvements
Project Site	Planned Agriculture, 20-acre (PA-20)	Agricultural Lands (AL) - Agricultural District (-A)	Open space, wooded land
North	PA-20; Limited Ag, 20-acre (LA-20)	AL-A	Existing agricultural operation, wooded land
South	LA-20	AL-A	Single family residence, wooded land
East	Planned Ag, 10-acre (PA-10)	Rural Residential-A (RR-A)	Fairplay Road, single family residences, wooded land
West	PA-20	AL-A	Open space, wooded land

Environmental Setting: The project property is located in the lower Sierra Nevada foothills with land that generally slopes downward from south to north. The project would include two cannabis cultivation areas: an outdoor cultivation area located in the south-central portion of the project property and a combined outdoor and mixed-light cultivation area in the north-central portion of the project property. The cannabis cultivation areas both gently slope downward from south to north, and vegetation in the area proposed for cultivation is undeveloped wooded land. The project property has a small pond that would be located approximately 212 feet southwest of the north-central proposed cultivation area. Site elevations range from approximately 2,450 ft above mean sea level (amsl) in the northern portion of the property to 2,500 ft amsl in the southern part of the property. The project property drains into the existing on-site pond and is bordered to the north by an existing agricultural operation, to the east by Fairplay Road with single-family residences and wooded land beyond, to the south by a single-family residence and wooded land, and to the west by open space and wooded land. The project site contains two terrestrial vegetation communities: Annual Grassland and Blue Oak – Foothill Pine Woodland. These vegetation communities are discussed in further detail in Section 7.IV, Biological Resources.

Other public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement):

1. El Dorado County Planning and Building Department– Grading permits, Building permits, Commercial Cannabis Operating Permit
2. Pioneer Fire Protection District – Building plan review
3. Department of Cannabis Control (DCC) – Cultivation License, Type 11 and 13 transport-only Distribution License
4. State Water Resources Control Board (SWRCB) – Notice of Applicability under the Cannabis General Order
5. California Department of Fish and Wildlife (CDFW) – General Permit, Lake or Streambed Alteration Agreement

1.0 INTRODUCTION

This document is an Initial Study and Mitigated Negative Declaration (IS/MND) that has been prepared in accordance with the California Environmental Quality Act (CEQA) for the proposed BH&2K Cannabis Cultivation Project (proposed project). This IS/MND has been prepared in accordance with the CEQA Public Resources Code (PRC) Sections 21000 et seq., and the State CEQA Guidelines. Pursuant to the State CEQA Guidelines Section 15367, El Dorado County (County) is the lead agency for CEQA compliance.

An Initial Study is conducted by a CEQA lead agency to determine if a project may have a significant effect on the environment. In accordance with the State CEQA Guidelines Section 150649(a)(1), an Environmental Impact Report (EIR) must be prepared if the Initial Study indicates that the proposed project may have a potentially significant impact on the environment. According to State CEQA Guidelines Section 15070, a Negative Declaration or Mitigated Negative Declaration shall be prepared when either:

- a) The Initial Study shows there is no substantial evidence, in light of the whole record before the agency, that the proposed project may have a significant effect on the environment, or
- b) The Initial Study identified potentially significant effects, but:
 - 1) Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed negative declaration is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and
 - 2) There is no substantial evidence, in light of the whole record before the agency, that the proposed project as revised may have a significant effect on the environment.

If revisions are incorporated into the proposed project in accordance with the State CEQA Guidelines Section 15070(b), a Mitigated Negative Declaration is prepared. This document includes such revisions in the form of mitigation measures. Therefore, this document is a Mitigated Negative Declaration, and it incorporates all of the elements of the accompanying Initial Study.

2.0 PROJECT LOCATION AND SURROUNDING LAND USES

The proposed project would be located on an approximately 67.53-acre property in the southwestern portion of El Dorado County at 8260 Fairplay Road, Somerset, California (38°35'2.11"N 120°39'53.8"W). The property consists of one parcel, APN 094-090-010 (67.53 acres), and construction and operation of the cannabis cultivation premises would occupy approximately two acres of the project property which is hereafter referred to as the "project site". The proposed project would consist of two cannabis cultivation areas that would be situated on gently sloping land and would be located in the north-central and south-central portion of the property. The project site is accessible via an existing gravel driveway located in the northeast portion of the property, off Fairplay Road. The property is designated Agricultural Lands-Agricultural District (AL-A) in the County's General Plan, and it is within the Planned Agriculture, 20-acre (PA-20) zone district. See Figure 1 for the Site and Vicinity Map and Figure 2 for an Aerial Map of the project site. All Figures are included in Appendix A.

The project property is bordered to the north by an existing agricultural operation, to the east by Fairplay Road with single-family residences and wooded land beyond, to the south by a single-family residence and wooded land, and to the west by open space and wooded land. The project property consists of gently sloping terrain characteristic of the lower Sierra Nevada foothills with elevations ranging from approximately 2,450 ft above mean sea level (amsl) in the northern portion of the property to 2,500 ft amsl in the southern part of the property. The southern cultivation area is proposed for outdoor cultivation while the northern cultivation area is proposed for outdoor cultivation, hoop houses, and greenhouses. Both cultivation sites would drain into an on-site pond located approximately 212 feet southwest of the north-central proposed cultivation area. The project property gently slopes downward from south to north, and some light grading would be required to level the area proposed for cannabis cultivation.

3.0 PROJECT DESCRIPTION

BH&2K, LLC is applying for a Commercial Cannabis Use Permit (CCUP22-0001) for the construction and operation of a commercial cannabis cultivation facility. The proposed project would include the construction and operation of a mixed light and outdoor cannabis cultivation facility (also referred to as the cannabis cultivation premises or premises) that would include approximately 50,000 sf of mature outdoor canopy, 9,990 sf of mature mixed-light canopy, and 4,200-sf of immature mixed-light canopy in two fenced, designated cultivation areas. Phase II of the project would add an additional 8,400 sf of mature mixed-light cultivation to total 68,390 sf of mature cannabis at full buildout. See Figure 3 for the site plan (all figures are included in Appendix A).

The components of the proposed project are described in more detail below.

Cannabis Cultivation Areas

The proposed project would include the cultivation of 50,000 sf of mature outdoor cannabis cultivation, 18,390 sf of mature mixed-light cannabis cultivation in hoop houses with concrete footings, and 4,200-sf of immature mixed-light cannabis cultivation in two fenced cultivation areas containing raised beds for outdoor cultivation, six hoophouses for mixed-light cultivation, and two greenhouses for mixed-light cultivation.

The southern cultivation area would be located in the south-central portion of the project site and would consist of 20,000 sf of outdoor mature cannabis grown in raised beds. The cultivation area would be surrounded by a six- to eight-foot-tall gated wildlife exclusionary fence, and the applicant would place two 5,000-gallon water storage tanks along the eastern side of the fenceline.

The northern cultivation area would be located northwest of the existing fire road running through the parcel, and would consist of 30,000 sf of outdoor mature cannabis grown in raised beds, 9,990 sf of mixed-light mature cannabis grown in six hoop houses, and 4,200-sf of immature mixed-light cannabis grown in two greenhouses. The proposed hoophouses would each be 3,227.52 sf and would have a height of 13.5 feet. The hoophouses would each feature corrugated metal wall paneling as siding, with a continuous wet wall evaporative cooler and six 48-inch light traps on the rear wall and two 48-inch fans and a door on the entry wall. The two proposed greenhouses would each be 2,880-sf and would have a height of 15 feet. The greenhouses would each feature corrugated metal wall paneling as siding, a continuous wet wall evaporative cooler, six 48-inch light traps, and a vent louvre on the rear wall, and a roll-up door, two 42-inch wall fans, and one 24-inch gable fan on the entry wall. Both the hoophouses and the greenhouses would have concrete footings that would be placed at least 3.5-feet into the ground.

Cannabis cultivation support structures would include an existing well, five 5,000-gallon water storage tanks, an existing 800-sf structure proposed to be used as a processing building, a 1,000-sf dry-cure building, a 640-sf storage building, two portable water closets, a 504-sf fenced cannabis waste area, a 504-sf fenced cannabis compost area, an electric service transformer, a gas-powered emergency generator, a propane supply tank, and two existing utility poles. The well is located northwest of the existing structure located at 8260 Fairplay Road, and has a pumping rate of 9 gallons per minute (gpm). Two of the five 5,000-gallon water storage tanks would be located immediately east of the fenceline of the southern cultivation site, while the other three would be located west of the proposed storage building. The existing structure southeast of the on-site residence would be used for processing. The building is 10 feet tall and would feature a 299-sf dry product storage area, an 89-sf cultivation office, and a 285-sf trim/packaging area to support harvest and processing operations for the proposed project. The applicant would construct a new 1,000-sf dry-cure building to the northeast of the processing building, across the fire access road, and would place two portable water closets along the northeastern wall once constructed. The proposed 640-sf storage building would feature a 381-sf equipment storage area and a 197-sf chemical storage area and would be constructed east of the proposed greenhouses. The fenced cannabis waste and cannabis compost areas would be gated and would be located next to the proposed storage building, north of a proposed equipment parking area. The proposed transformer, electric water main, emergency generator, and propane tank would be located along the western side of the fire access road, north of the square structure currently existing on the project site.

The proposed project would include two cannabis cultivation areas for the cultivation of up to 50,000 sf of mature outdoor cannabis and 9,990 sf of mature mixed-light cannabis canopy. The mixed-light canopy would be grown within

six proposed hoop houses. The applicant would also construct four additional greenhouses as part of a future phase of the project. The mature outdoor cannabis would be grown in plastic bags or fabric pots in five 10,000-sf license areas, three in the northern cultivation area and two in the southwest. The applicant would construct six 3,136-sf hoop houses immediately southeast of the proposed outdoor cultivation area in the north for 9,990 sf of mature mixed-light canopy. The applicant would also construct two 3,240-sf greenhouses for 4,200 sf of immature mixed-light canopy (Figure 3). As part of the future phase, the applicant would construct an additional four 2,880-sf greenhouses for 8,400 sf of mature mixed-light canopy. The greenhouses would be approximately 15-feet tall and would be lighted and auto-darkening, and both the outdoor and mixed-light cultivation areas would use drip irrigation. The project would cultivate two harvest cycles per year, and cultivation soil beds would be tilled seasonally. The cannabis would be grown from seed to maturity in mixed-light greenhouses on the premises, with a plan to eventually use four greenhouses and six hoop houses for mature plant cultivation and fabric or plastic pots for outdoor cultivation with harvest, trimming, drying, and curing on-site. The mature plants would be delivered by the applicant in 3 Ford E-Transit sprinter vans to and from the Bay Area and Southern California.

Construction would take place in two phases. The first phase would establish the outdoor growing area, build greenhouses and hoop houses, and build support structures while the second phase would construct an additional 4 2,880-sf greenhouses for 8,400 sf of mature mixed-light cannabis.

Support Structures and Infrastructure

A fenced 504-sf compost area and 504-sf cannabis waste area would be located just east of the north cannabis cultivation area. The fence would be a six to-eight-foot-tall wildlife exclusionary chain-link fence, and the compost pile would be covered with plastic and not piled higher than 5 ft. Cannabis waste would be chipped, shredded, and mulched on-site before being added to the compost pile. A 1,000-sf building would be constructed east of the existing on-site workshop and would be used for drying and curing of trimmed cannabis. Additionally, a 640-sf building would be constructed immediately east of the cannabis cultivation area and would be used for equipment and chemical storage. The existing 800-sf on-site workshop located south of the existing residence would be converted into a processing building and would be used for trimming, packaging, harvest storage, and as a cultivation office. Flammable storage would be kept in a secure, designated area.

Water would be obtained from an existing on-site well and water filtration system located on-site in the cannabis cultivation area. The well was constructed on-site in 1995. The well is 300 ft deep and can provide an initial flow rate of 9 gallons per minute. This well would feed five new 5,000-gallon water tanks and would provide the main water supply for the outdoor and mixed-light cannabis canopy as well as miscellaneous support and sanitary needs. The proposed project is estimated to demand approximately 648,000 gallons of water annually. Three of the 5,000-gallon water tanks would be installed immediately east of the north cultivation area and two would be installed immediately east of the southwest cultivation area.

Power for the project site would be provided by an existing connection to El Dorado County's electric grid. A propane generator would be installed to be used as a secondary or back-up emergency power source.

Employees, Daily Trips, and Hours of Operation

Day-to-day operations would be handled by an on-site manager who would oversee project employees. These employees would include four full-time workers responsible for the cultivation and distribution aspects of the proposed project, and six additional part-time, seasonal employees to be present during harvest. The total number of employees present on-site is not expected to exceed 10 at any point in time. Additionally, two to three vehicles would be used to bring materials to the cultivation site and for the proposed distribution of the final product. Therefore, the project is conservatively expected to generate up to 30 daily commuter trips under busiest assumptions but would generate far fewer trips on most days. The hours of operation for the project would be 8:00 a.m. to 5:00 p.m., Monday through Friday.

Security Plan

Perimeter security to secure the cultivation premises from natural wildlife and provide visual obscurity from the existing private road would be provided by 6 to 8-foot-high wildlife exclusionary fencing topped with barbed wire

and two locked ingress/egress gates. Security cameras would be installed near where the cannabis harvest would be stored and would stream live video to a service that would be watched 24/7. Motion-sensor security lighting throughout the site. Any potential temporary employees, government personnel with business on-site presenting valid identification, and any other visitors would be escorted through the limited access areas of the site. In the case of an armed robbery, the applicant would cooperate to the extent necessary to maintain safety while deescalating the situation and would report the incident to authorities as soon as it is safe to do so.

Site Access/Parking

Both cultivation sites can be accessed from the north via a 12-ft wide gravel driveway that leads west from Fairplay Road and leads to both the north cultivation area and the existing structures in the southern portion of the parcel. The project applicant would improve and maintain quality of the private road leading to the premises. These improvements would include laying down gravel and providing for the clearing and leveling of the premises area. The existing road access road will be widened from 12 to 20 feet, and proposed improvement activities would include leveling and adding gravel. An emergency vehicle turnouts would be located along the access road northwest of the existing on-site structure, and the driveway area near the street would be improved with gravel. A Knox box would be located at the entrance to the property. Equipment parking would be located immediately southeast of the equipment and chemical storage area, and additional parking would be located next to the existing structure in the southeast portion of the project site.

Hazardous Materials and Cannabis Waste

All cannabis waste would be stored and disposed of in accordance with applicable County and State regulations. Any organic materials would be chipped, shredded, or otherwise broken down so that it could not be used for any purpose except compost. Cannabis waste would be composted in the on-site designated, secured compost area. The 504-sf compost area and 504-sf cannabis waste area would be enclosed with a six to eight-foot-high chain-link wildlife exclusionary fence. Most waste would be composted. Recyclables and trash would be hauled off by the usual trash service in the area. Anything too large would be self-hauled by the applicant to one or more of the following:

- A staffed, fully permitted solid-waste or transformation facility
- A staffed, fully permitted composting facility or staffed composting operation
- A staffed, fully permitted in-vessel digestion facility or staffed in-vessel digestion operation
- A staffed, fully permitted transfer/processing facility or staffed transfer/processing operation
- A staffed, fully permitted chip-and-grind operation

Hazardous materials proposed for on-site use would include organic pesticides and soil amendments, which would be handled and used in accordance with California Department of Food and Agriculture. Soil amendments would be mixed as part of the cannabis operation. Petroleum products, such as gasoline, diesel fuel, and engine oil if used on-site would be stored in the proposed 640-sf building east of the northern cultivation area. Flammable storage materials would be kept in a designated area within the proposed storage buildings.

Construction Schedule and Equipment

Project construction would occur in two phases. The first phase would establish the outdoor growing area, build greenhouses and hoop houses, and build support structures while the second phase would construct an additional four 2,880-sf greenhouses for 8,400 sf of flowering mixed-light cannabis. As part of the project, a six to eight-foot-tall chain-link wildlife exclusionary fence with locking gates would be constructed around the cannabis cultivation areas. three 5,000-gallon water storage tank would be installed east of the north cultivation premises and two would be installed east of the southwest cultivation area. A 1,000-sf building would be constructed east of the existing on-site workshop and would be used for drying and curing of trimmed cannabis. Additionally, a 640-sf building would be constructed immediately east of the cannabis cultivation area and would be used for equipment and chemical storage. The existing 800-sf on-site workshop located south of the existing residence would be converted into a processing building and would be used for trimming, packaging, harvest storage, and as a cultivation office. The gravel access road would be widened, and minimal grading would be necessary as all proposed cultivation areas would be developed in previously-disturbed areas (i.e. cut less than four feet, fill less than three feet). Grading would be balanced on-site.

The owner/applicant would till the planting areas and maintain the gravel driveway as necessary using a small tractor with a box scraper. Heavy equipment, including a bulldozer, would be used during site development. Total ground disturbance from implementation of the proposed project would not exceed two acres, and each construction phase would have an estimated duration of approximately three months.

4.0 PUBLIC REVIEW AND REQUIRED APPROVALS

This IS/MND is being circulated for public and agency review for a 30-day period. Written comments on the IS/MND should be submitted by mail or e-mail to the following:

Evan Mattes, Senior Planner
2850 Fairlane Court
Placerville, CA 95667
CannabisInfo@edcgov.us

Following the close of the written comment period, the IS/MND will be considered by the lead agency (El Dorado County) in a public meeting and will be adopted if it is determined to be in compliance with CEQA.

Public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement) include the following:

- **El Dorado County Planning and Building Department** – Grading permits, Building permits, Commercial Cannabis Operating Permit;
- **Pioneer Fire Protection District** – Building plan review;
- **Department of Cannabis Control** – CalCannabis Cultivation License; and
- **State Water Resources Control Board** – Notice of Applicability under the Cannabis General Order; General Permit for Discharges of Storm Water Associated with Construction Activity Construction General Permit Order 2009-0009 DWQ
- **California Department of Fish and Wildlife (CDFW)** – General Permit, Lake or Streambed Alteration Agreement

5.0 DETERMINATION

On the basis of this 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 in 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.

Signature: Evan Mattes Date: 8-28-2026

Printed Name: Evan Mattes, Senior Planner For: El Dorado County

Signature: Aaron Mount Date: 8/28/26

Printed Name: Aaron Mount, Senior Planner For: El Dorado County

6.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Less than Significant with Mitigation" as indicated by the checklist on the following pages.

	Aesthetics		Agriculture and Forestry Resources		Air Quality
X	Biological Resources		Cultural Resources		Energy
	Geology / Soils		Greenhouse Gas Emissions		Hazards & Hazardous Materials
	Hydrology / Water Quality		Land Use / Planning		Mineral Resources
	Noise		Population / Housing		Public Services
	Recreation		Transportation / Traffic		Tribal Cultural Resources
	Utilities / Service Systems		Wildfire	X	Mandatory Findings of Significance

7.0 EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. If the lead agency has determined that a particular physical impact may occur, the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is a fair argument that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of Mitigation Measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the Mitigation Measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063(c)(3)(D)). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less Than Significant With Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a. the significance criteria or threshold, if any, used to evaluate each question; and
 - b. the mitigation measure identified, if any, to reduce the impact to less than significant.

ENVIRONMENTAL IMPACTS

I. AESTHETICS

<i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	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. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Environmental Setting

The project property is situated in the mid-elevations of the northern Sierra Nevada, in an area of chaparral and mixed oak/conifer forest and woodland. The cannabis cultivation premises consists of mainly undeveloped, sparsely forested land. The project would include two cannabis cultivation areas that would be situated on gently sloping land and would be located in the north-central and south-central portion of the property. Site elevations range from approximately 2,450 ft above mean sea level (amsl) in the northern portion of the property to 2,500 ft amsl in the southern part of the property. The project property is bordered to the north by an existing agricultural operation, to the east by Fairplay road with single-family residences and wooded land beyond, to the south by a single-family residence and wooded land, and to the west by open space and wooded land. The project site is located in a rural setting and is not visible from any public vantage points.

Three on-site structures currently exist on the project site: a single-family residence, an 800-sf workshop structure that would be used for cultivation processing, trim, and storage; and a square structure that would not be used for cannabis cultivation related operations. The project property is characterized by open space and sparse tree cover.

Regulatory Setting:

Federal Laws, Regulations, and Policies

No federal regulations are applicable to aesthetics in relation to the proposed project.

State Laws, Regulations, and Policies

In 1963, the California State Legislature established the California Scenic Highway Program, a provision of the Streets and Highways Code, to preserve and enhance the natural beauty of California (Caltrans 2023). The State highway system includes designated scenic highways and those that are eligible for designation as scenic highways.

The nearest officially designated or eligible State scenic corridor in the vicinity of the project site is designated US Route 50, approximately 10.3 miles north of the project site (Caltrans 2023). The project site is not visible from any point on US Route 50.

Title 3 Section 8304(c) of the California Code of Regulations states: “All outdoor lighting used for security purposes shall be shielded and downward facing.”

Section 8304(g) states: “Mixed-light license types of all tiers and sizes shall ensure that lights used for cultivation are shielded from sunset to sunrise to avoid nighttime glare.”

Local Laws, Regulations, and Policies

The County has several standards and ordinances that address issues relating to visual resources. Many of these can be found in the County Zoning Ordinance (Title 130 of the County Code). The Zoning Ordinance consists of descriptions of the zoning districts, including identification of uses allowed by right or requiring a special-use permit and specific development standards that apply in particular districts based on parcel size and land use density. These development standards often involve limits on the allowable size of structures, required setbacks, and design guidelines. Included are requirements for setbacks and allowable exceptions, the location of public utility distribution and transmission lines, architectural supervision of structures facing a state highway, height limitations on structures and fences, outdoor lighting, and wireless communication facilities. See below for Section 130.14.170, Outdoor Lighting, of the County Code:

“All outdoor lighting, including residential outdoor lighting, shall be hooded or screened as to direct the source of light downward and focus onto the property from which it originates and shall not negatively impact adjacent properties or directly reflect upon any adjacent residential property.”

Visual resources are classified as 1) scenic resources or 2) scenic views. Scenic resources include specific features of a viewing area (or viewshed) such as trees, rock outcroppings, and historic buildings. They are specific features that act as the focal point of a viewshed and are usually foreground elements. Scenic views are elements of the broader viewshed such as mountain ranges, valleys, and ridgelines. They are usually middle ground or background elements of a viewshed that can be seen from a range of viewpoints, often along a roadway or other corridor.

A list of the County’s scenic views and resources is presented in Table 5.3-1 of the El Dorado County General Plan EIR (p. 5.3-3). This list includes areas along highways where viewers can see large water bodies (e.g., Lake Tahoe and Folsom Reservoir), river canyons, rolling hills, forests, or historic structures or districts that are reminiscent of El Dorado County’s heritage.

Several highways in El Dorado County have been designated by the California Department of Transportation (Caltrans) as scenic highways or are eligible for such designation. These include U.S. 50 from the eastern limits of the Government Center interchange (Placerville Drive/Forni Road) in Placerville to South Lake Tahoe, all of SR 89 within the County, and those portions of SR 88 along the southern border of the County.

Rivers in El Dorado County include the American, Cosumnes, Rubicon, and Upper Truckee rivers. A large portion of El Dorado County is under the jurisdiction of the United States Forest Service (USFS), which, under the Wild and Scenic Rivers Act, may designate rivers or river sections to be Wild and Scenic Rivers. To date, no river sections in El Dorado County have been nominated for or granted Wild and Scenic River status.

Impact Analysis:

- a. **Scenic Vista:** A scenic vista is defined as a viewpoint that provides expansive views of a highly-valued landscape (such as an area with remarkable scenery or a resource that is indigenous to the area) for the benefit of the public. The project property is adjacent to wooded lands in all directions, and no designated scenic vistas exist in the vicinity of the project site. Additionally, the project site would not be visible from any public road or other public viewpoint as views of the cannabis cultivation premises from any public vantage point would be obscured by vegetation and topography of the site. Therefore, while the proposed project would introduce a new cannabis cultivation facility to the project site, it would not result in a substantial adverse effect to a scenic vista. Impacts would be **less than significant**.
- b. **Scenic Resources:** US-50 is classified as an officially designated scenic highway in El Dorado County from Placerville to South Lake Tahoe (Caltrans 2023) and is located approximately 10.3 miles north of the project site. Therefore, the proposed project would not be visible from any designated or eligible scenic highway, and the project would have **no impact** to scenic resources within the proximity of a State scenic highway.
- c. **Visual Character:** The proposed project would result in the construction of a new commercial cannabis cultivation facility. The proposed project would include the cultivation of 50,000 sf of mature outdoor cannabis cultivation, 9,990 sf of mature mixed-light cannabis cultivation in hoop houses with concrete footings, and 4,200-sf of immature mixed-light cannabis cultivation in two fenced cultivation areas containing raised beds for outdoor cultivation, 6 hoophouses for mixed-light cultivation, and 2 greenhouses for mixed-light cultivation. The fence would be a 6 to 8-foot-high wildlife exclusionary chain-link fence installed around the cannabis cultivation sites. As part of the future phase, the applicant would construct an additional four 2,880-sf greenhouses for 8,400 sf of mature mixed-light canopy. The greenhouses would be approximately 15-feet tall and would be lighted and auto-darkening, and both the outdoor and mixed-light cultivation areas would use drip irrigation. Cannabis support structures for the proposed project would include an existing well, five 5,000-gallon water storage tanks, an existing 800-sf structure proposed to be used as a processing building, a 1,000-sf dry-cure building, a 640-sf storage building, two portable water closets, a 504-sf fenced cannabis waste area, a 504-sf fenced cannabis compost area, an electric service transformer, a gas-powered emergency generator, a propane supply tank, and two existing utility poles.
- The proposed development may result in a change to the visual character of the site by constructing a cannabis cultivation facility on developing areas of annual grassland and blue oak – foothill pine woodland. However, the project site is surrounded by other sparsely wooded to wooded, privately-owned lands and is not visible from public vantage points. Therefore, the construction of the proposed project would not substantially degrade the character of the site or its surroundings or degrade the quality of views from publicly accessible vantage points, and impacts would be **less than significant**.
- d. **Light and Glare:** The proposed project would result in the development of a new cannabis cultivation facility. The hours of operation for the project would be 8:00 a.m. to 5:00 p.m. Monday through Friday, so the potential for any nighttime light or glare related to project operations would be minimized. The six proposed greenhouses, including greenhouses proposed as part of Phase II, would have 12 interior LED surface lights, an exterior wall surface light, an interior wall surface light, and eight interior ceiling suspended lights, which would be the primary mature and immature canopy light. Any lights used for the cultivation of marijuana are required by El Dorado County Zoning Ordinance Section 130.41.200.J to be fully contained within structures or otherwise sheilded to fully contain any light or glare. Lighting is limited to a rate of six watts per square foot. With the implementation of the design standards discussed above and the requirement for the project to comply with County design standards and the El Dorado County Code of Ordinances (County Code) Section 130.14.170 (Outdoor Lighting), impacts from the introduction of new light and glare would be **less than significant**.

FINDING: The proposed project would result in less than significant or no impacts to scenic vistas, scenic resources, or the visual character of the project area from new light and glare sources. Additionally, with adherence to the County Code (Section 130.14.170 – Outdoor Lighting), any potential aesthetic impacts from nighttime light pollution would be less than significant.

II. AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Locally Important Farmland (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. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d. Result in the loss of forest land or conversion of forest land to non-forest use?				X
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

Environmental Setting

There are over 100,000 acres of active farmland in El Dorado County (County 2015b). Major crops include fruits, and there are over 80 active vineyards in the County (County 2015b). Cattle grazed on rangeland also comprise a considerable portion of the County's agricultural production.

According to the Biological Resources Assessment (BRA) prepared by Greg Matuzak and included as Appendix B for this project (NRCS 2021), the following soil map units occur on the project property:

- Holland coarse sandy loam, 9 to 15 percent slopes; and
- Holland very rocky coarse loam, 15 to 50 percent slopes.

According to the Farmland Mapping and Monitoring Program (FMMP), no Prime or Unique Farmlands or Farmlands of Statewide Importance have been identified on the project site or project property. The project site is classified as Farmland of Local Importance and Grazing Land (CDC 2023a).

The project site contains the following terrestrial vegetation communities: Annual Grassland and Blue Oak – Foothill Pine Woodland. The property has not been recently used for agriculture. The area of the property proposed for development contains mostly annual grassland. Timber harvesting has historically been a major component of El Dorado County's economy (County 2015b), and commercial timber harvesting remains locally important in portions of the County. The property is designated for Agricultural Lands (AL) in the County's General Plan, and it is within the Planned Agriculture 20-acre Minimum (PA-20) zone district.

Regulatory Setting:

Federal Laws, Regulations, and Policies

No federal regulations are applicable to agricultural and forestry resources in relation to the proposed project.

State Laws, Regulations, and Policies

Farmland Mapping and Monitoring Program

The FMMP, administered by the California Department of Conservation (CDC), produces maps and statistical data for use in analyzing impacts on California's agricultural resources (CDC 2023c). FMMP rates and classifies agricultural land according to soil quality, irrigation status, and other criteria. Important Farmland categories are as follows (CDC 2023d):

Prime Farmland: Farmland with the best combination of physical and chemical features able to sustain long-term agricultural production. These lands have the soil quality, growing season, and moisture supply needed to produce sustained high yields. Prime Farmland must have been used for irrigated agricultural production at some time during the 4 years before the FMMP's mapping date.

Farmland of Statewide Importance: Farmland similar to Prime Farmland, but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Farmland of Statewide Importance must have been used for irrigated agricultural production at some time during the four years before the FMMP's mapping date.

Unique Farmland: Farmland of lesser quality soils used for the production of the state's leading agricultural crops. These lands are usually irrigated but might include non-irrigated orchards or vineyards, as found in some climatic zones. Unique Farmland must have been cropped at some time during the four years before the FMMP's mapping date.

Farmland of Local Importance: Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.

The project site is classified as Farmland of Local Importance and Grazing Land (CDC 2023a).

California Land Conservation Act of 1965 (Williamson Act)

The California Land Conservation Act of 1965 (commonly referred to as the Williamson Act) allows local governments to enter into contracts with private landowners for the purpose of preventing conversion of agricultural land to non-agricultural uses (CDC 2023e). In exchange for restricting their property to agricultural or related open space use, landowners who enroll in Williamson Act contracts receive property tax assessments that are substantially lower than the market rate.

Z'berg-Nejedly Forest Practice Act

Logging on private and corporate land in California is regulated by the Z'Berg-Nejedly Forest Practices Act (FPA), which took effect January 1, 1974. The act established the Forest Practice Rules (FPRs) and charged the Board of Forestry to oversee their implementation. CAL FIRE works under the direction of the Board of Forestry and Fire Protection and is the lead government agency responsible for approving logging plans and for enforcing the FPRs. A

Timber Harvest Plan (THP) must be prepared by a Registered Professional Forester (RPF) for timber harvest on non-federal timberland, with limited exceptions.

Local Laws, Regulations, and Policies

El Dorado County General Plan Agriculture and Forestry Element

Adopted in 2004 and amended in 2015, this element sets the County's priorities for the continued viability of agricultural and forestry activities. Goals of this element include agricultural land conservation, agricultural production, forest land conservation, and sustainable and efficient forest production (El Dorado County 2015b).

Impact Analysis:

- a. **Farmland Mapping and Monitoring Program:** According to the FMMP, no Prime or Unique Farmlands or Farmlands of Statewide Importance have been identified on the project site or project property (CDC 2023a). As a result, implementation of the proposed project would have no impact on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as defined by the FMMP (CDC 2023a). The site is designated as Farmland of Local Importance and Grazing Land, but the project would involve the cultivation of cannabis, which is consistent with agricultural use of the site. The project would not involve the construction of large buildings or other pieces of infrastructure that would render the site unusable for agriculture in the future. Therefore, the proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, and impacts would be **less than significant**.
- b. **Agricultural Uses:** The property is zoned as Planned Agriculture 20-acre (PA-20) and is not under Williamson Act Contract. Cannabis cultivation is allowed on parcels zoned PA-20 with County approval of a CCUP. Therefore, the proposed project would not conflict with existing zoning for agricultural use and would not impact any properties under a Williamson Act Contract. There would be **no impact**.
- c.-d. **Loss of Forest land or Conversion of Forest land:** The site contains two terrestrial vegetation communities: Annual Grassland and Blue Oak – Foothill Pine Woodland. The site is not zoned or designated as Timber Production Zone (TPZ) or another forest land use. The cannabis cultivation area within the cannabis cultivation premises would be located within annual grassland habitat. No commercial tree species have been removed for development of the site or are proposed for removal (14 CCR § 895.1). Therefore, the proposed project would not conflict with the zoning for, or cause rezoning of, forest land or timberland or result in a substantial loss or conversion of forest land, and there would be **no impact** for questions c) and d).
- e. **Conversion of Prime Farmland or Forest Land:** The proposed project would develop up to two acres of undeveloped land into a cannabis cultivation facility on an approximately 67.53-acre property, leaving over 65 acres of the property as undisturbed. Implementation of the proposed project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use. Additionally, no Prime Farmland or Forest Land exists on the project site. Therefore, the proposed project would not result in a substantial conversion of agricultural or forest land to non-agricultural or non-forest uses, and there would be **no impact**.

FINDING: The proposed project would not conflict with existing zoning for agricultural use, TPZ, or other forest land, impact any properties under a Williamson Act Contract, or result in a substantial loss or conversion of agricultural land or forest land. Less than significant or no impacts would occur for impacts related to Agriculture and Forestry Resources.

III. AIR QUALITY

<i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?			X	
b. 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	
c. Expose sensitive receptors to substantial pollutant concentrations?			X	
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			X	

Regulatory Setting:

Criteria air pollutants are defined as pollutants for which the federal and state governments have established ambient air quality standards, or criteria, for outdoor concentrations to protect public health. The federal and state standards have been set, with an adequate margin of safety, at levels designed to protect the most sensitive persons from illness or discomfort. The Clean Air Act is implemented by the U.S. Environmental Protection Agency (USEPA) and sets ambient air limits, the National Ambient Air Quality Standards (NAAQS), for the following criteria air pollutants: particulate matter of aerodynamic diameter of 10 micrometers or less (PM₁₀), particulate matter of aerodynamic diameter of 2.5 micrometers or less (PM_{2.5}), carbon monoxide (CO), nitrogen dioxide (NO₂), ground-level ozone (O₃), sulfur dioxide (SO₂), and lead. Of these criteria pollutants, particulate matter and ground-level O₃ pose the greatest threats to human health. The California Air Resources Board (CARB) sets standards for criteria pollutants in California that are more stringent than the NAAQS and include the following additional contaminants: visibility-reducing particles, hydrogen sulfide (H₂S), sulfates, and vinyl chloride.

USEPA and CARB regulate various stationary sources, area sources, and mobile sources. USEPA has regulations involving performance standards for specific sources that may release toxic air contaminants (TACs), known as hazardous air pollutants (HAPs) at the federal level. In addition, USEPA has regulations involving emission criteria for off-road sources such as emergency generators, construction equipment, and vehicles. CARB is responsible for setting emission standards for vehicles sold in California and for other emission sources, such as consumer products and certain off-road equipment. CARB also establishes passenger vehicle fuel specifications.

The proposed project is located within the Mountain Counties Air Basin (MCAB), which is comprised of seven air districts: the Northern Sierra Air Quality Management District (NSAQMD), Placer County Air Pollution Control District (APCD), Amador County APCD, Calaveras County APCD, the Tuolumne County APCD, the Mariposa County APCD, and El Dorado County Air Quality Management District (EDCAQMD).

Air quality in the project area is regulated by the EDCAQMD. CARB and local air districts are responsible for overseeing stationary source emissions, approving permits, maintaining emissions inventories, maintaining air quality stations, overseeing agricultural burning permits, and reviewing air quality-related sections of environmental documents required to comply with CEQA. The EDCAQMD regulates air quality through the federal and State Clean Air Acts, district rules, and its permit authority.

The USEPA and State also designate regions as “attainment” (within standards) or “nonattainment” (exceeds standards) based on the ambient air quality. El Dorado County is in nonattainment status for both federal and state O₃ standards and for the federal 24-hour PM_{2.5} standard (only western El Dorado County is nonattainment for federal PM_{2.5} standard) and is in attainment or unclassified status for all other pollutants (EPA 2024).

California Code of Regulations Title 3, *Food and Agriculture*, Division 8, *Cannabis Cultivation*, contains the following sections applicable to the project and relevant to the air quality analysis:

Section 8102(s) states: [Each cultivation license application shall include the following, if applicable:] For indoor and mixed-light license types, identification of all power sources for cultivation activities, including but not limited to, illumination, heating, cooling, and ventilation.

Section 8304(e) states: [All licensees shall comply with all of the following environmental protection measures:] Requirements for generators pursuant to section 8306 of this chapter.

Section 8306 provides requirements for stationary and portable generators greater than 50 horsepower. It requires these to comply with the appropriate Airborne Toxic Control Measure (e.g., USEPA Tier 4 certified engines or equivalent CARB certified engine retrofits) for stationary or portable generators and includes certificates or permits that are acceptable to prove compliance. Additional compliance options are provided for generators below 50 horsepower by 2023, including limiting hours of operation, meeting certain emergency use requirements, or filter and engine requirements.

Impact Analysis:

- a. **Air Quality Plan:** As mentioned previously, the MCAB is currently in non-attainment for O₃ (State and federal ambient standards) and PM_{2.5} (federal ambient 24-hour standard). The Sacramento Regional 2008 NAAQS (National Ambient Air Quality Standards) 8-Hour Ozone Attainment Plan and Reasonable Further Progress Plan (Ozone Attainment Plan) was developed for application within the Sacramento region, including the MCAB portion of El Dorado County (EDCAQMD et al. 2017). The EDCAQMD and other Sacramento region air districts have submitted a PM_{2.5} Implementation/Maintenance Plan and Re-Designation Requests to fulfill CAA requirements to re-designate the region from nonattainment to attainment of the PM_{2.5} NAAQS (EDCAQMD et al. 2013).

Projects within the MCAB portion of the County must demonstrate Ozone Attainment Plan consistency with the following four indicators:

1. The project does not require a change in the existing land use designation (e.g., a general plan amendment or rezone), or projected emissions of ROG and NO_x from a project equal to or less than the emissions anticipated for the site if developed under the existing land use designation;
2. The project does not exceed the “project alone” significance criterion;
3. The project would be consistent with the control measures for emissions reductions in the Ozone Attainment Plan; and
4. The project complies with all applicable district rules and regulations.

Regarding the first criterion for compliance with the Ozone Attainment Plan, the proposed project does not require a change in its current land use designation. Therefore, the project would not conflict with or exceed the assumptions of the Ozone Attainment Plan.

Regarding the second criterion, as discussed above, MCAB is currently in non-attainment for O₃ (State and federal ambient standards) and PM_{2.5} (federal 24-hour ambient standard). As discussed under question b), below, the project would not exceed EDCAQMD significance criteria.

The third criterion is consistency with control measures in the Ozone Attainment Plan. Most of the control strategies in the Ozone Attainment Plan include measures in the categories of transportation and stationary sources. The non-regulatory control measures include on-road and off-road mobile incentive programs,

and an emerging/voluntary urban forest development program. These are followed by the regulatory control measures, which include indirect source rules and a variety of stationary- and area-wide source control measures. The control measures for reducing mobile source emissions include the following statewide measures: new engine standards, reducing emissions from in-use fleet, requiring the use of cleaner fuels, supporting the use of alternative fuels, and pursuing long-term advanced technology measures. The project would not conflict with or hinder any of the control measures for emissions reductions in the Ozone Attainment Plan.

The final criterion is compliance with the EDCAQMD rules and regulations. The EDCAQMD has adopted rules designed specifically to address a variety of air quality impacts through measures that reduce construction and operational related air quality emissions. The project would be required by law to comply with all applicable rules and regulations. Rules designed to control air pollutant emissions, and which may be applicable to the project include:

- Rule 210 related to the discharge of air contaminants;
- Rule 223 related to fugitive dust;
- Rule 223-1 related to construction generated fugitive dust;
- Rule 223-2 related to asbestos; and
- Rule 224 relates to application of cutback or emulsified asphalt for paving.

Notably, pursuant to Rule 223-1, any activities associated with plans for grading and construction would require a Fugitive Dust Control Plan (FDCP). Such a plan would address grading measures and operation of equipment to minimize and reduce the level of defined particulate matter exposure and/or emissions to a less than significant level.

In summary, the project would not conflict with the land use designation, would not exceed the “project alone” significance criterion, would be consistent with all control measures of the Ozone Attainment Plan, and would comply with applicable EDCAQMD rules. Based on these considerations, the project would not conflict with or obstruct implementation of an applicable air quality plan. The impact would be **less than significant**.

- b. Air Quality Standards and Cumulative Impacts:** The following discussion evaluates the potential for the project’s construction and operational emissions to result in a considerable contribution to the region’s cumulative air quality impact.

Construction

Construction of the project would result in the addition of pollutants to the local airshed caused by soil disturbance, fugitive dust emissions, and combustion pollutants from on-site construction equipment, as well as from off-site trucks hauling construction materials and worker vehicles commuting to and from the project site. Downed tree branches and brush would be burned in the offseason according to CAL FIRE and Pioneer Fire District rules and regulations.

The EDCAQMD has adopted screening criteria for determining the significance of a project’s construction period ozone precursor and particulate matter emissions in Chapter 4 of the Guide to Air Quality Assessment (EDCAQMD 2002).

Screening of Construction Equipment Based on Fuel Use: If the average daily diesel fuels use for one quarter (3 months) would be less than 337 gallons (from Table 4.1 in the Guide to Air Quality Assessment), ROG and NO_x emissions from construction equipment may be deemed not significant. If ROG and NO_x emissions from diesel equipment are deemed not significant based on fuel usage in Table 4.1, then exhaust emissions of CO and PM₁₀ from construction equipment, and exhaust emissions of all constituents from worker commute vehicles, may also be deemed not significant.

Screening of Fugitive Dust Emissions Based on Incorporation of Mitigation Measures: Mass emissions of fugitive dust PM₁₀ need not be quantified, and may be assumed to be not significant, if the project includes mitigation measures that would prevent visible dust beyond the project property lines, in compliance with Rule 403 of the South Coast Air Quality Management District (included in Appendix C-1 of the Guide to Air Quality Assessment).

Construction would occur immediately upon project approval and acquisition of the required permits from the County and other public agencies and would be conducted in two phases. Phase I would establish approximately 50,000 sf of mature outdoor cannabis and 9,990 sf of mature mixed-light cannabis canopy. The mixed-light canopy would be grown within six (6) proposed hoop houses. The applicant would also construct four additional greenhouses as part of a future phase of the project. The mature outdoor cannabis would be grown in five 10,000-sf license areas, three in the northern cultivation area and two in the southwest. The applicant would construct six 3,227.52-sf hoop houses immediately southeast of the proposed outdoor cultivation area in the north for 9,990 sf of mature mixed-light canopy. The applicant would also construct two 2,880-sf greenhouses for 4,200 sf of immature mixed-light canopy. Heavy equipment, including a bulldozer, would be used during site development. As described in Section 3.0, Project Description, the project would disturb up to two acres which would involve establishing both outdoor cultivation areas (including 4,200 sf of nursery cultivation area), construction of six proposed hoop houses, construction of six greenhouses, including the four greenhouses proposed for Phase II, and construction of cultivation support facilities. Conservatively assuming that the small tractor with box scraper to be used during project construction would burn 13.6 gallons per hour, the average daily diesel fuel use would be conservatively 136 gallons per day (assuming a 10-hour day) which is less than the 377 gallons per day screening level. Therefore, project construction emissions of ROG, NO_x, and other exhaust constituents would be less than significant.

The EDCAQMD Rule 223-1 requires any construction or construction related activities, including the project construction, to submit a Fugitive Dust Control Plan to the EDCAQMD prior to the start of any construction activity for which a grading permit was issued by El Dorado County (EDCAQMD 2005). The project would require a grading permit for minimal grading on the property, including to widen the existing on-site road, and a Fugitive Dust Control Plan would be required.

Operation

The EDCAQMD has adopted screening criteria for determining the significance of a project's operational ozone precursor emissions in Chapter 5 of the Guide to Air Quality Assessment (EDCAQMD 2002):

For development projects whose only operational emissions come from increased vehicular traffic, screening based on project size or activity may be used to determine whether the project would exceed the threshold of significance for total emissions from project operation. Table 5.2 from the Guide to Air Quality Assessment provides size or activity cut-points for various types of land uses that the EDCAQMD has determined, based on conservative assumptions, would, if exceeded, result in emissions above the EDCAQMD's thresholds of significance for ROG and NO_x.

The project's proposed commercial cannabis cultivation facility is not included in Table 5.2 of the Guide to Air Quality Assessment. Examples of the development types and sizes in Table 5.2 include 230 single-family residences, 620,000 sf of manufacturing, and 260,000 square ft of general office space. As described in Section 7.XVII, Transportation, the project is expected to generate a total of up to 30 commuter round trips per day during peak conditions. The regular project traffic anticipated during operation is up to 3 trips per employee each day. During harvest season, the temporary employees would also be on site for a maximum of 4 full-time employees and 6 part-time employees during seasonal harvest (total of 10 employees at any one time). Therefore, the project is conservatively expected to generate up to 30 daily round trips under busiest assumptions but would generate far fewer trips on most days.

For comparison, in transportation planning, a typical single-family residences generates approximately 9 to 10 daily trips, meaning that 230 residences would generate approximately 2,070 to 2,300 daily trips. The project's trip generation of up to 30 daily round trips would be far less than the expected trip generation for

any of the development types listed in Table 5.2. Therefore, the project's operational emissions of ROG and NO_x would be less than significant.

Impact Conclusion

The proposed project would not 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, and impacts would be **less than significant**.

- c. **Sensitive Receptors:** The State CEQA Guidelines (14 CCR 15000) identify sensitive receptors as facilities that house or attract children, the elderly, people with illnesses, or others that are especially sensitive to the effects of air pollutants. Residences, hospitals, schools, and convalescent facilities are examples of sensitive receptors. The discussion below reviews the significance of emissions within the context of potential impacts to sensitive receptors. The closest sensitive receptor is a single-family rural residence located approximately 380 feet northwest from the northern cannabis cultivation area. There are no daycare centers, schools, or hospitals, or convalescent facilities located within 1 mile of the project site.

Criteria Pollutants

Specific adverse health effects on individuals or population groups induced by criteria pollutant emissions are highly dependent on a multitude of interconnected variables such as cumulative concentrations, local meteorology and atmospheric conditions, and the number and characteristics of exposed individuals (e.g., age, gender). Criteria pollutant precursors (ROG and NO_x) affect air quality on a regional scale, typically after significant delay and distance from the pollutant source emissions. Health effects related to ozone are, therefore, the product of emissions generated by numerous sources throughout a region. Emissions of criteria pollutants from vehicles traveling to or from the project site (mobile emissions) are distributed nonuniformly in location and time throughout the region, wherever the vehicles may travel. As such, specific health effects from these criteria pollutant emissions cannot be meaningfully correlated to the incremental contribution from the project.

Toxic Air Contaminants

TACs are defined as substances that may cause or contribute to an increase in deaths or in serious illness, or that may pose a present or potential hazard to human health. Health effects from carcinogenic air toxins are usually described in terms of cancer risk. The EDCAQMD recommends an incremental cancer risk threshold of 10 in 1 million (with implementation of best available control technology for toxins). "Incremental cancer risk" is the net increased likelihood that a person continuously exposed to concentrations of TACs resulting from a project over a 9-, 30-, and 70-year exposure period would contract cancer based on the use of standard California Office of Environmental Health Hazard Assessment (OEHHA) risk-assessment methodology (OEHHA 2020). In addition, some TACs have non-carcinogenic effects. EDCAQMD recommends a Hazard Index of 1 or more for acute (short-term) and chronic (long-term) non-carcinogenic effects. The TAC that would potentially be emitted during construction activities associated with development of the proposed project would be diesel particulate matter (DPM).

Diesel engines emit a complex mixture of air pollutants, including both gaseous and solid material. The solid material in diesel exhaust is known as DPM. Almost all DPM are 10 microns or less in diameter and 90 percent of DPM is less than 2.5 microns in diameter. Because of their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lung. In 1998, the CARB identified DPM as a TAC based on published evidence of a relationship between diesel exhaust exposure and lung cancer and other adverse health effects. Due to the relatively short period of construction, the substantial distance to the nearest sensitive receptor, and minimal exhaust PM₁₀ emissions generated, project construction would not expose sensitive receptors to substantial concentrations of DPM.

Asbestos dust is a known carcinogen and is classified as a TAC by CARB. Naturally occurring asbestos (NOA) most commonly occurs in ultramafic rock (i.e., igneous and metamorphic rock with low silica

content) that has undergone partial or complete alteration to serpentine rock (or serpentinite) and often contains chrysotile asbestos. In addition, another form of asbestos, tremolite, is associated with ultramafic rock, particularly near geologic faults. Some areas of El Dorado County are known to contain NOA. Earthmoving activities in areas containing NOA could result in potentially significant levels of NOA in fugitive dust. El Dorado County provides a map which shows the locations of known areas of NOA, areas likely to contain NOA, and buffer zones for known and likely NOA areas (El Dorado County 2015a). The project site is not located within any area known or likely to contain NOA, or within any NOA buffer zone. In addition, since the proposed project would disturb more than 20 cubic yards of soil, the project would be required to comply with the EDCAQMD Rule 223-2 (Fugitive Dust - Asbestos Hazard Mitigation) which requires either a site-specific Geologic Evaluation or an Asbestos Dust Mitigation Plan if NOA, serpentine, or ultramafic rock is discovered by the project owner/operator, a professional geologist, or the Air Pollution Control Officer prior to or during construction activity. Therefore, the project construction would not expose sensitive receptors to substantial concentrations of NOA.

Operation of the project would not result in any non-permitted direct emissions of TACs (e.g., those from a stationary source such as diesel generators) or result in substantial diesel vehicle trips (i.e., delivery trucks). Therefore, the project would not result in exposure of sensitive receptors in the vicinity of the project site to substantial TAC concentrations due to operations.

In summary, the project would not expose sensitive receptors to substantial pollutant concentrations, including DPM and NOA, and the impact would be **less than significant**.

- d. **Objectionable Odors:** The occurrence and severity of potential odor impacts depend on numerous factors. The nature, frequency, and intensity of the source; wind speed and direction; and the sensitivity of receiving location each contributes to the intensity of the impact. Although offensive odors seldom cause physical harm, they can be annoying, cause distress, and generate citizen complaints. Although odors rarely result in physical harm, they may be considered a nuisance and can generate complaints from nearby sensitive receptors. Common sources of objectionable odors include wastewater treatment plants, landfills, composting operations, refineries, chemical plants, food processing facilities, and agricultural activities (EDCAQMD 2002).

The proposed project would construct and operate a cannabis cultivation facility. During project construction, exhaust from equipment may produce discernible odors typical of most construction sites. Potential odors produced during construction would be attributable to concentrations of unburned hydrocarbons from the tailpipes of construction equipment. However, such odors are anticipated to disperse rapidly from the project site and generally occur at magnitudes that would not affect substantial numbers of people. There is an increased potential for odor emanating from project operation due to the strong fragrance of cannabis.

The El Dorado County Cannabis Ordinance has specific requirements that would assist in reducing odor emanating from the site, including setbacks, fencing, and screenings. Cannabis cultivation is required to be setback a minimum of 800 feet from the property line of the site or public right-of-way, as required by the El Dorado County Cannabis Ordinance, Section 130.41.200. The applicant is seeking a setback reduction waiver from the County as the commercial cannabis is setback less than 800 ft on the northern, eastern, western, and southern property lines. An Odor Analysis (Attachment C) analyzing the project impacts. El Dorado County Cannabis Ordinance Section 130.41.200.5.D establishes a dilution threshold (DT) of 7 measured at property line. The Odor Analysis used an air dispersion model and on-site measurements of odor intensity at other locations to conduct an analysis. Results indicate that maximum odor intensity along property lines would range from 1.46 to 5.3 DT, with the highest odor intensity anticipated to occur at the northwest corner of the property. Compliance with the County Cannabis Ordinance for odor control would ensure that impacts associated with odors would be **less than significant**.

FINDING: The proposed project would not 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 or expose sensitive receptors to substantial pollutant concentrations, and impact would be less than significant. With adherence to the EDCAQMD applicable rules, the proposed project would have less than significant impacts on air quality and odors.

IV. BIOLOGICAL RESOURCES

<i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Have a substantial adverse 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 Game 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

This biological resource section is based on the project-specific BRA prepared by Greg Matuzak to assess the project's potential impact to federal and State special-status plant and wildlife species and their habitats and is included as Appendix B of this Initial Study. The results of that report are summarized in this section.

Environmental Setting:

For the BRA, the project area was defined as the cultivation area plus the ancillary facilities, and this 2-acre area was the subject of the impact analysis. The entire 67.53-acre property was defined as the study area. The study area is defined to identify biological resources in and adjacent to the project area and is the area subject to potential direct and indirect effects from project implementation.

The study area is located in El Dorado County, CA, in the northern-central Sierra Nevada foothills. The Sierra Nevada foothills lie between the western edge of the Sierra Nevada and the eastern border of the Central Valley, forming a belt 10 to 30 miles wide that ranges from 500 to 5,000 feet in elevation in a series of northwest to north-northwest aligned ridges that decline in elevation from northeast to southwest. Many rapidly flowing rivers and streams run westerly in deeply incised canyons with bedrock channels to the Central Valley and eventually to the Pacific Ocean.

Alluvial fans, floodplains, and terraces are not extensive; and all but the largest streams are generally dry during the summer. Dominant vegetation communities include grasslands, oak woodlands, and chaparral (Matuzak 2021).

Natural hydrologic sources for the project area include precipitation and surface runoff from adjacent lands. Most precipitation is concentrated in the winter and early spring months, with summers being almost completely dry.

Survey Methods

Greg Matuzak, Principal Biologist, conducted a reconnaissance-level field survey on August 6, 2021. A variable-intensity pedestrian survey was performed and modified to account for differences in terrain, vegetation density, and visibility. All visible fauna and flora observed were recorded in a field notebook and identified to the lowest possible taxon. Survey efforts emphasized the search for any special-status species that had documented occurrences in the CNDDB within the vicinity of the study area and those species on the USFWS species list (Appendix H in Appendix B). See Appendix B for a more detailed discussion of survey methods and results; results are summarized below.

Vegetation Communities

The BRA (Appendix B) identified the following terrestrial vegetation communities on the property: Annual Grassland and Blue Oak – Foothill Pine Woodland.

Wildlife Observations

The following animals were detected within the study area during the field survey: American robin (*Turdus migratorius*), dark-eyed junco (*Junco hyemalis*), house finch (*Haemorhous mexicanus*), mourning dove (*Zenaida macroura*), northern flicker (*Colaptes auratus*), and western scrub-jay (*Aphelocoma californica*).

Special-Status Species and Protected Habitats with Potential to Occur on the Project Site

No special-status plants or wildlife species were found to have the potential to occur on the project site (Matuzak 2021).

Regulatory Setting:

Federal Laws, Regulations, and Policies

Endangered Species Act

The Endangered Species Act (ESA) (16 U.S. Code [USC] Section 1531 *et seq.*; 50 Code of Federal Regulations [CFR] Parts 17 *et seq.*) provides for conservation of species that are endangered or threatened throughout all or a substantial portion of their range, as well as protection of the habitats on which they depend. The U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) share responsibility for implementing the federal ESA. In general, USFWS manages terrestrial and freshwater species, whereas NMFS manages marine and anadromous species.

Section 9 of the ESA and its implementing regulations prohibit the “take” of any fish or wildlife species listed under the ESA as endangered or threatened, unless otherwise authorized by federal regulations. The ESA defines the term “take” to mean “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct” (16 USC Section 1532). Section 7 of the ESA (16 USC Section 1531 *et seq.*) outlines the procedures for federal interagency cooperation to conserve federally listed species and designated critical habitats. Section 10(a)(1)(B) of the ESA (16 USC 1539 *et seq.*) provides a process by which nonfederal entities may obtain an incidental take permit from USFWS or NMFS for otherwise lawful activities that incidentally may result in “take” of endangered or threatened species, subject to specific conditions. A habitat conservation plan (HCP) must accompany an application for an incidental take permit.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) (16 USC, Chapter 7, Subchapter II) protects migratory birds and their nests and eggs; protected species are on a federal list specific to this act (50 CFR Section 10.13). Most actions that result in take, or the permanent or temporary possession of, a migratory bird constitute violations of the MBTA. The MBTA also prohibits destruction of occupied nests. USFWS is responsible for overseeing compliance with the MBTA.

Bald and Golden Eagle Protection Act

The federal Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c), first enacted in 1940, prohibits "taking" bald or golden eagles, including their parts, nests, or eggs. The Act provides civil and criminal penalties for persons who "take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof." The Act defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb." The definition for "disturb" includes injury to an eagle, a decrease in its productivity, or nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior. In addition to immediate impacts, this definition also covers impacts that result from human-induced alterations initiated around a previously used nest site during a time when eagles are not present.

Clean Water Act

Clean Water Act (CWA) Section 404 regulates the discharge of dredged and fill materials into waters of the U.S., which include all navigable waters, their tributaries, and some isolated waters, as well as some wetlands adjacent to the aforementioned waters (33 CFR Section 328.3). Areas typically not considered to be jurisdictional waters include non-tidal drainage and irrigation ditches excavated on dry land, artificially irrigated areas, artificial lakes or ponds used for irrigation or stock watering, small artificial waterbodies such as swimming pools, vernal pools, and water-filled depressions (33 CFR Part 328). Areas meeting the regulatory definition of waters of the U.S. are subject to the jurisdiction of U.S. Army Corps of Engineers (USACE) under the provisions of CWA Section 404. Construction activities involving placement of fill into jurisdictional waters of the U.S. are regulated by USACE through permit requirements. No USACE permit is effective in the absence of state water quality certification pursuant to Section 401 of the CWA.

Section 401 of the CWA requires an evaluation of water quality when a proposed activity requiring a federal license or permit could result in a discharge to waters of the U.S. In California, the State Water Resources Control Board (SWRCB) and its nine Regional Water Quality Control Boards (RWQCBs) issue water quality certifications. Each RWQCB is responsible for implementing Section 401 in compliance with the CWA and its water quality control plan (also known as a Basin Plan). Applicants for a federal license or permit to conduct activities that may result in the discharge to waters of the U.S. (including wetlands or vernal pools) must also obtain a Section 401 water quality certification to ensure that any such discharge would comply with the applicable provisions of the CWA.

State Laws, Regulations, and Policies

California Fish and Game Code

The California Fish and Game Code includes various statutes that protect biological resources, including the Native Plant Protection Act of 1977 (NPPA) and the California Endangered Species Act (CESA). The NPPA (California Fish and Game Code Section 1900-1913) authorizes the Fish and Game Commission to designate plants as endangered or rare and prohibits take of any such plants, except as authorized in limited circumstances.

CESA (California Fish and Game Code Section 2050–2098) prohibits state agencies from approving a project that would jeopardize the continued existence of a species listed under CESA as endangered or threatened. Section 2080 of the California Fish and Game Code prohibits the take of any species that is state listed as endangered or threatened or designated as a candidate for such listing. California Department of Fish and Wildlife (CDFW) may issue an incidental take permit authorizing the take of listed and candidate species if that take is incidental to an otherwise lawful activity, subject to specified conditions.

California Fish and Game Code Section 3503, 3513, and 3800 protect native and migratory birds, including their active or inactive nests and eggs, from all forms of take. In addition, Sections 3511, 4700, 5050, and 5515 identify species that are fully protected from all forms of take. Section 3511 lists fully protected birds, Section 5515 lists fully protected fish, Section 4700 lists fully protected mammals, and Section 5050 lists fully protected amphibians.

Streambed Alteration Agreement

Sections 1601 to 1607 of the California Fish and Game Code require that a Streambed Alteration Application be submitted to CDFW for any activity that may substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake. The limit of CDFW jurisdiction is subject to the judgment of the Department; currently, this jurisdiction is interpreted to be the “stream zone”, defined as “that portion of the stream channel that restricts lateral movement of water” and delineated at “the top of the bank or the outer edge of any riparian vegetation, whichever is more landward”.

California Native Plant Protection Act

The California Native Plant Protection Act (California Fish and Game Code Section 1900–1913) prohibits the taking, possessing, or sale of any plants with a state designation of rare, threatened, or endangered (as defined by CDFW). The California Native Plant Society (CNPS) maintains a list of plant species native to California that have low population numbers, limited distribution, or are otherwise threatened with extinction. This information is published in the Inventory of Rare and Endangered Plants of California (CNPS 2020). Potential impacts to populations of CNPS-listed plants receive consideration under CEQA review.

Forest Practice Act

Logging on private and corporate land in California is regulated by the Z'Berg-Nejedly Forest Practice Act, which took effect January 1, 1974. The act established the Forest Practice Rules (FPRs) and charged the Board of Forestry to oversee their implementation. CAL FIRE works under the direction of the Board of Forestry and Fire Protection and is the lead government agency responsible for approving logging plans and for enforcing the FPRs. A Timber Harvest Plan must be prepared by a Registered Professional Forester for timber harvest on non-federal timberlands, with limited exceptions.

Cannabis Cultivation Program

Title 3 CCR Section 8102 states:

[Each application for a cultivation license shall include the following, if applicable]:

(w) A copy of any final lake or streambed alteration agreement issued by the CDFW, pursuant to sections 1602 or 1617 of the Fish and Game Code, or written verification from the CDFW that a lake and streambed alteration agreement is not required

(dd) If applicable, the applicant shall provide evidence that the proposed premises is not located in whole or in part in a watershed or other geographic area that the State Water Resources Control Board or the Department of Fish and Wildlife has determined to be significantly adversely impacted by cannabis cultivation pursuant to section 8216.

Section 8216 states:

If the State Water Resources Control Board or the Department of Fish and Wildlife notifies the department in writing that cannabis cultivation is causing significant adverse impacts on the environment in a watershed or other geographic area pursuant to section 26069, subdivision (c)(1), of the Business and Professions Code, the department shall not issue new licenses or increase the total number of plant identifiers within that watershed or area while the moratorium is in effect.

Section 8304 states:

All licensees shall comply with all of the following environmental protection measures:

- (a) Compliance with section 13149 of the Water Code as implemented by the State Water Resources Control Board, Regional Water Quality Control Boards, or CDFW;
- (b) Compliance with any conditions requested by the CDFW or the State Water Resources Control Board under section 26060.1(b)(1) of the Business and Professions Code;
- (c) All outdoor lighting used for security purposes shall be shielded and downward facing.

Section 8304(g) states:

Mixed-light license types of all tiers and sizes shall ensure that lights used for cultivation are shielded from sunset to sunrise to avoid nighttime glare.

Local Laws, Regulations, and Policies

The County General Plan also includes policies that contain specific, enforceable requirements and/or restrictions and corresponding performance standards that address potential impacts on special-status plant species or create opportunities for habitat improvement. The El Dorado County General Plan designates the Important Biological Corridor (IBC) (Exhibits 5.12-14, 5.12-5 and 5.12-7, El Dorado County, 2003). Lands located within the overlay district are subject to the following provisions, provided that they do not interfere with agricultural practices:

- Increased minimum parcel size;
- Higher canopy-retention standards and/or different mitigation standards/thresholds for oak woodlands;
- Lower thresholds for grading permits;
- Higher wetlands/riparian retention standards and/or more stringent mitigation requirements for wetland/riparian habitat loss;
- Increased riparian corridor and wetland setbacks;
- Greater protection for rare plants (e.g., no disturbance at all or disturbance only as recommended by U.S. Fish and Wildlife Service/ CDFW);
- Standards for retention of contiguous areas/large expanses of other (non-oak or non-sensitive) plant communities;
- Building permits discretionary or some other type of “site review” to ensure that canopy is retained;
- More stringent standards for lot coverage, floor area ratio (FAR), and building height; and
- No hindrances to wildlife movement (e.g., no fences that would restrict wildlife movement).

The project site is not located in an area subject to these additional provisions (El Dorado County 2003).

El Dorado County

El Dorado County Code and General Plan Policies pertaining to the protection of biological resources include protection of rare plants, setbacks to riparian areas, and mitigation of impacted oak woodlands. Policy 7.4.4.4 of the General Plan establishes the native oak tree canopy retention and replacement standards. Impacts to oak woodlands have been addressed in the El Dorado County General Plan EIR, available for review online at https://www.edcgov.us/Government/planning/pages/final_environmental_impact_report_%28eir%29.aspx or at El Dorado County Planning Services offices located at 2850 Fairlane Court, Placerville, CA, 95667. Mitigation in the form of General Plan policies has been developed to mitigate impacts to less than significant levels. The County’s oak resources reporting and impact mitigation requirements are outlined in El Dorado County’s Oak Resources Management Plan (ORMP) and codified in County Ordinance No. 5061.

El Dorado County Oak Resources Conservation Ordinance (No. 5061)

The El Dorado County Oak Resources Conservation Ordinance was adopted to establish standards for implementing the County's ORMP and was updated in September 2025. The Ordinance protects native oak resources as oak canopy or as an individual tree and states that an impact is defined for individual native oak trees as the physical destruction, displacement or removal of a tree or portions of a tree caused by poisoning, cutting, burning, relocation for transplanting, bulldozing or other mechanical, chemical, or physical means. For oak woodlands, tree and land clearing apply when they are associated with land development, including, but not limited to, grading, clearing, or otherwise modifying land for roads, driveways, building pads, landscaping, utility easements, fire-safe clearance and other development activities. Mitigation for removal of Heritage Trees or individual oak trees requires on- or off-site replacement planting or payment of in-lieu fees at a 3:1 or 1:1 ratio, respectively, to the number of trunk inches removed. Several exemptions exist, including cutting of oaks for the property owner's personal use, so long as the oaks are not a Heritage Tree (a native oak tree 36 inches diameter or more at breast height [dbh] or a multi-stemmed tree having a total aggregate dbh of 36 inches or more) nor a valley oak (*Quercus lobata*). A landowner may remove up to eight trees from a single parcel per year under this exemption, provided that the total dbh of trees removed from a single parcel does not exceed 140 inches (County Code 130.39.050 (J)).

Impact Analysis:

Special-Status Species: Special-status plant surveys were conducted within the project site during August 2021, which coincides with the typical blooming period of the special-status plant species that would normally have the potential to occur within the vicinity of the project site. The BRA determined that no California Native Plant Society (CNPS) List 1, 2, 3, or 4 plant species or special-status wildlife species have been documented and mapped within the Project area based on background research. Results of the special-status plant surveys conducted within the entirety of the project site during the blooming period for the potential special-status plant species that could occur within the project site were negative for such protected plant species; therefore, it is unlikely any special-status plant or wildlife species occur within or directly adjacent to the project site. Additionally, no special-status plant species were previously identified within 3 miles of the project site. Based on the location of ground disturbance proposed for the project, as well as results of background research, database searches, and August 2021 reconnaissance surveys conducted within the project site as part of the BRA, there is a very low likelihood that the project site would contain a protected special-status plant species listed by CNPS and per CEQA requirements, and the project would have a less than significant impact on special status plants.

Based on the results of the database searches conducted as part of the BRA, no special-status wildlife and fish species were identified as previously occurring within three miles of the project site. See Appendix B, BRA, for the results of the queries and the field survey

The project site does not contain suitable habitat for special-status wildlife species given the annual grassland and cultivated vineyard areas do not provide the habitat requirements for any wildlife species protected by El Dorado County, the State of California, or the federal government. While the project site does not contain suitable habitat for special-status plant or wildlife species, there is a low to moderate potential for nesting raptors and other nesting migratory bird species to occur within and directly adjacent to the project site. The project site contains suitable nesting habitat for bird species, such as tree nesting species (Cooper's hawk and other common raptors) and ground nesting species like the spotted towhee (*Pipilo maculatus*) and dark-eyed junco (*Junco hyemalis*). Additional species that are known to nest in shrub and tree habitat have the potential to nest adjacent to the project site. While project implementation would not directly impact any known special-status animal species, special-status bird species could move into the project area between the time the field survey was completed and the start of construction. The breeding season for raptors and bird species protected by the Migratory Bird Treaty Act (MBTA) is generally from March 1st to August 31st, and construction or development activities that take place during the breeding season could potentially disturb or remove occupied nests of raptors. With implementation of mitigation measure BIO-1, these impacts would

be reduced to a less than significant level. Therefore, the proposed project would have a less than significant impact with mitigation incorporated on special-status wildlife and plant species.

Mitigation Measure BIO-1: Pre-Construction Survey for Nesting Raptors and other Protected Bird Species

Construction or disturbance activities during the breeding season (March 1st to August 31st) could disturb or remove occupied nests of raptors and/or protected bird species and would require the implementation of a pre-construction survey within 250 feet of any proposed disturbance area for nesting raptors and other protected bird species within 14 days prior to disturbance. The nesting survey radius around the proposed disturbance would be identified prior to the implementation of the protected bird nesting surveys by a CDFW qualified biologist and would be based on the habitat type, habitat quality, and type of disturbance proposed within or adjacent to nesting habitat.

If any nesting raptors or protected birds are identified during such pre-construction surveys, trees or shrubs or grasslands with active nests shall be not be removed or disturbed and a no-disturbance buffer shall be established around the nesting site to avoid disturbance or destruction of the nest site until after the breeding season or after a qualified wildlife biologist determines that the young have fledged. The extent of these buffers would be determined by a CDFW qualified wildlife biologist and would depend on the special-status species present, the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. These factors should be analyzed by a qualified wildlife biologist to make an appropriate decision on buffer distances based on the species and level of disturbance proposed in the vicinity of an active nest.

With the implementations of these required mitigation measures, potential impacts on any species identified as a candidate, sensitive, or special-status species would be **less than significant with mitigation**.

b, c. Riparian Habitat and Wetlands: A freshwater emergent wetland is located within the southwestern section of the project site and is located outside of the County's minimum setback of 50 feet from all perennial streams, rivers, lakes and 25 feet from intermittent streams and wetlands. Site surveys conducted as part of the BRA confirmed the lack of federal and State of California aquatic resources mapped within the proposed Project disturbance areas (Matuzak 2021). The on-site pond is located a minimum of 300 feet from both cultivation areas.

Therefore, potential impacts to any riparian habitat or other sensitive natural community would be **less than significant**.

d. Migration Corridors: The project site is located approximately 0.8-mile south of the County's Important Biological Corridor Overlay and is not located within an established migratory wildlife corridor as defined in the El Dorado County General Plan Land Use Diagram (County 2004). Additionally, the project would not have a significant impact on animal movement because the majority of the open space within the project property would still be available for animal movement. The proposed project would disturb no more than two acres of the total 67.53-acre parcel.

Implementation of the proposed project would include the installation of a six to eight-foot-tall wildlife exclusionary fence around both cultivation areas. The fenced cultivation areas would be surrounded by open space, allowing wildlife to move around the area. Thus, implementation of the project would have a less than significant impact on wildlife movement.

Implementation of the project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites and impacts would be **less than significant**.

e. Local Policies: Construction of the project would not require the removal of mature oak trees or any major trimming of branches or root disturbance. Therefore, the El Dorado County Oak Resources Conservation Ordinance would not be relevant to the proposed project. If any changes occur to the project site that would require the removal or work within the dripline of any protected oak resources, the project would be required to obtain an oak removal permit prior to the removal of or any impacts to oak trees and oak resources. No other local policies or ordinances

protecting biological resources are applicable to the proposed project. Therefore, the proposed project would have **no impact**.

f. Adopted Habitat Conservation Plans: The study area is not within the coverage area of any adopted Habitat Conservation Plan or Natural Community Conservation Plan. Therefore, the proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or another approved governmental habitat conservation plan, and there would be **no impact**.

FINDING: No special-status species or sensitive habitats were identified on the project site. Implementation of Mitigation Measure BIO-1, Pre-Construction Survey for Special-Status Species, would avoid any potential impacts to nesting raptors, nesting birds, or other migratory birds. For this Biological Resources evaluation, impacts would be **less than significant with mitigation**.

V. CULTURAL RESOURCES

<i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?			X	
b. Cause a substantial adverse change in the significance of archaeological resource pursuant to Section 15064.5?			X	
c. Disturb any human remains, including those interred outside of formal cemeteries?			X	

Environmental Setting:

A confidential Cultural Resources Study was prepared for the project in July 2021 by Historic Resource Associates and was updated in March 2026 (HRA 2026). The report documented results of a records search of the North Central Information Center (NCIC), consultation with the Native American Heritage Commission (NAHC), and an intensive pedestrian survey of the project site which are summarized below. The confidential Cultural Resources Study is referenced in this IS/MND as Appendix D and is on-file with El Dorado County.

Environmental Setting:

For this assessment, the project area is identified as the cannabis premises. According to USGS 7.5' *Aukum, California* Topographic Quadrangle Map, the project site is located at an elevation of approximately 2,477 ft amsl. The topography of the property is characterized by level to gently sloping topography flanked by oak woodland and scattered ponderosa pine.

The subject parcel is located in the Sierra Nevada foothills, south of Somerset, the nearest post office. Because of its elevation the project site would have been conducive to permanent habitation since snow is infrequent. Hence, native groups could exploit resources in the region nearly year-round. Precontact groups in the region in which the subject parcel is located would have subsisted primarily on freshwater fish, deer, acorns, and small game animals harvested from the surrounding water sources and foothills.

Prehistoric Overview

The earliest inhabitants of the foothill region near Fairplay occupied the area from 4000 to 1500 years BP, have been identified as the Martis Tradition (Elston et al. 1977:171). Data collected from Garden Valley indicate an additional temporal sequence in an area now under Bullards Bar reservoir in Yuba County (Humphreys 1969). Similarities between the Martis artifact assemblages and those of the Mesilla assemblages recovered from the nearby Oroville reservoir have been noted by Markley and Henton (1985) and Kowta (1988). According to Heizer and Elsasser (1953) the Martis phase, named after the Martis Valley, is characterized by the wide-spread use of basalt for stone tools, large, roughly shaped projectile points of the Martis type (Heizer and Elsasser 1953), atlatl weights, manos, millingstones, bowl mortars, cylindrical pestles, and many flake scrapers (Moratto 1984:295). Martis is considered a series of phases, which may be of Great Basin origin, but which is distributed from the western Great Basin to the Central Valley. Its distribution roughly coincides with the ethnographic territories of the Maidu and the Washo peoples. Although probably not ancestral to the Washo, Martis may represent Maidu prehistory, including Nisenan (Moratto 1984:302-303).

The artifact assemblages of the Martis Complex typically include stemmed, corner-notched, sidenotched and leaf-shaped projectile points, primarily made of basalt. These points were apparently used to tip spears and darts. Scrapers, blades, choppers, gravers and punches or drills include other edge-bearing artifacts. For grinding or milling, the mano and milling slab were widely used during the Martis phase. Both California and Great Basin elements may be observed at Martis sites (Meals 2003:2).

On the western slopes of the Sierra Nevada, the Mesilla Complex (before 3000 BP to 2000 BP) was followed by the Bidwell Complex (2000 BP to 1 200 BP). The Bidwell Complex adopted traits from the Central California tradition. The Sweetwater Complex (1200 BP to 400 BP) differed considerably from the former traditions in its increasing reliance on acorn grinding mortar and pestle technology and the use of small corner-notched projectile points. This has been interpreted to indicate the arrival of a Maiduan-speaking population from the south (Kowta 1988:147-152).

Generalizing over the entire west slope of the Northern Sierra Nevada, Moratto (1984) has postulated that by 1000 B.C., the area was settled by groups of people of unknown origins who possessed both Martis and Central Valley traits. During this period, the bow and arrow were introduced, at approximately 600 A.D. - 800 A.D., and the mortar and pestle were more intensively used after 1400 A.D. (Moratto 1984:303). By 1 A.D., permanent villages were established. The greater sedentism, coupled with population growth, encouraged the development of a settlement pattern of secondary villages and seasonal camps (Moratto 1984:303). The primary villages became the political, social, and ceremonial centers for communities by 1500 A.D. (Moratto 1984:303). This pattern closely resembles the settlement system of the Nisenan, the ethnographic group which inhabited the area near the project.

Ethnographic Context

The project area is located in territory generally believed to have been occupied in aboriginal and historic times near the southern territorial boundary of the Southern Maidu or Nisenan and the northern territorial boundary of the Northern Sierra Miwok (Levy 1978). In the area of the western slope of the Sierra, the territory of the Miwok, like the Nisenan, their neighbors to the north, crossed several plant communities, making available to them a wide variety of plant resources. Numerous mineral resources, including steatite, quartz, quartzite, quartz crystals, chert, greenstone, rhyolite, and slate were available to Miwok living in the foothills. Through trade, minerals, such as obsidian, that were not available locally were obtained. Gold never played a role in commerce and trade among the Miwok or Nisenan, although after the discovery of gold in 1848, both Miwok and Nisenan participated in gold mining.

Animals hunted included deer, rabbits, and other small game. Mule deer (*Odocoileus hemionus*) were hunted in drives, with the use of fire, decoys, snares or deadfalls. Rabbits (*Lepus*) were killed with sticks or blunted arrows, trapped, snared, or rounded up with the use of nets or fire. Fish were poisoned with soaproot (*Chlorogalum pomeridianum*) and turkey mullein or caught by hand in shallow water (Wilson and Towne 1978:389-390). Weirs, nets, harpoons, traps and gorgehooks were also used to catch fish. Grasshoppers, ants, lizards, and frogs were also eaten, and salt was obtained from springs located near Cool (Heizer and Treganza 1972:340).

Tools, including arrow and spear points, knives, and scrapers, were made of basalt, chalcedony, jasper, or obsidian. Preferred basketry materials were willow (*Salix*) and redbud (*Cercis occidentalis*), but the roots of yellow pine (*Pinus ponderosa*) and bracken fern (*Pteridophyta aquilinum*) were also used. Clothing and adornment was not elaborate. Steatite and whole olivella shell bead necklaces were among the items traded from the Patwin and Maidu. Males often wore a breechcloth, and women a skirt of wire grass (Wilson and Towne 1978:391-392). Shortly after the discovery of gold in January 1848, the vicinity was overrun with white miners and by the late nineteenth century, when the placer gold excitement abated, the area was used largely for timber harvesting, small-scale farming and grazing livestock.

Historic Context

The historic context of the project area is directly linked to the Gold Rush of the 1850s, as well as the economic and agricultural development of El Dorado County, particularly the area surrounding the mining community of Fairplay. The history of the project area is directly linked to the Gold Rush of the 1850s, the economic and agricultural development of El Dorado County, and commerce and trade between Carson Valley, Grizzly Flats, Somerset, Fair Play, and other mining camps along the forks of the Cosumnes River. In January 1848, gold was discovered in Coloma. One year later, thousands of would-be gold seekers arrived in the "diggings." Between 1848 and 1850, Coloma, which

was chosen as the county seat, was the center of economic activity in El Dorado County. The first businesses in town were Captain Shannon and Cady's New York store, S.S. Brook's store, and John Little's Emporium. Sutter's Mill continued to whip saw lumber for the growing community, but Marshall found running the mill amidst the excitement of the gold discovery, futile. By the early 1850s the mill discontinued operation. Coloma's demise as the central commercial center in El Dorado County came in 1854, when the county seat was moved to Placerville. Placerville also became the principal city on the Emigrant Roads leading over the Sierra, and, subsequently, after the discovery of gold and later silver near Virginia City, miners, freighters, teamsters, and others traveled back and forth over the Sierra through Placerville.

Fair Play, the nearest historic community to the project area, was located near Perry Creek, a tributary to the Middle Fork of the Consumnes River. In 1853, N. Sisson and Charles Staples settled in the area. According to local tradition, the town name arose from an incident in which an appeal for fair play forestalled a fight between two miners (Gudde 1969: 106). In 1853 the camp was mentioned as a prosperous little mining town with several stores and hotels (*Alta*, December 21, 1853). Illustrated on Doolittle's map of 1868, Fair Play became a post office (1862) and trading center for drift and hydraulic mines in the area. By the 1880s, agriculture prevailed, but a 10-stamp mill was still in operation (Gudde 1975: 113). Based upon historic documents and maps, no improvements are noted within the project area. Gold placer mining occurred to the north in Perry Creek and nearby tributaries.

Regulatory Setting:

Federal Laws, Regulations, and Policies

The National Register of Historic Places

The National Register of Historic Places (NRHP) is the nation's master inventory of known historic resources. The NRHP is administered by the National Park Service and includes listings of buildings, structures, sites, objects, and districts that possess historic, architectural, engineering, archaeological, or cultural significance at the national, State, or local level. The criteria for listing in the NRHP include resources that:

- A. Are associated with events that have made a significant contribution to the broad patterns of history (events);
- B. Are associated with the lives of persons significant in our past (persons);
- C. Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction (architecture); or
- D. Have yielded or may likely yield information important in prehistory or history (information potential).

State Laws, Regulations, and Policies

The California Register of Historic Places

The California Register of Historic Places (CRHP) program encourages public recognition and protection of resources of architectural, historical, archeological and cultural significance, identifies historical resources for State and local planning purposes, determines eligibility for state historic preservation grant funding and affords certain protections under CEQA. The criteria for listing in the CRHP include resources that:

- A. Are associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.
- B. Are associated with the lives of persons important to local, California, or national history.
- C. Embody the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values.

- D. Have yielded, or have the potential to yield, information important to the prehistory or history of the local area, California or the nation.

The State Office of Historic Preservation sponsors the California Historical Resources Information System (CHRIS), a statewide system for managing information on the full range of historical resources identified in California. CHRIS provides an integrated database of site-specific archaeological and historical resources information. The State Office of Historic Preservation also maintains the California Register of Historical Resources (CRHR), which identifies the State's architectural, historical, archeological, and cultural resources. The CRHR includes properties listed in or formally determined eligible for the National Register and lists selected California Registered Historical Landmarks.

PRC (Section 5024.1[B]) states that any agency proposing a project that could potentially impact a resource listed on the CRHR must first notify the State Historic Preservation Officer and must work with the officer to ensure that the project incorporates "prudent and feasible measures that would eliminate or mitigate the adverse effects."

California Health and Safety Code Section 7050.5 requires that, in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

Section 5097.98 of the California PRC stipulates that whenever the commission receives notification of a discovery of Native American human remains from a county coroner pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, it shall immediately notify those persons it believes to be most likely descended from the deceased Native American. The decedents may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American remains and may recommend to the owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The descendants shall complete their inspection and make their recommendation within 24 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

CEQA and State CEQA Guidelines

Section 21083.2 of the State CEQA Guidelines requires that the lead agency determine whether a project may have a significant effect on unique archaeological resources. A unique archaeological resource is defined as an archaeological artifact, object, or site about which it can be clearly demonstrated that there is a high probability that it:

- Contains information needed to answer important scientific research questions, and there is demonstrable public interest in that information;
- Has a special or particular quality, such as being the oldest of its type or the best available example of its type; or
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.

Measures to avoid, conserve, preserve, or mitigate significant effects on these resources are also provided in the State CEQA Guidelines under Section 21083.2.

Section 15064.5 of the State CEQA Guidelines notes that "a project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment." Substantial adverse changes include physical changes to the historic resource or to its immediate surroundings, such that the significance of the historic resource would be materially impaired. Lead agencies are expected to identify

potentially feasible measures to mitigate significant adverse changes in the significance of a historic resource before they approve such projects. Historic resources are those that are:

- Listed in, or determined to be eligible for listing in, the CRHR (PRC Section 5024.1[k]);
- Included in a local register of historic resources (PRC Section 5020.1) or identified as significant in an historic resource survey meeting the requirements of PRC Section 5024.1(g); or
- Determined by a lead agency to be historically significant.

State CEQA Guidelines Section 15064.5 also prescribes the processes and procedures found under Health and Safety Code Section 7050.5 and PRC Section 5097.95 for addressing the existence of, or probable likelihood of, Native American human remains, as well as the unexpected discovery of any human remains within the project site. This includes consultation with the appropriate Native American tribes.

State CEQA Guidelines Section 15126.4 provides further guidance about minimizing effects to historical resources through the application of mitigation measures. Mitigation measures must be legally binding and fully enforceable.

Cannabis Cultivation Program:

California Code of Regulations Title 3 Section 8304(d) states:

[All licensees shall comply with all of the following environmental protection measures:] (d) Immediately halt cultivation activities and implement section 7050.5 of the Health and Safety Code if human remains are discovered.

Impact Analysis:

- a. **Historic Resources:** A confidential Cultural Resources Study was prepared for the project in July 2021 by Historic Resource Associates and was updated in March 2026 (HRA 2026). The report is referenced in this IS/MND as Appendix D and is on-file with El Dorado County. The report documented results of a records search of the NCIC, consultation with the NAHC, and an intensive pedestrian survey of the project site which are summarized below.

There are two precontact archaeological sites recorded within a 0.25-mile radius of the proposed project consisting of bedrock mortars. According to the site files at the NCIC, there were no National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), National Historic Landmark (NHL), or California Historic Landmark (CHL) listed sites within the proposed project area.

NCIC data did not identify any cultural resource surveys conducted within the project parcel, however, with a 0.25-mile radius there have been two cultural resource studies conducted: Stewart 1994 (S- 2995), Peak & Associates, Inc., 1987 (S-3008). As a result of the cultural resource survey, no prehistoric or historic archaeological sites were identified within the subject parcel.

Taking into account the lack of proximate permanent natural water sources, in that no permanent natural water sources were identified within the project, but the project lies in a hollow that would have been conducive to temporary or permanent villages or encampments, the project is considered to have moderate sensitivity for archaeological resources. The current survey did not reveal any new cultural resource sites, features, or artifacts.

A pedestrian survey of the project site was completed by Dana E. Supernowicz, M.A., RPA of Historic Resource Associates on July 19, 2021, and again on March 3, 2026, and did not identify any additional cultural sites, features, or artifacts. No evidence of precontact or historic archaeological sites, features, or artifacts was found within the project footprint. There was an abandoned residence that likely dates to the early 1900s in the parcel, but is not within the project footprint. Therefore, no further archaeological study is

recommended. If the project footprint is altered, further archaeological investigation may be warranted to determine if it has the potential to affect the aforementioned cultural resource. HRA has notified the NAHC of the impending project and has requested any information related to sacred sites within the subject parcel. No prehistoric or historic cultural resource properties were identified by this survey effort in the project footprint and no further archaeological work is recommended for the project. Standard Conditions of Approval (below) imposed by the County on the project would address the accidental discovery of any previously unidentified resources during construction and result in project impacts that are **less than significant**.

- b. Archaeological Resources:** Based on the absence of significant historical resources/unique archaeological resources/historic properties within the project footprint, the report recommends archaeological clearance for the project as presently proposed. Standard Conditions of Approval imposed by the County on the proposed project would address the accidental discovery of any previously unidentified resources during construction and result in project impacts that are **less than significant**.
- c. Human Remains:** The Cultural Resources Study prepared for the project, which included a records search and an intensive pedestrian survey of the site, did not find evidence of potential human remains (HRA 2026). In the unlikely event that human remains are discovered during construction, the County's standard Conditions of Approval (below) requiring compliance with CEQA Guidelines Section 15064.5(e) would result in project impacts that are **less than significant**.

FINDING: With the implementation of standard Conditions of Approval imposed by the County, the proposed project would have a less than significant impact on Cultural Resources.

VI. ENERGY

Would the project:				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Result in potential significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

Environmental Setting:

This section provides an evaluation of existing energy production and consumption conditions, as well as potential energy use and related impacts from the proposed project. The following discussion is consistent with and fulfills the intent of Appendix F Energy, from the State CEQA Guidelines.

The units of energy used in this section are the British thermal units (BTU) and kilowatt hours (kWh). A BTU is the quantity of heat required to raise the temperature of one pound of water one degree Fahrenheit (°F) at sea level. Because the other units of energy can all be converted into equivalent BTU, the BTU is used as the basis for comparing energy consumption associated with different resources. A kWh is a unit of electrical energy, and one kWh is equivalent to approximately 3,413-BTU, taking into account initial conversion losses (i.e., from one type of energy, such as chemical, to another type of energy, such as mechanical) and transmission losses. Natural gas consumption is described typically in terms of cubic feet (cf) or therms; one cubic foot of natural gas is equivalent to approximately 1,050-BTU, and 1-therm represents 100,000-BTU.

California Energy Overview:

Electricity

California's electricity needs are satisfied by a variety of entities, including investor-owned utilities, publicly owned utilities, electric, service providers and community choice aggregators. In 2024, the California power mix totaled 278,338 gigawatt hours (GWh). In-State generation accounted for approximately 78 percent of the State's power mix. The remaining electricity came from out-of-State imports (CEC 2025a). Table 1, *California Electricity Sources*, provides a summary of California's electricity sources as of 2024.

TABLE 1.
California Electricity Sources

Fuel Type	Percent of California Power (%)
Coal	2.21
Large Hydro	11.06
Natural Gas	34.01
Nuclear	9.92
Oil	0.01
Other (Petroleum Coke/Waste Heat)	0.08
Renewables (excluding Large Hydro)	41.25

Fuel Type	Percent of California Power (%)
Unspecified	1.46

Source: CEC 2025a

Natural Gas

Natural gas provides the largest portion of the total in-state capacity and electricity generation in California, with nearly 45 percent of the natural gas burned in California used for electricity generation in a typical year. Much of the remainder is consumed in the residential, industrial, and commercial sectors for uses such as cooking, space heating, and as an alternative transportation fuel. In 2012, total natural gas demand in California for industrial, residential, commercial, and electric power generation was 2,313 billion cubic feet per year (bcf/year), up from 2,196 bcf/year in 2010 (CEC 2025b).

Transportation Fuels

Transportation accounts for a major portion of California’s energy budget. Automobiles and trucks consume gasoline and diesel fuel, which are nonrenewable energy products derived from crude oil. Gasoline is the most used transportation fuel in California, with 97 percent of all gasoline being consumed by light-duty cars, pickup trucks, and sport utility vehicles (SUVs). In 2024, 13.4 billion gallons of gasoline were sold in California (CEC 2025c). Diesel fuel is the second most consumed fuel in California, used by heavy-duty trucks, delivery vehicles, buses, trains, ships, boats, and farm and construction equipment. In 2024, 3.5 billion gallons of diesel were sold in California (CEC 2025d).

Regulatory Setting:

Federal Laws, Regulations, and Policies

Energy Independence and Security act of 2007

House of Representatives Bill 6 (HR 6), the federal Energy Independence and Security Act of 2007, established new standards for a few equipment types not already subjected to a standard, and updated some existing standards. Perhaps the most substantial new standard that HR 6 established was for general service lighting that was to be deployed in two phases. First, phased in between 2012 through 2014, common light bulbs were required to use about 20 to 30 percent less energy than previous incandescent bulbs. Second, by 2020, light bulbs were to consume 60 percent less energy than bulbs at the time the bill was passed; this requirement effectively phased out the incandescent light bulb.

Energy Improvement and Extension Act of 2008

The formerly entitled “Renewable Energy and Job Creation Act of 2008,” or Division B of HR 1424, was signed into law by President Bush in October 2008. The signed bill contained \$18 billion in incentives for clean and renewable energy technologies, as well as for energy efficiency improvements.

State Laws, Regulations, and Policies

California Integrated Energy Policy

Senate Bill 1389, passed in 2002, requires the California Energy Commission (CEC) to prepare an Integrated Energy Policy Report for the governor and legislature every 2 years, and to provide an update in the year between reports. The report analyzes data and provides policy recommendations on trends and issues concerning electricity and natural gas, transportation, energy efficiency, renewable energy, and public interest energy research. The 2019 Integrated Energy Policy Report covers a broad range of topics, including decarbonizing buildings, integrating renewables, energy efficiency, energy equity, integrating renewable energy, updates on California electricity reliability, climate adaptation activities for the energy sector, natural gas assessment, transportation energy demand forecast, and the California Energy Demand Forecast.

California Building Standards Code (California Code of Regulations, Title 24)

The 2019 Building Energy Efficiency Standards, comprising Title 24, Parts 1 and 6, of the California Code of Regulations, is mandatory statewide. Local government agencies may adopt and enforce energy efficiency standards for newly constructed buildings, additions, alterations, and repairs provided the California Energy Commission finds that the standards would require buildings to consume no more energy than permitted by Title 24, Part 6. Such local standards may include adopting the requirements of Title 24, Part 6 before their effective date, requiring additional energy conservation measures, or setting stricter energy budgets. Title 24, Part 11 contains additional energy measures that are applicable to the project under the California Green Building Standards Code (CALGreen).

Cannabis Cultivation Program

Title 3 of the California Code of Regulations Section 8102(s) states:

Each application for a cultivation license shall include the following, if applicable: For indoor and mixed-light license types, identification of all power sources for cultivation activities, including but not limited to, illumination, heating, cooling, and ventilation;

Section 8305 provides requirements for certain mixed-light cannabis cultivator licensees to ensure that, by 2023, their electrical power meets the average electricity greenhouse gas emissions intensity required by their local utility provider. That section includes options for the purchase of carbon offset credits if such standards are not met.

Section 8306 provides requirements for stationary and portable generators greater than 50 horsepower. It requires these to comply with the appropriate Airborne Toxic Control Measure for stationary or portable generators and includes certificates or permits that are acceptable to prove compliance. Additional compliance options are provided for generators below 50 horsepower by 2023, including limiting hours of operation, meeting certain emergency use requirements, and filter and engine requirements.

Local Laws, Regulations, and Policies

El Dorado County General Plan

The El Dorado County General Plan Public Services and Utilities Element encourages energy efficiency development within the County by imposing two policies:

- *Policy 5.6.2.1-* Require energy conserving landscaping plans for all projects requiring design review or other discretionary approval.
- *Policy 5.6.2.2-* All new subdivisions should include design components that take advantage of passive or natural summer cooling and/or winter solar access, or both, when possible.

Impact Analysis:

- a. **Energy Consumption:** The proposed project would involve the construction of a cannabis cultivation facility. While construction activities would result in the temporary consumption of energy resources in the form of vehicle and equipment fuels (gasoline and diesel fuel) and electricity/natural gas (directly or indirectly), such consumption would be short-term and temporary and would thus not have the potential to result in wasteful, inefficient, or unnecessary consumption of energy resources. The project would also include installation of a transformer, electric water main, and propane tank north of the existing on-site square structure. The transformer would facilitate connection to the existing electrical system, while the propane tank would provide fuel storage for an emergency backup generator. Power for long-term project operation would be provided by an existing connection to El Dorado County's electric grid. A propane generator would be installed to be used as a secondary or back-up emergency power source. The project would be subject to statewide mandatory energy requirements as outlined in Title 24, Part 6, of the California Code of Regulations. Title 24, Part 11, contains additional energy measures that are applicable to the project under

CALGreen. Prior to project approval, the project applicant would be required to ensure that the project would meet Title 24 requirements. Therefore, impacts related to energy use would be **less than significant**.

- b. **Energy Plans and Efficiency Standards** Part 6 of Title 24 of the California Code of Regulations was established in 1978 and serves to enhance and regulate California's building standards. Part 6 establishes energy efficiency standards for residential and non-residential buildings constructed in California to reduce energy demand and consumption. Part 6 is updated periodically (every 3 years) to incorporate and consider new energy efficiency technologies and methodologies. Title 24 also includes Part 11, CALGreen. CALGreen institutes mandatory minimum environmental performance standards for all ground-up, new construction of commercial, low-rise residential, and State-owned buildings, as well as schools and hospitals. As described under question a) above, applicable nonresidential Title 24 and CALGreen requirements for the proposed outdoor cannabis cultivation project could include standards for energy-efficient outdoor lighting controls and fixtures, automatic lighting shutoff and photocontrol systems for security lighting, minimum efficiency requirements for any heating, ventilation, or air conditioning (HVAC) equipment associated with support structures, and CALGreen measures related to energy conservation, water efficiency, and construction waste reduction. The proposed project would meet Title 24 and CALGreen standards to reduce energy demand and increase energy efficiency. Overall, the project would not conflict with existing energy standards and regulations; therefore, impacts during construction and operation of the project would be **less than significant**.

FINDING: With conformance with statewide mandatory energy requirements as outlined in Title 24, Parts 6 and 11, of the California Code of Regulations, the project would have a less than significant impact on energy resources.

VII. GEOLOGY AND SOILS

<i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
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 Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?				X
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 waste water disposal systems where sewers are not available for the disposal of waste water?			X	
f. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?			X	

Environmental Setting

The project property is located in a mountainous region, with land that generally slopes downward from northwest to southeast. Vegetation in the area proposed for development is primarily annual grassland interspersed with areas of ruderal/disturbed areas. Site elevations are generally highest in the north and lowest in the south, and elevations range from approximately 2,450 ft amsl in the northeastern area of the property to approximately 2,500 ft amsl along the southern edge of the property.

According to the BRA for this project (Appendix B; Matuzak 2021), the following soil map units occur on the project property:

- Holland coarse sandy loam, 9 to 15 percent slopes;
- Holland very rocky coarse sandy loam, 15 to 50 percent slopes.

The distribution of known faults is concentrated in the western portion of the county, with several isolated faults in the central county area and the Lake Tahoe Basin. Fault systems mapped in western El Dorado County include the West Bear Mountains Fault; the East Bear Mountains Fault; the Maidu Fault Zone; the El Dorado Fault; the Melones Fault Zone of the Clark, Gillis Hill Fault; and the Calaveras–Shoo Fly Thrust. No active faults have been identified in El Dorado County. One fault, part of the Rescue Lineament–Bear Mountains fault zone, is classified as a well located late-Quaternary fault and represents the only potentially active fault in the county (El Dorado County 2003).

Regulatory Setting:

Federal Laws, Regulations, and Policies

National Earthquake Hazards Reduction Act

The National Earthquake Hazards Reduction Act of 1977 (Public Law 95-124) and creation of the National Earthquake Hazards Reduction Program (NEHRP) established a long-term earthquake risk-reduction program to better understand, predict, and mitigate risks associated with seismic events. The following four federal agencies are responsible for coordinating activities under NEHRP: US Geological Survey (USGS), National Science Foundation (NSF), Federal Emergency Management Agency (FEMA), and National Institute of Standards and Technology (NIST). Since its inception, NEHRP has shifted its focus from earthquake prediction to hazard reduction. The NEHRP agencies have established four coordinated strategic goals and eighteen supporting strategic objectives that support their policy, vision, and mission (NEHRP 2023). The four strategic goals are as follows:

1. Advance the understanding of earthquake processes and their consequences;
2. Enhance existing and develop new information, tools, and practices for protecting the nation from earthquake consequences;
3. Promote the discrimination of knowledge and implementation of tools, practices, and policies that enhance strategies to withstand, respond to, and recover from earthquakes; and
4. Learn from post-earthquake investigations to enhance the effectiveness of available information, tools, practices, and policies to improve earthquake resilience.

Implementation of NEHRP objectives is accomplished primarily through original research, publications, and recommendations and guidelines for State, regional, and local agencies in the development of plans and policies to promote safety and emergency planning.

State Laws, Regulations, and Policies

Alquist–Priolo Earthquake Fault Zoning Act

The Alquist–Priolo Earthquake Fault Zoning Act (Public Resources Code Section 2621 *et seq.*) was passed to reduce the risk to life and property from surface faulting in California. The Alquist–Priolo Act prohibits construction of most types of structures intended for human occupancy on the surface traces of active faults and strictly regulates construction in the corridors along active faults (earthquake fault zones). It also defines criteria for identifying active faults, giving legal weight to terms such as “active,” and establishes a process for reviewing building proposals in and adjacent to earthquake fault zones. Under the Alquist-Priolo Act, faults are zoned and construction along or across them is strictly regulated if they are “sufficiently active” and “well defined.” Before a project can be permitted, cities and counties are required to have a geologic investigation conducted to demonstrate that the proposed buildings would not be constructed across active faults.

Based on historical seismic activity and fault and seismic hazards mapping, El Dorado County is considered to have relatively low potential for seismic activity, and is located beyond the highly active fault zones of the coastal areas of California (El Dorado County 2003). No active faults have been identified in El Dorado County, and no portion of the county is located within an Alquist-Priolo Earthquake Fault Zone.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) of 1990 (Public Resources Code Sections 2690–2699.6) establishes statewide minimum public safety standards for mitigation of earthquake hazards. While the Alquist–Priolo Act addresses surface fault rupture, the SHMA addresses other earthquake-related hazards, including strong ground shaking, liquefaction, and seismically induced landslides. Its provisions are similar in concept to those of the Alquist–Priolo Act. The state is charged with identifying and mapping areas at risk of strong ground shaking, liquefaction, landslides, and other seismic hazards, and cities and counties are required to regulate development within mapped seismic hazard zones. In addition, the act addresses not only seismically induced hazards but also expansive soils, settlement, and slope stability.

Mapping and other information generated pursuant to the SHMA is to be made available to local governments for planning and development purposes. The State requires: (1) local governments to incorporate site-specific geotechnical hazard investigations and associated hazard mitigation, as part of the local construction permit approval process; and (2) the agent for a property seller or the seller if acting without an agent, must disclose to any prospective buyer if the property is located within a Seismic Hazard Zone. Under the SHMA, cities and counties may withhold the development permits for a site within seismic hazard zones until appropriate site-specific geologic and/or geotechnical investigations have been carried out and measures to reduce potential damage have been incorporated into the development plans.

California Building Standards Code

Title 24 CCR, also known as the California Building Standards Code (CBC), specifies standards for geologic and seismic hazards other than surface faulting. These codes are administered and updated by the California Building Standards Commission. CBC specifies criteria for open excavation, seismic design, and load-bearing capacity directly related to construction in California.

Paleontological Resources

The CEQA lead agency having jurisdiction over a project is also responsible to ensure that paleontological resources are protected in compliance with CEQA and other applicable statutes. Paleontological resource management is also addressed in PRC Section 5097.5, “Archaeological, Paleontological, and Historical Sites.” This statute defines as a misdemeanor any unauthorized disturbance or removal of a fossil site or remains on public land and specifies that state agencies may undertake surveys, excavations, or other operations as necessary on state lands to preserve or record paleontological resources. This statute would apply to any construction or other related project impacts that would occur on state-owned or state-managed lands.

Impact Analysis:

a. Seismic Hazards:

i) **Rupture of Fault:** Seismically induced ground rupture is defined as the physical displacement of surface deposits in response to an earthquake’s seismic waves. The magnitude and nature of fault rupture can vary for different faults or even along different strands of the same fault. Surface rupture can damage or collapse buildings, cause severe damage to roads and pavement structures, and cause failure of overhead as well as underground utilities.

There are no earthquake faults delineated on Alquist-Priolo Fault Zone maps within the project property (CDC 2023b). Since the project property is not traversed by a known active fault and is not within 200 ft of an active fault trace, surface fault rupture is not considered to be a significant hazard for the project site. The project would not expose people or structures to substantial adverse effects from a fault rupture, and any potential impacts from implementation of the proposed project would be **less than significant**.

ii) **Ground Shaking:** The potential for seismic ground shaking in the project area would be considered low for the reason stated under question i) above. Any potential impacts due to seismic risks would be addressed

through compliance with the Uniform Building Code (UBC). All structures would be built to meet the construction standards of the UBC for the appropriate seismic zone. Project impacts would be **less than significant**.

iii) **Ground Failure:** Because the project site is considered an area with low potential for seismic activity, there is minimal to no potential for seismic-related ground failure, including liquefaction (CDC 2023b). There would be **no impact**.

iv) **Landslide:** The project property is in a mountainous region, with land that generally slopes down from north to south. The project would include two cannabis cultivation areas; one would be located in the north central portion of the project property and the other would be located in the south central portion of the project property. The cannabis cultivation areas are relatively flat, gently sloping from north to south, and vegetation in the area proposed for cultivation is undeveloped, sparsely wooded land. The project property has a small pond located in between the two cultivation areas, located more than 300 feet away from each. Site elevations range from approximately 2,450 ft amsl in the northern portion of the property to 2,500 ft amsl in the southern part of the property. Both cultivation sites would drain into the on-site pond, and the slopes in the project site are gentle and have low landslide potential. The proposed project would comply with the El Dorado County Grading, Erosion, and Sediment Control Ordinance, and grading on the project site would be minimal and balanced on-site. The owner/applicant would till the cultivation areas as necessary; however, ground disturbance would only take place in the mature and immature cultivation areas and total ground disturbance would be two acres. Any potential impacts from implementation of the proposed project would be **less than significant**.

- b. **Soil Erosion:** All grading activities on-site would be required to comply with the El Dorado County Grading, Erosion, and Sediment Control Ordinance including the implementation of pre- and post-construction best management practices (BMPs). BMPs to be employed include, but are not limited to, installation of straw wattles as appropriate. This would serve to limit the amount of exposed soil and slow water movement, reducing the amount of soil particles and other contaminants potentially mobilized by stormwater. Further, wattles and vegetation would help filter out contaminants before stormwater reaches any watercourses. Minimal grading is proposed at the edges of the project site to widen the access road, and all soil would be balanced on-site. The owner/applicant would use heavy equipment during construction activities, and total ground disturbance would not exceed two acres. Project impacts would be **less than significant**.
- c. **Geologic Hazards:** According to the BRA for the proposed project, the site is composed of two soil map units, and the entirety of the project premises would be developed on soils classified under the Holland (Matuzak 2021). The Holland soils series are noted to have low to moderate erosive qualities (USDA 2018). Minimal grading would occur to level the cultivation sites, widen the access road, and install the greenhouses and hoopouses. All soils would be balanced on-site. Additionally, the project site is not located in an area mapped as a Seismic Hazard Zone and is not at risk of geologic hazards. Project impacts would be **less than significant**.
- d. **Expansive Soils:** Expansive soils are those that greatly increase in volume when they absorb water and shrink when they dry out. When buildings are placed on expansive soils, foundations may rise each wet season and fall each dry season. This movement may result in cracking foundations, distortion of structures, and warping of doors and windows. The Holland soil series are well-drained and formed in material weathered from granitic rock, meaning the soils have some shrink-swell capabilities and the potential to be expansive. However, the proposed project would not include any habitable structures, and any proposed buildings would require building permits from the El Dorado County Building Department. Any future proposed buildings would be designed and constructed by a qualified engineer, and with County issuance of building permits following the building plan check review, any potential impacts from development on potentially expansive soils would be **less than significant**.
- e. **Septic Capability:** The project applicant proposes to temporarily use two seasonal portable toilets on the property, to be located along the northwestern side of the proposed processing building. The project applicant plans to eventually construct an on-site septic system. The property is located in a rural area of El Dorado County with an existing residence on-site that would not be included as part of the cannabis cultivation

project. Should a septic tank or leach field be constructed in the future, it would be designed and constructed by a qualified engineer, and with County issuance of building permits. Impacts would be **less than significant**.

- f. **Paleontological Resource:** No previous surveys conducted in the project area have identified the project site as sensitive for paleontological resources or other geologically sensitive resources, nor have testing or ground disturbing activities performed to date uncovered any paleontological resources or geologically sensitive resources. Additionally, the project site is not located within the Mehrten Formation. Therefore, impacts relating to paleontological resources would be **less than significant**.

FINDING: A review of the soil and geologic conditions on the project site determined that the project would not result in a substantial adverse effect. The proposed project would comply with the El Dorado County Grading, Erosion, and Sediment Control Ordinance. Future development would be required to comply with the Uniform Building Code which would address potential seismic related impacts. For this Geology and Soils resource section, impacts would be less than significant or have no impact.

VIII. GREENHOUSE GAS EMISSIONS

<i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	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	

Environmental Setting:

Cumulative greenhouse gas (GHG) emissions are believed to contribute to an increased greenhouse effect and global climate change, which may result in sea level rise, changes in precipitation, habitat, temperature, wildfires, air pollution levels, and changes in the frequency and intensity of weather-related events. While criteria air pollutants and TACs are pollutants of regional and local concern (see Section 7.III, Air Quality, above); GHGs are global pollutants. The primary land-use related GHGs are carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O). The individual pollutant's ability to retain infrared radiation represents its global warming potential (GWP) and is expressed in terms of CO₂ equivalents (CO₂e); therefore, CO₂ is the benchmark having a GWP of 1. To comply with international reporting standards, GWPs established by the Intergovernmental Panel on Climate Change Fourth Assessment Report is used in this analysis: CH₄ – GWP of 27; N₂O - GWP of 273 (IPCC 2021). Emissions are expressed in annual metric tons (MT) of CO₂e. Other GHGs include hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF₆), and nitrogen trifluoride (NF₃). While these compounds have significantly higher global warming potentials (ranging in the thousands), these typically are not a concern in land-use development projects and are usually only used in specific industrial processes.

GHG Sources

The primary anthropogenic source of CO₂ is the burning of fossil fuels; the two largest sources being coal to produce electricity and petroleum in combustion engines. The primary sources of anthropogenic CH₄ are natural gas systems losses (during production, processing, storage, transmission, and distribution), enteric fermentation (digestion from livestock), and landfill off-gassing. The primary source of anthropogenic N₂O is agricultural soil management (fertilizers), with fossil fuel combustion a very distant second. In El Dorado County, the primary source of GHG is fossil fuel combustion mainly in the transportation sector (estimated at 70 percent of countywide GHG emissions). A distant second are residential sources (approximately 20 percent), and commercial/industrial sources are third (approximately 7 percent). The remaining sources are waste/landfill (approximately 3 percent) and agricultural (<1 percent) (EDCAQMD 2021).

Regulatory Setting:

Federal Laws, Regulations, and Policies

At the federal level, USEPA has developed regulations to reduce GHG emissions from motor vehicles and has developed permitting requirements for large stationary emitters of GHGs. On April 1, 2010, USEPA and the National Highway Traffic Safety Administration (NHTSA) established a program to reduce GHG emissions and improve fuel economy standards for new model year 2012-2016 cars and light trucks. On August 9, 2011, USEPA and the NHTSA announced standards to reduce GHG emissions and improve fuel efficiency for heavy-duty trucks and buses.

State Laws, Regulations, and Policies

Executive Order (EO) S-3-05 (June 2005) established California's GHG emissions reduction targets and laid out responsibilities among the state agencies for implementing the EO and for reporting on progress toward the targets. This EO established the following targets:

- By 2010, reduce GHG emissions to 2000 levels;
- By 2020, reduce GHG emissions to 1990 levels; and
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

In 2006, Governor Arnold Schwarzenegger signed Assembly Bill (AB) 32, the *California Climate Solutions Act of 2006*, formally known as the Global Warming Solutions Act (Stats. 2006, ch. 488) (Health & Safety Code, Section 38500 et seq.). AB 32 provided initial direction on creating a comprehensive multi-year program to limit California's GHG emissions at 1990 levels by 2020 and initiate the transformations required to achieve the State's long-range climate objectives. One specific requirement of AB 32 is for CARB to prepare a "scoping plan" for achieving the maximum technologically feasible and cost-effective GHG emission reductions by 2020 (Health and Safety Code, Section 38561(a)) and to update the plan at least once every five years.

EO B-30-15 (April 2015) identified an interim GHG reduction target in support of targets previously identified under EO S-3-05 and AB 32. EO B-30-15 set an interim target goal of reducing GHG emissions to 40 percent below 1990 levels by 2030 to keep California on its trajectory toward meeting or exceeding the long-term goal of reducing GHG emissions to 80 percent below 1990 levels by 2050 as set forth in EO S-3-05. Senate Bill (SB) 32 was adopted in 2016, which codified the 2030 emissions reduction goal of EO B-30-15 by requiring CARB to ensure that statewide GHG emissions are reduced to 40 percent below 1990 levels by 2030.

California Code of Regulations Title 3, *Food and Agriculture*, Division 8, *Cannabis Cultivation*, contains the following sections applicable to the project and relevant to the greenhouse gas emissions analysis:

Section 8102(s) states: [Each cultivation license application shall include the following, if applicable:] For indoor and mixed-light license types, identification of all power sources for cultivation activities, including but not limited to, illumination, heating, cooling, and ventilation.

Section 8305 provides requirements for certain mixed-light cannabis cultivator licensees to ensure that, by 2023, their electrical power meets the average electricity greenhouse gas emissions intensity required by their local utility provider. That section includes options for the purchase of carbon offset credits if such standards are not met.

Impact Analysis:

- a. **GHG Emissions:** The project would result in GHG emissions associated with short-term construction and long-term operations.

Construction

Construction GHG emissions would be generated by exhaust from construction equipment, on-road hauling trucks, and worker commuting trips. Construction for the proposed project would be short-term and temporary, no more than approximately 3 months in total for each phase. All construction equipment and commercial trucks would be maintained to meet current emissions standards as required by the CARB. Neither the EDCAQMD nor El Dorado County have adopted criteria or guidance for determining the significance of a project's construction GHG emissions.

Operation

A project's operational GHG sources would include: mobile emissions from vehicles traveling to and from the project site; emissions from tractor use for road maintenance; engine exhaust from chainsaws, and

mowers; burn piles from seasonal dead/dying brush; emissions from organic pesticides and soil amendments; water sources from the energy required to source, treat and convey water used by the project; and solid waste sources from emissions associated with the collection, disposal, and decomposition of solid waste. Downed tree branches and brush would be burned in the offseason according to CAL FIRE and Pioneer Fire District rules and regulations. For most development projects, mobile emissions are the dominant source of GHGs.

Neither the EDCAQMD nor El Dorado County have adopted criteria or guidance for determining the significance of a project's operational GHG emissions. Because the project site is located within the south-central third of El Dorado County near the Sacramento Metropolitan Air Quality Manage District's (SMAQMD's) jurisdictional boundary, the guidance and screening criteria from the SMAQMD for a land use development project's GHG emissions were used in this analysis. The SMAQMD provides a table of operational screening levels with land uses and sizes below which a project's operational GHG emissions would not be expected to result in GHG emissions that would have a significant effect on the environment. A cannabis cultivation facility is not included in the Operational Screening Levels table. However, the relative size of land uses in the table can indicate whether the project's mobile GHG emissions would be significant. As described in Section 7.XVII, Transportation, the project is expected to generate a total of up to 30 commuter trips per day. The Policy TC-Xe threshold for El Dorado County is 100 daily trips, therefore, the project trip generation of 30 daily trips would be far less than the expected trip generation for any of the development types listed in the SMAQMD Operational Screening levels table. For comparison, in transportation planning, the trip generation for typical single-family residences is nine to 10 daily trips (504 to 560 daily trips for 56 residences). Water sourced from public utilities results in GHG emissions from the energy required to source, treat, and transport the water over long distances. The proposed project would use an existing on-site well, eliminating GHG emissions related to treating and pumping water off-site except for a small amount of emissions associated with the electricity to run the well pump. Therefore, the project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, and the impact would be **less than significant**.

- b. GHG Reduction Plans:** There are numerous State plans, policies, and regulations adopted for the purpose of reducing GHG emissions. The principal overall State plan and policy is AB 32, the California Global Warming Solutions Act of 2006. The quantitative goal of AB 32 is to reduce GHG emissions to 1990 levels by 2020. SB 32 requires further reductions of 40 percent below 1990 levels by 2030. Statewide plans and regulations such as GHG emissions standards for vehicles (AB 1493), the low carbon fuel standard (LCFS), and regulations requiring an increasing fraction of electricity to be generated from renewable sources are being implemented at the statewide level; as such, compliance at the project level is not addressed. As previously discussed, a comparison of the project with the SMAQMD Operational Screening levels table indicated that the project's GHG emissions would not result in significant impact. Therefore, implementation of the project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions, and the impact would be **less than significant**.

FINDING: The proposed project would result in less than significant impacts to GHG emissions, and the project would not conflict with State or local GHG reduction plans or regulations.

IX. HAZARDS AND HAZARDOUS MATERIALS

<i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	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 or excessive noise for people residing or working in the project area?				X
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g. Expose people or structures either directly or indirectly 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	

Regulatory Setting:

Hazardous materials and hazardous wastes are subject to extensive federal, State, and local regulations to protect public health and the environment. These regulations provide definitions of hazardous materials; establish reporting requirements; set guidelines for handling, storage, transport, and disposal of hazardous wastes; and require health and safety provisions for workers and the public. The major federal, State, and regional agencies enforcing these regulations are USEPA and the Occupational Safety and Health Administration (OSHA); California Department of Toxic Substances Control (DTSC); California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA); California Governor's Office of Emergency Services (Cal OES); and EDCAQMD.

Federal Laws, Regulations, and Policies

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, also called the Superfund Act; 42 USC Section 9601 *et seq.*) is intended to protect the public and the environment from the effects of past

hazardous waste disposal activities and new hazardous material spills. Under CERCLA, USEPA has the authority to seek the parties responsible for hazardous materials releases and to ensure their cooperation in site remediation. CERCLA also provides federal funding (through the “Superfund”) for the remediation of hazardous materials contamination. The Superfund Amendments and Reauthorization Act of 1986 (Public Law 99-499) amends some provisions of CERCLA and provides for a Community Right-to-Know program.

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act of 1976 (RCRA; 42 USC Section 6901 *et seq.*), as amended by the Hazardous and Solid Waste Amendments of 1984, is the primary federal law for the regulation of solid waste and hazardous waste in the United States. These laws provide for the “cradle-to-grave” regulation of hazardous wastes, including generation, transportation, treatment, storage, and disposal. Any business, institution, or other entity that generates hazardous waste is required to identify and track its hazardous waste from the point of generation until it is recycled, reused, or disposed of.

USEPA has primary responsibility for implementing RCRA, but individual states are encouraged to seek authorization to implement some or all RCRA provisions. California received authority to implement the RCRA program in August 1992. DTSC is responsible for implementing the RCRA program in addition to California’s own hazardous waste laws, which are collectively known as the Hazardous Waste Control Law.

Energy Policy Act of 2005

Title XV, Subtitle B of the Energy Policy Act of 2005 (the Underground Storage Tank Compliance Act of 2005) contains amendments to Subtitle I of the Solid Waste Disposal Act, the original legislation that created the Underground Storage Tank (UST) Program. As defined by law, a UST is “any one or combination of tanks, including pipes connected thereto, that is used for the storage of hazardous substances and that is substantially or totally beneath the surface of the ground.” In cooperation with USEPA, SWRCB oversees the UST Program. The intent is to protect public health and safety and the environment from releases of petroleum and other hazardous substances from tanks. The four primary program elements include leak prevention (implemented by Certified Unified Program Agencies [CUPAs], described in more detail below), cleanup of leaking tanks, enforcement of UST requirements, and tank integrity testing.

Spill Prevention, Control, and Countermeasure Rule

USEPA’s Spill Prevention, Control, and Countermeasure (SPCC) Rule (40 CFR, Part 112) apply to facilities with a single above-ground storage tank (AST) with a storage capacity greater than 660 gallons, or multiple tanks with a combined capacity greater than 1,320 gallons. The rule includes requirements for oil spill prevention, preparedness, and response to prevent oil discharges to navigable waters and adjoining shorelines. The rule requires specific facilities to prepare, amend, and implement SPCC Plans.

Occupational Safety and Health Administration

OSHA is responsible at the federal level for ensuring worker safety. OSHA sets federal standards for implementation of workplace training, exposure limits, and safety procedures for the handling of hazardous substances (as well as other hazards). OSHA also establishes criteria by which each state can implement its own health and safety program.

Code of Federal Regulations (14 CFR) Part 77

14 CFR Part 77.9 is designed to promote air safety and the efficient use of navigable airspace. Implementation of the code is administered by the Federal Aviation Administration (FAA). If an organization plans to sponsor any construction or alterations that might affect navigable airspace, a Notice of Proposed Construction or Alteration (FAA Form 7460-1) must be filed (if required). The code provides specific guidance regarding FAA notification requirements.

State Laws, Regulations, and Policies

Safe Drinking Water and Toxic Enforcement Act of 1986 – Proposition 65

The Safe Drinking Water and Toxic Enforcement Act of 1986, more commonly known as Proposition 65, protects the state's drinking water sources from contamination with chemicals known to cause cancer, birth defects, or other reproductive harm. Proposition 65 also requires businesses to inform the public of exposure to such chemicals in the products they purchase, in their homes or workplaces, or that are released into the environment. In accordance with Proposition 65, the California Governor's Office publishes, at least annually, a list of such chemicals. OEHHA, an agency under the California Environmental Protection Agency (CalEPA), is the lead agency for implementation of the Proposition 65 program. Proposition 65 is enforced through the California Attorney General's Office; however, district and city attorneys and any individual acting in the public interest may also file a lawsuit against a business alleged to be in violation of Proposition 65 regulations.

The Unified Program

The Unified Program consolidates, coordinates, and makes consistent the administrative requirements, permits, inspections, and enforcement activities of six environmental and emergency response programs. CalEPA and other state agencies set the standards for their programs, while local governments (CUPAs) implement the standards. For each county, the CUPA regulates/oversees the following:

- Hazardous materials business plans;
- California accidental release prevention plans or federal risk management plans;
- The operation of USTs and ASTs;
- Universal waste and hazardous waste generators and handlers;
- On-site hazardous waste treatment;
- Inspections, permitting, and enforcement;
- Proposition 65 reporting; and
- Emergency response.

Hazardous Materials Business Plans

Hazardous materials business plans are required for businesses that handle hazardous materials in quantities greater than or equal to 55 gallons of a liquid, 500 pounds of a solid, or 200 cf of compressed gas, or extremely hazardous substances above the threshold planning quantity (40 CFR, Part 355, Appendix A). Business plans are required to include an inventory of the hazardous materials used/stored by the business, a site map, an emergency plan, and a training program for employees. In addition, business plan information is provided electronically to a statewide information management system, verified by the applicable CUPA, and transmitted to agencies responsible for the protection of public health and safety (i.e., local fire department, hazardous material response team, and local environmental regulatory groups).

California Division of Occupational Safety and Health

Cal/OSHA assumes primary responsibility for developing and enforcing workplace safety regulations in California. Cal/OSHA regulations pertaining to the use of hazardous materials in the workplace (CCR Title 8) include requirements for safety training, availability of safety equipment, accident and illness prevention programs, warnings about exposure to hazardous substances, and preparation of emergency action and fire prevention plans.

Hazard communication program regulations that are enforced by Cal/OSHA require workplaces to maintain procedures for identifying and labeling hazardous substances, inform workers about the hazards associated with hazardous substances and their handling, and prepare health and safety plans to protect workers at hazardous waste sites. Employers must also make material safety data sheets available to employees and document employee information and training programs. In addition, Cal/OSHA has established maximum permissible radiofrequency (RF) energy exposure limits for workers (Title 8 CCR Section 5085[b]) and requires warning signs where RF energy might exceed the specified limits (Title 8 CCR Section 5085 [c]).

California Accidental Release Prevention

The purpose of the California Accidental Release Prevention (CalARP) program is to prevent accidental releases of substances that can cause serious harm to the public and the environment, to minimize the damage if releases do occur, and to satisfy community right-to-know laws. In accordance with this program, businesses that handle more than a threshold quantity of regulated substance are required to develop a risk management plan (RMP). This RMP must provide a detailed analysis of potential risk factors and associated mitigation measures that can be implemented to reduce accident potential. CUPAs implement the CalARP program through review of RMPs, facility inspections, and public access to information that is not confidential or a trade secret.

California Department of Forestry and Fire Protection Wildland Fire Management

The Office of the State Fire Marshal and CAL FIRE administer State policies regarding wildland fire safety. Construction contractors must comply with the following requirements in the Public Resources Code during construction activities at any sites with forest-, brush-, or grass-covered land:

- Earthmoving and portable equipment with internal combustion engines must be equipped with a spark arrestor to reduce the potential for igniting a wildland fire (Public Resources Code Section 4442).
- Appropriate fire-suppression equipment must be maintained from April 1 to December 1, the highest-danger period for fires (Public Resources Code Section 4428).
- On days when a burning permit is required, flammable materials must be removed to a distance of 10 ft from any equipment that could produce a spark, fire, or flame, and the construction contractor must maintain the appropriate fire suppression equipment (Public Resources Code Section 4427).
- On days when a burning permit is required, portable tools powered by gasoline fueled internal combustion engines must not be used within 25 ft of any flammable materials (Public Resources Code Section 4431).

California Highway Patrol

California Highway Patrol (CHP), along with Caltrans, enforce and monitor hazardous materials and waste transportation laws and regulations in California. These agencies determine container types used and license hazardous waste haulers for hazardous waste transportation on public roads. All motor carriers and drivers involved in transportation of hazardous materials must apply for and obtain a hazardous materials transportation license from CHP.

Cannabis Cultivation Program

Title 3 of the California Code of Regulations Section 8102(q) states:

[Each cultivation license application shall include the following, if applicable:] Evidence that the applicant has conducted a hazardous materials record search of the EnviroStor database for the proposed premises. If hazardous sites were encountered, the applicant shall provide documentation of protocols implemented to protect employee health and safety;

Section 8106(a)(3) states:

(a) The cultivation plan for each Specialty Cottage, Specialty, Small, and Medium licenses shall include all of the following:

(3) A pest management plan which shall include, but not be limited to, the following:

(A) Product name and active ingredient(s) of all pesticides to be applied to cannabis during any stage of plant growth;

(B) Integrated pest management protocols, including chemical, biological, and cultural methods the applicant anticipates using to control or prevent the introduction of pests on the cultivation site; and

(C) A signed attestation that states the applicant shall contact the appropriate County Agricultural Commissioner regarding requirements for legal use of pesticides on cannabis prior to using any of the active ingredients or products included in the pest management plan and shall comply with all pesticide laws.

Section 8304(f) states:

[All licensees shall comply with all of the following environmental protection measures:] Compliance with pesticide laws and regulations pursuant to section 8307 of this chapter.

Section 8307 contains requirements regarding compliance with pesticide laws and regulations. It also contains measures to protect pollinators, water bodies, and wildlife.

Local Laws, Regulations, and Policies

A map of the fuel loading in the County (General Plan Figure HS-1) shows the fire hazard severity classifications of the State Responsibility Areas (SRAs) in El Dorado County, as established by CAL FIRE. The classification system provides three classes of fire hazards: Moderate, High, and Very High. The County's Fire Hazard Ordinance (Chapter 8.08) requires defensible space as described by the State Public Resources Code, including the incorporation and maintenance of a 30-foot fire break or vegetation fuel clearance around structures in fire hazard zones. The County's requirements on emergency access, signing and numbering, and emergency water are more stringent than those required by State law. The Fire Hazard Ordinance also establishes limits on campfires, fireworks, smoking, and incinerators for all discretionary and ministerial developments.

Impact Analysis:

- a. **Hazardous Materials:** The proposed project would involve cultivation and propagation of cannabis. Hazardous materials associated with the proposed operation of a cannabis cultivation facility include organic pesticides, soil amendments, gasoline, diesel fuel, and engine oil. All hazardous materials used on-site would be stored in a 640-sf proposed storage building within a designated 197-sf chemical storage area. Flammable materials would be stored in a designated area within the existing 800-sf processing building. Any uses of hazardous materials would be required to comply with all applicable federal, State, and local standards associated with the handling and storage of hazardous materials. The proposed project would also be subject to the requirements of the SWRCB Cannabis General Order. The SWRCB Cannabis General Order program has "standard conditions" applicable to cannabis operations that address impacts from the storage and use of hazardous materials which include the following requirements:
- Cannabis cultivators shall not apply restricted materials, including restricted pesticides or herbicides, or allow restricted materials to be stored at the cannabis cultivation site. Cannabis cultivators shall implement integrated pest management strategies where possible to reduce the need and use of pesticides or herbicides and the potential for discharges to waters of the State.
 - Cannabis cultivators shall keep and use absorbent materials designated for spill containment and spill cleanup equipment on-site for use in an accidental spill of fertilizers, petroleum products, hazardous materials, and other substances which may degrade waters of the State.
 - Implementation of spill prevention, control, and countermeasures (SPCC) and have appropriate cleanup materials available onsite.

With appropriate storage, handling, and application BMPs that comply with the requirements of the federal, State, and local regulations, it is not anticipated that the use of these materials at the facility would pose a significant hazard. The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials and therefore, impacts would be **less than significant**.

- b. **Hazardous Conditions:** As discussed under question a), organic pesticides, soil amendments, gasoline, diesel fuel, and engine oil would be stored and used at the site. Use of such materials would be required

to comply with all applicable local, State, and federal standards associated with the handling and storage of hazardous materials, including the standard conditions contained in the SWRCB Cannabis General Order. Standard conditions include implementation of spill prevention, control, and countermeasures and the maintenance of appropriate cleanup materials on-site.

With implementation of appropriate storage, handling, and application BMPs, it is not anticipated that the use of these materials would pose a significant hazard. In the event of reasonably foreseeable upset and accident conditions, it is unlikely that these hazardous materials would be released in a manner that would create a significant hazard to the public or the environment. Project impacts would be **less than significant**.

- c. **Hazardous Materials near Schools:** There one school within three miles of the project site. The project would be required to ensure that hazardous chemicals and solid wastes are handled per County, State, and federal regulations. As such, the proposed project would be **less than significant**.
- d. **Hazardous Sites:** The following databases were reviewed for the proposed project and surrounding area to identify potential hazardous contamination sites: the California DTSC EnviroStor database (DTSC 2024); California State Water Resources Control Board's Geotracker database (SWRCB 2024); and the U.S. EPA's Superfund National Priorities List (USEPA 2024). Based on review of these databases, the project site is not included on a list of or near any hazardous materials sites pursuant to Government Code Section 65962.5. Therefore, there would be **no impact**.
- e. **Aircraft Hazards, Private Airstrips:** According to the County's Zoning Map and the El Dorado County Airport Land Use Compatibility Plan, the project site is not within any airport safety zone or airport land use plan area (EDC ALUC 2012). The project site is not located in the vicinity of a public or private airstrip. The closest airstrip to the project site is the public Placerville Airport located approximately 10.76 miles due northwest of the project site. As such, the project would not be subject to any land use limitations contained within any adopted Comprehensive Land Use Plan, and there would be no immediate hazard for people working in the project area or safety hazard resulting from airport operations and aircraft over-flights in the vicinity of the project site. Therefore, there would be **no impact**.
- f. **Emergency Plan:** The Pioneer Fire Protection District requirements would be incorporated as Conditions of Approval. No applicable emergency plan would be affected by the project as proposed. Additionally, the access road leading east from Fairplay road to both cultivation areas would be widened to be 20-feet-wide to allow for emergency vehicle access. An existing well and 5 proposed 5,000-gallon water storage tanks would provide water access for fire suppression vehicles. The on-site pond could also be used to provide an emergency water source. An evacuation plan would be prepared for the project site, and workers on-site would monitor conditions in the area during periods of high fire danger to ensure early evacuations if needed. Impacts would be **less than significant**.
- g. **Wildfire Hazards:** The project is located in a High Fire Hazard Severity Zone (FHSZ) of a State Responsibility Area (SRA) (CAL FIRE 2024). The Pioneer Fire Protection District is primarily responsible for structural fire protection services to the project site, and CAL FIRE is primarily responsible for wildland fire suppression. CAL FIRE's nearest station is the CAL FIRE Mt. Danaher Fire Station 20 located approximately 10.8 miles northwest of the project site at 4250 Barbaras Court, Camino, CA. The Pioneer Fire Protection District also provides all risk, partly staffed/partly volunteer emergency services to the project area, and their nearest station is Station 38, located approximately 3.3 miles northwest of the site at 7061 Mt Aukum Road, Somerset, CA. Given that Pioneer Fire Protection District's resources are closer, they would likely provide an initial response to most types of emergencies that may occur on the project site; CAL FIRE resources may also respond, especially in the case of larger or more complex incidents. The degree of hazard in wildland areas depends on variables like temperature, wind, and moisture, the amount of dryness and arrangement of vegetation, slope steepness, proximity to human activities, accessibility of firefighting equipment, and fuel clearance around structures. The County's General Plan Safety Element precludes development in areas of high wildland fire hazard unless such development can be adequately protected from wildland fire hazards as

demonstrated in a Fire Plan prepared by a qualified professional as approved by the El Dorado County Fire Prevention Officers Association and approved by the local Fire Protection District and/or CAL FIRE. Such a plan was prepared for this project and is included as Appendix E to this Initial Study (Live Oak Wildfire Solutions 2021).

The applicant would take several measures to reduce potential wildfire hazards, as recommended by the Fire Plan. The on-site pond would provide water for fire suppression if needed. Additionally, vegetation would be mowed, masticated, or cut to ground level each May for effective fuel reduction. Defensible space around the structures, including the cannabis cultivation premises, would extend 200 ft from the structure to resist ignition and be kept clear of the dead vegetation. Workers on-site would monitor conditions in the area during periods of high fire danger to ensure early evacuations if needed. With implementation of the recommendations included in the Fire Plan, impacts would be **less than significant**.

FINDING: The proposed project would not expose the public or environment to hazards relating to the use, storage, transport, or disposal of hazardous materials. Additionally, conformance with the County's Conditions of Approval would reduce potential emergency plan and wildfire hazard impacts to less than significant. Therefore, impacts would be less than significant, or no impact would occur for hazards and hazardous materials.

X. HYDROLOGY AND WATER QUALITY

Would the project:				
	Potentially Significant Impact	Less than Significant with Mitigation	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 net 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 off-site?			X	
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f. Otherwise substantially degrade water quality?			X	
g. Place housing within a 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	

Environmental Setting

The project would include two relatively flat cannabis cultivation areas, with one located in the north-central portion of the project site and the other located in the south-central portion of the project site. The cannabis cultivation areas gently slope from north to south, and vegetation in the area proposed for cultivation is undeveloped, sparsely wooded land. The project property has a small pond located in between the two cultivation areas and setback by more than 300 feet from each. Site elevations range from approximately 2,450 ft amsl in the southern area of the

property to approximately 2,500 ft amsl in the northern portion of the property. Both cultivation areas would drain into the existing on-site pond, and no permanent watercourses exist in the immediate vicinity of the cultivation area (Matuzak 2021).

Natural hydrological sources for the project site include precipitation and surface run-off from adjacent lands. Existing demand for groundwater in the vicinity of the site is low given the rural and undeveloped nature of much of the surrounding land. Existing demand for groundwater in the vicinity of the site is low given the rural and undeveloped nature of much of the surrounding land. The project site is not located within any mapped 100-year flood areas as shown on Firm Panel Number 06017C1025E, revised September 26, 2008 (FEMA 2008).

Regulatory Setting:

Federal Laws, Regulations, and Policies

Clean Water Act

The CWA is the primary federal law that protects the quality of the nation's surface waters, including lakes, rivers, and coastal wetlands. The key sections pertaining to water quality regulation for the proposed project are CWA Section 303 and Section 402.

Section 303(d) — Listing of Impaired Water Bodies

Under CWA Section 303(d), states are required to identify "impaired water bodies" (those not meeting established water quality standards), identify the pollutants causing the impairment, establish priority rankings for waters on the list, and develop a schedule for the development of control plans to improve water quality. USEPA then approves the State's recommended list of impaired waters or adds and/or removes waterbodies.

Section 402—NPDES Permits for Stormwater Discharge

CWA Section 402 regulates construction-related stormwater discharges to surface waters through the National Pollutant Discharge Elimination Program (NPDES), which is officially administered by USEPA. In California, USEPA has delegated its authority to the SWRCB, which, in turn, delegates implementation responsibility to the nine RWQCBs, as discussed below in reference to the Porter-Cologne Water Quality Control Act.

The NPDES program provides for both general (those that cover a number of similar or related activities) and individual (activity- or project-specific) permits. General Permit for Construction Activities: Most construction projects that disturb 1.0 or more acres are required to obtain coverage under SWRCB's General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order 2009-0009-DWQ as amended by 2010-0014-DWQ and 2012-0006-DWQ). The General Permit requires that the applicant file a public notice of intent to discharge stormwater and prepare and implement a SWPPP. SWPPP must include a site map and a description of the proposed construction activities, demonstrate compliance with relevant local ordinances and regulations, and present a list of BMPs that would be implemented to prevent soil erosion and protect against discharge of sediment and other construction-related pollutants to surface waters. Permittees are further required to monitor construction activities and report compliance to ensure that BMPs are correctly implemented and are effective in controlling the discharge of construction-related pollutants.

Municipal Stormwater Permitting Program

El Dorado County is covered under two SWRCB Regional Boards. The West Slope Phase II Municipal Separate Storm Sewer Systems (MS4) NPDES Permit is administered by the CVRWQCB (Region Five). The Lake Tahoe Phase I MS4 NPDES Permit is administered by the Lahontan RWQCB (Region Six). The proposed project site falls under the jurisdiction of the CVRWQCB. The current West Slope MS4 NPDES Permit was adopted by the SWRCB on February 5, 2013. The Permit became effective on July 1, 2013, for a term of five years and focuses on the enhancement of surface water quality within high priority urbanized areas. The Phase II NPDES permit became

effective on July 1, 2013. By July 1, 2015, this State-mandated permit required the County to address storm water runoff from new development and redevelopment projects, both during construction and after construction occurs.

On May 19, 2015, the El Dorado County Board of Supervisors formally adopted revisions to the Storm Water Quality Ordinance (Ordinance 4992). Previously applicable only to the Lake Tahoe Basin, the ordinance establishes legal authority for the entire unincorporated portion of the County. The purposes of the ordinance are to 1) protect health, safety, and general welfare, 2) enhance and protect the quality of Waters of the State by reducing pollutants in storm water discharges to the maximum extent practicable and controlling non-storm water discharges to the storm drain system, and 3) cause the use of BMPs to reduce the adverse effects of polluted runoff discharges on Waters of the State.

State Laws, Regulations, and Policies

Porter–Cologne Water Quality Control Act

The Porter–Cologne Water Quality Control Act (known as the Porter–Cologne Act), passed in 1969, dovetails with the CWA (see discussion of the CWA above). It established the SWRCB and divided the State into nine regions, each overseen by an RWQCB. SWRCB is the primary State agency responsible for protecting the quality of the State’s surface water and groundwater supplies; however, much of the SWRCB’s daily implementation authority is delegated to the nine RWQCBs, which are responsible for implementing CWA Sections 401, 402, and 303[d]. In general, SWRCB manages water rights and regulates statewide water quality, whereas RWQCBs focus on water quality within their respective regions.

The Porter–Cologne Act requires RWQCBs to develop water quality control plans (also known as basin plans) that designate beneficial uses of California’s major surface-water bodies and groundwater basins and establish specific narrative and numerical water quality objectives for those waters. Beneficial uses represent the services and qualities of a waterbody (i.e., the reasons that the waterbody is considered valuable). Water quality objectives reflect the standards necessary to protect and support those beneficial uses. Basin plan standards are primarily implemented by regulating waste discharges so that water quality objectives are met. Under the Porter–Cologne Act, basin plans must be updated every 3 years.

Cannabis Cultivation Program:

Applicants for a cannabis cultivation license are required to provide to DCC a final copy of proof of a lake or streambed alteration agreement issued by CDFW or written verification that an agreement is not necessary (3 CCR Section 8102(v)).

Title 3 of the California Code of Regulations Section 8102 states, in part:

Each application [for a cultivation license] shall include the following, if applicable:

(p) For all cultivator license types except Processor, evidence of enrollment in an order or waiver of waste discharge requirements with the State Water Resources Control Board or the appropriate Regional Water Quality Control Board. Acceptable documentation for evidence of enrollment can be a Notice of Applicability letter. Acceptable documentation for a Processor that enrollment is not necessary can be a Notice of Non-Applicability;

(v) Identification of all of the following applicable water sources used for cultivation activities and the applicable supplemental information for each source pursuant to section 8107 of this chapter:

- (1) A retail water supplier;
- (2) A groundwater well;
- (3) A rainwater catchment system;

(4) A diversion from a surface waterbody or an underground stream flowing in a known and definite channel.

(w) A copy of any final lake or streambed alteration agreement issued by the CDFW, pursuant to sections 1602 or 1617 of the Fish and Game Code, or written verification from the CDFW that a lake and streambed alteration agreement is not required;

(dd) If applicable, the applicant shall provide evidence that the proposed premises is not located in whole or in part in a watershed or other geographic area that the State Water Resources Control Board or the Department of Fish and Wildlife has determined to be significantly adversely impacted by cannabis cultivation pursuant to section 8216.

Section 8107(b) states:

If the water source is a groundwater well:

(1) The groundwater well's geographic location coordinates in either latitude and longitude or the California Coordinate System; and

(2) A copy of the well completion report filed with the Department of Water Resources pursuant to section 13751 of the Water Code. If no well completion report is available, the applicant shall provide evidence from the Department of Water Resources indicating that the Department of Water Resources does not have a record of the well completion report. If no well completion report is available, the State Water Resources Control Board may request additional information about the well.

Section 8216 states:

If the State Water Resources Control Board or the Department of Fish and Wildlife notifies the department in writing that cannabis cultivation is causing significant adverse impacts on the environment in a watershed or other geographic area pursuant to section 26069, subdivision (c)(1), of the Business and Professions Code, the department shall not issue new licenses or increase the total number of plant identifiers within that watershed or area while the moratorium is in effect.

Section 8304 (a and b) states:

All licensees shall comply with all of the following environmental protection measures:

(a) Compliance with section 13149 of the Water Code as implemented by the State Water Resources Control Board, Regional Water Quality Control Boards, or CDFW;

(b) Compliance with any conditions requested by the CDFW or the State Water Resources Control Board under section 26060.1(b)(1) of the Business and Professions Code;

Section 8307 contains requirements regarding compliance with pesticide laws and regulations. It also contains measures to protect pollinators, water bodies, and wildlife.

Impact Analysis:

- a. **Water Quality Standards:** There is potential for the proposed project to result in degradation of water quality during both the construction and operational phases. The cannabis plants would be grown from seed to maturity in mixed-light greenhouses on the premises, with a plan to eventually use four greenhouses and six hoopouses for mature plant cultivation and fabric or plastic pots for outdoor cultivation with harvest, trimming, drying, and curing on-site. The cannabis plants would all be watered via drip-line irrigation, and both cannabis cultivation premises would be fenced and setback at least 300 ft from the on-site pond so as to not cause degradation of water quality due to runoff from the development or operation of the cultivation operation. During construction, localized indirect impacts to water resources could occur from oil and grease

from construction equipment, and increased erosion and sedimentation due to soil disturbance. During operation, localized impacts could occur due to a discharge of sediment or other pollutants, fertilizers, pesticides, and human waste. The project proponent would be required to enrolled under the SWRCB Cannabis General Order WQ 2019-0001-DWQ. One of the requirements is to prepare a Site Management Plan (SMP), which includes identifying potential sources of water quality violations or waste discharge requirements, corrective actions including implementing and monitoring BMPs, and documenting water usage and timing to ensure the water use is not impacting water quality objectives and beneficial uses. The project applicant would be required to prepare and implement a SMP.

With implementation of measures required by the SMP and adherence to the County Code, impacts would be **less than significant**.

- b. Groundwater Supplies:** There is an existing on-site well that would provide the main water supply for cannabis cultivation. The onsite well report identifies a static water level of 180 feet in depth with a yield of 9 gallons per minute. The project premises are not over a critically over drafted groundwater basin (DWR 2024), with the closest reported dry well being located 2.59 miles to the west. The nearest dry well is located within a different water basin. It is not anticipated that the project would deplete groundwater supplies. There is adequate water supply to irrigate the proposed project, and the proposed project would not introduce substantial impervious surfaces that would interfere with groundwater recharge in the area of the proposed project. Conditions of approval will be incorporated requiring well monitoring reports being provided at CCOP renewal. Impacts would be **less than significant**.

- c-f. Drainage Patterns:** Both cultivation parcels would drain into the on-site pond, and the cannabis cultivation areas would be developed on undeveloped sparsely wooded land. The proposed project would not introduce a significant amount of impervious surfaces, so drainage within the site would percolate into the surrounding pervious surfaces to reduce any potential runoff. Additionally, the project applicant would install waddles and other preventative measures to minimize sediment laden runoff and erosion as required by the County Grading, Erosion, and Sediment Control Ordinance.

The project would disturb one or more acre of soil, and therefore, would be required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity Construction General Permit Order 2009-0009 DWQ as described under the response to question a) above. Requirements under the Cannabis General order include the implementation of BMPs to minimize erosion, sedimentation, and runoff from disturbed areas and cultivation sites. The Order also establishes mandatory setback requirements from watercourses and wetlands to reduce the potential for altered drainage patterns and discharge of pollutants into nearby surface water (SWRCB 2019). Required setbacks include 150 feet from Class I watercourses (perennial streams, lakes, ponds, springs, or wetlands), 100 feet from Class II watercourses (intermittent streams or wetlands), and 50 feet from Class III watercourses (ephemeral drainages). As described in the BRA prepared for this project and seen in Figure 3, Site Plan, the cannabis cultivation site would be established outside of the applicable setback distance. Additionally, El Dorado County Ordinance 5110 covers outdoor and mixed-light cultivation of commercial cannabis within El Dorado County and requires that outdoor or mixed-light cultivation of commercial cannabis shall be setback a minimum of 800 feet from the property line of the site or public right-of-way and shall be located at least 300 feet from the upland extent of the riparian vegetation of any watercourse. The on-site pond would be located a minimum of 300 feet from the project area at its closest location to both proposed cannabis cultivation areas, and the applicant would be seek a setback waiver for the property line requirement.

Compliance with the Cannabis General Order would require the project applicant to implement site-specific drainage, erosion-control, and runoff-management measures during operation of the cultivation site. With adherence to these regulatory requirements and BMPs, the project would not substantially alter existing drainage patterns in a manner that would result in erosion, siltation, flooding, or polluted runoff, and impacts would be less than significant.

With the implementation of the General Permit Order 2009-0001 DWQ, impacts would be **less than significant** for questions c), d), e), and f).

g-j. Flood-related Hazards: The project site is not located within any mapped 100-year flood areas as shown on Firm Panel Number 06017C1025E, revised September 26, 2008 (FEMA 2008), and would not result in the construction of any structures that would impede or redirect flood flows. No dams are located in the project area that could result in potential hazards related to dam failures. The project site would not be at risk for tsunami impact as the site is approximately 117 miles inland from the coast. According to USGS, mudflows or debris flows start on steep slopes and travel to canyon bottoms, stream channels, and areas near the outlets of canyons during intense rainfall. Debris flows commonly begin in swales on steep slopes, making areas downslope from the swale particularly hazardous (USGS 2000). Due to the site's elevation, relatively flat project area and absence of nearby wetlands, the proposed project would not be at significant risk of exposure to mudflows. The project is not located near a lake or large body of standing water, so there is no risk of seiche. Therefore, impacts would be **less than significant** for questions g), h), i), and j).

FINDING: With adherence to federal, State, and local regulations, the proposed project would have a less than significant impact on hydrology and water quality.

XI. LAND USE PLANNING

<i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Physically divide an established community?				X
b. Cause a significant environmental impact due to a conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X	

Environmental Setting:

The project property is zoned Planned Agriculture, 20-acre Minimum (PA-20) and designated for Agricultural Lands (AL) in the El Dorado County General Plan. The intent of the PA-20 zone is to identify those lands most capable of supporting horticulture, aquaculture, ranching, and grazing, based on existing use, soil type, water availability, topography, and similar factors. Agricultural enterprise is intended to be the primary use of these lands, but compatible commercial uses, including commercial cannabis cultivation, may also be allowed with a conditional use permit. Minimum lot size designators shall be applied to this zone based on commodity type, soil type, surrounding uses, and other appropriate factors. The designator shall represent the number of acres and shall be in the following increments: 10, 20, 40, 80, and 160.

The purpose of the AL General Plan land use designation is to identify lands described in Policy 8.1.1.8. and below:

Lands of sufficient size to sustain agricultural use, should sustain possess one or more of the following characteristics:

- A. Are currently under a Williamson Act or Farmland Security Zone Contract;
- B. Contain the characteristics of choice agricultural land (i.e., contain choice agricultural soils and/or contain Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Locally Important Farmland); or
- C. Are under cultivation for commercial crop production or are identified as grazing land;

And one of the following:

- 1. Are located in the county's rural region; or
- 2. The County Department of Agriculture has determined that the land is well suited for agricultural production.

A maximum of two residential dwellings used to support the agricultural use are allowed. The AL designation may be applied in Rural Regions only.

Regulatory Setting:

California State law requires that each city and county adopt a general plan "for the physical development of the city and any land outside its boundaries which bears relation to its planning." Typically, a general plan is designed to address the issues facing the city or county for the next 15-20 years. The general plan expresses the community's development goals and incorporates public policies relative to the distribution of future public and private land uses.

The El Dorado County General Plan was adopted in 2004. The County's 2013-2021 Housing Element was adopted in 2013.

Impact Analysis:

- a. **Divide Established Community:** The proposed project would involve the development of a cannabis cultivation facility located on a privately-owned property within a rural area in south-central El Dorado County. The project property is not within or in the vicinity of an established community. Further, the proposed project would not develop any new roadways or involve any development that could divide an established community. Therefore, the project would have **no impact**.
- b. **Land Use Consistency:** The proposed project would conform to both the PA-20 zoning and AL land use designation. Additionally, Commercial Cannabis businesses in unincorporated El Dorado County are required to apply for and obtain a Commercial Cannabis Use Permit (CCUP). The commercial cannabis is not setback a minimum of 800 ft from the property lines as required by the El Dorado County Cannabis Ordinance, Section 130.41.200. The applicant is seeking a waiver from the County to allow for a reduction in the setback requirement. The commercial cannabis premises is setback over 300 ft from all watercourses, as required by the El Dorado County Cannabis Ordinance, Section 130.41.200. Therefore, with County approval of the CCUP and with a setback reduction waiver, the proposed project would be in conformance with the County Code, and impacts would be **less than significant**.

FINDING: The proposed project would not divide an established community, and with County approval of a CCUP, would be in conformance with the County Code. Therefore, less than significant or no impact to land use and planning goals would occur.

XII. MINERAL RESOURCES

<i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	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

Environmental Setting:

El Dorado County contains a wide variety of mineral resources. Both the USGS and CGS have evaluated the potential locations and production capacity of various types of extractive resources throughout the county. Metallic mineral deposits, gold in particular, are considered the most significant extractive mineral resource and the 1849 California “Gold Rush” originated from gold discovered in El Dorado County. Other metallic minerals found in the county include silver, copper, nickel, chromite, zinc, tungsten, mercury, titanium, platinum, and iron. Nonmetallic mineral resources include building stone, limestone, slate, clay, marble, soapstone, sand, and gravel. Mineral land classification reports and maps have been developed for El Dorado County, specifically the Auburn (1983), Camino and Mokelumne Hill (1987), Folsom (1984), Georgetown (1983), and Placerville (1983) 15-minute quadrangles. Those areas which are designated MRZ-2a contain discovered mineral deposits that have been measured or indicate reserves calculated. Land in this category is considered to contain mineral resources of known economic importance to the County and/or State. Review of the mapped areas of the County indicates that project site does not contain any mineral resources of known local or statewide economic value.

Regulatory Setting:

Federal Laws, Regulations, and Policies

No federal laws, regulations, or policies apply to mineral resources and the proposed project.

State Laws, Regulations, and Policies

Surface Mining and Reclamation Act

The Surface Mining and Reclamation Act of 1975 (SMARA) requires that the State Mining and Geology Board identify, map, and classify aggregate resources throughout California that contain regionally significant mineral resources. Designations of land areas are assigned by California Department of Conservation (CDC) and California Geological Survey following analysis of geologic reports and maps, field investigations, and using information about the locations of active sand and gravel mining operations. Local jurisdictions are required to enact planning procedures to guide mineral conservation and extraction at particular sites and to incorporate mineral resource management policies into their general plans.

The California Mineral Land Classification System represents the relationship between knowledge of mineral deposits and their economic characteristics (grade and size). The nomenclature used with the California Mineral Land Classification System is important in communicating mineral potential information in activities such as mineral land classification, and usage of these terms are incorporated into the criteria developed for assigning mineral resource

zones. Lands classified Mineral Resource Zone (MRZ)-2 are areas that contain identified mineral resources. Areas classified as MRZ-2a or MRZ-2b (referred to hereafter as MRZ-2) are considered important mineral resource areas.

Local Laws, Regulations, and Policies

El Dorado County in general is considered a mining region capable of producing a wide variety of mineral resources. Metallic mineral deposits, including gold, are considered the most significant extractive mineral resources. Exhibit 5.9-6 of the General Plan shows the MRZ-2 areas within the County based on designated Mineral Resource (-MR) overlay areas. The -MR overlay areas are based on mineral resource mapping published in the mineral land classification reports referenced above. The majority of the County's important mineral resource deposits are concentrated in the western third of the County. The proposed project site is not located within this region, and is located within an MRZ-3 zone.

According to General Plan Policy 2.2.2.7, before authorizing any land uses within the -MR overlay zone that would threaten the potential to extract minerals in the affected area, the County shall prepare a statement specifying its reasons for considering approval of the proposed land use and shall provide for public and agency notice of such a statement consistent with the requirements of Public Resources Code section 2762. Furthermore, before finally approving any such proposed land use, the County shall balance the mineral values of the threatened mineral resource area against the economic, social, or other values associated with the proposed alternative land uses. Where the affected minerals are of regional significance, the County shall consider the importance of these minerals to their market region as a whole and not just their importance to the County.

Where the affected minerals are of Statewide significance, the County shall consider the importance of these minerals to the State and nation as a whole. The County may approve the alternative land use if it determines that the benefits of such uses outweigh the potential or certain loss of the affected mineral resources in the affected regional, Statewide, or national market.

Impact Analysis:

a, b. Mineral Resources. The project site is not mapped as being within an MRZ-2 zone by the CDC or in the County General Plan (CDC 2001). **No impact** would occur for questions a) and b).

FINDING: No impacts to mineral resources are expected either directly or indirectly from implementation of the proposed project.

XIII. NOISE

<i>Would the project result in:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b. Generation of excessive groundborne vibration or groundborne noise levels?			X	
c. For a project within the vicinity of a private airstrip or 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

Existing Noise Setting:

The project property is located in a rural area approximately 10.3 miles directly south of US Route 50 and 4.3 miles southeast of the community of Somerset. The ambient noise environment in the immediate project vicinity is defined primarily by sparse traffic on the local roadway network.

Background:

Noise Terminology and Metrics

All noise level or sound level values presented herein are expressed in terms of decibels (dB), with A weighting (dBA) to approximate the hearing sensitivity of humans. Time-averaged noise levels are expressed by the symbol LEQ, with a specified duration.

The amplitude of pressure waves generated by a sound source determines the loudness of that source. Sound pressure amplitude is measured in micro-Pascals (mPa). One mPa is approximately one hundred billionth (0.0000000001) of normal atmospheric pressure. Sound pressure amplitudes for different kinds of noise environments can range from less than 100 to 100,000,000 mPa. Because of this wide range of values, sound is rarely expressed in terms of mPa. Instead, a logarithmic scale is used to describe sound pressure level (SPL) in terms of dBA. The threshold of hearing for the human ear is about 0 dBA, which corresponds to 20 mPa.

Because decibels are logarithmic units, SPL cannot be added or subtracted through standard arithmetic. Under the decibel scale, a doubling of sound energy corresponds to a 3 dBA increase. In other words, when two identical sources are each producing sound of the same loudness, the resulting sound level at a given distance would be 3 dBA higher than from one source under the same conditions. For example, if one automobile produces an SPL of 70 dB when it passes an observer, two cars passing simultaneously would not produce 140 dBA—rather, they would combine to produce 73 dBA. Under the decibel scale, three sources of equal loudness together produce a sound level 5 dBA louder than one source.

Under controlled conditions in an acoustical laboratory, the trained, healthy human ear is able to discern 1 dBA changes in sound levels, when exposed to steady, single-frequency (“pure-tone”) signals in the mid-frequency

(1,000 Hz–8,000 Hz) range. In typical noisy environments, changes in noise of 1 to 2 dBA are generally not perceptible. It is widely accepted, however, that people begin to detect sound level increases of 3 dB in typical noisy environments. Further, a 5 dBA increase is generally perceived as a distinctly noticeable increase, and a 10 dBA increase is generally perceived as a doubling of loudness.

Groundborne Vibration Terminology and Metrics

Groundborne vibration consists of rapidly fluctuating motions or waves transmitted through the ground with an average motion of zero. Sources of groundborne vibrations include natural phenomena and anthropogenic causes (e.g., explosions, machinery, traffic, trains, construction equipment). Vibration sources may be continuous (e.g., factory machinery) or transient (e.g., explosions). Several different methods are typically used to quantify vibration amplitude. One is the peak particle velocity (PPV); another is the root mean square (RMS) velocity. The PPV is defined as the maximum instantaneous positive or negative peak of the vibration wave. For the purposes of this analysis, a PPV descriptor with units of inches per second (in/sec) is used to evaluate construction-generated vibration for building damage and human complaints. Generally, a PPV of less than 0.08 in/sec does not produce perceptible vibration. At 0.10 PPV in/sec, continuous vibrations may begin to annoy people, and it is the level at which there is a risk of architectural damage (e.g., cracking of plaster) to historical buildings and other vibration-sensitive structures. A level of 0.30 PPV in/sec is commonly used as a threshold for risk of architectural damage to standard dwellings (Caltrans 2013).

Regulatory Setting:

El Dorado County General Plan

The El Dorado County General Plan Public Health, Safety, and Noise Element contains Goal 6.5: “Ensure that County residents are not subjected to noise beyond acceptable levels.” The following objective and policies from the General Plan would be applicable to the project (El Dorado County 2004):

- Objective 6.5.1: Protection of Noise-Sensitive Development. Protect existing noise-sensitive developments (e.g., hospitals, schools, churches and residential) from new uses that would generate noise levels incompatible with those uses and, conversely, discourage noise-sensitive uses from locating near sources of high noise levels.
- Policy 6.5.1.2 Where proposed non-residential land uses are likely to produce noise levels exceeding the performance standards of Table 6-2 at existing or planned noise sensitive uses, an acoustical analysis shall be required as part of the environmental review process so that noise mitigation may be included in the project design.
- Policy 6.5.1.7 Noise created by new proposed non-transportation noise sources shall be mitigated so as not to exceed the noise level standards of Table 6-2 for noise sensitive uses.
- Policy 6.5.1.11 The standards outlined in Tables 6-3, 6-4, and 6-5 shall not apply to those activities associated with actual construction of a project as long as such construction occurs between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday, and 8:00 a.m. and 5:00 p.m. on weekends, and on federally recognized holidays. Further, the standards outlined in Tables 6-3, 6-4, and 6-5 shall not apply to public projects to alleviate traffic congestion and safety hazards.

Table 6-2, Noise Level Performance Protection Standards for Noise Sensitive Land Uses Affected by Non- Transportation Sources, of the General Plan establishes noise level standards for sensitive land uses. For rural areas, the noise standard limits are: 50 dBA L_{EQ} and an L_{MAX} of 60 dBA from 7:00 a.m. to 7:00 p.m.; 45 dBA L_{EQ} and an L_{MAX} of 55 dBA from 7:00 p.m. to 10:00 p.m.; and 40 dBA L_{EQ} and an L_{MAX} of 50 dBA from 7:00 a.m. to 7:00 p.m.

Table 6-4, Maximum Allowable Noise Exposure for Non-Transportation Noise Sources in Rural Centers – Construction Noise, of the General Plan establishes construction noise level standards (that occurs outside the hours

specified in Policy 6.5.1.11) of: 55 dBA L_{EQ} and an L_{MAX} of 75 dBA from 7:00 a.m. to 7:00 p.m.; 50 dBA L_{EQ} and an L_{MAX} of 65 dBA from 7:00 p.m. to 10:00 p.m.; and 45 dBA L_{EQ} and an L_{MAX} of 60 dBA from 7:00 a.m. to 7:00 p.m.

Each of the noise levels specified above shall be lowered by five dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises. These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g., caretaker dwellings).

The County can impose noise level standards which are up to 5 dB less than those specified above based upon determination of existing low ambient noise levels in the vicinity of the project site.

In Community areas the exterior noise level standard shall be applied to the property line of the receiving property. In Rural Areas the exterior noise level standard shall be applied at a point 100 ft away from the residence. The above standards shall be measured only on property containing a noise sensitive land use as defined in Objective 6.5.1. This measurement standard may be amended to provide for measurement at the boundary of a recorded noise easement between all affected property owners and approved by the County.

For the purposes of the Noise Element, transportation noise sources are defined as traffic on public roadways, railroad line operations and aircraft in flight. Control of noise from these sources is preempted by Federal and State regulations. Control of noise from regulated public facilities is preempted by California Public Utilities Commission (CPUC) regulations. All other noise sources are subject to local regulations. Non-transportation noise sources may include industrial operations, outdoor recreation facilities, HVAC units, schools, hospitals, commercial land uses, other outdoor land use, etc.

El Dorado County Municipal Code

The El Dorado County Municipal Code, Chapter 9.16, Noise, defines and prohibits loud or raucous noise:

Section 9.16.040 – Loud and raucous noises—Definitions.

Loud and raucous noise means:

1. Any noise made by the motor of any automobile, truck, tractor, motorcycle, or aircraft of any kind not reasonably required in the operation thereof under the circumstances and shall include, but not be limited to, backfiring, motor racing, and the buzzing by airplanes;
2. The sound of the discharge of any explosive except by or with the permission of any appropriate State or local licensing agency;
3. The human voice or any record or recording thereof when amplified by any device whether electrical or mechanical or otherwise to such an extent as to cause it to unreasonably carry on to public or private property or to be heard by others using the public highways, public thoroughfares, or public buildings;
4. Any sound not included in the foregoing, which is of such volume, intensity, or carrying power as to interfere with the peace and quiet of persons upon public or private property or other users of the public highways, thoroughfares, and buildings.

Section 9.16.040 – Loud and raucous noises—Prohibited.

Except as otherwise provided in this chapter, it is unlawful for any person to willfully make, emit, or transmit or cause to be made, emitted, or transmitted any loud and raucous noise upon or from any public highway or public thoroughfare or from any aircraft of any kind whatsoever, or from any public or private property to such an extent that it unreasonably interferes with the peace and quiet of another's private property.

The El Dorado County Municipal Code, Chapter 130, Zoning, is the El Dorado County Zoning Ordinance and establishes the following regarding noise:

Chapter 130.37 of the County Zoning Ordinance complies with General Plan Goal 6.5 (Acceptable Noise Levels), and supplements County Code Chapter 9.16 (Noise) by establishing standards concerning acceptable noise levels for both noise-sensitive land uses and for noise-generating land uses. Per Chapter 130.37, “The following noise sources shall be exempt from the standards of this Chapter: I. Construction (e.g., construction, alteration or repair activities) during daylight hours provided that all construction equipment shall be fitted with factory installed muffling devices and maintained in good working order.” Table 130.37.060.1 contains noise standards for projects which require an acoustic analysis.

Impact Analysis:

a. Generation of Noise:

Construction

Construction of the project would generate noise from the use of heavy equipment during construction. Construction would happen in two phases, the first would construct six 3,136-sf hoop houses immediately southeast of the proposed outdoor cultivation area in the north for 9,990 sf of flowering mixed-light canopy and two 2,880-sf greenhouses for 4,200 sf of immature mixed-light canopy. As part of the second phase, the applicant would construct an additional four 2,880-sf greenhouses for 8,400 sf of flowering mixed-light canopy. Each phase of construction is expected to have a maximum duration of three months. The closest sensitive receptor is a single-family rural residence located approximately 380 feet northwest from the north cannabis cultivation area. Chapter 130.37 of the County Zoning Ordinance complies with General Plan Goal 6.5 (Acceptable Noise Levels), and supplements County Code Chapter 9.16 (Noise) by establishing standards concerning acceptable noise levels for both noise-sensitive land uses and for noise-generating land uses. Per Chapter 130.37, “The following noise sources shall be exempt from the standards of this Chapter: I. Construction (e.g., construction, alteration or repair activities) during daylight hours provided that all construction equipment shall be fitted with factory installed muffling devices and maintained in good working order.” (El Dorado County 2018). A County Condition of Approval would restrict construction activities to the daylight hours specified in the zoning ordinance. The applicant would maintain compliance with the relevant requirements of Chapter 130.37, and construction of the project would not result in the generation of a substantial temporary increase in ambient noise levels in excess of the standards established in the General Plan Noise Element.

Operation

Sources of noise resulting from long-term operation of the project would include worker commute vehicles traveling to and from the project site, vans used for occasional supply deliveries or product shipments, chainsaws and mowers for cultivation upkeep, a tractor with box scraper to maintain areas where vehicles drive and park, and occasional noise from testing/maintaining backup generators. During Phase II of the project, four greenhouses would be installed. The operating hours of the project would be from 8:00 a.m. to 5:00 p.m. Monday through Friday.

In typical outdoor environments, Changes in noise levels of less than 3 dBA are generally considered imperceptible or barely perceptible to most listeners, while a 3-dBA increase is considered barely perceptible and a 5-dBA increase is readily perceptible (Federal Highway Administration 2017). Due to the logarithmic nature of the decibel scale, a doubling of sound levels is an increase in 3 dBA. Therefore, in order for traffic noise to increase by 3 dBA (a barely perceptible increase), the traffic volume would have to double. The project is expected to generate a total of up to 30 commuter trips per day. Vehicles accessing the site from the south would approach from Omo Ranch Road to Fairplay Road. The relatively small number of vehicle trips generated by the project would represent a minor increase in traffic volumes on Fairplay Road or Omo Ranch Road and would not result in a doubling of existing traffic volumes. Thus, project-generated traffic would not be expected to increase ambient roadway noise levels by a perceptible amount. Additionally, the occasional vehicle pass-by events for employee travel and deliveries would be intermittent and temporary in duration and would not substantially increase long-term ambient noise levels in the vicinity of the roadway. Therefore, operation of the project would not result in a substantial permanent increase in ambient noise levels associated with traffic and would have a less-than-significant impact.

Impact Summary

With adherence to the County Condition of Approval to restrict the hours of construction, the project would not result in a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, and the impact would be **less than significant**.

- b. **Excessive Groundborne Vibration and Noise Levels:** Construction activities known to generate excessive ground-borne vibration, such as pile driving, would not be conducted to implement the proposed project. The activities that would cause noise would be made from a chain saw, mower, tractor with box scraper, and truck. Therefore, the project would not result in generation of excessive ground borne vibration levels, and the impact would be **less than significant**.
- c. **Aircraft Noise:** The project is not located within an airport land use plan or in the immediate vicinity of a private airstrip. The closest airstrip to the project site is the public Placerville Airport, located approximately 10.7 miles due northwest of the project site. Therefore, the project would not expose people residing or working in the project area to excessive noise levels from airports, and there would be **no impact**.

FINDING: With adherence to the County Condition of Approval to restrict construction hours, the project would not result in a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards. The project would not result in generation of excessive groundborne vibrations levels. The project would not expose people residing or working in the project area to excessive noise levels from airports.

XIV. POPULATION AND HOUSING

<i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Induce substantial unplanned population growth in an area, either directly (i.e., by proposing new homes and businesses) or indirectly (i.e., through extension of roads or other infrastructure)?			X	
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

Regulatory Setting:

No federal or State laws, regulations, or policies apply to population and housing for the proposed project.

Local Laws, Regulations, and Policies

The El Dorado County General Plan (adopted 2004) limits residential density on lands designated for AL. Up to one single family dwelling unit per 10 to 160 acres is allowed on AL lands. In June of 2021, the El Dorado County Board of Supervisors adopted the 2021-2029 Housing Element to the Adopted General Plan,

Impact Analysis:

- a. **Population Growth:** The proposed project does not include the construction of any new homes; however, it does include the construction of a cannabis cultivation facility that could create a limited number of new jobs in the region. The proposed project would involve operation of a cannabis cultivation facility that would employ four full-time employees and six seasonal employees, as needed under typical operating conditions. No more than 10 employees would be on-site at any given time. The limited number of employees associated with the proposed project would not be expected to generate substantial population growth or increase demand for housing within the area. While the addition of new employment opportunities could increase the County's population, it is anticipated that the new employees would likely be existing residents of the County or surrounding area that would commute to the project site. As such, the proposed project would not induce substantial population growth or result in a demand for new housing. The impact is **less than significant**.
- b. **People or Housing Displacement:** There is currently a residence located on the project property, however it would not be included as part of the cannabis cultivation project. Therefore, no existing housing or residents would be displaced by the proposed project. **No impact** would occur.

FINDING: The proposed project would not induce substantial growth either directly or indirectly and would not displace housing or residents. Less than significant or no impact would occur to population and housing.

XV. PUBLIC SERVICES

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:

	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Fire protection?			X	
b. Police protection?			X	
c. Schools?			X	
d. Parks?			X	
e. Other government services?			X	

Regulatory Setting:

No relevant federal laws, regulations, or policies are applicable to this section.

State Laws, Regulations, and Policies

California Fire Code

The California Fire Code (Title 24 CCR, Part 9) establishes minimum requirements to safeguard public health, safety, and general welfare from the hazards of fire, explosion, or dangerous conditions in new and existing buildings. Chapter 33 of CCR contains requirements for fire safety during construction and demolition.

California Public Resources Code Division 4: Forests, Forestry and Range and Forage Lands

The project is located in a High Fire Hazard Severity Zone of a State Responsibility Area (CAL FIRE 2023; SRA). SRAs are defined by California PRC Section 4102 as areas of the State in which the Board of Forestry and Fire Protection has determined that the financial responsibility for preventing and suppressing fires lies with the State of California. SRAs are lands in California where CAL FIRE has legal and financial responsibility for wildfire protection. SRA lands typically are unincorporated areas of a county, are not federally owned, have wildland vegetation cover, have housing densities lower than three units per acre, and have watershed or range/forage value.

California PRC Sections 4291 *et seq.* requires that brush, flammable vegetation, or combustible growth within 100 ft of buildings be removed. Vegetation that is more than 30 ft from the building, less than 18 inches high, and important for soil stability, may be maintained as may single specimens of trees or other vegetation that is maintained so as to manage fuels and not form a means of rapid transmission of fire from nearby vegetation to a structure. Requirements regarding hazardous vegetation and fuel management are also contained in Sections 4906 and 4907 of the CFC.

California PRC Section 4290 requires CAL FIRE to adopt regulations implementing minimum fire safety standards for defensible space that would be applicable to lands within the SRA and lands within high FHSZs of Local Responsibility Areas (LRA). Additional regulations regarding defensible space can be found in Title 14, Sections 1270.00 *et seq.* of the California Code of Regulations.

Impact Analysis:

- a. **Fire Protection:** The proposed project is located within a High Fire Hazard Severity Zone of an SRA (CAL FIRE 2023). The Pioneer Fire Protection District is primarily responsible for structural fire protection services to the project site, and CAL FIRE is primarily responsible for wildland fire suppression. CAL FIRE's nearest station is the CAL FIRE Mt. Danaher Fire Station 20 located approximately 10.8 miles northwest of the project site at 4250 Barbaras Court, Camino, CA. The Pioneer Fire Protection District also provides all risk, partly staffed/partly volunteer emergency services to the project area, and their nearest station is Station 38, located approximately 3.3 miles northwest of the site at 7061 Mt Aukum Road, Somerset, CA 95684. The project would be subject to review by the Pioneer Fire Protection District to ensure all required fire protection measures are incorporated into the building plans. The project would construct five 5,000-gallon water storage tanks on-site, and emergency water for fire suppression would be sourced from the existing on-site pond. A Fire Plan was prepared for this project by Live Oak Solutions and is included as Appendix E. While a new cannabis cultivation facility project could potentially require fire services, it would not result in the need for new fire personnel or facilities, as existing levels of fire service can be provided adequately with existing personnel out of existing facilities. Additionally, Fire Department fees would be collected as part of the building permit process. Therefore, the impact would be **less than significant**.
- b. **Police Protection:** Law enforcement services for the project area are provided by the El Dorado County Sheriff's Office. Their nearest facility is a station located 12 miles northwest of the site at 200 Industrial Drive, Diamond Springs, CA. Development of the project site could potentially result in a need for police protection services to respond to any potential incidents that may occur at the site. With the current law enforcement services in the area and the implementation of site security measures, including security fencing, onsite presence, motion sensor lights, and camera surveillance, the proposed project would not result in a substantial impact to police protection in the area and the impact would be **less than significant**.
- c-e. **Schools, Parks, and Government Services:** Operation of the proposed project would not induce population growth that would substantially contribute to increased demand on schools, parks, or other governmental services that could, in turn, result in the need for new or expanded facilities. Therefore, the project's impact to these services would be **less than significant** for questions c), d), and e).

FINDING: The project would not result in a significant increase of public services to the project. Any increased demand to services would be addressed through the payment of established impact fees and impacts to public services would be less than significant.

XVI. RECREATION

	Potentially Significant Impact	Less than Significant with Mitigation	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	

Regulatory Setting:

Federal Laws, Regulations, and Policies

National Trails System

The National Trails System Act of 1968 authorized The National Trails System (NTS) in order to provide additional outdoor recreation opportunities and to promote the preservation of access to the outdoor areas and historic resources of the nation. The Appalachian and Pacific Crest National Scenic Trails were the first two components, and the System has grown to include 20 national trails.

The National Trails System includes four classes of trails:

1. National Scenic Trails (NST) provide outdoor recreation and the conservation and enjoyment of significant scenic, historic, natural, or cultural qualities. The Pacific Crest Trail falls under this category. The Pacific Crest Trail passes through the Desolation Wilderness area in eastern El Dorado County.
2. National Historic Trails (NHT) follow travel routes of national historic significance. The National Park Service has designated two National Historic Trail (NHT) alignments that pass through El Dorado County, the California National Historic Trail, and the Pony Express National Historic Trail. The California Historic Trail is a route of approximately 5,700 miles including multiple routes and cutoffs, extending from Independence and Saint Joseph, Missouri, and Council Bluffs, Iowa, to various points in California and Oregon. The Pony Express NHT commemorates the route used to relay mail via horseback from Missouri to California before the advent of the telegraph.
3. National Recreation Trails (NRT) are in, or reasonably accessible to, urban areas on federal, State, or private lands. In El Dorado County, there are 5 NRTs.
4. Connecting or side trails, which provide additional points of public access to national recreation, national scenic or national historic trails or which provide connections between such trails.

State Laws, Regulations, and Policies

California Parklands Act

The California Parklands Act of 1980 (Public Resources Code Section 5096.141-5096.143) recognizes the public interest for the state to acquire, develop, and restore areas for recreation and to aid local governments to do the same. The California Parklands Act also identifies the necessity of local agencies to exercise vigilance to see that the parks,

recreation areas, and recreational facilities they now have are not lost to other uses.

California Recreational Trail Act

The California state legislature approved the California Recreational Trail Act of 1974 (Public Resources Code Section 2070-5077.8) requiring that the Department of Parks and Recreation prepare a comprehensive plan for California trails. The California Recreational Trails Plan is produced for all California agencies and recreation providers that manage trails. The Plan includes information on the benefits of trails, how to acquire funding, effective stewardship, and how to encourage cooperation among different trail users.

Quimby Act

The 1975 Quimby Act (California Government Code Section 66477) requires residential subdivision developers to help mitigate the impacts of property improvements by requiring them to set aside land, donate conservation easements, or pay fees for park improvements. The Quimby Act gave authority for passage of land dedication ordinances to cities and counties for parkland dedication or in-lieu fees paid to the local jurisdiction. Quimby exactions must be roughly proportional and closely tied (nexus) to a project's impacts as identified through traffic studies required by CEQA. The exactions only apply to the acquisition of new parkland; they do not apply to the physical development of new park facilities or associated operations and maintenance costs.

The County implements the Quimby Act through Section 16.12.090 of the County Code. The County Code sets standards for the acquisition of land for parks and recreational purposes, or payments of fees in lieu thereof, on any land subdivision. Other projects, such as ministerial residential or commercial development, could contribute to the demand for park and recreation facilities without providing land or funding for such facilities.

Local Laws, Regulations, and Policies

The 2004 El Dorado County General Plan Parks and Recreation Element establishes goals and policies that address needs for the provision and maintenance of parks and recreation facilities in the county, with a focus on providing recreational opportunities and facilities on a regional scale, securing adequate funding sources, and increasing tourism and recreation-based businesses. The Recreation Element describes the need for 1.5 acres of regional parkland, 1.5 acres of community parkland, and 2 acres of neighborhood parkland per 1,000 residents.

Impact Analysis:

- a, b. Parks and Recreational Services:** The proposed project would employ four full-time workers responsible for the cultivation and distribution aspects of the proposed project, and six additional part-time, seasonal employees to be present during harvest. The proposed project would not construct housing or induce a significant increase in permanent population that would contribute to increased demand for recreation facilities or contribute to increased use of existing facilities such that physical deterioration of the facility would occur. The proposed project would be located in rural, south-central El Dorado County, and the closest park or recreational facility is Pioneer Park, located approximately 3.9 miles' drive northwest of the site at 6740 Fairplay Road, Somerset CA. The proposed project would have no impact on this facility or others in the vicinity of the site. Impacts to recreation would be **less than significant**.

FINDING: No significant impacts to park or recreational facilities would result from implementation of the proposed project.

XVII. TRANSPORTATION

<i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			X	
b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			X	
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d. Result in inadequate emergency access?			X	

Environmental Setting:

The site can be accessed from the east via an existing gravel driveway that leads east from Fairplay Road. The project site is located in a rural area that receives low vehicular traffic. The project site is located approximately 15 minutes' drive (approximately 6.2 miles) southeast of Somerset and approximately 31 minutes' drive (approximately 17.7 miles) southeast of Placerville. A VMT Memorandum was prepared for the proposed project and is included as Appendix F (Prism Engineering 2021).

Impact Analysis:

- a. **Conflict with Transportation Plan:** The applicant would reside close by and manage day-to-day operations. The project is conservatively expected to generate up to 30 daily round trips under busiest assumptions but would generate far fewer trips on most days. Vehicles accessing the site would approach from Fairplay Road; those commuting from outside the local community may reach Fairplay Road via Omo Ranch Road. On Fairplay Road, a sufficient level of sight distance exists on both directions of the driveway to facilitate safe turns to and from the site (Prism Engineering 2021). Given the already low traffic volume in the area, the small number of increased trips resulting from the project would not result in a significant impact.

Given the rural nature of the site, the low population density of the area, the low traffic volumes existing, and the low increases anticipated, bicycle or pedestrian use of public roadways would not be impeded. Therefore, the proposed project would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities, and impacts would be **less than significant**.

- b. **Vehicle Miles Travelled (VMT):** Consistent with the Governor's Office of Land Use and Climate Innovation (LCI, previously the Office of Planning and Research [OPR]) Technical Advisory on Evaluating Transportation Impacts in CEQA, projects generating fewer than 110 vehicle trips per day generally may be presumed to cause a less-than-significant transportation impact because such projects are unlikely to result in a measurable increase in VMT (LCI 2018). The project is expected to generate a total of up to 30 commuter round trips per day under peak conditions but would generate far fewer trips on most days (Prism Engineering 2021). Since the conservative estimate of 30 daily round trips per day is less than 110 vehicle trips per day, the project's impact would be **less than significant**.

- c. **Design Hazards:** No design features associated with the proposed project would increase hazards. No changes would be made to existing public roads, and sufficient line of sight and low traffic volumes exist in the area to safely accommodate vehicles travelling to and from the project site. Both cultivation sites can be accessed from the east via a private road that leads east from Fairplay Road and leads to both the northern and southern cultivation areas. The project applicant would improve the private road leading to the premises by widening it to a width of 20 feet and laying down gravel. There is an existing turn-around area northeast of the on-site residence that would facilitate turnarounds as needed, including for emergency vehicles. Grading would be minimal to level the area proposed for cannabis cultivation and would be balanced on-site. Further, although the project is a farming operation, no farm vehicles or equipment (e.g., tractors) would be transported on public roads, as the site would be a small, self-contained operation. Therefore, impacts would be **less than significant**.
- d. **Emergency Access:** The proposed project site would have adequate access for emergency vehicles. A gravel, cul-de-sac turnaround is located northwest of the on-site structure and would facilitate turnarounds for emergency vehicles. Additionally, the on-site access road leading off of Fairplay Road would be widened to a width of 20 feet and would be improved with gravel. Therefore, impacts would be **less than significant**.

FINDING: The proposed project would not exceed traffic or VMT thresholds, introduce hazardous transportation design features, or obstruct emergency vehicle access, and impacts to transportation would result in less than significant or no impacts.

XVIII. TRIBAL CULTURAL RESOURCES

<i>Would the project:</i>				
a) 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:	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
i. 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	
ii. 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, the lead agency shall consider the significance of the resource to a California Native American tribe.			X	

Environmental Setting:

Formal invitations to participate in AB 52 consultation on the proposed project were sent by the County to seven tribal representatives on March 11, 2022. The representatives included:

- Pamela Cubbler, Treasurer, Colfax-Todds Valley Consolidated Tribe;
- Sara D. Setshwaelo, Chairperson, Ione Band of Miwok Indians;
- Cosme Valdez, Chairperson, Nashville-Enterprise Miwok-Maidu-Nishinam Tribe ;
- Regina Cuellar, Chairperson, Shingle Springs Band of Miwok Indians;
- Don Ryberg, Chairperson, Tsi Akim Maidu;
- Gene Whitehouse, Chairperson, United Auburn Indian Community of the Auburn Rancheria (UAIC);
- Darrel Cruz, Cultural Resources Department, Washoe Tribe of Nevada and California

On April 12, 2022, Anna Starkey, Cultural Regulatory Specialist for the UAIC, electronically replied requesting that an unanticipated discovery mitigation measure be incorporated into the CEQA document. The UAIC also included a list of recommendations for including text in the project IS/MND's Tribal Cultural Resources chapter. The UAIC declined further consultation. No other responses have been received to date.

The United Auburn Indian Community (UAIC) is a federally recognized Tribe comprised of both Miwok and Maidu (Nisenan) Tribal members who are traditionally and culturally affiliated with the project area. The Tribe has a deep spiritual, cultural, and physical ties to their ancestral land and are contemporary stewards of their culture and landscapes. The Tribal community represents a continuity and endurance of their ancestors by maintaining their connection to their history and culture. It is the Tribe's goal to ensure the preservation and continuance of their cultural heritage for current and future generations.

UAIC conducted a records search for the identification of Tribal Cultural Resources for this project which included a review of pertinent literature and historic maps, and a records search using UAIC's Tribal Historic Information System (THRIS). UAIC's THRIS database is composed of UAIC's areas of oral history, ethnographic history, and places of cultural and religious significance, including UAIC Sacred Lands that are submitted to the Native American Heritage Commission (NAHC). The THRIS resources shown in this region also include previously recorded indigenous

resources identified through the California Historic Resources Information System Center (CHRIS) as well as historic resources and survey data.

Regulatory Setting:

Federal Laws, Regulations, and Policies

No federal laws, regulations, or policies apply to TCRs and the proposed project.

State Laws, Regulations, and Policies

Assembly Bill (AB) 52

AB 52, which was approved in September 2014 and effective on July 1, 2015, requires that CEQA lead agencies consult with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of a proposed project, if so requested by the tribe. The bill, chaptered in CEQA Section 21084.2, also specifies that a project with an effect that may cause a substantial adverse change in the significance of a TCR is a project that may have a significant effect on the environment.

Defined in Section 21074(a) of the Public Resources Code, TCRs are:

1. Sites, features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe that are either of the following:
 - a. Included or determined to be eligible for inclusion in the California Register of Historical Resources; or
 - b. Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
2. 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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

TCRs are further defined under Section 21074 as follows:

- A cultural landscape that meets the criteria of subdivision (a) is a TCR to the extent that the landscape is geographically defined in terms of the size and scope of the landscape; and
- A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “nonunique archaeological resource” as defined in subdivision (h) of Section 21083.2 may also be a TCR if it conforms with the criteria of subdivision (a).

Mitigation measures for TCRs must be developed in consultation with the affected California Native American tribe pursuant to newly chaptered Section 21080.3.2, or according to Section 21084.3. Section 21084.3 identifies mitigation measures that include avoidance and preservation of TCRs and treating TCRs with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource.

Impact Analysis:

a.i),ii) Tribal Cultural Resources. As noted above, formal invitations to participate in AB 52 consultation on the proposed project were sent by the County to seven tribal representatives on March 11, 2022. On April 12, 2022, Anna Starkey, Cultural Regulatory Specialist for the UAIC, electronically replied requesting that an unanticipated discovery mitigation measure be incorporated into the CEQA document. Ms. Starkey also included a list of recommendations for the project IS/MND’s Tribal Cultural Resources chapter. The Tribe reviewed the cultural and biological reports, as well as the project location in their THRIS database, and did not see anything of concern. The Tribe declined further

consultation. No further correspondence was received from the UAIC or from the Wilton Rancheria. With implementation of the Condition of Approval added and referenced in 7.V. Cultural Resources, the potential impact from inadvertent discovery of TCRs would be **less than significant**.

FINDING: With adherence to the Condition of Approval included in 7.V. Cultural Resources, the potential impact from inadvertent discovery of TCRs would be less than significant.

XIX. UTILITIES AND SERVICE SYSTEMS

<i>Would the project:</i>				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunication facilities, the construction or relation of which could cause significant environmental effects?			X	
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry or multiple dry years?			X	
c. Result in the 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 providers existing commitments?			X	
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e. Comply with federal, state and local management and reduction statutes and regulations related to solid waste?			X	

Regulatory Setting:

Federal Laws, Regulations, and Policies

Energy Policy Act of 2005

The Energy Policy Act of 2005, intended to reduce reliance on fossil fuels, provides loan guarantees or tax credits for entities that develop or use fuel-efficient and/or energy efficient technologies (USEPA 2025). The act also increases the amount of biofuel that must be mixed with gasoline sold in the United States (USEPA 2025).

State Laws, Regulations, and Policies

California Integrated Waste Management Act of 1989

The California Integrated Waste Management Act of 1989 (Public Resources Code, Division 30) required all California cities and counties to implement programs to reduce, recycle, and compost wastes by at least 50 percent by 2000 (Public Resources Code Section 41780). The state, acting through the California Integrated Waste Management Board (CIWMB), determines compliance with this mandate. Per-capita disposal rates are used to determine whether a jurisdiction's efforts are meeting the intent of the act.

California Solid Waste Reuse and Recycling Access Act of 1991

The California Solid Waste Reuse and Recycling Access Act of 1991 (Public Resources Code Sections 42900-42911) requires that all development projects applying for building permits include adequate, accessible areas for collecting and loading recyclable materials.

California Integrated Energy Policy

Senate Bill 1389, passed in 2002, requires the CEC to prepare an Integrated Energy Policy Report for the governor and legislature every 2 years, and to provide an update in the year between reports. The report analyzes data and provides policy recommendations on trends and issues concerning electricity and natural gas, transportation, energy efficiency, renewable energy, and public interest energy research. The 2025 Integrated Energy Policy Report covers a broad range of topics, including decarbonizing buildings, integrating renewables, energy efficiency, energy equity, integrating renewable energy, updates on Southern California electricity reliability, climate adaptation activities for the energy sector, natural gas assessment, transportation energy demand forecast, and the California Energy Demand Forecast.

Title 24–Building Energy Efficiency Standards

The California Green Building Standards Code (CALGreen) (CCR Title 24, Part 11) is a code with mandatory requirements for new residential and nonresidential buildings (including industrial buildings) throughout California. The code is Part 11 of the California Building Standards Code in Title 24 of the CCR (CBSC 2022). The current 2022 Standards for new construction of, and additions and alterations to, residential and nonresidential buildings went into effect on January 1, 2023.

CALGreen contains requirements for storm water control during construction; construction waste reduction; indoor water use reduction; material selection; natural resource conservation; site irrigation conservation; and more. The code provides for design options allowing the designer to determine how best to achieve compliance for a given site or building condition. The code also requires building commissioning, which is a process for the verification that all building systems, like heating and cooling equipment and lighting systems, are functioning at their maximum efficiency.

Urban Water Management Planning Act

California Water Code Sections 10610 *et seq.* require that all public water systems providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-ft per year (AFY), prepare an urban water management plan (UWMP).

Cannabis Cultivation Program

California Code of Regulations Title 3 Section 8102(s) states:

[Each application for a cultivation license shall include the following, if applicable:] For indoor and mixed-light license types, identification of all power sources for cultivation activities, including but not limited to, illumination, heating, cooling, and ventilation

Section 8108 includes options for acceptable management of cannabis waste, including onsite composting, collection by a local or contracted waste agency, or self-hauling to certain approved destinations.

Section 8308 includes additional requirements for cannabis waste management, including reporting requirements.

Impact Analysis:

- a. **Construction of New/Expansion of Existing Utilities:** An existing on-site well would provide the main water supply for the proposed cultivation operation and miscellaneous support and sanitary needs. The

proposed project would utilize seasonal portable toilets, with eventual plans to construct a septic system on-site. Power for the project site for long-term operation would be provided by an existing connection to El Dorado County's electric grid. The project would construct an electric service transformer, a gas-powered emergency generator, and a propane supply tank to feed the emergency generator. There are two existing utility poles on the project site that would continue to be used to power the cannabis cultivation operation. Water for the proposed project would be supplied via an existing well located northwest of the structure located at 8260 Fairplay Road. The proposed project would not require relocation or expansion of existing utilities. Therefore, the proposed project would have a **less than significant impact**.

- b. **Sufficient Water Supply:** As noted above, the water supply for the proposed project would come from an existing well located east of the southern cultivation area. The proposed project is estimated to demand 648,000 gallons per year. In comparison an average single family residence uses approximately 146,000 gallons annually. The project would use the approximate water usage of four (4) residences. Per the El Dorado County Zoning Ordinance and General Plan Land Use Designation, the project parcel could potentially be subdivided supporting a minimum of four residences. The well would provide the main water supply for the proposed cultivation operation and miscellaneous support and sanitary needs. The well is 308 ft deep and can provide an initial flow rate of 9 gallons per minute. Additionally, as described in Section 7.X, Hydrology, the proposed project site is not located above a critically overdrafted water basin (California Department of Water Resources 2024). Thus, there is adequate water supply to irrigate the proposed project, and impacts would be **less than significant**.
- c. **Wastewater Treatment:** There are no public wastewater treatment systems serving the project site. As discussed above, the project would utilize two seasonal portable toilets, with eventual plans to construct an on-site septic system to dispose of wastewater. This impact would be **less than significant**.
- d,e. **Solid Waste Disposal and Requirements:** El Dorado Disposal distributes municipal solid waste to Forward Landfill in Stockton and Kiefer Landfill in Sacramento. Pursuant to El Dorado County Environmental Management Solid Waste Division staff, both facilities have sufficient capacity to serve the County. Recyclable materials are distributed to a facility in Benicia and green wastes are sent to a processing facility in Sacramento. County Ordinance No. 4319 requires that new development provide areas for adequate, accessible, and convenient storing, collecting, and loading of solid waste and recyclables. The project applicant would hire a licensed cannabis waste company to transport and properly dispose of on-site cannabis waste. The project would not produce substantial volumes of waste, impacts would be **less significant** for questions d) and e).

FINDING: No significant utility and service system impacts would be expected with the project, either directly or indirectly, and impacts would be less than significant.

XX. WILDFIRE

<i>Would the project:</i>				
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
b. Due to slope, prevailing winds, and other factors exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities: that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X	
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	

Environmental Setting:

The project property is bordered to the north by an existing agricultural operation, to the east by Fairplay road with single-family residences and wooded land beyond, to the south by a single-family residence and wooded land, and to the west by open space and wooded land. The project would be located in a High Fire Hazard Severity Zone of an SRA (CAL FIRE 2023). The Pioneer Fire Protection District is primarily responsible for structural fire protection services to the project site, and CAL FIRE is primarily responsible for wildland fire suppression. CAL FIRE's nearest station is the CAL FIRE Mt. Danaher Fire Station 20 located approximately 10.8 miles northwest of the project site at 4250 Barbaras Court, Camino, CA. The Pioneer Fire Protection District also provides all risk, partly staffed/partly volunteer emergency services to the project area, and their nearest station is Station 38, located approximately 3.3 miles northwest of the site at 7061 Mt Aukum Road, Somerset, CA. Given that Pioneer Fire Protection District's resources are closer, they would likely provide an initial response to most types of emergencies that may occur on the project site; CAL FIRE resources may also respond, especially in the case of larger or more complex incidents. The existing on-site pond would be used for emergency fire protection. A Fire Plan was prepared for the proposed project and is included as Appendix E to this IS/MND (Live Oak Wildfire Solutions 2023).

Regulatory Setting:

Federal Laws, Regulations, and Policies

No federal laws, regulations, or policies apply to this section, as the project site not on or adjacent to federal land and does not receive direct protection from a federal agency.

State Laws, Regulations, and Policies

The project is located in a High Fire Hazard Severity Zone of an SRA (CAL FIRE 2023). SRAs are defined by California PRC Section 4102 as areas of the State in which the Board of Forestry and Fire Protection has determined that the financial responsibility for preventing and suppressing fires lies with the State of California. SRAs are lands in California where CAL FIRE has legal and financial responsibility for wildfire protection. SRA lands typically are

unincorporated areas of a county, are not federally owned, have wildland vegetation cover, have housing densities lower than three units per acre, and have watershed or range/forage value.

California PRC Sections 4291 *et seq.* require that brush, flammable vegetation, or combustible growth within 100 ft of buildings be removed. Vegetation that is more than 30 ft from the building, less than 18 inches high, and important for soil stability, may be maintained as may single specimens of trees or other vegetation that is maintained so as to manage fuels and not form a means of the transmission of fire from other nearby vegetation to a structure. Requirements regarding hazardous vegetation and fuel management are also contained in Sections 4906 and 4907 of the California Fire Code.

California PRC Section 4290 requires CAL FIRE to adopt regulations implementing minimum fire safety standards for defensible space that would be applicable to lands within the SRA and lands within high FHSZs of Local Responsibility Areas (LRA). Additional regulations regarding defensible space can be found in Title 14, Sections 1270.00 *et seq.* of the California Code of Regulations.

Local Laws, Regulations, and Policies

El Dorado County Municipal Code

El Dorado County Municipal Code Chapter 8.09. - Vegetation Management and Defensible Space contains requirements for wildfire prevention and enforcement of such measures within the unincorporated areas of the county. That chapter reaffirms relevant state statutes and regulations and adds additional requirements and mechanisms of enforcement.

El Dorado County General Plan

The El Dorado County General Plan (El Dorado County 2004) includes the following relevant policies:

- Policy 5.7.2.1 Prior to approval of new development, the responsible fire protection district shall be requested to review all applications to determine the ability of the district to provide protection services. The ability to provide fire protection to existing development shall not be reduced below acceptable levels as a consequence of new development. Recommendations such as the need for additional equipment, facilities, and adequate access may be incorporated as conditions of approval.
- Policy 6.2.1.1 Implement Fire Safe ordinance to attain and maintain defensible space through conditioning of tentative maps and in new development at the final map and/or building permit stage.
- Policy 6.2.2.1 Fire Hazard Severity Zone Maps shall be consulted in the review of all projects so that standards and mitigation measures appropriate to each hazard classification can be applied. Land use densities and intensities shall be determined by mitigation measures in areas designated as high or very high fire hazard.
- Policy 6.2.2.2 The County shall preclude development in areas of high and very high wildland fire hazard or in areas identified as wildland-urban interface (WUI) communities within the vicinity of Federal lands that are a high risk for wildfire, as listed in the Federal Register Executive Order 13728 of May 18, 2016, unless such development can be adequately protected from wildland fire hazard, as demonstrated in a WUI Fire Safe Plan prepared by a qualified professional as approved by the El Dorado County Fire Prevention Officers Association. The WUI Fire Safe Plan shall be approved by the local Fire Protection District having jurisdiction and/or California Department of Forestry and Fire Protection. (Resolution 124-2019, August 6, 2019)
- Policy 6.2.3.1 As a requirement for approving new development, the County must find, based on information provided by the applicant and the responsible fire protection district that, concurrent with development, adequate emergency water flow, fire access, and fire fighting personnel and equipment would be available in accordance with applicable State and local fire district standards.

- Policy 6.2.3.2 As a requirement of new development, the applicant must demonstrate that adequate access exists, or can be provided to ensure that emergency vehicles can access the site and private vehicles can evacuate the area.
- Policy 6.2.4.1 Discretionary development within high and very high fire hazard areas shall be conditioned to designate fuel break zones that comply with fire safe requirements to benefit the new and, where possible, existing development.

Impact Analysis:

- a. As discussed under the response to question g) in Section IX, Hazards and Hazardous Materials, the project applicant would prepare and implement an evacuation plan and wildfire prevention measures as Conditions of Approval in the case of an emergency. Defensible space around the structures, including the cannabis cultivation premises, would extend 200 ft from the structure to resist ignition and be kept clear of the dead vegetation. For an early evacuation route if a fire would occur, fuels would be mowed or masticated annually 100 ft from both edge roads of Fairplay Road. It is anticipated that no more than one personnel would be on-site under most circumstances and no more than 10 personnel under peak conditions, and that these individuals could quickly evacuate in case of an emergency. Given low traffic volume and population in the area, evacuation of the site is not expected to cause issues of traffic or impair the evacuation of the surrounding area. The proposed project would have easy access to evacuation routes, and impacts would be **less than significant**.
- b, d. Because the project site is within an SRA high fire hazard severity zone, a project-specific Fire Plan was prepared for the proposed project (Live Oak Wildfire Solutions 2023) and is included as Appendix E to this Initial Study. Implementation of the proposed project would not alter any roadways, access points, or otherwise degrade traffic operations and access to the area in such a way as to interfere with an emergency response or evacuation plan. The proposed project would be required to adhere to all fire prevention and protection requirements and regulations of El Dorado County including the El Dorado County Fire Hazard Ordinance and the Uniform Fire Code, as applicable. Downed tree branches and brush would be burned in the offseason according to CAL FIRE and Pioneer Fire District rules and regulations. To comply with the recommendations included in the Fire Plan, the project applicant would be required to ensure that vegetation would be mowed, masticated, or cut to ground level each May for effective fuel reduction. Defensible space around the structures, including the cannabis cultivation premises, would extend 200 ft from the structure to resist ignition and be kept clear of the dead vegetation. Additionally, fuels would be mowed or masticated annually 100 ft from both edge roads of Fairplay Road. Workers on-site would monitor conditions in the area during periods of high fire danger to ensure early evacuations if needed, and the project site has sufficient access to existing evacuation routes.

A cul-de-sac turnaround is located northwest of the existing on-site residence to facilitate turnarounds, as needed, including for emergency vehicles. The on-site pond would be used by the Pioneer Fire Protection Department for emergency water storage. The proposed project is located adjacent to sloping terrain, but all proposed developments would be located on relatively flat areas. Therefore, the project would not pose a significant landslide risk in post-fire conditions. Additionally, the project site is not located within any mapped 100-year flood areas as shown on Firm Panel Number 06017C1025E, revised September 26, 2008 (FEMA 2008), and due to the site's high elevation and upslope location relative to the surrounding topography, the site would not be at risk of post-fire flooding. Therefore, project impacts would be **less than significant** for questions b) and d).

- c. **Installation or Maintenance of Infrastructure.** The proposed project would include the construction of a transformer, generator, and propane tank adjacent to the fire access road north of the existing on-site residence. As discussed under question g) in Section 7.IX, Hazards and Hazardous Materials, the Fire Plan recommended that vegetation be mowed, masticated, or cut to ground level each May for effective fuel reduction. Defensible space around the structures, including the proposed cannabis cultivation premises, transformer, and propane tank, would extend 200 ft to resist ignition and be kept clear of the dead vegetation. Vegetation would be mowed or masticated annually for 100 ft from the edge of Fairplay Road. Workers on-site would monitor conditions in the area during periods of high fire danger to ensure early evacuations if

needed. These measures would be implemented as Conditions of Approval for the proposed project. However, the proposed project would not include or require the installation or maintenance of additional infrastructure that would exacerbate fire risk. Therefore, impacts would be **less than significant**.

FINDING: As conditioned and with adherence to the County Code, Conditions of Approval, CAL FIRE requirements, wildfire impacts would be less than significant.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Does the project:				
	Potentially Significant Impact	Less than Significant with Mitigation	Less Than Significant Impact	No Impact
a. 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 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. 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 with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X		
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Impact Analysis:

- a. No substantial evidence contained in the project record has been found that would indicate that this project would have the potential to significantly degrade the quality of the environment. As conditioned or mitigated, and with adherence to County permit requirements, this project would not have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below 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 California history, pre-history, or tribal cultural resources. Any impacts from the project would be **less than significant with mitigation** due to the design of the project and required standards that would be implemented prior to project construction or with the building permit processes and/or any required project specific improvements on the property.
- b. Cumulative impacts are defined in Section 15355 of the State CEQA Guidelines as *two or more individual effects, which when considered together, would be considerable or which would compound or increase other environmental impacts.*

The cumulative analysis is based on consideration of past, present, and probable future projects in the vicinity of the proposed project. The projects considered in the cumulative analysis include those that would be constructed concurrently with the proposed project and those that would be in operation at the same time as the proposed project. The cumulative projects considered in this analysis are limited to projects that would result in similar impacts as the proposed project due to their potential to collectively contribute to significant cumulative impacts, and the cumulative project identified for this analysis is the Hidden Ranch Cannabis Cultivation Project. The Hidden Ranch Cannabis Cultivation Project is located approximately 2.6 miles northwest of the project site, and would construct 80,000 sf of outdoor cannabis grown in raised beds as well as approximately 10,600 sf of support facilities. The CEQA document for the Hidden Ranch Cannabis Cultivation Project has not yet been circulated for public review.

Due to the small size of the proposed project, types of activities proposed, and site-specific environmental conditions which have been disclosed in the Project Description and analyzed in Sections 7.I through 7.XX for the proposed project, there would be no significant cumulative impacts anticipated related to aesthetics, agriculture and forestry resources, air quality, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards/hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation, tribal cultural resources, utilities and service systems, and wildfire that would be cumulatively considerable. Mitigation measures for the proposed project would reduce potential impacts related to biological resources such that no contributions to cumulative impacts would be expected. Therefore, the proposed project would not contribute to potentially significant cumulative impacts, and impacts would be **less than significant with mitigation**.

- c. As conditioned and with compliance with the County Code, the proposed project would be anticipated to have a less than significant project-related environmental effect on human beings, either directly or indirectly. Therefore, impacts would be **less than significant**.

FINDINGS: The proposed project would not result in significant environmental impacts, exceed applicable environmental standards, or significantly contribute to cumulative environmental impacts.

8.0 INITIAL STUDY PREPARERS

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Anviti Singh, Environmental Planner

9.0 REFERENCES

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Appendix A

Figures



CCUP22-0001/BH&2K
Vicinity Map
Figure 1



Prepared by Evan Mattes, Senior Planner



CCUP22-0001/BH&2K
Vicinity Map
Figure 1



0 0.05 0.1 0.2 Miles

Prepared by Evan Mattes, Senior Planner

NEW CULTIVATION PROJECT FOR:

BINH LY

8260 FAIRPLAY ROAD
SOMERSET, CA 95684

Client:

BINH LY

Tel: 415.423.4659
Email: bhl1228@yahoo.com

DRAWING SHEET INDEX - PROJECT

SHEET	SHEET TITLES
A1.00	PROJECT COVER SHEET
A2.11	PROJECT SITE PLAN
A2.15	SITE PLAN - ENLARGED
A2.21	IRRIGATION & CHEMICAL CONTROL
A3.11	ENLARGED FLOOR PLANS
A3.12	ENLARGED FLOOR PLANS
A3.21	ENLARGED FLOOR PLANS - EXISTING
A6.11	EXTERIOR ELEVATIONS - PROCESSING
A6.12	EXTERIOR ELEVATIONS - DRY-CURE
A6.13	EXTERIOR ELEVATIONS - STORAGE
A6.21	EXTERIOR ELEVATIONS - EXISTING
GH1.0	GREENHOUSE COVER SHEET
GH1.1	GREENHOUSE OVERALL
GH2.1	GREENHOUSE FOUNDATION PLAN
GH3.1	GREENHOUSE FRAMING PLAN
GH3.3	GREENHOUSE LIGHT DEPRIVATION PLAN
GH8.1	GREENHOUSE SECTIONS
GH-E1	GREENHOUSE LIGHTING DIAGRAM
HH1.0	HOOP HOUSE COVER SHEET
HH1.1	HOOP HOUSE OVERALL
HH3.1	HOOP HOUSE PLAN & ELEVATION

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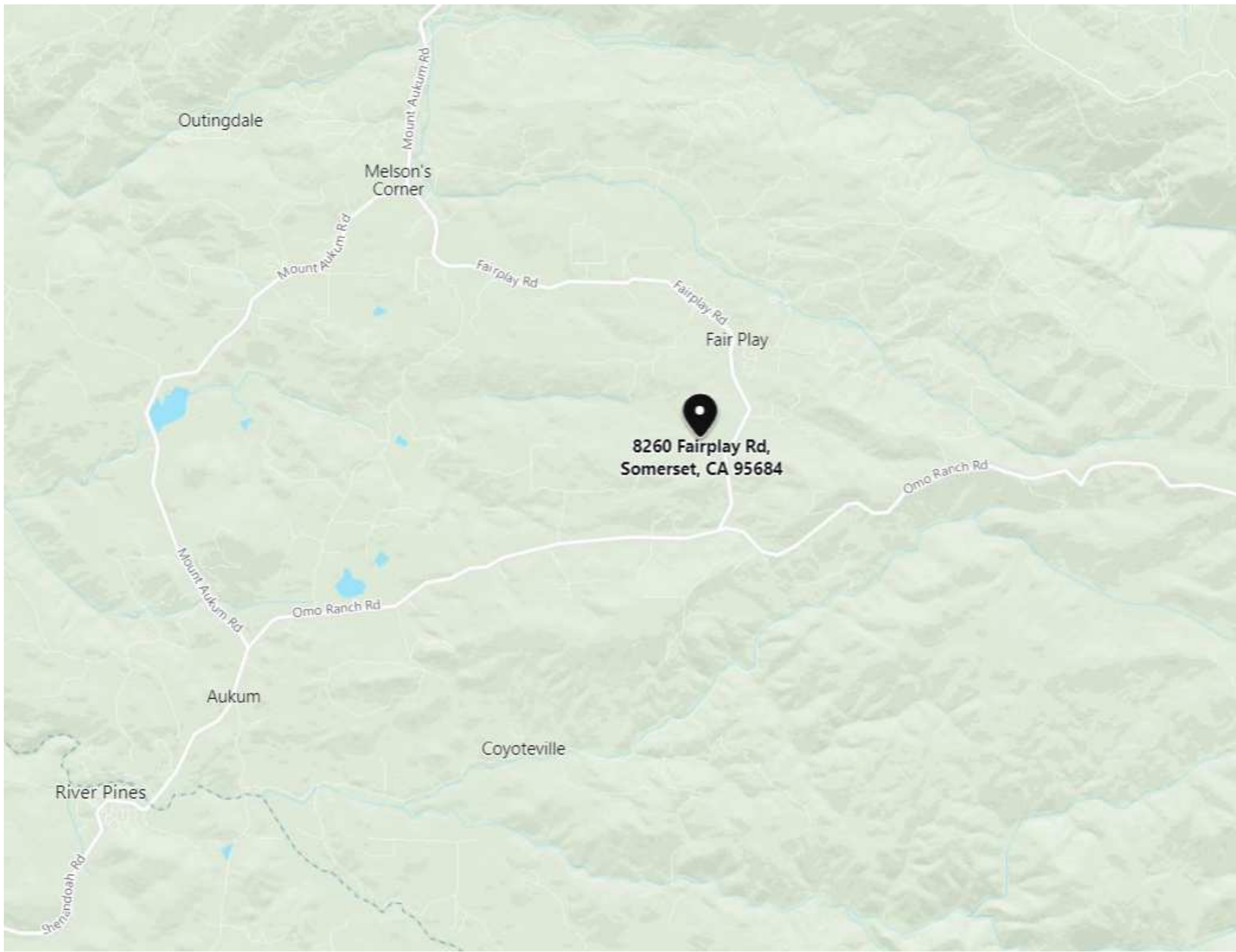
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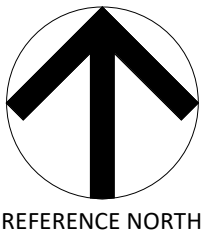
PROJECT VICINITY MAP



NEW CULTIVATION PROJECT FOR:

BINH LY

8260 FAIRPLAY ROAD
SOMERSET, CA 95684



PROJECT DIRECTORY

ARCHITECT ENGINEER
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NEW CULTIVATION PROJECT FOR:

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8260 FAIRPLAY ROAD
SOMERSET, CA 95684

TITLE:
PROJECT COVER SHEET

ISSUES:
Project Issue Date: 11/24/20
Project Status: PREDESIGN
Sheet Issue Date: 1/25/21
Revision Number:
Revision Date:

DESIGN REVIEW DRAWING

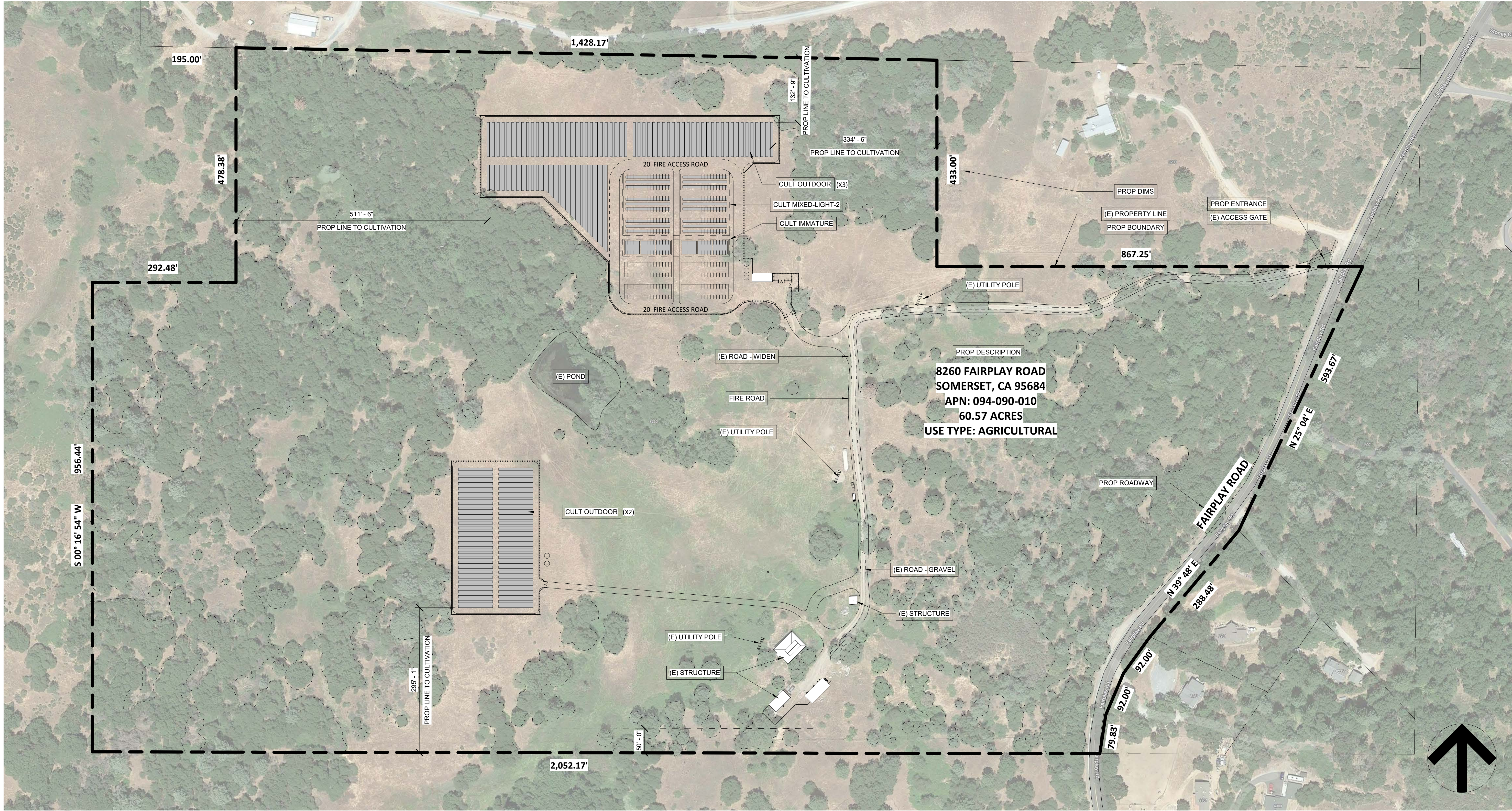
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SHEET:

A1.00

SHEET: OF SHEETS



SITE PLAN

SCALE
1" = 100'-0"

1

KEYNOTES

ITEM	KEYNOTE DESCRIPTION
(E) ACCESS GATE	EXISTING PROPERTY ACCESS GATE, TO REMAIN.
(E) POND	EXISTING POND, TO REMAIN.
(E) PROPERTY LINE	EXISTING PROPERTY LINE.
(E) ROAD - GRAVEL	EXISTING GRAVEL ROAD, REMAINS UNCHANGED.
(E) ROAD - WIDEN	EXISTING GRAVEL ROAD TO BE WIDENED FOR FIRE ACCESS. MINIMUM 20' WIDE WITH MINIMUM TURNING RADIUS 25'.
(E) STRUCTURE	EXISTING STRUCTURE, TO REMAIN.
(E) UTILITY POLE	EXISTING UTILITY POLE FOR OVERHEAD POWER LINES.
CULT IMMATURE	NEW IMMATURE PLANT CULTIVATION AREA. SEE CULTIVATION AREAS TABLE.
CULT MIXED-LIGHT-2	NEW MIXED-LIGHT TIER-2 CULTIVATION LICENSE BOUNDARY. TIER-2 ALLOWS FROM SIX TO 25 WATTS PER SQUARE FOOT OF ARTIFICIAL LIGHT. SEE CULTIVATION AREAS TABLE.
CULT OUTDOOR	
FIRE ROAD	NEW FIRE ACCESS ROAD, GRAVEL, MINIMUM 20' WIDE WITH MINIMUM TURNING RADIUS 25'.
PROP BOUNDARY	PROPERTY BOUNDARY WHEREIN THE LICENSES WILL OPERATE.
PROP DESCRIPTION	PROPERTY DESCRIPTION AND PARCEL NUMBER.
PROP DIMS	PROPERTY PERIMETER DIMENSIONS.
PROP ENTRANCE	PROPERTY ENTRANCE ACCESS POINT.
PROP ROADWAY	PROPERTY ROADWAY.

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NEW CULTIVATION PROJECT FOR:

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SOMERSET, CA 95684

TITLE:
PROJECT SITE PLAN

ISSUES:
Project Issue Date: 11/24/20
Project Status: PREDESIGN
Sheet Issue Date: 9/20/21
Revision Number:
Revision Date:

DESIGN REVIEW DRAWING



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SHEET:

A2.11

SHEET: OF SHEETS



SITE PLAN - ENLARGED

SCALE
1/64" = 1'-0"

1

KEYNOTES

ITEM	KEYNOTE DESCRIPTION
(E) POND	EXISTING POND, TO REMAIN.
(E) PROPERTY LINE	EXISTING PROPERTY LINE.
(E) ROAD - WIDEN	EXISTING GRAVEL ROAD TO BE WIDENED FOR FIRE ACCESS. MINIMUM 20' WIDE WITH MINIMUM TURNING RADIUS 25'.
(E) STRUCTURE	EXISTING STRUCTURE, TO REMAIN.
(E) UTILITY POLE	EXISTING UTILITY POLE FOR OVERHEAD POWER LINES.
(E) WATER WELL	EXISTING WATER SUPPLY WELL AND PUMP, SUPPLIES WATER TO THE CULTIVATION SITE.
(F) GREENHOUSE-30X96	FUTURE GREENHOUSE, 30' X 96'. SEE CULTIVATION AREAS TABLE.
CANNABIS COMPOST	NEW DESIGNATED CANNABIS WASTE COMPOST AREA. ENCLOSED WITH 6' HIGH FENCE.
CANNABIS STOR	NEW DESIGNATED SECURED AREA FOR HARVESTED CANNABIS STORAGE, WITHIN NEW PROCESSING BUILDING. SEE LICENSE AREAS TABLE FOR AREA.
CANNABIS WASTE	NEW DESIGNATED SECURED AREA FOR CANNABIS WASTE. ENCLOSED WITH 6' HIGH FENCE. SEE LICENSE AREAS TABLE FOR AREA.
CHEM STORAGE	NEW CHEMICAL STORAGE AREA FOR FERTIGATION AND OTHER AGRICULTURAL CHEMICAL STORAGE. THERE SHALL BE NO CHEMICAL OR HAZARDOUS MATERIAL STORAGE LOCATED ANYWHERE ELSE ON THE PREMISES. SEE THE CHEMICAL CLASSIFICATION LIST ON THE CHEMICAL CONTROL SHEET FOR DETAILS ON STORED CHEMICALS. AND SEE ENLARGED PLANS FOR BUILDING INFORMATION.
CULT OUTDOOR	
CULT PROCESS	DESIGNATED PROCESSING AREA WITHIN EXISTING BUILDING. SEE ENLARGED PLANS.
ELEC METER MAIN	
EQUIP PARKING	NEW GRAVEL EQUIPMENT PARKING AREA
EQUIP STORAGE	NEW STORAGE AREA FOR EQUIPMENT AND TOOLS. SEE ENLARGED PLANS.
FIRE ROAD	NEW FIRE ACCESS ROAD, GRAVEL, MINIMUM 20' WIDE WITH MINIMUM TURNING RADIUS 25'.
GENERATOR	NEW GAS POWERED GENERATOR.
GREENHOUSE-30X96	NEW GREENHOUSE, 30' X 96'. SEE CULTIVATION AREAS TABLE.
HOOP HOUSE-32X98	NEW HOOP HOUSE, 32.8' X 98.4'. SEE CULTIVATION AREAS TABLE.
PERIMETER FENCE	NEW 8'-0" HIGH PERIMETER FENCING. SEE DETAIL 14/A9.22
PORT WC	NEW PORTABLE WATER CLOSETS. MINIMUM 1 TO BE ADA ACCESSIBLE.
PROCESS DRY-CURE	DESIGNATED PROCESSING AREA FOR ON-SITE DRY-CURE, SEPARATED PER LICENSE, SEE ENLARGED PLANS.
PROCESS PACK	DESIGNATED PROCESSING AREA FOR ON-SITE PACKAGING, SEPARATED PER LICENSE, SEE ENLARGED PLANS.
PROCESS TRIM	DESIGNATED PROCESSING AREA FOR ON-SITE TRIM, SEPARATED PER LICENSE, SEE ENLARGED PLANS.
PROPANE TANK	NEW PROPANE SUPPLY TANK.
TRANSFORMER	NEW ELECTRICAL SERVICE TRANSFORMER LOCATION.
VEHICLE GATE	NEW VEHICLE GATE. SEE DETAIL 13/A9.22
WATER STORAGE	NEW WATER STORAGE TANKS

CULTIVATION AREAS

OUTDOOR CANOPY		VEGETATIVE (IMMATURE)	
SMALL LICENSE-1:	10,000 SF	GH-1 OUTDOOR LICENSE-1:	700 SF
SMALL LICENSE-2:	10,000 SF	GH-1 OUTDOOR LICENSE-2:	700 SF
SMALL LICENSE-3:	10,000 SF	GH-1 OUTDOOR LICENSE-3:	700 SF
SMALL LICENSE-4:	10,000 SF		
SMALL LICENSE-5:	10,000 SF	GH-2 OUTDOOR LICENSE-4:	700 SF
TOTAL:	50,000 SF	GH-2 OUTDOOR LICENSE-5:	700 SF
		GH-2 MIXED-LIGHT LICENSE:	4,200 SF
		TOTAL:	4,200 SF
MIXED LIGHT TIER-2 CANOPY		FUTURE MIXED LIGHT (NOT IN SCOPE)	
HOOP HOUSE-1:	1,665 SF	GREENHOUSE-1:	2,100 SF
HOOP HOUSE-2:	1,665 SF	GREENHOUSE-2:	2,100 SF
HOOP HOUSE-3:	1,665 SF	GREENHOUSE-3:	2,100 SF
HOOP HOUSE-4:	1,665 SF	GREENHOUSE-4:	2,100 SF
HOOP HOUSE-5:	1,665 SF		
HOOP HOUSE-6:	1,665 SF		
TOTAL:	9,990 SF		

PROCESSING DRY-CURE AREA: 930 SF
PROCESSING TRIM/PACKAGING AREA: 285 SF
DRY PRODUCT STORAGE AREA: 300 SF
EQUIPMENT AND TOOLS STORAGE AREA: 380 SF
CHEMICAL STORAGE AREA: 197 SF
CANNABIS WASTE AREA: 504 SF
CANNABIS COMPOST AREA: 504 SF

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NEW CULTIVATION PROJECT FOR:

BINH LY

8260 FAIRPLAY ROAD
SOMERSET, CA 95684

TITLE:
SITE PLAN - ENLARGED

ISSUES:
Project Issue Date: 11/24/20
Project Status: PREDESIGN
Sheet Issue Date: 9/20/21
Revision Number:
Revision Date:

DESIGN REVIEW DRAWING

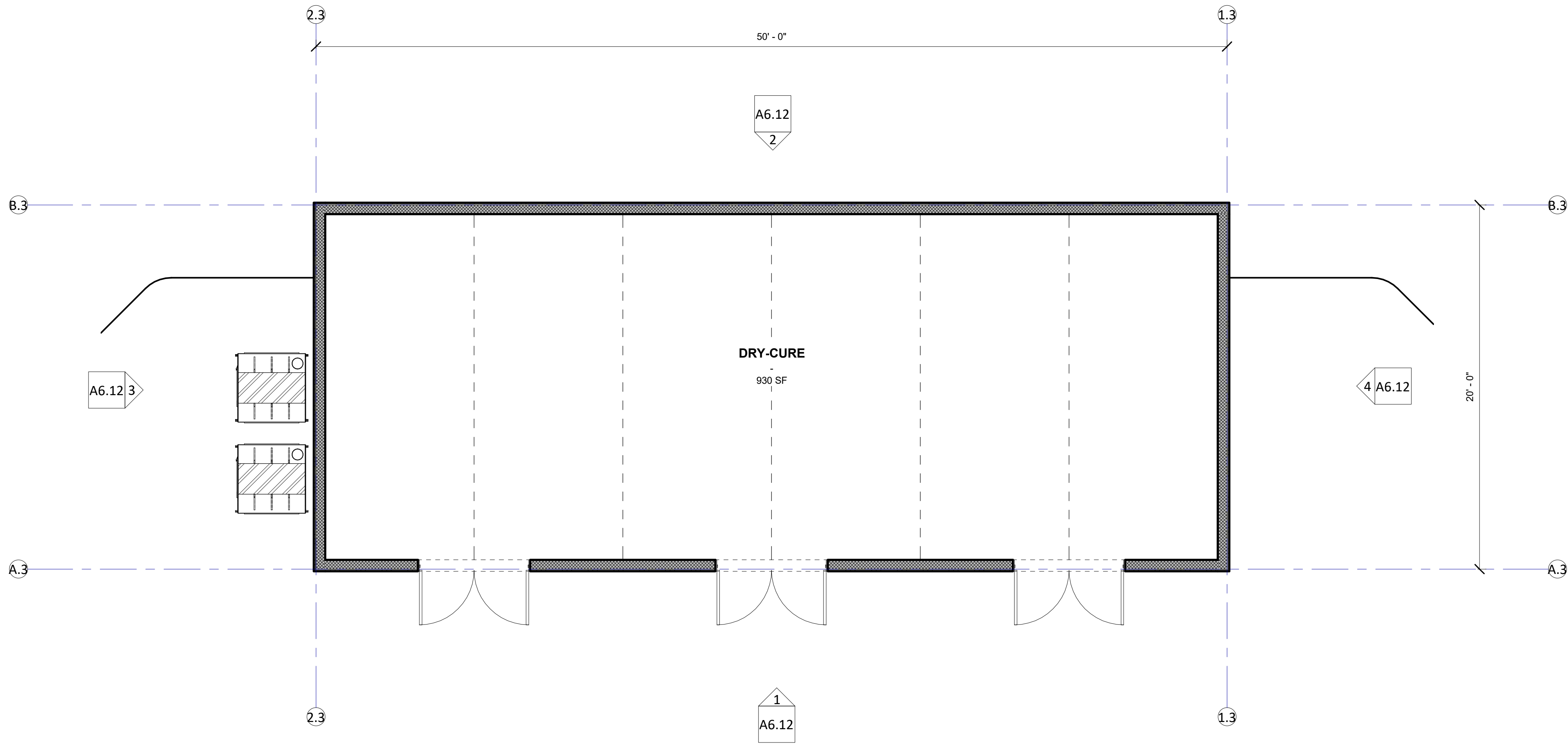
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A2.15

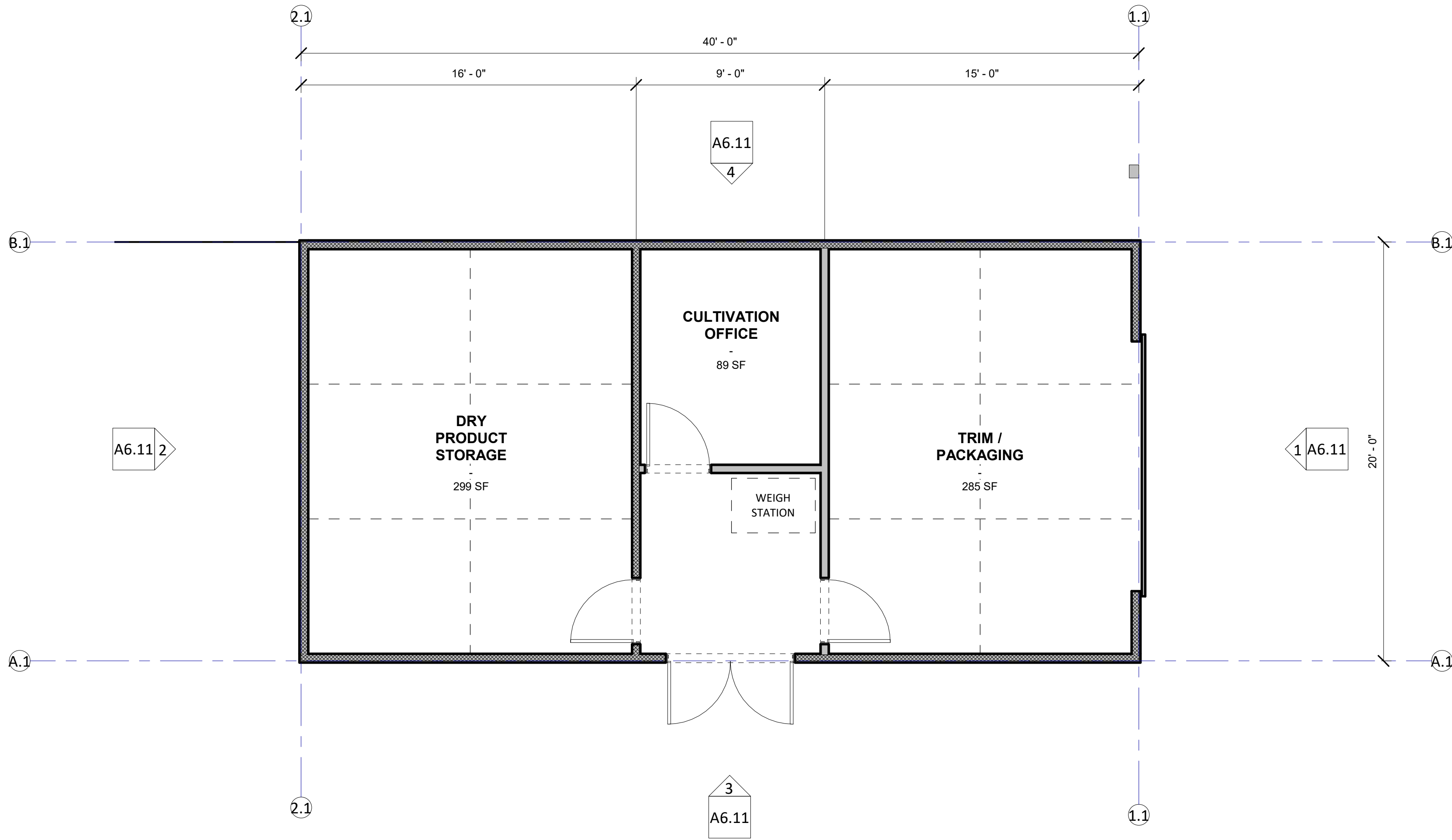
SHEET: OF SHEETS



FLOOR PLAN - DRY-CURE BUILDING

SCALE
1/4" = 1'-0"

2



FLOOR PLAN - PROCESSING BUILDING

SCALE
1/4" = 1'-0"

1

WALL LEGEND

	EXTERIOR METAL WALL PANEL. CORRUGATED METAL SIDING PANEL. COLOR AS SELECTED BY OWNER, INSTALL PER MANF.
	EXTERIOR WOOD FRAME WALL W/ METAL WALL PANEL. CORRUGATED METAL SIDING PANEL OVER 2X6 WOOD STUD FRAMING PER STRUCTURAL DRAWINGS. FILL STUD CAVITY W/ MIN R-13 BATT INSULATION. INTERIOR FACE 5/8" GYPSUM BOARD INSTALLED PER ROOM FINISH SCHEDULE.
	INTERIOR WOOD FRAME WALL W/ INSULATION. 5/8" GYPSUM BOARD INSTALLED PER ROOM FINISH SCHEDULE OVER 2X4 STUD FRAMING PER STRUCTURAL DRAWINGS. FILL STUD CAVITY W/ MIN R-13 BATT INSULATION. INTERIOR FACE 5/8" GYPSUM BOARD INSTALLED PER ROOM FINISH SCHEDULE.
	INTERIOR WOOD FRAME WALL. 5/8" GYPSUM BOARD INSTALLED PER ROOM FINISH SCHEDULE OVER 2X4 WOOD STUD FRAMING PER STRUCTURAL DRAWINGS. INTERIOR FACE 5/8" GYPSUM BOARD INSTALLED PER ROOM FINISH SCHEDULE.

FLOOR PLAN NOTES

A	FIELD VERIFY ALL DIMENSIONS PRIOR TO ANY CONSTRUCTION.
B	GENERAL CONTRACTOR TO PROVIDE ALL NEW WALL BLOCKING AND BACKING WHERE REQUIRED.
C	REFERENCE ROOM FINISH SCHEDULE FOR SPECIFIC REQUIREMENTS OF EACH SPACE.
D	EXIT DOORS TO BE OPERABLE FROM INSIDE WITHOUT A KEY OR SPECIAL KNOWLEDGE OR EFFORT. PROVIDE READILY VISIBLE SIGN ADJACENT TO DOORWAY STATING, "THIS DOOR TO REMAIN UNLOCKED WHEN THIS SPACE IS OCCUPIED."
E	SEE SHEET A9.11 FOR ACCESSIBILITY DETAILS.

KEYNOTES

ITEM	KEYNOTE DESCRIPTION
------	---------------------

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NEW CULTIVATION PROJECT FOR:

BINH LY

8260 FAIRPLAY ROAD
SOMERSET, CA 95684

TITLE:
ENLARGED FLOOR PLANS

ISSUES:
Project Issue Date: 11/24/20
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Sheet Issue Date: 1/25/21
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DESIGN REVIEW DRAWING

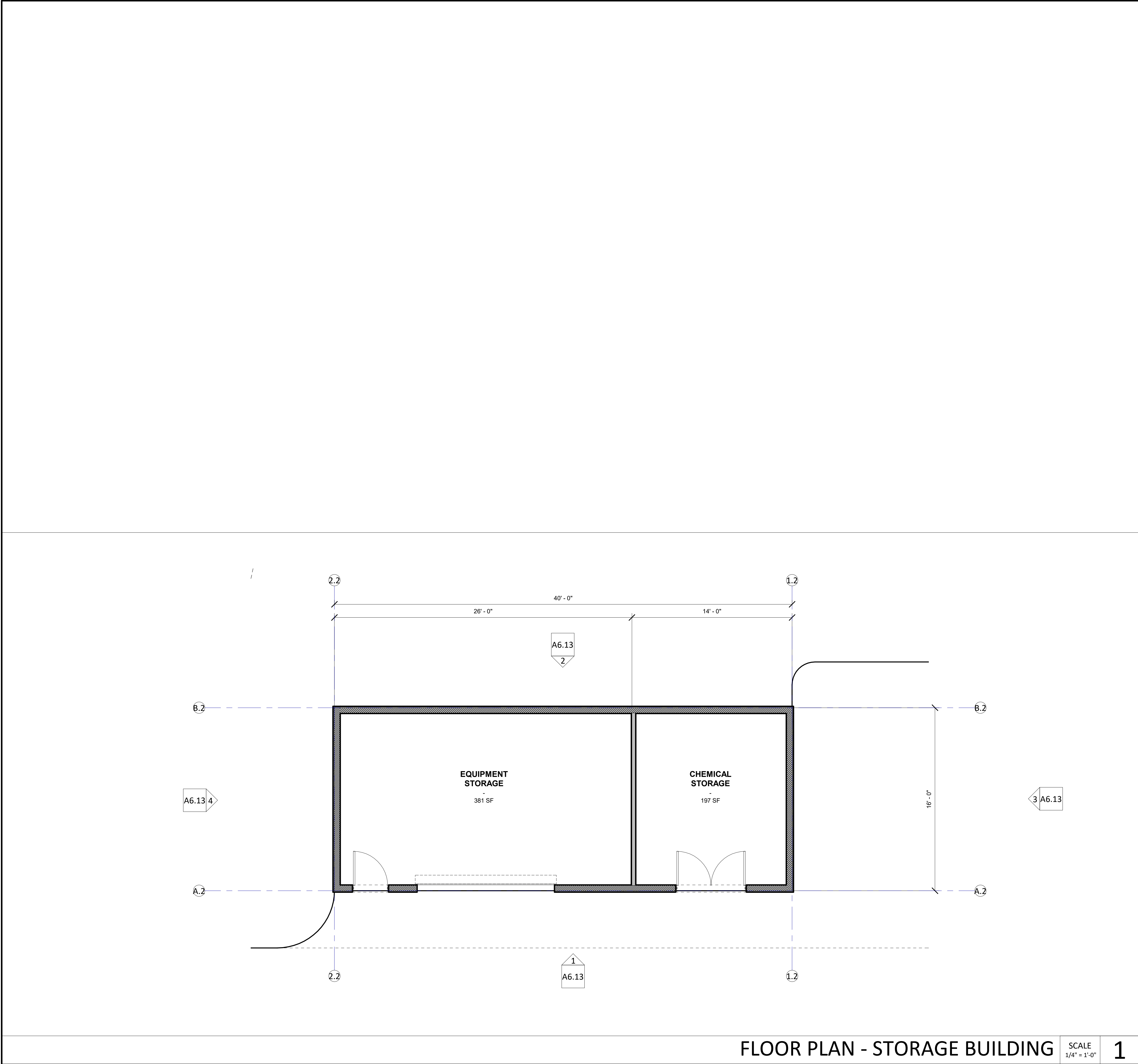
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SHEET:

A3.11

SHEET: OF SHEETS



FLOOR PLAN - STORAGE BUILDING

SCALE
1/4" = 1'-0"

1

WALL LEGEND	
	EXTERIOR METAL WALL PANEL. CORRUGATED METAL SIDING PANEL. COLOR AS SELECTED BY OWNER, INSTALL PER MANF.
	EXTERIOR WOOD FRAME WALL W/ METAL WALL PANEL. CORRUGATED METAL SIDING PANEL OVER 2X6 WOOD STUD FRAMING PER STRUCTURAL DRAWINGS. FILL STUD CAVITY W/ MIN R-13 BATT INSULATION. INTERIOR FACE 5/8" GYPSUM BOARD INSTALLED PER ROOM FINISH SCHEDULE.
	INTERIOR WOOD FRAME WALL W/ INSULATION. 5/8" GYPSUM BOARD INSTALLED PER ROOM FINISH SCHEDULE OVER 2X4 STUD FRAMING PER STRUCTURAL DRAWINGS. FILL STUD CAVITY W/ MIN R-13 BATT INSULATION. INTERIOR FACE 5/8" GYPSUM BOARD INSTALLED PER ROOM FINISH SCHEDULE.
	INTERIOR WOOD FRAME WALL. 5/8" GYPSUM BOARD INSTALLED PER ROOM FINISH SCHEDULE OVER 2X4 WOOD STUD FRAMING PER STRUCTURAL DRAWINGS. INTERIOR FACE 5/8" GYPSUM BOARD INSTALLED PER ROOM FINISH SCHEDULE.

FLOOR PLAN NOTES	
A	FIELD VERIFY ALL DIMENSIONS PRIOR TO ANY CONSTRUCTION.
B	GENERAL CONTRACTOR TO PROVIDE ALL NEW WALL BLOCKING AND BACKING WHERE REQUIRED.
C	REFERENCE ROOM FINISH SCHEDULE FOR SPECIFIC REQUIREMENTS OF EACH SPACE.
D	EXIT DOORS TO BE OPERABLE FROM INSIDE WITHOUT A KEY OR SPECIAL KNOWLEDGE OR EFFORT. PROVIDE READILY VISIBLE SIGN ADJACENT TO DOORWAY STATING, "THIS DOOR TO REMAIN UNLOCKED WHEN THIS SPACE IS OCCUPIED."
E	SEE SHEET A9.11 FOR ACCESSIBILITY DETAILS.

KEYNOTES	
ITEM	KEYNOTE DESCRIPTION

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PROJECT: 20201009

CLIENT:

BINH LY

415.423.4659
bhl1228@yahoo.com

NEW CULTIVATION PROJECT FOR:

BINH LY

8260 FAIRPLAY ROAD
SOMERSET, CA 95684

TITLE:
ENLARGED FLOOR PLANS

ISSUES:
Project Issue Date: 11/24/20
Project Status: PREDESIGN
Sheet Issue Date: 1/25/21
Revision Number:
Revision Date:

DESIGN REVIEW DRAWING

NOT FOR CONSTRUCTION

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SHEET:

A3.12

SHEET: OF SHEETS

KEYNOTES

ITEM	KEYNOTE DESCRIPTION
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PROJECT: 20201009

CLIENT:

BINH LY

415.423.4659
bhl1228@yahoo.com

NEW CULTIVATION PROJECT FOR:
BINH LY
8260 FAIRPLAY ROAD
SOMERSET, CA 95684

TITLE:
ENLARGED FLOOR PLANS - EXISTING

ISSUES:

Project Issue Date:	11/24/20
Project Status:	PREDESIGN
Sheet Issue Date:	
Revision Number:	1/25/21
Revision Date:	

DESIGN REVIEW DRAWING

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SHEET:

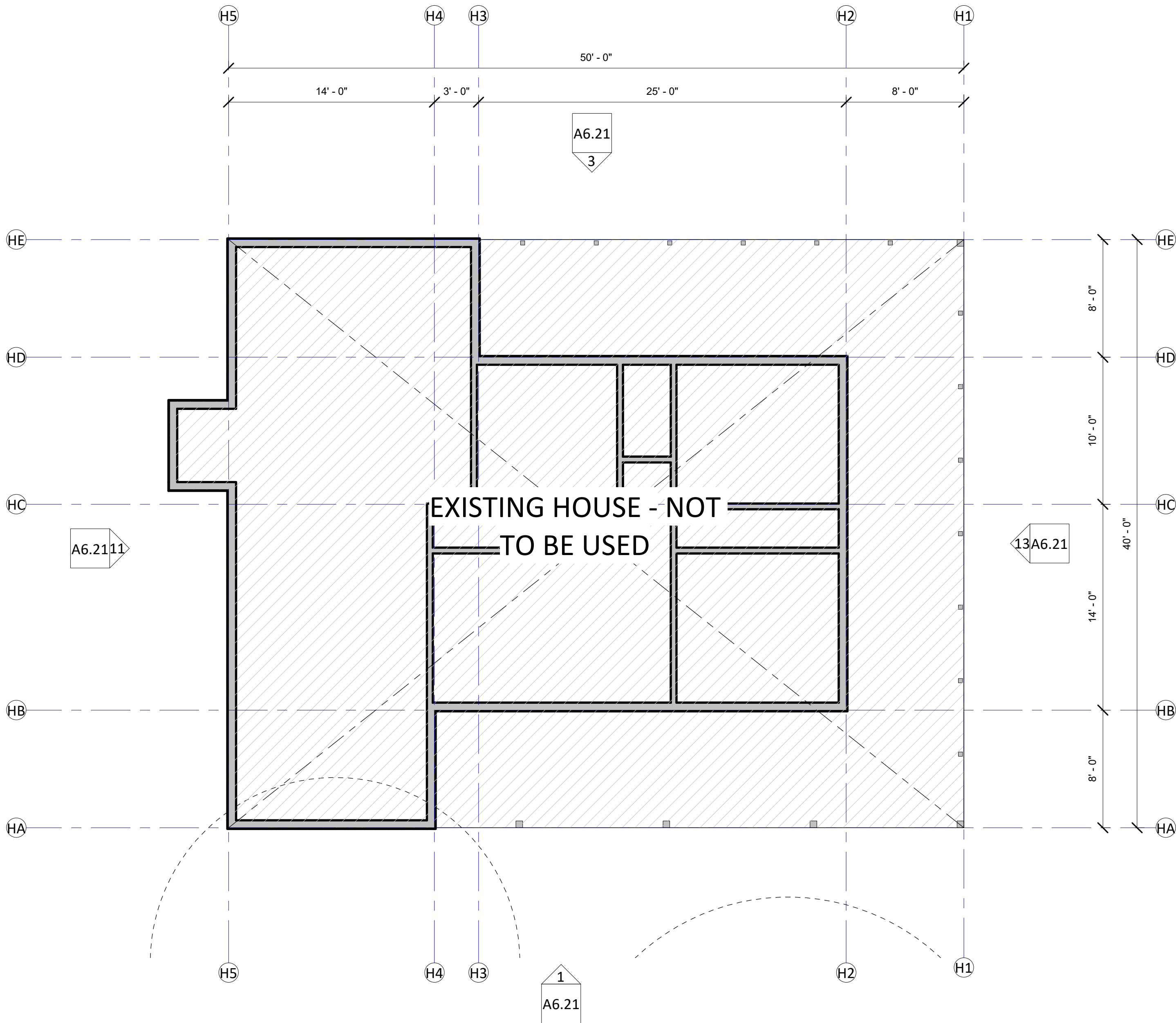
A3.21

SHEET: OF SHEETS

FLOOR PLAN - EXISTING SHED

SCALE
3/16" = 1'-0"

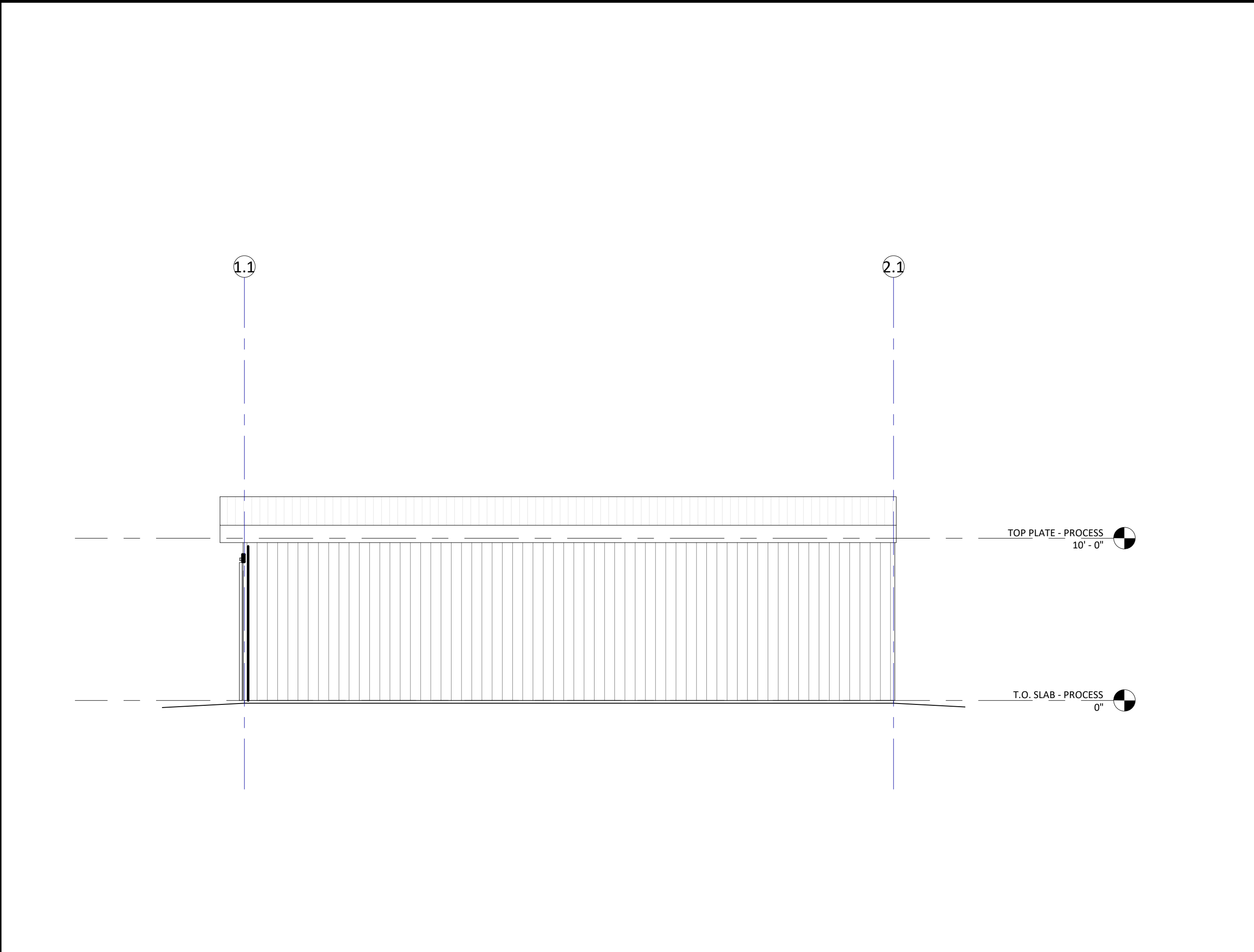
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FLOOR PLAN - EXISTING HOUSE

SCALE
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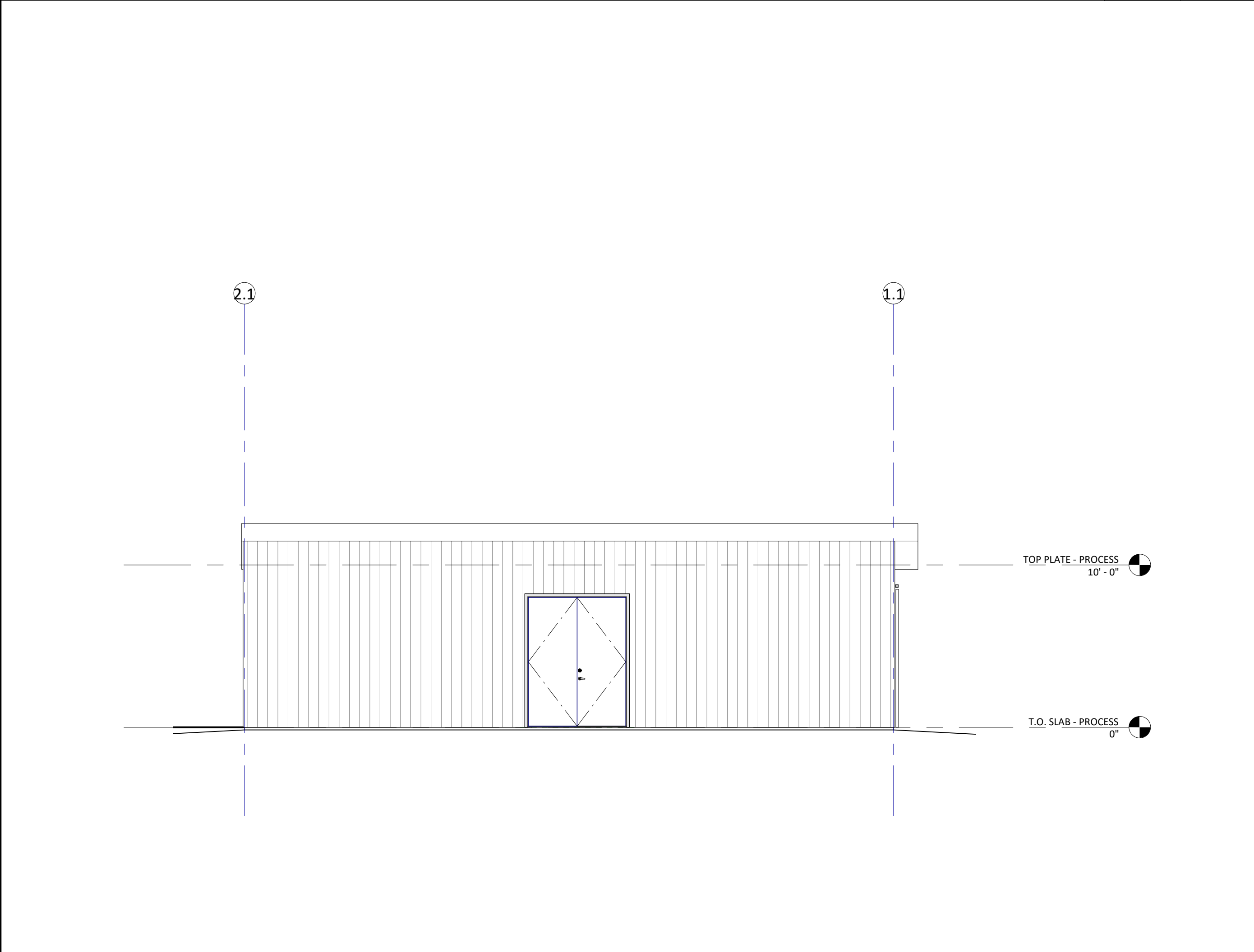
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EXT ELEVATION - PROCESSING - NW

SCALE
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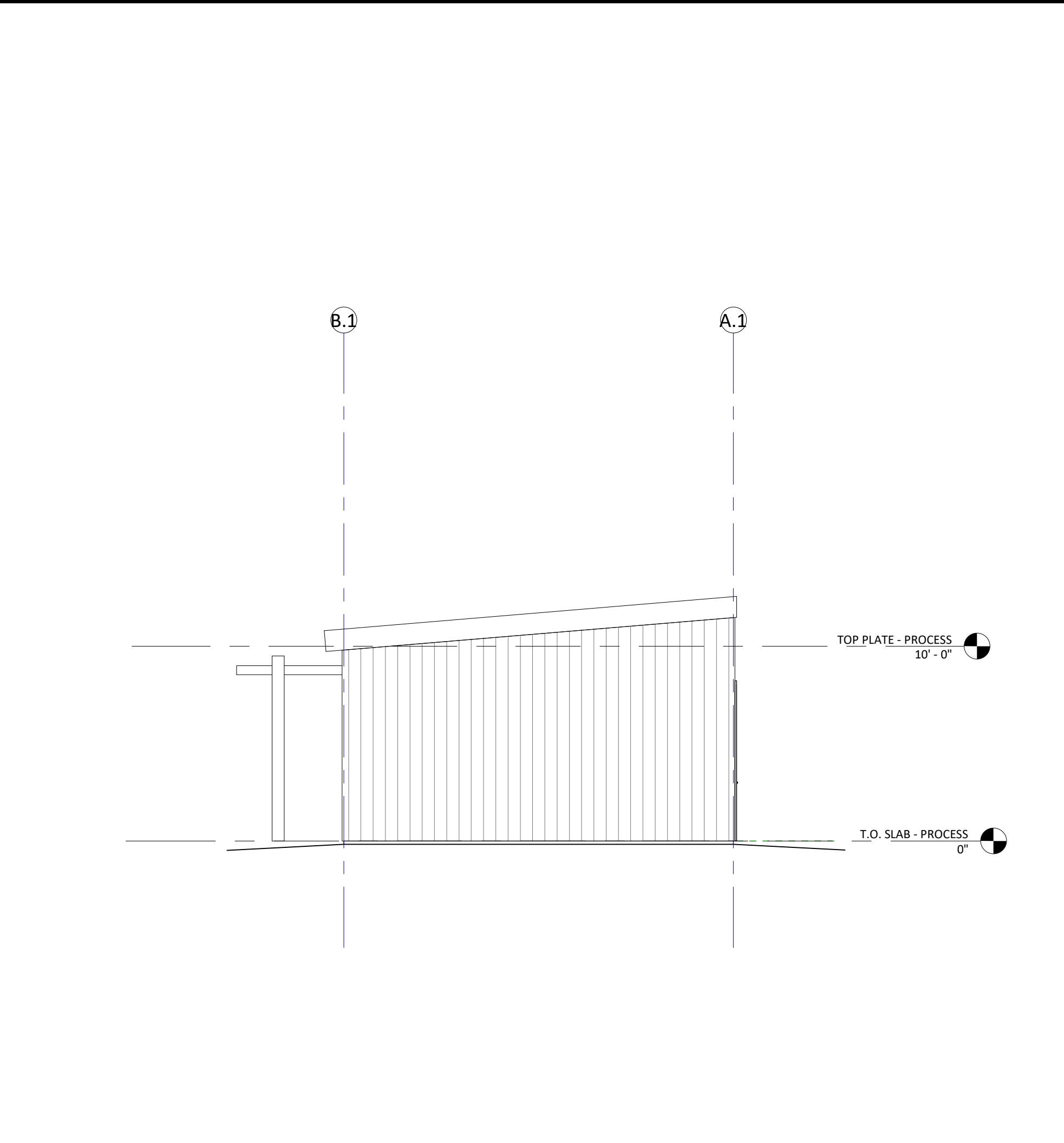
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EXT ELEVATION - PROCESSING - SE

SCALE
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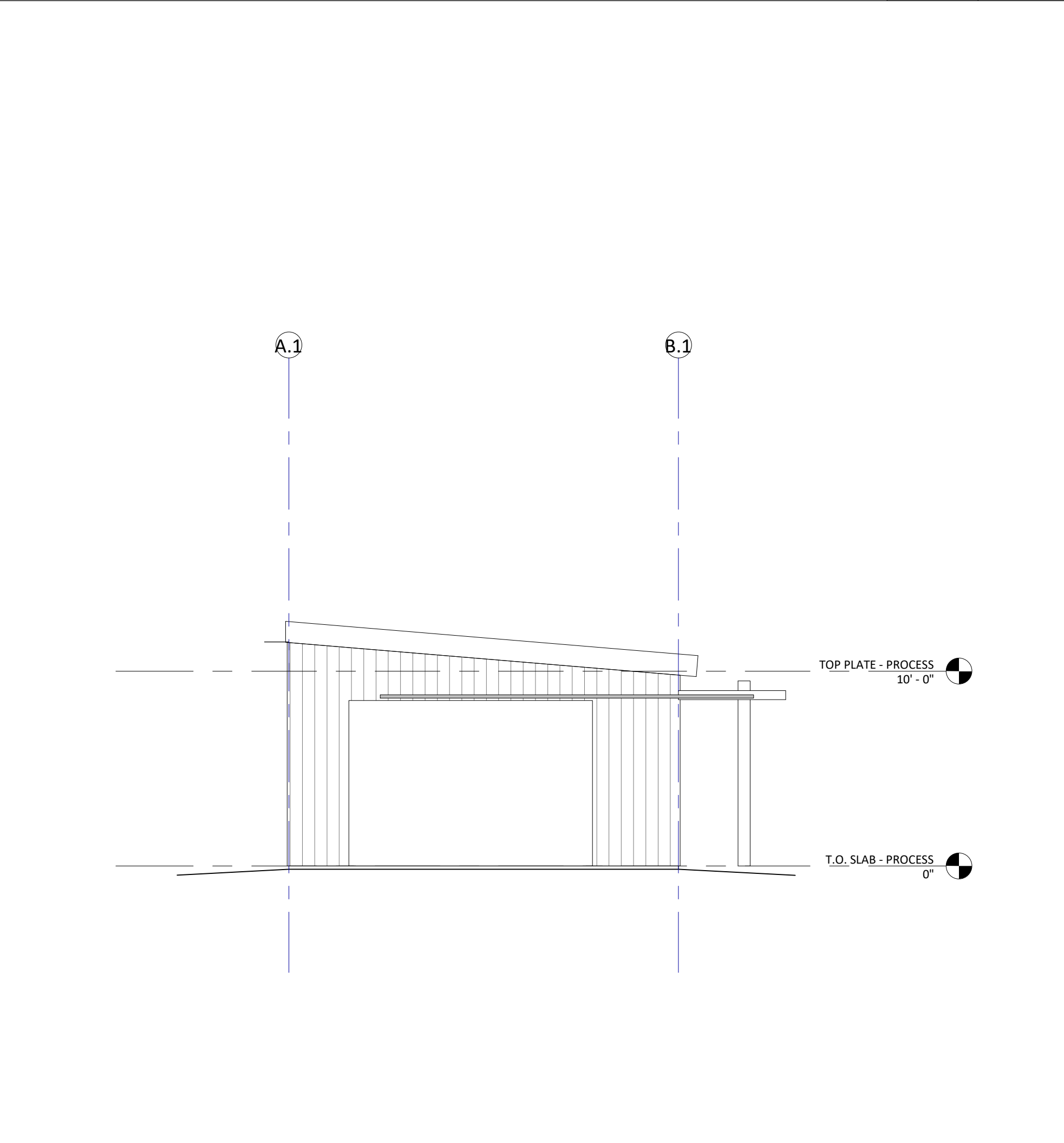
3



EXT ELEVATION - PROCESSING - SW

SCALE
3/16" = 1'-0"

2



EXT ELEVATION - PROCESSING - NE

SCALE
3/16" = 1'-0"

1

KEYNOTES

ITEM	KEYNOTE DESCRIPTION
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PROJECT: 20201009

CLIENT:
BINH LY
415.423.4659
bhl1228@yahoo.com

NEW CULTIVATION PROJECT FOR:
BINH LY
8260 FAIRPLAY ROAD
SOMERSET, CA 95684

TITLE:
EXTERIOR ELEVATIONS - PROCESSING

ISSUES:
Project Issue Date: 11/24/20
Project Status: PREDESIGN
Sheet Issue Date: 1/25/21
Revision Number:
Revision Date:

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SHEET:
A6.11
SHEET: OF SHEETS

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SCALE
3/16" = 1'-0"

4



SCALE
3/16" = 1'-0"

2



SCALE
3/16" = 1'-0"

3



SCALE
3/16" = 1'-0"

1

ITEM	KEYNOTE DESCRIPTION
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PROJECT: 20201009

CLIENT:

BINH LY

415.423.4659

NEW CULTIVATION PROJECT FOR:

BINH LY

8260 FAIRPLAY ROAD
SOMERSET, CA 95684

TITLE:
EXTERIOR ELEVATIONS - DRY-CURE

ISSUES:

Project Issue Date

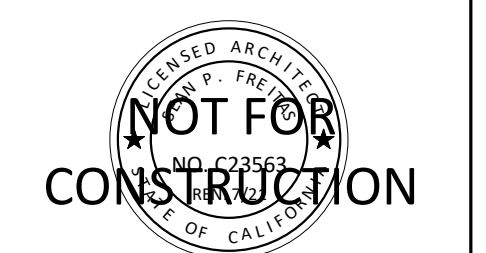
Project Status:
Sheet Issue Date:

Revision Number:

11/24/20

REDESIGN
1/25/21[illegible]

DESIGN REVIEW DRAWING

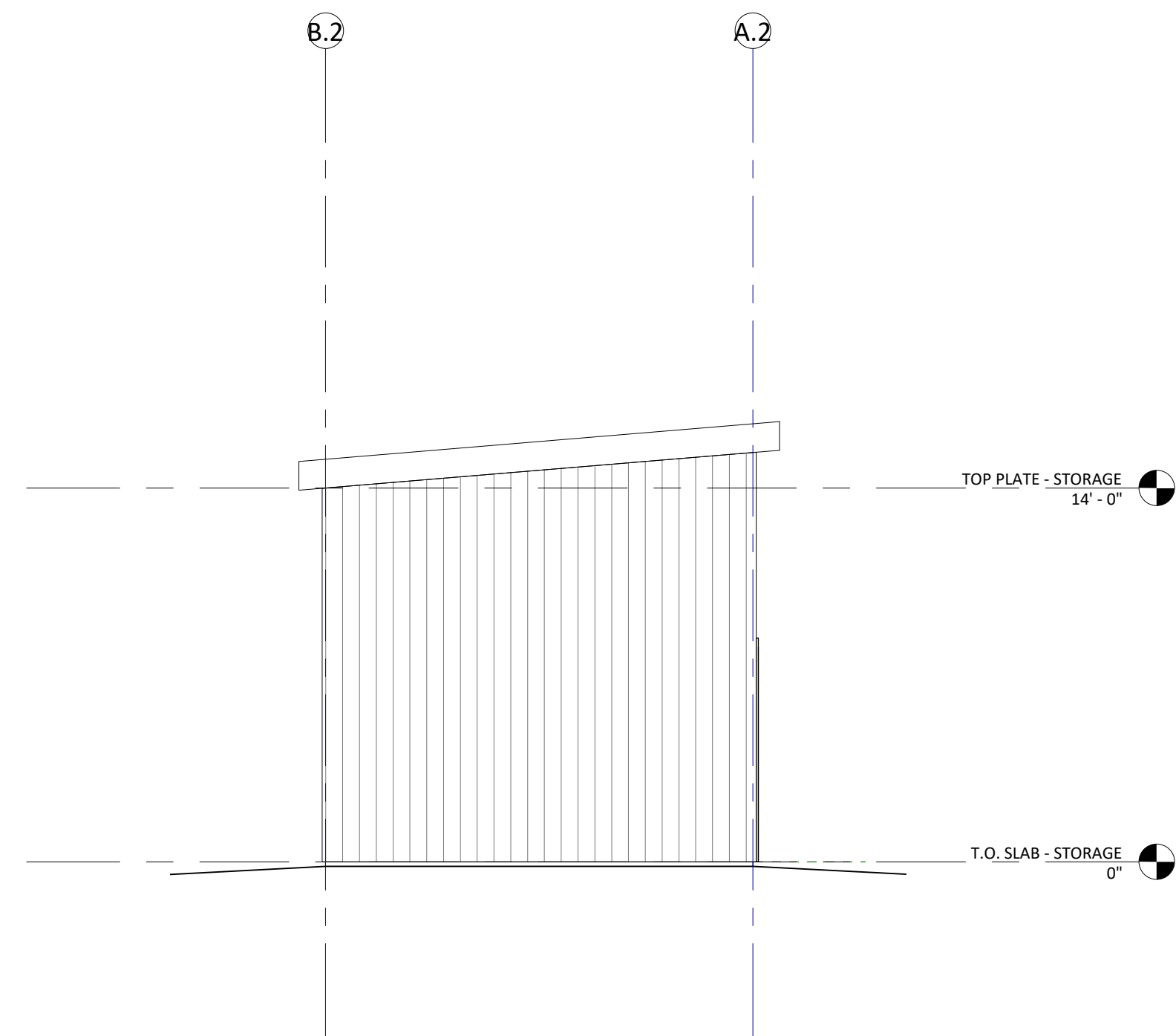


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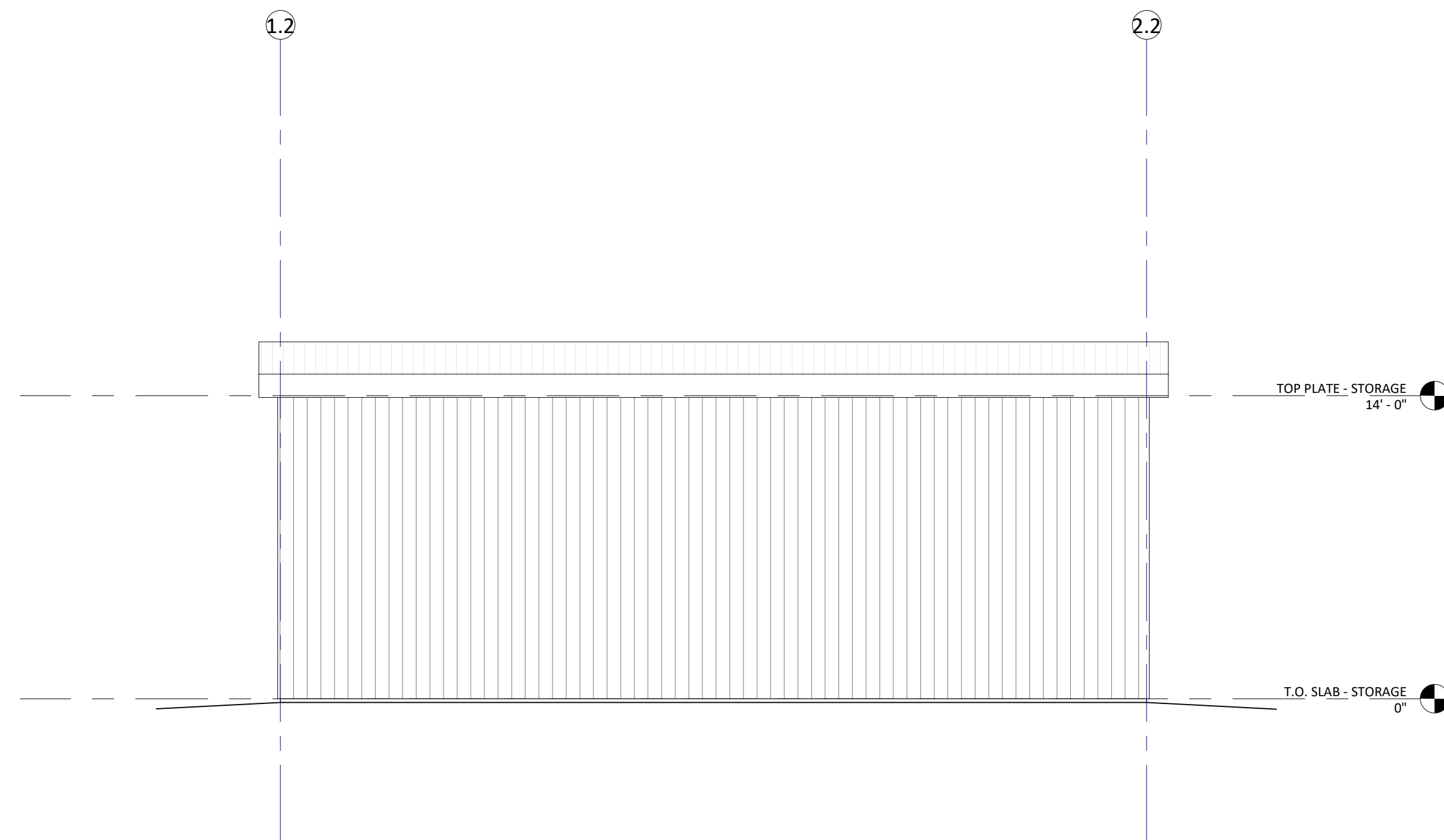
SHEET:

A6.12

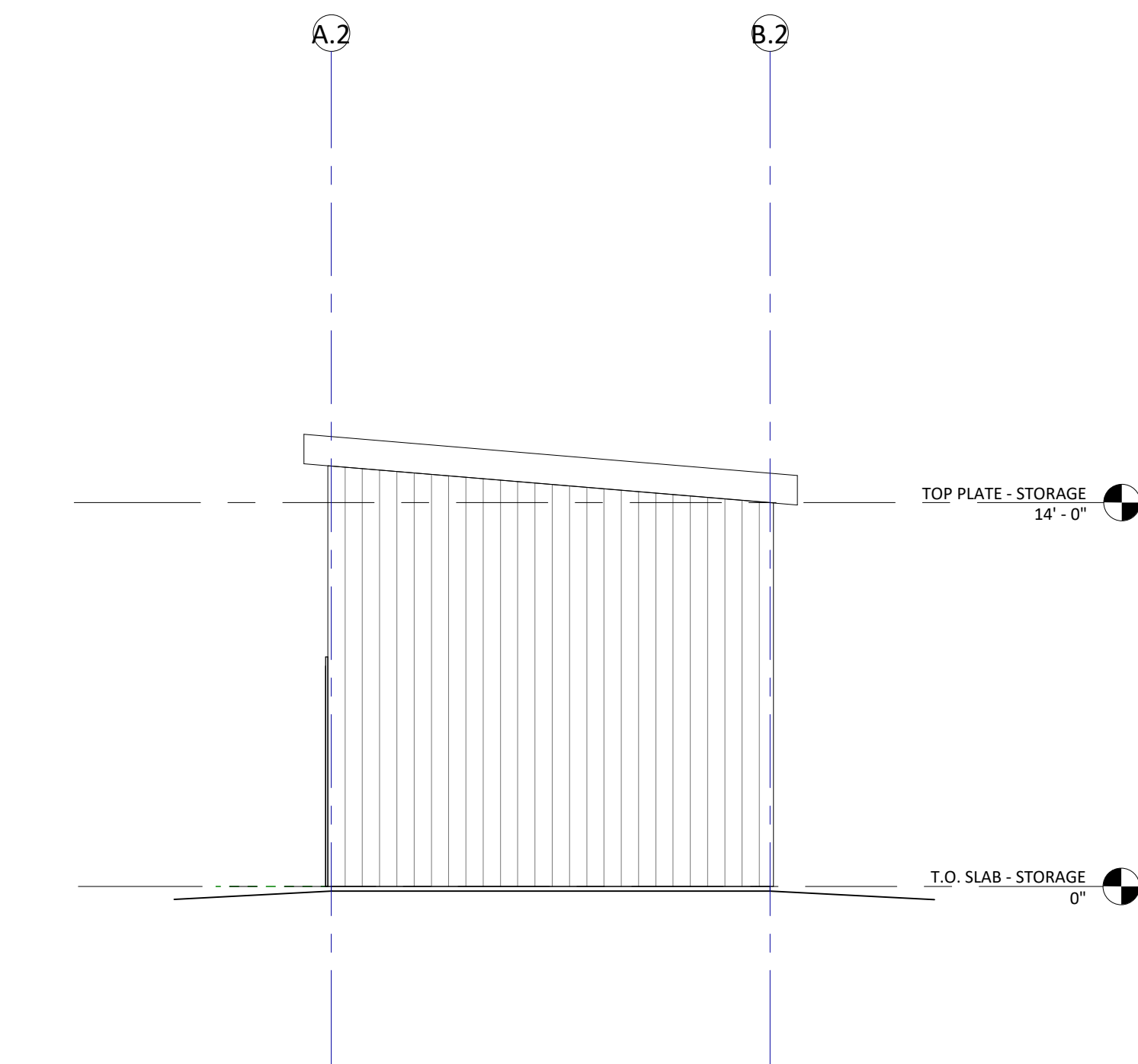
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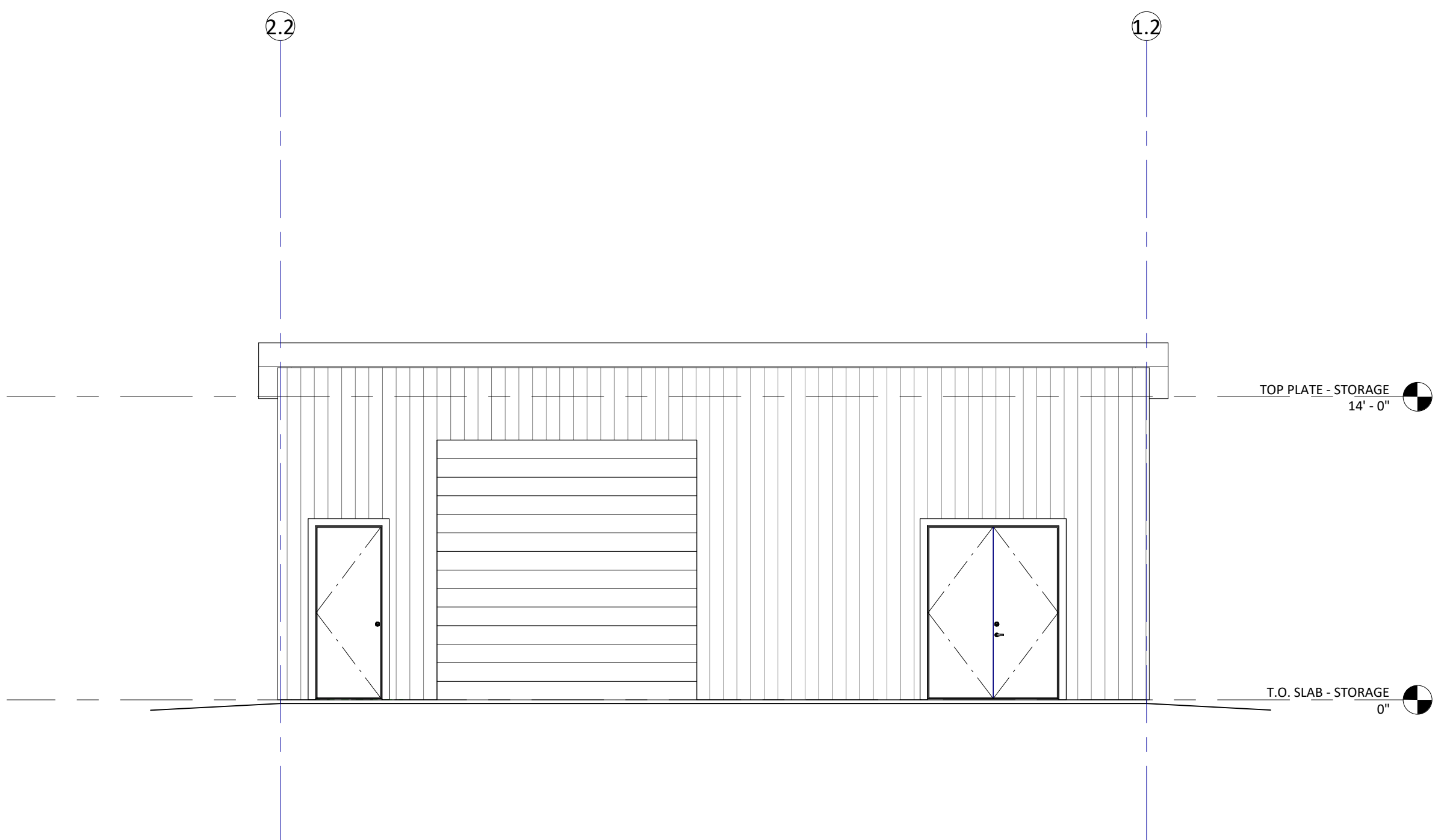
EXT ELEVATION - STORAGE - NORTH



EXT ELEVATION - STORAGE - EAST	SCALE 3/16" = 1'-0"	2
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EXT ELEVATION - STORAGE - SOUTH



EXT ELEVATION - STORAGE - WEST

KEYNOTES

ITEM	KEYNOTE DESCRIPTION
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G R A P H I A
A R C H I T E C T U R E
& E N G I N E E R I N G

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PROJECT: 20201009

CLIENT: BINH LY
415.423.4659
bhl1228@yahoo

NEW CULTIVATION PROJECT FOR:
BINH LY
8260 FAIRPLAY ROAD
SOMERSET, CA 95684

TITLE: EXTERIOR ELEVATIONS - STORAGE	
ISSUES:	
Project Issue Date:	11/24/20
Project Status:	PREDESIGN
Sheet Issue Date:	1/25/21
Revision Number:	
Revision Date:	

DESIGN REVIEW DRAWING

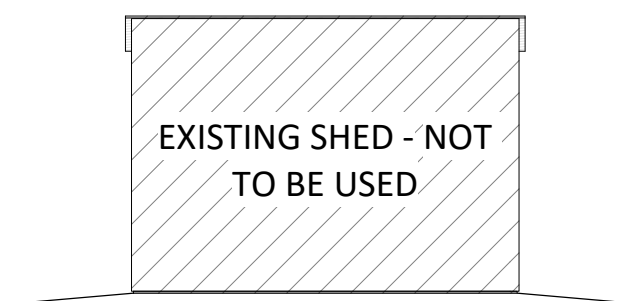
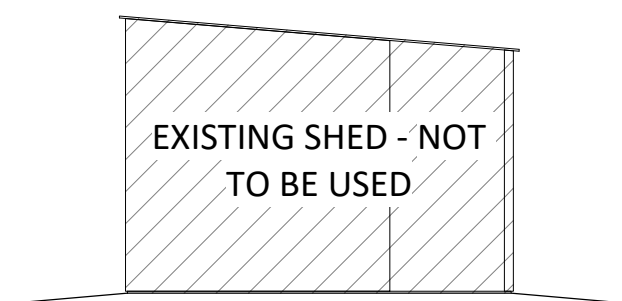
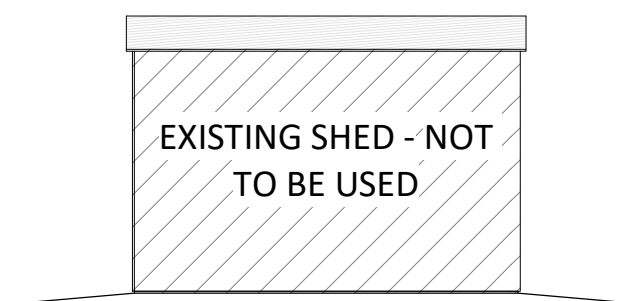
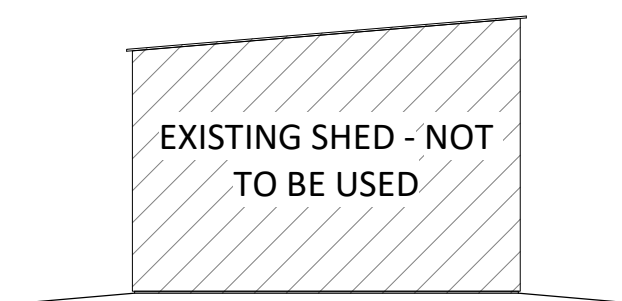
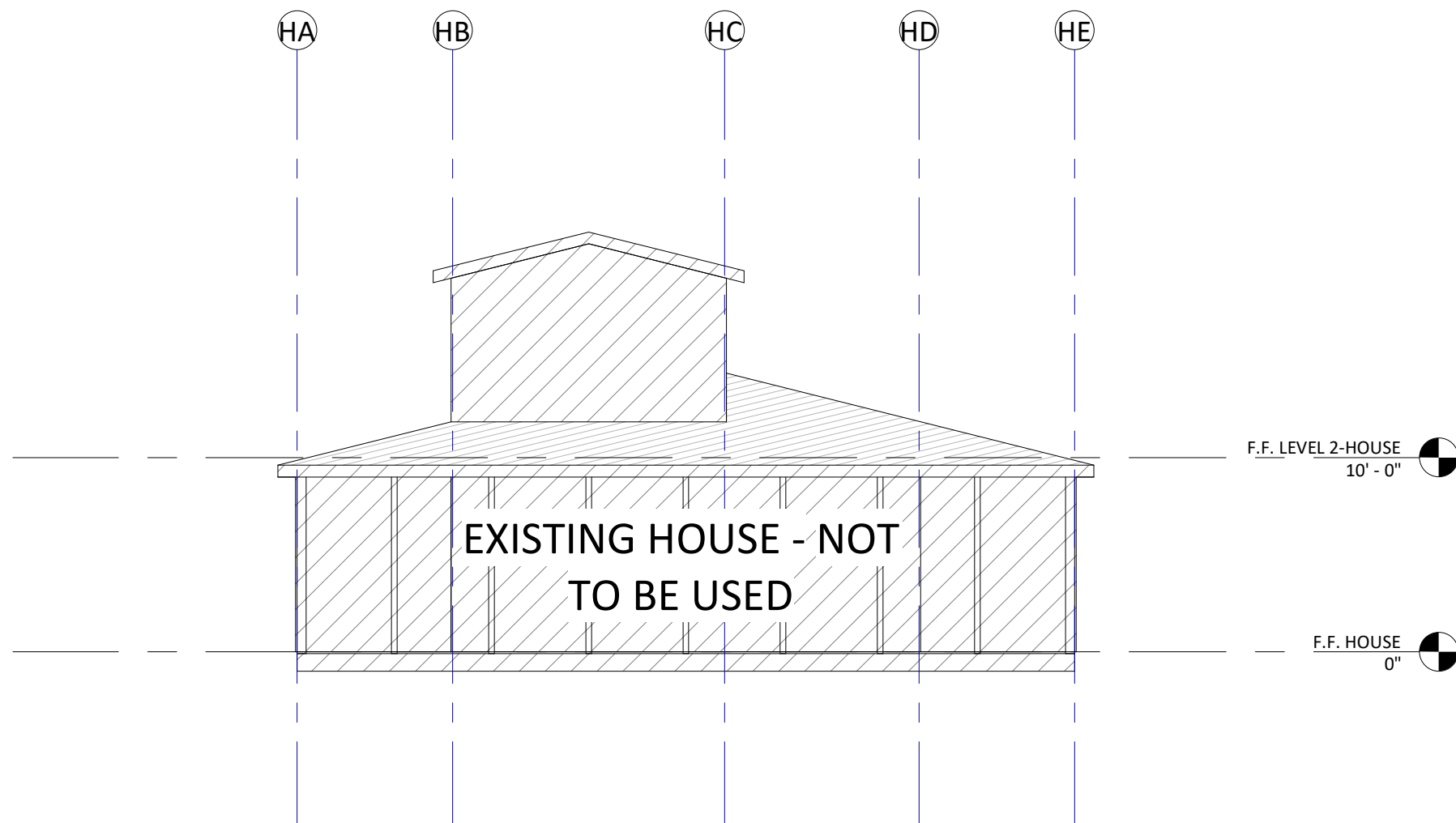
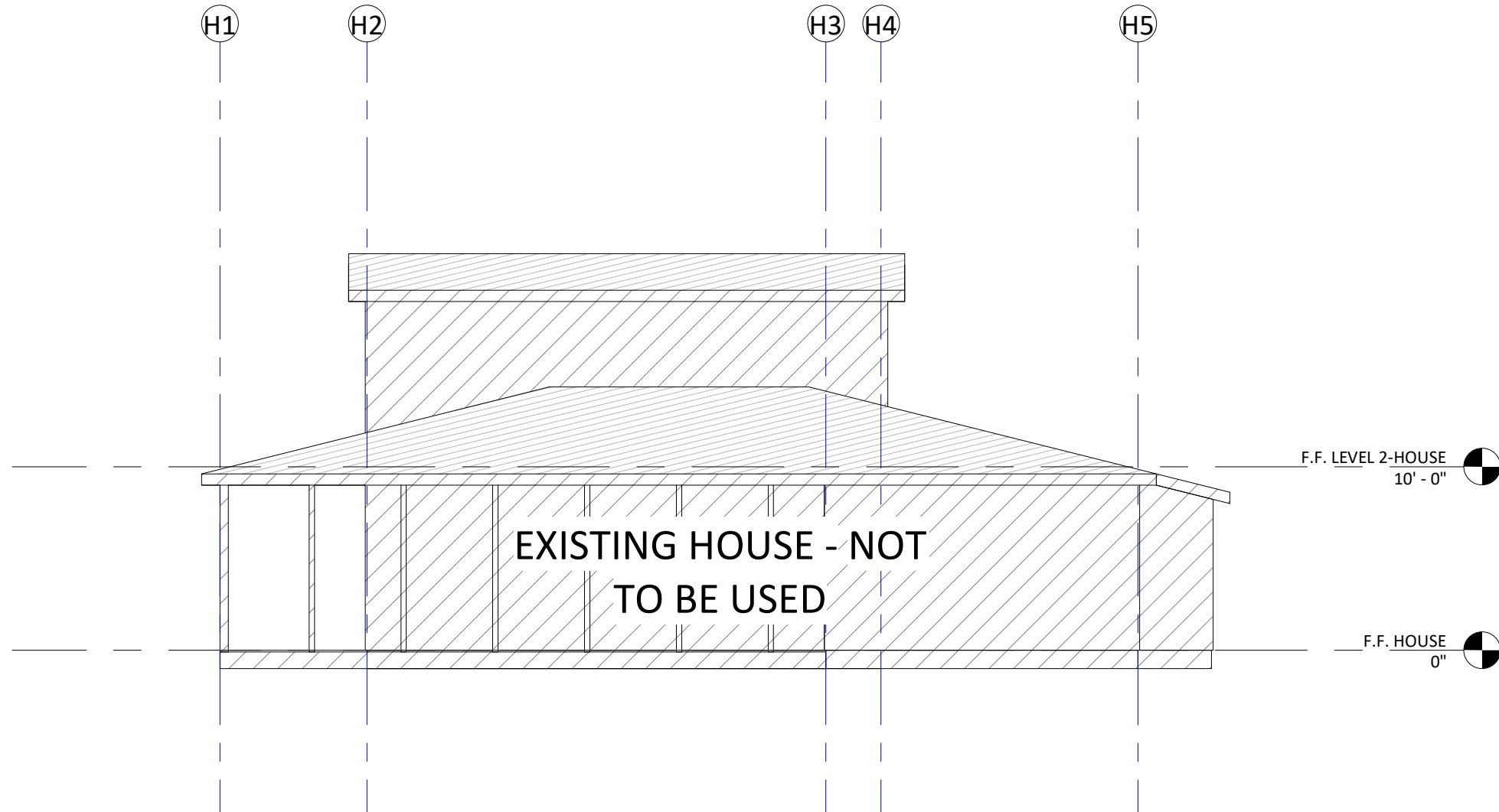
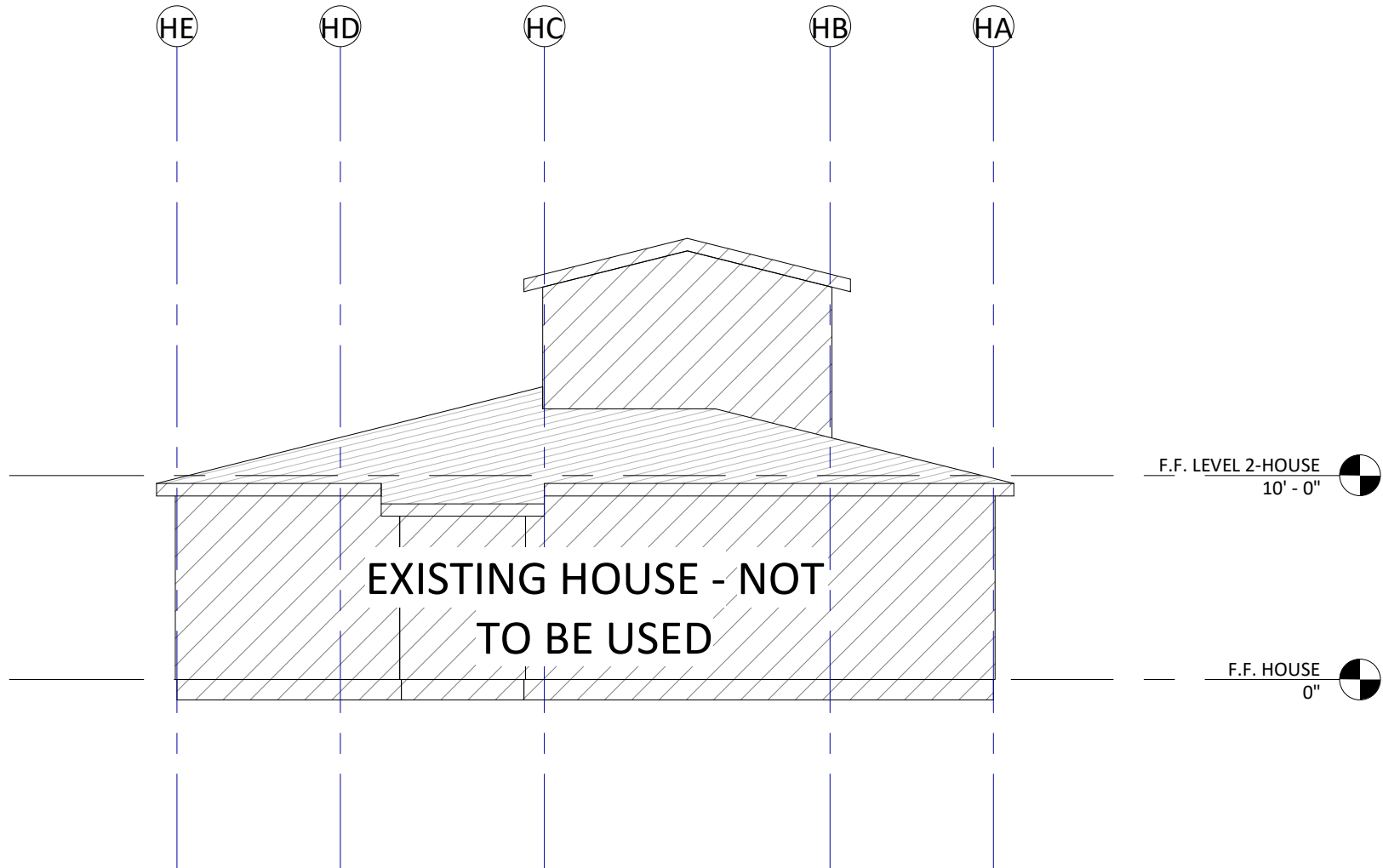
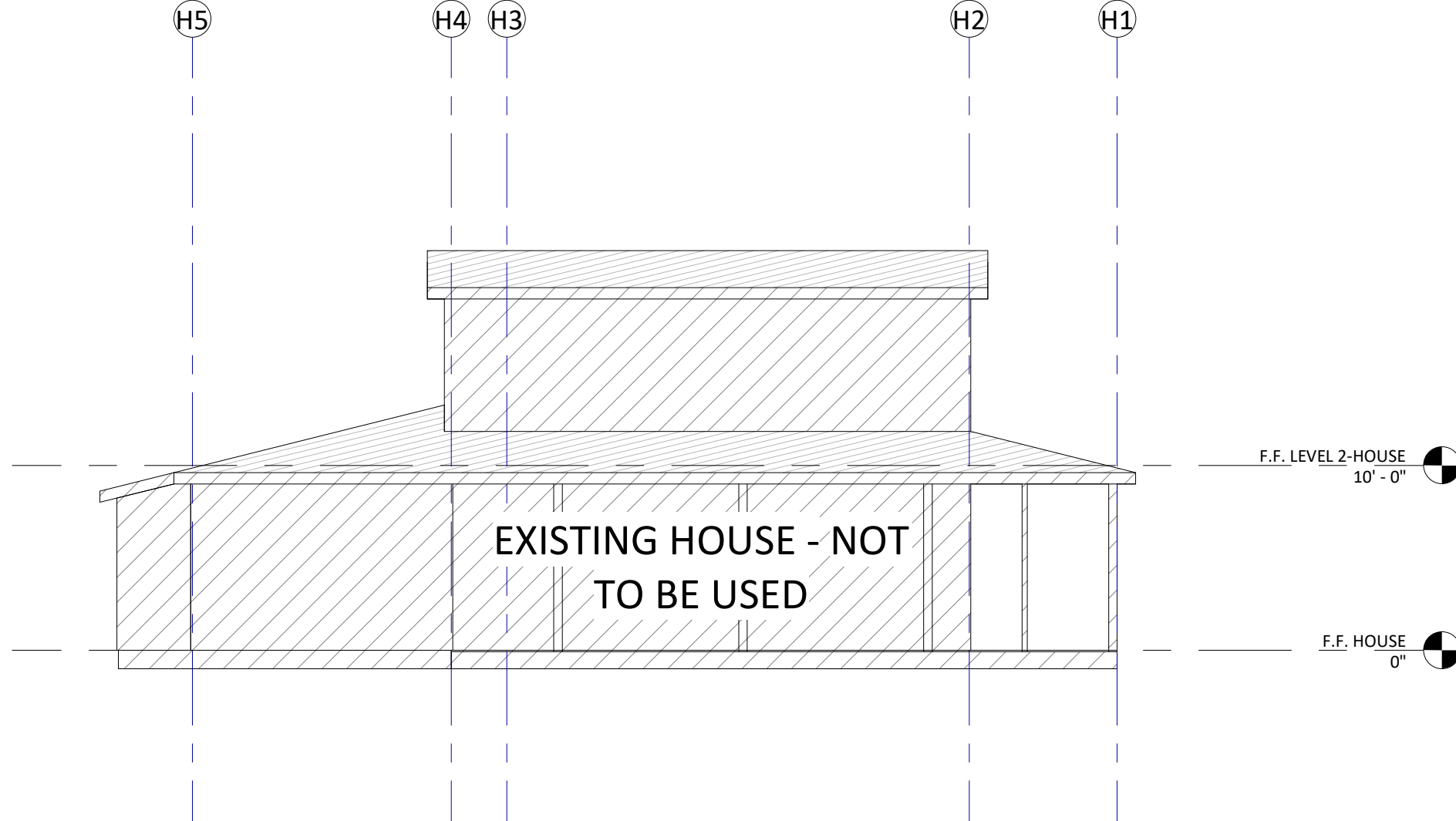
The seal of the State Architect of California is circular. It features the text "LICENSED ARCHITECT" at the top and "STATE OF CALIFORNIA" at the bottom. In the center, there is a smaller circle containing the text "JANUARY 1, 1907". Overlaid on the seal is the text "NOT FOR CONSTRUCTION" in large, bold, black letters. Below the seal, the text "NO. C23563" and "S. R. 12-1" are visible.

NOT FOR
CONSTRUCTION

NO. C23563
S. R. 12-1

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THE ARCHITECT AND THE BUILDING AUTHORITY HAVING
JURISDICTION OVER THE PROJECT.

SHEET:
A6.13
SHEET: OF SHEETS

																							
EXT ELEV - EXISTING SHED - EAST			SCALE 1/8" = 1'-0"	20	EXT ELEV - EXISTING SHED - NORTH			SCALE 1/8" = 1'-0"	15	EXT ELEV - EXISTING SHED - WEST			SCALE 1/8" = 1'-0"	10	EXT ELEV - EXISTING SHED - SOUTH			SCALE 1/8" = 1'-0"	5				
																							
EXT ELEVATION - HOUSE - NE										SCALE 1/8" = 1'-0"	13	EXT ELEVATION - HOUSE - NW										SCALE 1/8" = 1'-0"	3
																							
EXT ELEVATION - HOUSE - SW										SCALE 1/8" = 1'-0"	11	EXT ELEVATION - HOUSE - SE										SCALE 1/8" = 1'-0"	1

KEYNOTES

ITEM	KEYNOTE DESCRIPTION
------	---------------------

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PROJECT: 20201009

NEW CULTIVATION PROJECT FOR:

TITLE:
EXTERIOR ELEVATIONS - EXISTING

ISSUES:
Project Issue Date: 11/24/20
Project Status: PREDESIGN
Sheet Issue Date: 1/25/21
Revision Number:
Revision Date:

DESIGN REVIEW DRAWING

NOT FOR CONSTRUCTION

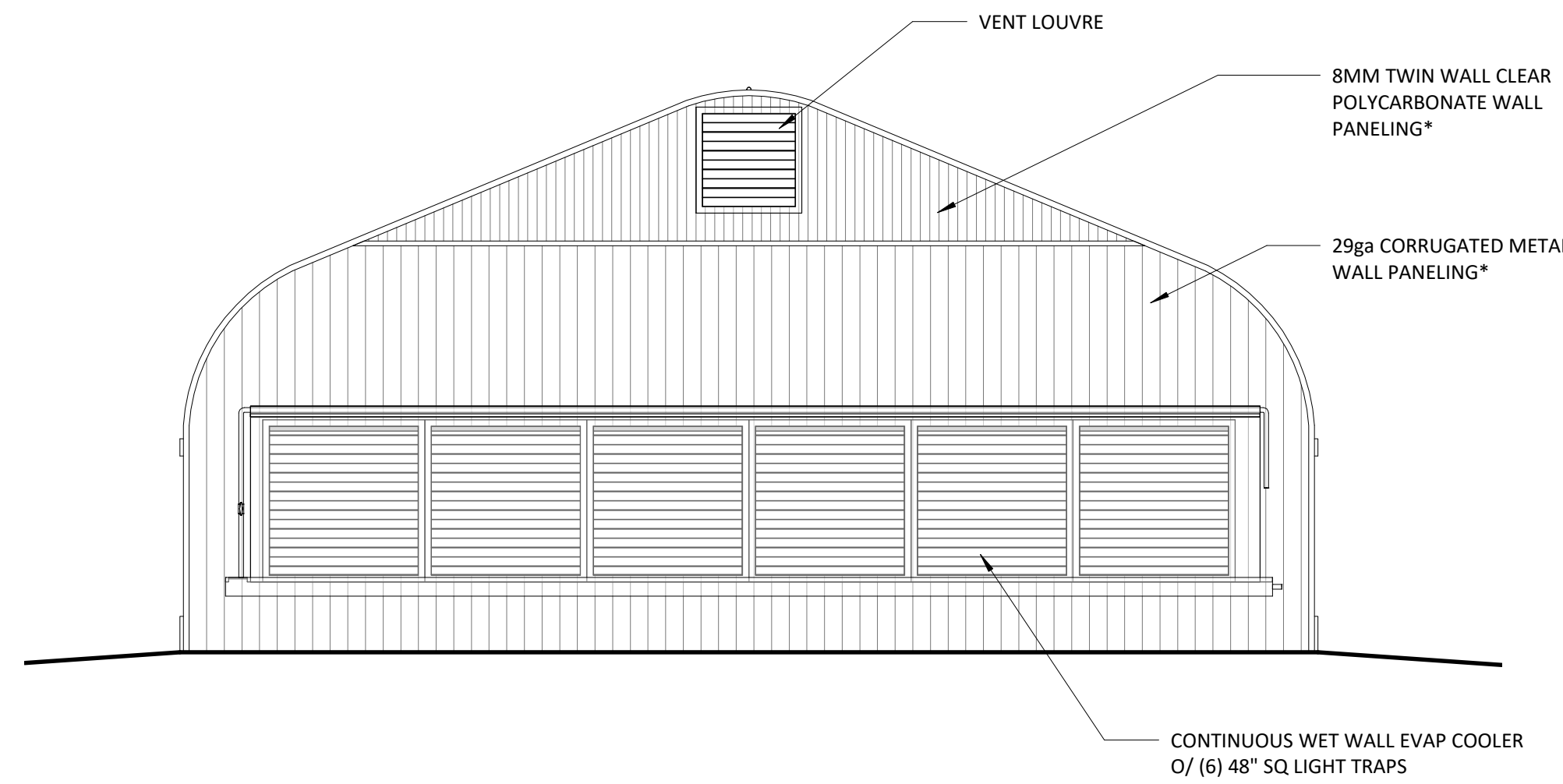
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SHEET:

A6.21

SHEET: OF SHEETS

STRUCTURAL NOTES GENERAL		STRUCTURAL NOTES CONCRETE		STRUCTURAL NOTES CONCRETE		STRUCTURAL NOTES STEEL		DRAWING SHEET INDEX																																																																																																																																						
SCOPE OF CONSTRUCTION: 1.01 - THE CONSTRUCTION CONTRACT RELATED TO THE WORK OF THIS PROJECT IS HEREBY MADE A PART OF THESE DRAWINGS AS THOUGH FULLY CONTAINED THEREIN. 1.02 - THE CONSTRUCTION CONTRACT RELATED TO THE WORK OF THIS PROJECT IS HEREBY MADE A PART OF THESE DRAWINGS AS THOUGH FULLY CONTAINED THEREIN. 1.03 - PRIOR TO CONTRACT APPROVAL, THE FOUNDATION AND FRAMING CONTRACTORS SHALL VISIT THE PROJECT SITE, AND BY THEIR OWN INVESTIGATION, DETERMINE EXISTING SITE CONDITIONS AS TO THE QUANTITIES OF MATERIALS, LABOR HOURS, AND ANY OTHER COST ASSOCIATED WITH WORK THAT IS TO BE DONE UNDER THEIR CONTRACT AND AS REQUIRED TO PASS ALL BUILDING PERMIT INSPECTIONS. ALL MODIFICATIONS REQUIRED BY THE INSPECTION AUTHORITY SHALL BE MADE BY THE FOUNDATION AND FRAMING CONTRACTORS AT THEIR EXPENSE. 1.04 - PRIOR TO CONTRACT APPROVAL, THE FOUNDATION AND FRAMING CONTRACTORS SHALL VERIFY AND CONFIRM THE DESIGN REQUIREMENTS OF ALL NEW AND EXISTING ARCHITECTURAL, STRUCTURAL, PLUMBING, MECHANICAL, AND ELECTRICAL SYSTEMS AND REPORT ANY AMBIGUITIES OR DISCREPANCIES CONTAINED IN THE CONTRACT TO THE OWNER IN WRITING. ALL MODIFICATIONS REQUIRED TO COMPLETE THE CONTRACT RESULTING FROM AMBIGUITIES OR DISCREPANCIES NOT REPORTED PRIOR TO CONTRACT APPROVAL SHALL BE MADE BY EACH FOUNDATION AND FRAMING CONTRACTORS AT THEIR EXPENSE. APPLICABLE LAWS, ORDINANCES, REGULATIONS AND STANDARDS: 2.01 - THE FOUNDATION AND FRAMING CONTRACTORS SHALL CONFORM TO THE LATEST APPLICABLE, ADOPTED EDITION OF THE CALIFORNIA CODE OF REGULATIONS, TITLE-24; UNIFORM BUILDING CODE; UNIFORM PLUMBING CODE; UNIFORM MECHANICAL CODE; NATIONAL ELECTRICAL CODE; AND ALL LOCAL CODES AND ORDINANCES REQUIRED TO RECEIVE A CERTIFICATE OF OCCUPANCY FROM THE BUILDING OFFICIAL HAVING JURISDICTION OVER THE PROJECT. 2.02 - THE FOUNDATION AND FRAMING CONTRACTORS SHALL PERFORM ALL WORK REQUIRED BY APPLICABLE BUILDING CODES AND REGULATIONS TO PASS ALL REQUIRED BUILDING INSPECTIONS. PERMITS, LICENSES, INSPECTIONS AND FEES: 3.01 - THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED PLAN REVIEW, PERMIT, LICENSE, AND INSPECTION APPROVALS. ALL FEES REQUIRED FOR APPROVAL SHALL BE PAID BY THE OWNER. GUARANTEE: 4.01 - THE FOUNDATION AND FRAMING CONTRACTORS SHALL GUARANTEE THAT ALL WORK REQUIRED TO CONSTRUCT THE PROJECT BE A COMPLETE WORKING SYSTEM AND SHALL OPERATE FREE FROM DEFECTS IN WORKMANSHIP AND MATERIALS. THE CONTRACTOR AGREES TO REPLACE, WITHOUT EXPENSE TO THE OWNER, ANY PROJECT COMPONENTS WHICH THE OWNER DETERMINES TO BE DEFECTIVE WITHIN ONE (1) CALENDAR YEAR FROM THE DATE OF FINAL CONTRACT ACCEPTANCE. DATA AND MEASUREMENTS: 5.01 - DRAWING DATA CONTAINED HEREIN IS AS EXACT AS COULD BE DETERMINED WITHIN THE PROJECT ARCHITECT'S DESIGN SCOPE OF SERVICES RENDERED. AS SUCH THE ABSOLUTE ACCURACY OF THE DESIGN DATA IS NOT GUARANTEED. THE FOUNDATION AND FRAMING CONTRACTORS SHALL ENDEAVOR TO OBTAIN, VERIFY AND CONFIRM EXACT DESIGN DATA ON SITE AND SUITABLY ADAPT THE WORK TO CONFORM TO EXACT CONDITIONS ON SITE. THE CONTRACTOR SHALL REPORT ANY DESIGN DATA AMBIGUITIES OR DISCREPANCIES CONTAINED IN THE CONTRACT TO THE OWNER IN WRITING. ALL MODIFICATIONS REQUIRED TO ADAPT THE WORK SHALL BE MADE BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE. 5.02 - <u>DO NOT SCALE THE DRAWINGS.</u> WRITTEN DIMENSIONS AND ACTUAL BUILDING MEASUREMENTS TAKE PRECEDENCE OVER SCALED DRAWING INFORMATION. 5.03 - DIMENSIONS TO DOORS, WINDOWS, AND OPENINGS ARE NOMINAL WIDTHS. REFER TO SCHEDULE SHEETS FOR ACTUAL DIMENSIONS REFER TO THE MANUFACTURER FOR ACTUAL ROUGH OPENINGS. SUBSTITUTIONS FOR SPECIFIED MATERIALS: 6.01 - SPECIFIC TRADE NAMES MENTIONED IN THE DRAWINGS ARE FOR THE PURPOSES OF ESTABLISHING MINIMUM STANDARDS OF QUALITY, STYLE OR TYPE, AND SHALL NOT BE CONSTRUED TO RESTRICT SUBSTITUTIONS. ALL SUBSTITUTIONS SHALL BE SUBMITTED BY THE FOUNDATION AND FRAMING CONTRACTORS TO AND APPROVED BY THE ENGINEER RECORD IN WRITING WITHIN A SUFFICIENT TIME FRAME AS NOT TO DELAY PROJECT COMPLETION. CLEAN UP AND START UP RESPONSIBILITIES: 7.01 - AFTER COMPLETION OF THE WORK DESCRIBED IN THEIR RESPECTIVE CONTRACTS AND PRIOR TO ACCEPTANCE, THE FOUNDATION AND FRAMING CONTRACTORS SHALL THOROUGHLY CLEAN ALL EXPOSED SURFACES OF THEIR RESPECTIVE WORK COMPLETED. 7.02 - AFTER COMPLETION OF THE WORK DESCRIBED IN THEIR RESPECTIVE CONTRACTS AND PRIOR TO PROJECT ACCEPTANCE, THE GENERAL ENGINEERING CONTRACTOR, GENERAL CONTRACTOR AND SUBCONTRACTORS SHALL THOROUGHLY TEST AND PROPERLY START UP ALL PROJECT EQUIPMENT AS REQUIRED TO SECURE AND MAINTAIN SPECIFIED EQUIPMENT WARRANTIES. THE GENERAL ENGINEERING CONTRACTOR, GENERAL CONTRACTOR AND SUBCONTRACTORS SHALL REVIEW ALL MANUFACTURER'S RECOMMENDED OPERATIONS PROCEDURE WITH THE OWNER PRIOR TO PROJECT ACCEPTANCE. 7.03 - WARNING! IF YOU SCRAPE, SAND OR REMOVE OLD PAINT, FROM ANY SURFACE, YOU MAY RELEASE LEAD DUST. LEAD IS TOXIC. EXPOSURE TO LEAD DUST CAN CAUSE SERIOUS ILLNESS, SUCH AS BRAIN DAMAGE, ESPECIALLY IN CHILDREN. PREGNANT WOMEN SHOULD ALSO AVOID EXPOSURE. WEAR A NIOSH-APPROVED RESPIRATOR TO CONTROL LEAD EXPOSURE. CAREFULLY CLEAN UP WITH A WET MOP OR HEPA VACUUM. BEFORE YOU START, FIND OUT HOW TO PROTECT YOURSELF AND YOUR FAMILY BY CONTACTING THE U.S. EPA/LEAD INFORMATION HOTLINE AT 1-800-424-LEAD (5323)OR LOG ON TO WWW.EPA.GOV/LEAD.		<u>CAST-IN-PLACE CONCRETE:</u> CODES, SPECIFICATIONS, AND STANDARDS; CONCRETE WORK SHALL CONFORM TO THE FOLLOWING CODES, SPECIFICATIONS, AND STANDARDS, AND THE STANDARDS AND SPECIFICATIONS THEY REFERENCE. THE CONTRACTOR SHALL OBTAIN AND HAVE READILY AVAILABLE ON SITE THE LATEST VERSION OF THE "ACI MANUAL OF CONCRETE PRACTICE": ACI: 1. ACI-116 'CEMENT AND CONCRETE TERMINOLOGY'. 2. ACI-301 'STANDARD SPECIFICATIONS FOR STRUCTURAL CONCRETE'. 3. ACI-302 'GUIDE TO CONCRETE FLOOR AND SLAB CONSTRUCTION'. 4. ACI-304 'GUIDE FOR MEASURING, MIXING, TRANSPORTING, AND PLACING CONCRETE'. 5. ACI-305 'HOT WEATHER CONCRETING'. 6. ACI-306 'COLD WEATHER CONCRETING'. 7. ACI-308 'STANDARD SPECIFICATION FOR CURING CONCRETE'. 8. ACI-309 'STANDARD PRACTICE FOR CONSOLIDATION OF CONCRETE'. 9. ACI-311 'GUIDE FOR CONCRETE INSPECTION'. 10. ACI-315 'DETAILS AND DETAILING OF CONCRETE REINFORCEMENT'. 11. ACI-318 'BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE'. 12. ACI-506R 'GUIDE FOR SHOTCRETING'. ASTM: 1. ASTM C33 'STANDARD SPECIFICATION FOR CONCRETE AGGREGATES'. 2. ASTM C94 'STANDARD SPECIFICATION FOR READY-MIX CONCRETE'. 3. ASTM C150 'STANDARD SPECIFICATION FOR PORTLAND CEMENT'. 4. ASTM C260 'STANDARD SPECIFICATION FOR AIR-ENTRAINED ADMIXTURES FOR CONCRETE'. 5. ASTM C309 'STANDARD SPECIFICATION FOR LIQUID MEMBRANE-FORMING COMPOUNDS FOR CURING CONCRETE'. 6. ASTM C494 'STANDARD SPECIFICATION FOR CHEMICAL ADMIXTURES FOR CONCRETE'. 7. ASTM C595 'STANDARD SPECIFICATION FOR BLENDED HYDRAULIC CEMENTS'. 8. ASTM C618 'STANDARD SPECIFICATION FOR ... FLY-ASH...', MAXIMUM LOSS ON IGNITION SHALL BE 1.0%. 9. ASTM C1107 'STANDARD SPECIFICATION FOR CHEMICAL ADMIXTURES FOR USE IN PRODUCING FLOWING CONCRETE'. 10. ASTM C-1116 'SYNTHETIC FIBER REINFORCED CONCRETE AND SHOTCRETE'. 11. ASTM C-1218 'STANDARD TEST METHOD FOR WATER-SOLUBLE CHLORIDE IN MORTAR AND CONCRETE'. MIX DESIGNS: THE CONTRACTOR SHALL DESIGN CONCRETE MIXES THAT MEET OR EXCEED THE REQUIREMENTS OF THE CONCRETE MIX TABLE. THE MIX DESIGNS SHALL FACILITATE ANTICIPATED PLACEMENT METHODS, WEATHER, REBAR CONGESTION, ARCHITECTURAL FINISHES, CONSTRUCTION SEQUENCING, STRUCTURAL DETAILS, AND ALL OTHER FACTORS REQUIRED TO PROVIDE A STRUCTURALLY SOUND, AESTHETICALLY ACCEPTABLE FINISHED PRODUCT. WATER-REDUCING ADMIXTURES WILL LIKELY BE REQUIRED TO MEET THESE REQUIREMENTS. CONCRETE MIX DESIGNS SHALL CLEARLY INDICATE THE TARGET SLUMP. SLUMP TOLERANCE SHALL BE ± 1-1/2" INCHES. <table><tr><th>ITEM</th><th>DESIGN Fc (PSI)</th><th>MAX W/C RATIO</th><th>MIN FLYASH (PCY)**</th><th>MAX AGG SIZE (IN)</th><th>MIN CEMENTITIOUS MATERIAL (SACKS/YARD)*</th></tr><tr><td>BASEMENT, RETAINING & STEM WALLS</td><td>3000 @ 28 DAYS</td><td>0.45</td><td>100</td><td>3/4</td><td>5.5</td></tr><tr><td>FOUNDATIONS</td><td>3000 @ 28 DAYS</td><td>0.50</td><td>--</td><td>3/4</td><td>5</td></tr><tr><td>SLAB ON GRADE***</td><td>3000 @ 28 DAYS</td><td>0.45</td><td>100</td><td>3/4</td><td>5.5</td></tr><tr><td>COLUMNS & SHEAR WALLS U.N.O.</td><td>4000 @ 28 DAYS</td><td>0.50</td><td>--</td><td>3/8</td><td>5.5</td></tr><tr><td>ELEVATED BEAMS & SLABS</td><td>4000 @ 28 DAYS</td><td>0.45</td><td>100</td><td>3/4</td><td>5.5</td></tr><tr><td>ALL OTHER CONCRETE</td><td>2500 @ 28 DAYS</td><td>0.50</td><td>--</td><td>3/4</td><td>5.5</td></tr></table> * TOTAL CEMENTITIOUS MATERIAL IS THE SUM OF ALL CEMENT PLUS FLYASH. ** AT THE CONTRACTOR'S OPTION, FLYASH MAY BE SUBSTITUTED FOR CEMENT BUT SHALL NOT EXCEED 25% BY WEIGHT OF TOTAL CEMENTITIOUS MATERIAL *** FIBROUS CONCRETE REINFORCEMENT SHALL BE "FIBERMESH" MANUFACTURED BY SI CONCRETE SYSTEMS OR PRE-APPROVED EQUAL AND SHALL CONFORM TO ASTM C-1116 TYPE III 4.1.1, PERFORMANCE LEVEL 1, AND SHALL BE 100% VIRGIN POLYPROPYLENE FIBRILLATED FIBERS CONTAINING NO REPROCESSED OLEFIN MATERIALS AND SPECIFICALLY MANUFACTURED FOR USE AS CONCRETE SECONDARY REINFORCEMENT. DOSAGE SHALL FOLLOW MANUFACTURER'S RECOMMENDATION BUT NOT BE LESS THAN 1.5 LB/CU. YD. SPECIAL INSPECTIONS: SPECIAL INSPECTIONS REQUIRED FOR FOOTINGS, WALLS AND SLABS		ITEM	DESIGN Fc (PSI)	MAX W/C RATIO	MIN FLYASH (PCY)**	MAX AGG SIZE (IN)	MIN CEMENTITIOUS MATERIAL (SACKS/YARD)*	BASEMENT, RETAINING & STEM WALLS	3000 @ 28 DAYS	0.45	100	3/4	5.5	FOUNDATIONS	3000 @ 28 DAYS	0.50	--	3/4	5	SLAB ON GRADE***	3000 @ 28 DAYS	0.45	100	3/4	5.5	COLUMNS & SHEAR WALLS U.N.O.	4000 @ 28 DAYS	0.50	--	3/8	5.5	ELEVATED BEAMS & SLABS	4000 @ 28 DAYS	0.45	100	3/4	5.5	ALL OTHER CONCRETE	2500 @ 28 DAYS	0.50	--	3/4	5.5	COLD WEATHER PLACEMENT: 1. COLD WEATHER IS DEFINED BY ACI 306 AS "A PERIOD WHEN FOR MORE THAN 3 SUCCESSIVE DAYS THE MEAN DAILY TEMPERATURE DROPS BELOW 40° F." 2. NO CONCRETE SHALL BE PLACED ON FROZEN OR PARTIALLY FROZEN GROUND. THAWING WITH HEATERS AND SUBSEQUENTLY COMPACTING THE GROUND IS PERMISSIBLE. 3. CONCRETE MIX TEMPERATURES SHALL BE AS SHOWN BELOW. HEATING OF WATER AND/OR AGGREGATES MAY BE REQUIRED TO ATTAIN THESE TEMPERATURES. 4. THE CONCRETE MAY REQUIRE PROTECTION FOR 4-7 DAYS AFTER PLACING. IF TEMPERATURES REMAIN BELOW FREEZING, INSULATING BLANKET COVERAGE IS REQUIRED. IF TEMPERATURES ARE SLIGHTLY BELOW FREEZING (30° F MIN) AT NIGHT AND ABOVE FREEZING DURING THE DAY, KRAFT PAPER WITH COMPLETE COVERAGE MAY BE USED IN LIEU OF INSULATED BLANKETS. 5. NO ADDITIVES CONTAINING CHLORIDES SHALL BE USED. USE "POZZUTEC 20" BY MASTER BUILDERS OR "POLARSE" BY W.R. GRACE OR PRE-APPROVED EQUAL. <table><tr><th>CONDITION OF PLACEMENT AND CURING</th><th>WALLS & SLABS</th><th>FOOTINGS</th></tr><tr><td>MIN TEMP FRESH CONCRETE AS MIXED FOR WEATHER INDICATED (DEGREES F)</td><td>ABOVE 30°F 0°F TO 30°F</td><td>60 65 60</td></tr><tr><td>MIN TEMP FRESH CONCRETE AS PLACED AND MAINTAINED (DEGREES F)</td><td>BELOW 0°F</td><td>70 65</td></tr><tr><td>MAX ALLOWABLE GRADUAL DROP IN TEMP THROUGHOUT FIRST 24 HRS AFTER END OF PROTECTION (DEGREES F)</td><td></td><td>50 40</td></tr></table> CONTROL AND CONSTRUCTION JOINTS: CONSTRUCTION JOINTS SHALL MEET THE REQUIREMENTS OF ACI 301 SECTIONS 2.2.2.5 AND 5.3.2.6. KEYWAYS PER SECTION 2.2.2.5B ARE NOT REQUIRED UNLESS DETAILED ON THE STRUCTURAL DRAWINGS. SPECIAL BONDING METHODS PER SECTION 5.3.2.6 SHALL BE SATISFIED BY ITEM 3 BELOW UNLESS OTHERWISE DETAILED ON THE STRUCTURAL DRAWINGS. WHERE CONSTRUCTION JOINTS ARE NOT SHOWN ON PLAN OR ADDITIONAL CONSTRUCTION JOINTS ARE REQUIRED, SUBMIT PROPOSED JOINTING FOR ENGINEER'S APPROVAL. PROVIDE CONSTRUCTION JOINTS AS INDICATED BELOW UNLESS NOTED OTHERWISE ON THE PLANS: 1. SLABS ON GRADE: PROVIDE CONSTRUCTION AND/OR CONTROL JOINTS AT 13 FEET OC FOR SLABS ON GRADE. PERPENDICULAR SPACING RATIO SHALL NOT EXCEED 1.5. 2. WALLS AND COLUMNS: COORDINATE CONSTRUCTION JOINTS WITH ARCHITECTURAL REVEALS. 3. BONDING AGENT: WHERE BONDING AGENT IS SPECIFICALLY CALLED OUT ON THE STRUCTURAL DRAWINGS, USE "WELD CRETE" BY LARSON PRODUCTS CORPORATION OR PRE-APPROVED EQUAL. FOLLOW ALL MANUFACTURER'S RECOMMENDATIONS. EMBEDDED ITEMS: EMBEDDED CONDUIT IS NOT PERMITTED IN SLAB EXCEPT WHERE SPECIFICALLY SHOWN. IT SHALL BE PLACED AND REINFORCED PER THE TYPICAL CONCRETE DETAILS. NO ALUMINUM ITEMS SHALL BE EMBEDDED IN ANY CONCRETE. ALL EMBED PLATES SHALL BE SECURELY FASTENED IN PLACE. CONCRETE CURING AND SEALING: CURING PROCEDURES SHALL COMMENCE IMMEDIATELY AFTER FINISHING CONCRETE TO MAINTAIN CONCRETE IN A MOIST CONDITION. VERIFY CURING AND/OR SEALING PRODUCTS ARE COMPATIBLE WITH FLOOR COVERINGS SHOWN ON THE ARCHITECTURAL DRAWINGS. FOLLOW ALL MANUFACTURER'S RECOMMENDATIONS. <table><tr><th>ITEM</th><th>NOTES</th></tr><tr><td>SLAB ON GRADE</td><td>2,3,5</td></tr><tr><td>BASEMENT WALLS</td><td>4</td></tr><tr><td>ELEVATED SLABS NOT EXPOSED TO EARTH OR WEATHER</td><td>2,3,5</td></tr><tr><td>ALL OTHER CONCRETE</td><td>NONE</td></tr></table> CURRING NOTES: 1. PROVIDE PRE-APPROVED MOIST CURE METHOD FOR A MINIMUM OF 7 DAYS. 2. WHEN THE ESTIMATED EVAPORATION RATE IS GREATER THAN 0.2 PSF/HOUR, PROVIDE A SPRAY APPLIED EVAPORATION RETARDER IMMEDIATELY AFTER CONCRETE PLACEMENT. THE EVAPORATION RATE MAY BE CALCULATED PER ACI 305 FIGURE 2.1.5. 3. APPLY A LIQUID MEMBRANE FORMING CURING COMPOUND PER MANUFACTURER'S RECOMMENDATIONS TO ALL EXPOSED SURFACES IMMEDIATELY AFTER FINAL FINISHING. 4. APPLY A LIQUID MEMBRANE FORMING CURING COMPOUND PER MANUFACTURER'S RECOMMENDATIONS TO ALL FORMED SURFACES IMMEDIATELY AFTER FORM REMOVAL. NOT REQUIRED IF FORMWORK REMAINS IN PLACE FOR MORE THAN 7 DAYS. 5. APPLY A SILANE SEALER WITH A MINIMUM SOLIDS CONTENT OF 40% PER MANUFACTURER'S RECOMMENDATIONS. GROUT: NON-SHRINK GROUT: MASTER BUILDERS "MASTERFLOW 555" OR PRE-APPROVED EQUAL. GROUT SHALL CONFORM TO CRD-C621 AND ASTM C1107 GRADE B WHEN TESTED AT A FLUID CONSISTENCY PER CRD- C611-85 FOR 30 MINUTES. GROUT MAY BE PLACED FROM A 25 SECOND FLOW TO A STIFF PACKING CONSISTENCY. FILL OR PACK ENTIRE SPACE UNDER PLATES OR FLOW TO A STIFF PACKING CONSISTENCY. FILL OR PACK ENTIRE SPACE UNDER PLATES OR SHAPES. NO GROUTING SHALL BE DONE BELOW 40" F. EPOXY: USE TWO-PART LOW-SAG EPOXY. GROUT MAY CONTAIN QUARTZ SAND AGGREGATE AS PROPORTIONED BY THE MANUFACTURER. USE EQUIPMENT WHICH WILL ACCURATELY MIX AND DISPENSE THE COMPONENTS. HOLE SHALL BE DRY AND CLEANED WITH WIRE BRUSH AND PRESSURIZED AIR JUST PRIOR TO INSTALLING GROUT. THE REBAR OR ROD SHALL BE CLEAN AND INSTALLED SLOWLY, AND SHALL BE ROTATED AS IT IS PUSHED INTO THE HOLE. COLD WEATHER GROUTING SHALL BE DONE WITH PROPER GROUT FORMULA. FIRST STAGES OF THE GROUTING OPERATION SHALL BE INSPECTED. REINFORCING STEEL: REINFORCING STEEL SHALL CONFORM TO ASTM A-615, GRADE 60 (GRADE A706 FOR WELDED BARS UNLESS OTHERWISE NOTED, GRADE 40 FOR BEND OUT BARS). DETAIL, FABRICATE AND PLACE PER ACI 315 AND ACI 318. HORIZONTAL BEAM BARS, VERTICAL COLUMN BARS AND VERTICAL SHEAR WALL BARS SHALL MEET THE REQUIREMENTS OF ACI SECTION 21.2.5. REINFORCEMENT SHALL COMPLY WITH ASTM A706 FOR LOW-ALLOY STEEL. BILLET STEEL A615 GRADE 60 REINFORCEMENT MAY BE USED IF THE ACTUAL YIELD STRENGTH BASED ON MILL TESTS DOES NOT EXCEED THE SPECIFIED STRENGTH BY MORE THAN 18,000 PSI AND THE RATIO OF THE ACTUAL ULTIMATE TENSILE STRESS TO THE ACTUAL YIELD STRENGTH IS NOT LESS THAN 1.25. WELDED WIRE FABRIC REINFORCEMENT SHALL CONFORM TO ASTM A-82 AND A-185. LAP ONE FULL MESH ON SIDES AND ENDS. <table><tr><th colspan="5">REBAR SPICE AND DEVELOPMENT LENGTH SCHEDULE</th></tr><tr><th></th><th colspan="2">MIN LAP SPICE LENGTHS ("Ls")</th><th colspan="2">MIN DEVELOPMENT LENGTHS ("Ld")</th><th>MIN EMBEDMENT LENGTH FOR STANDARD END HOOKS ("Ldh")</th></tr><tr><th>BAR SIZE</th><th>TOP BARS*</th><th>OTHER BARS</th><th>TOP BARS*</th><th>OTHER BARS</th><th></th></tr><tr><td>#3</td><td>2'-0"</td><td>1'-6"</td><td>1'-6"</td><td>1'-3"</td><td>0'-7"</td></tr><tr><td>#4</td><td>2'-8"</td><td>2'-0"</td><td>2'-0"</td><td>1'-7"</td><td>0'-9"</td></tr><tr><td>#5</td><td>3'-4"</td><td>2'-7"</td><td>2'-7"</td><td>2'-0"</td><td>1'-0"</td></tr><tr><td>#6</td><td>4'-0"</td><td>3'-1"</td><td>3'-1"</td><td>2'-4"</td><td>1'-2"</td></tr><tr><td>#7</td><td>5'-10"</td><td>4'-6"</td><td>4'-6"</td><td>3'-6"</td><td>1'-5"</td></tr></table> * "TOP BARS" ARE HORIZONTAL BARS WITH MORE THAN 12" DEPTH OF CONCRETE CAST BELOW THEM REINFORCING COUPLERS: "CADWELD" OR "LENTON" BY ERICO PRODUCTS, INC., MBT BAR-LOCK, "NO-SLIP" BY FOX-HOWLETT INDUSTRIES, INC., OR PRE-APPROVED EQUAL. COUPLER MUST DEVELOP THE TENSILE STRENGTH OF THE BAR U.N.O. REINFORCING STEEL COVER: PROVIDE CONCRETE COVER OVER REINFORCEMENT AS FOLLOWS: CONCRETE CAST AGAINST EARTH ----- 3" EXPOSED TO WEATHER OR EARTH ----- 2" TIES ON BEAMS AND COLUMNS ----- 1-1/2" WALLS AND SLABS NOT EXPOSED TO WEATHER---- 3/4"		CONDITION OF PLACEMENT AND CURING	WALLS & SLABS	FOOTINGS	MIN TEMP FRESH CONCRETE AS MIXED FOR WEATHER INDICATED (DEGREES F)	ABOVE 30°F 0°F TO 30°F	60 65 60	MIN TEMP FRESH CONCRETE AS PLACED AND MAINTAINED (DEGREES F)	BELOW 0°F	70 65	MAX ALLOWABLE GRADUAL DROP IN TEMP THROUGHOUT FIRST 24 HRS AFTER END OF PROTECTION (DEGREES F)		50 40	ITEM	NOTES	SLAB ON GRADE	2,3,5	BASEMENT WALLS	4	ELEVATED SLABS NOT EXPOSED TO EARTH OR WEATHER	2,3,5	ALL OTHER CONCRETE	NONE	REBAR SPICE AND DEVELOPMENT LENGTH SCHEDULE						MIN LAP SPICE LENGTHS ("Ls")		MIN DEVELOPMENT LENGTHS ("Ld")		MIN EMBEDMENT LENGTH FOR STANDARD END HOOKS ("Ldh")	BAR SIZE	TOP BARS*	OTHER BARS	TOP BARS*	OTHER BARS		#3	2'-0"	1'-6"	1'-6"	1'-3"	0'-7"	#4	2'-8"	2'-0"	2'-0"	1'-7"	0'-9"	#5	3'-4"	2'-7"	2'-7"	2'-0"	1'-0"	#6	4'-0"	3'-1"	3'-1"	2'-4"	1'-2"	#7	5'-10"	4'-6"	4'-6"	3'-6"	1'-5"	DETAILING, FABRICATION AND ERECTION: ALL WORKMANSHIP SHALL CONFORM TO THE CURRENT AISC MANUAL OF STEEL CONSTRUCTION AND AISC 360 CURRENT EDITION. STEEL MEMBERS ARE EQUALLY SPACED BETWEEN DIMENSION POINTS UNLESS NOTED OTHERWISE. ALL FABRICATION SHALL BE PERFORMED BY A FABRICATOR CERTIFIED BY THE AMERICAN INSTITUTE OF STEEL CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL ERECTION AIDS AND JOINT PREPARATIONS THAT INCLUDE BUT ARE NOT LIMITED TO, ERECTION ANGLES, LIFT HOLES, AND OTHER AIDS, WELDING PROCEDURES, REQUIRED ROOT OPENINGS, ROOT FACE DIMENSIONS, GROOVE ANGLES, BACKING BARS, WELD EXTENSION TABS, COPES, SURFACE ROUGHNESS VALUES AND TAPERS OF UNEQUAL PARTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COMPLIANCE WITH ALL CURRENT OSHA REQUIREMENTS. HOLES, COPES, OR OTHER CUTS OR MODIFICATIONS OF THE STRUCTURAL STEEL MEMBERS SHALL NOT BE MADE IN THE FIELD WITHOUT WRITTEN APPROVAL FROM THE STRUCTURAL ENGINEER. MATERIAL PROPERTIES WIDE FLANGE SECTIONS: ASTM A992 (Fy = 36 KSI) OTHER SHAPES AND PLATES: ASTM A36 (Fy = 36 KSI) STRUCTURAL STEEL PIPES: ASTM A53, GRADE B, TYPE E OR S (Fy = 35 KSI) STEEL STRUCTURAL TUBING: ASTM A500, GRADE B, (Fy=46 KSI). MACHINE BOLTS (M.B.): ASTM A307, GRADE A HIGH-STRENGTH BOLTS: A325-ASTM F1852, A490-ASTM A490 ANCHOR BOLTS (A.B.): ASTM F1554, GRADE 36, CLASS 2A WELDING: STRUCTURAL STEEL: WELD IN ACCORDANCE WITH "STRUCTURAL WELDING CODE" AWS D-1.1. 70 KSI MINIMUM WELD MATERIAL. CERTIFICATION: ALL WELDING SHALL BE PERFORMED BY AWS CERTIFIED WELDERS. WELDERS SHALL BE PREQUALIFIED FOR EACH POSITION AND WELD TYPE WHICH THE WELDER WILL BE PERFORMING. IF WELDERS ARE NOT CERTIFIED, CONTRACTOR SHALL PAY FOR ANY INSPECTIONS BY TESTING AGENCY THAT WOULD NOT HAVE BEEN REQUIRED IF SHOP WAS CERTIFIED. WITHOUT CERTIFICATION, ALL WELDS SHALL BE CONSIDERED FIELD WELDS. WELD TABS (ALSO KNOWN AS WELD "EXTENSION" TABS OR "RUN OFF" TABS SHALL BE USED. AFTER THE WELD HAS BEEN COMPLETED THE WELD TABS SHALL BE REMOVED AND THE WELD END GROUND TO A SMOOTH CONTOUR. WELD "DAMS" OR "END DAMS" SHALL NOT BE USED. THE PROCESS CONSUMABLES FOR ALL WELD FILLER METAL INCLUDING TACK WELDS, ROOT PASS, AND SUBSEQUENT PASSES DEPOSITED IN A JOINT SHALL BE COMPATIBLE. ALL WELD FILLER METAL AND WELD PROCESS SHALL PROVIDE CHARPY V-NOTCH TOUGHNESS RATING PER LATEST EDITION OF AISC 341.		<table><tr><th>SHEET</th><th>SHEET TITLES</th></tr><tr><td>GH1.0</td><td>COVER SHEET</td></tr><tr><td>GH1.1</td><td>PROJECT OVERALL</td></tr><tr><td>GH2.1</td><td>FOUNDATION PLAN</td></tr><tr><td>GH3.1</td><td>FRAMING PLAN</td></tr><tr><td>GH3.3</td><td>LIGHT DEPRIVATION PLANS</td></tr><tr><td>GH8.1</td><td>SECTIONS</td></tr><tr><td>GH9.0</td><td>DETAILS - TRUSS CONSTRUCTION</td></tr><tr><td>GH9.1</td><td>DETAILS - CONNECTIONS</td></tr><tr><td>GH9.3</td><td>DETAILS</td></tr><tr><td>GH-E1</td><td>Unnamed</td></tr></table> 100 GATEWAY DRIVE, SUITE 120 LINCOLN, CA 95648 (916) 580-9981 Sean@GRAPHIA.com GRAPHIA.com GRAPHIA® IS A REGISTERED TRADEMARK OF SEAN FREITAS. THESE DRAWINGS ARE INSTRUMENTS OF SERVICE AND ARE THE PROPERTY OF SEAN FREITAS, ARCHITECT. ALL DESIGN INFORMATION CONTAINED IN THESE DRAWINGS ARE FOR USE ONLY ON THIS SPECIFIED PROJECT AND SHALL NOT BE USED OTHERWISE WITHOUT EXPRESSED WRITTEN PERMISSION OF SEAN FREITAS, ARCHITECT © 1992-2021. ALL RIGHTS RESERVED. PROJECT: 20201009 CLIENT: BINH LY 415-423-4659 bhl1228@yahoo.com NEW 30' x 96' LIGHT DEP GREENHOUSE FOR: BINH LY 8260 FAIRPLAY ROAD SOMERSET, CA 95684 TITLE: COVER SHEET ISSUES: Project Issue Date: 1/10/21 Project Status: PREDESIGN Sheet Issue Date: 1/25/21 Revision Number: Revision Date: DESIGN REVIEW DRAWING NOT FOR CONSTRUCTION THIS PROJECT IS NOT APPROVED FOR CONSTRUCTION UNLESS THE DRAWINGS ARE STAMPED AND WET SIGNED BY THE ARCHITECT AND THE BUILDING AUTHORITY HAVING JURISDICTION OVER THE PROJECT. SHEET: GH1.0 SHEET: OF SHEETS		SHEET	SHEET TITLES	GH1.0	COVER SHEET	GH1.1	PROJECT OVERALL	GH2.1	FOUNDATION PLAN	GH3.1	FRAMING PLAN	GH3.3	LIGHT DEPRIVATION PLANS	GH8.1	SECTIONS	GH9.0	DETAILS - TRUSS CONSTRUCTION	GH9.1	DETAILS - CONNECTIONS	GH9.3	DETAILS	GH-E1	Unnamed
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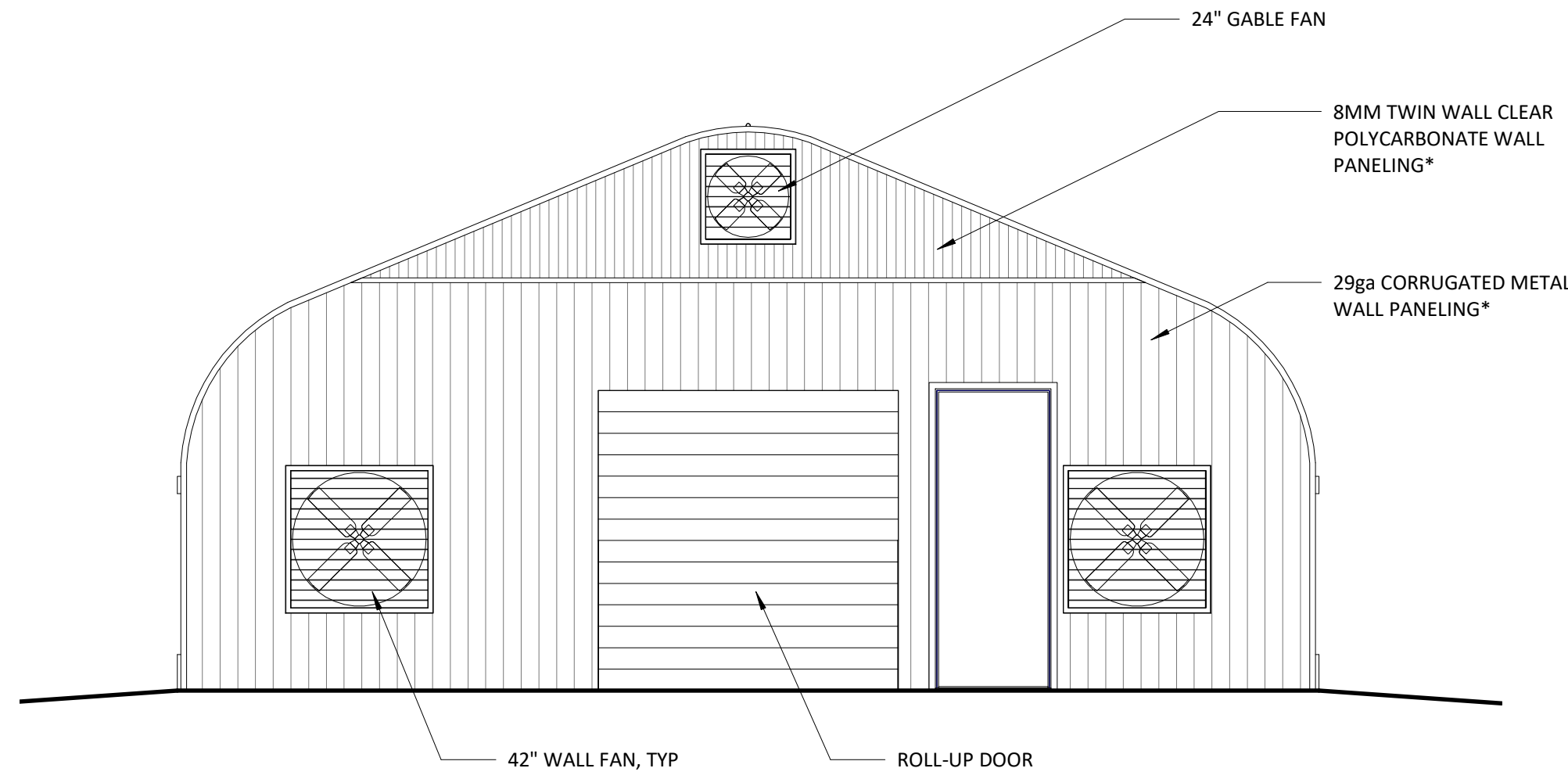


*ATTACH PER MANF AND PROVIDE FRAMING PER MANUFACTURER'S SPAN RATING REQUIREMENTS.

EXTERIOR ELEVATION - REAR

SCALE
1/4" = 1'-0"

3

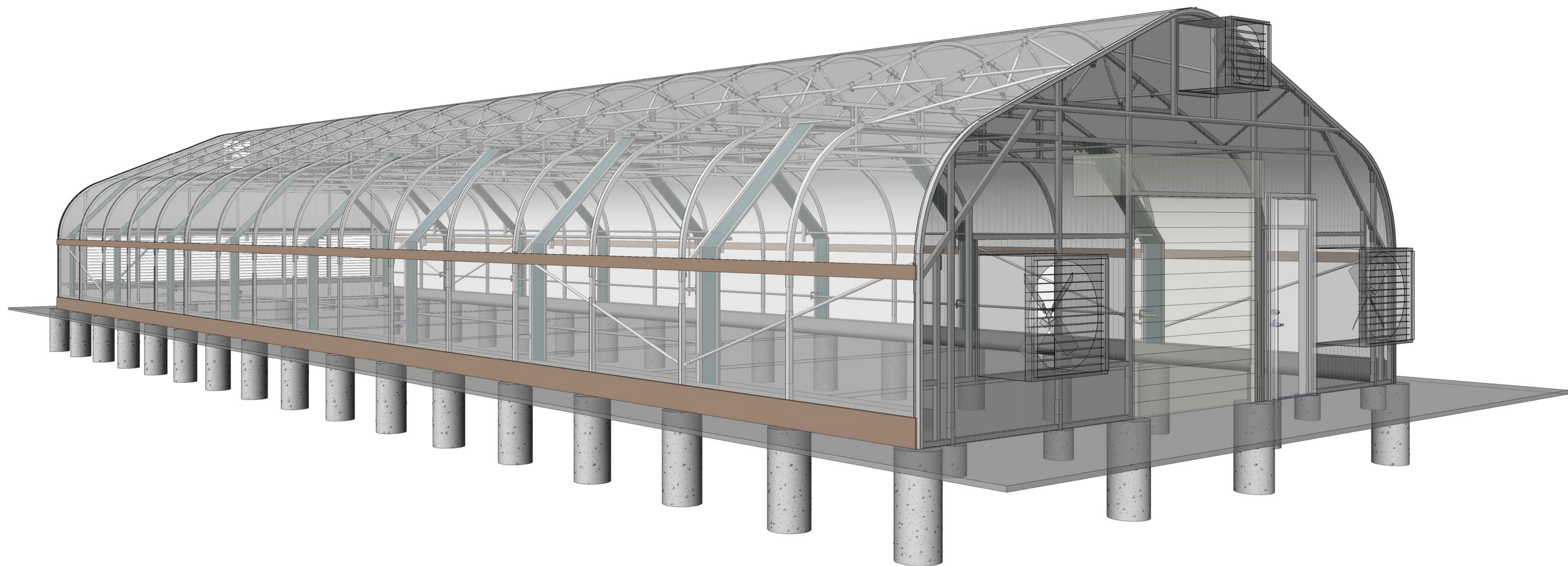


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EXTERIOR ELEVATION - ENTRY

SCALE
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2



PERSPECTIVE

SCALE

1

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PROJECT: 20201009

CLIENT:
BINH LY
415-423-4659
bhl1228@yahoo.com

NEW 30' x 96' LIGHT DEP GREENHOUSE FOR:
BINH LY
8260 FAIRPLAY ROAD
SOMERSET, CA 95684

TITLE:
PROJECT OVERALL
ISSUES:
Project Issue Date: 1/10/21
Project Status: PREDESIGN
Sheet Issue Date: 1/25/21
Revision Number:
Revision Date:

DESIGN REVIEW DRAWING
NOT FOR CONSTRUCTION
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SHEET:
GH1.1
SHEET: OF SHEETS

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CLIENT:

2011

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NEW 30' x 96' LIGHT DEP GREENHOUSE FOR:

BINH LY

8260 FAIRPLAY ROAD
SOMERSET, CA 95684

TITLE:
FOUNDATION PLAN

ISSUES:

Project Issue D

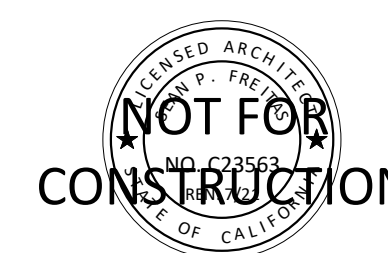
Project Status:
Sheet Issue Date:

Revision Number _____
Revision Date _____

1/10/21

PREDESIGN
1/25/21

DESIGN REVIEW DRAWING

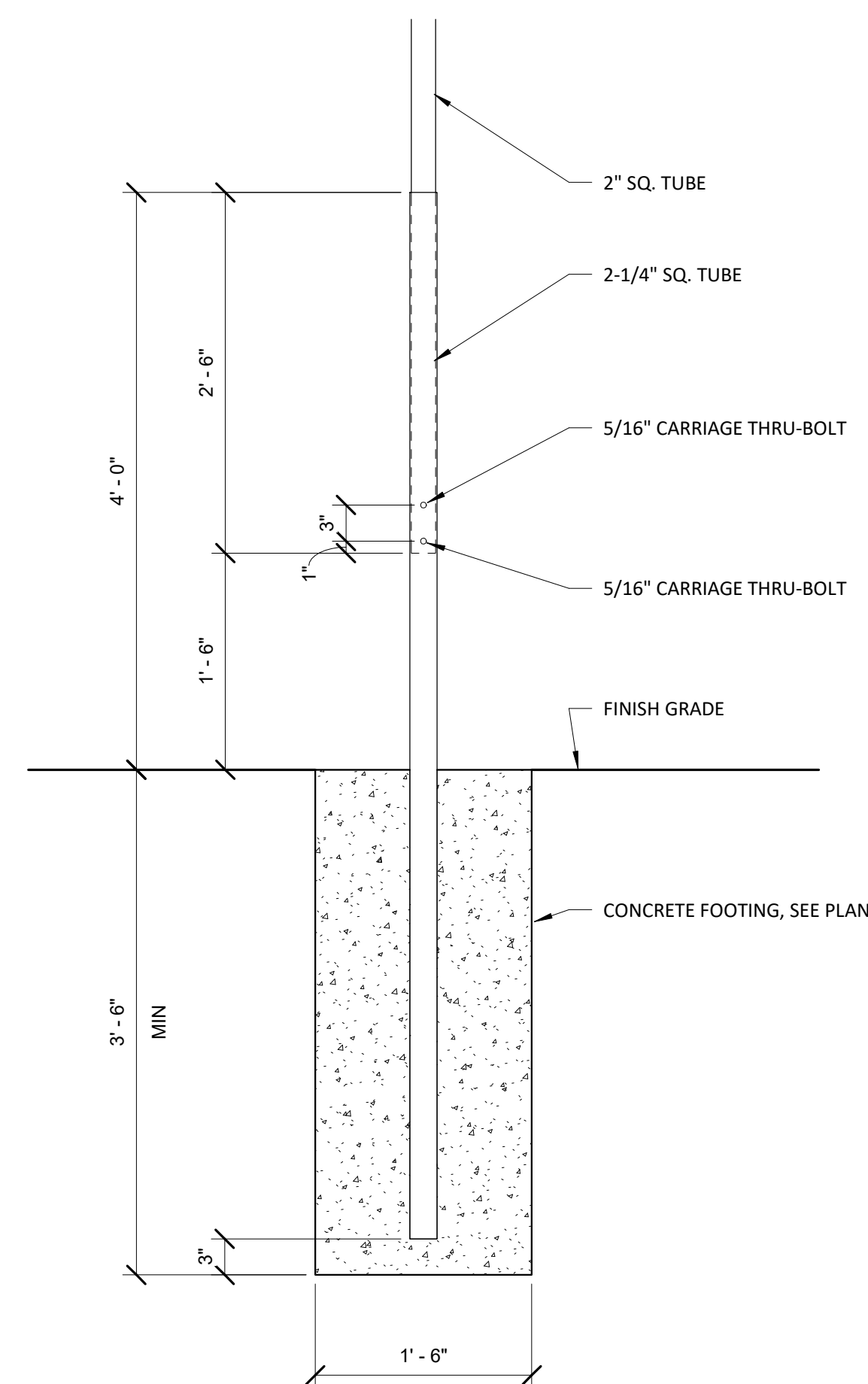


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SHEET:

GH2.1

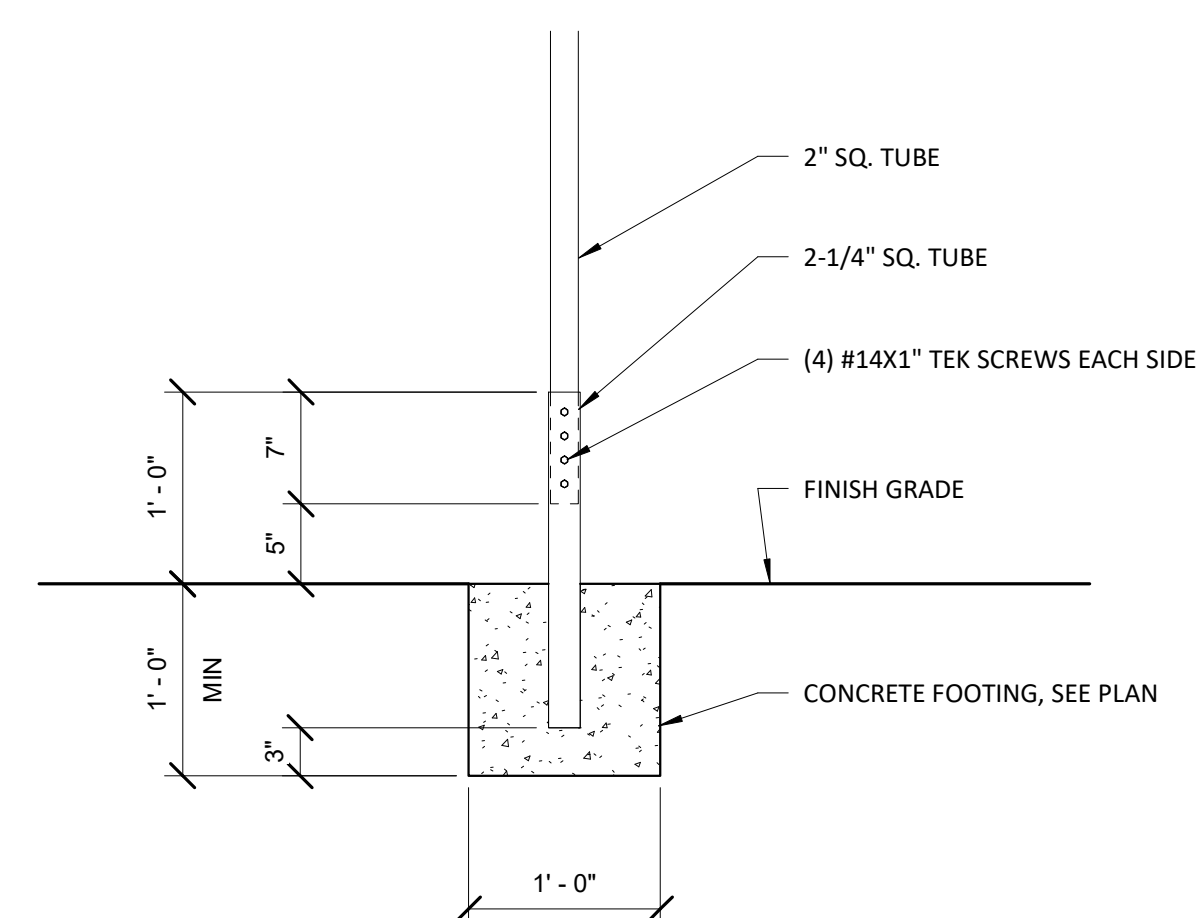
SHEET: OF SHEETS



CONCRETE FOOTING A

SCALE
1" = 1'-0"

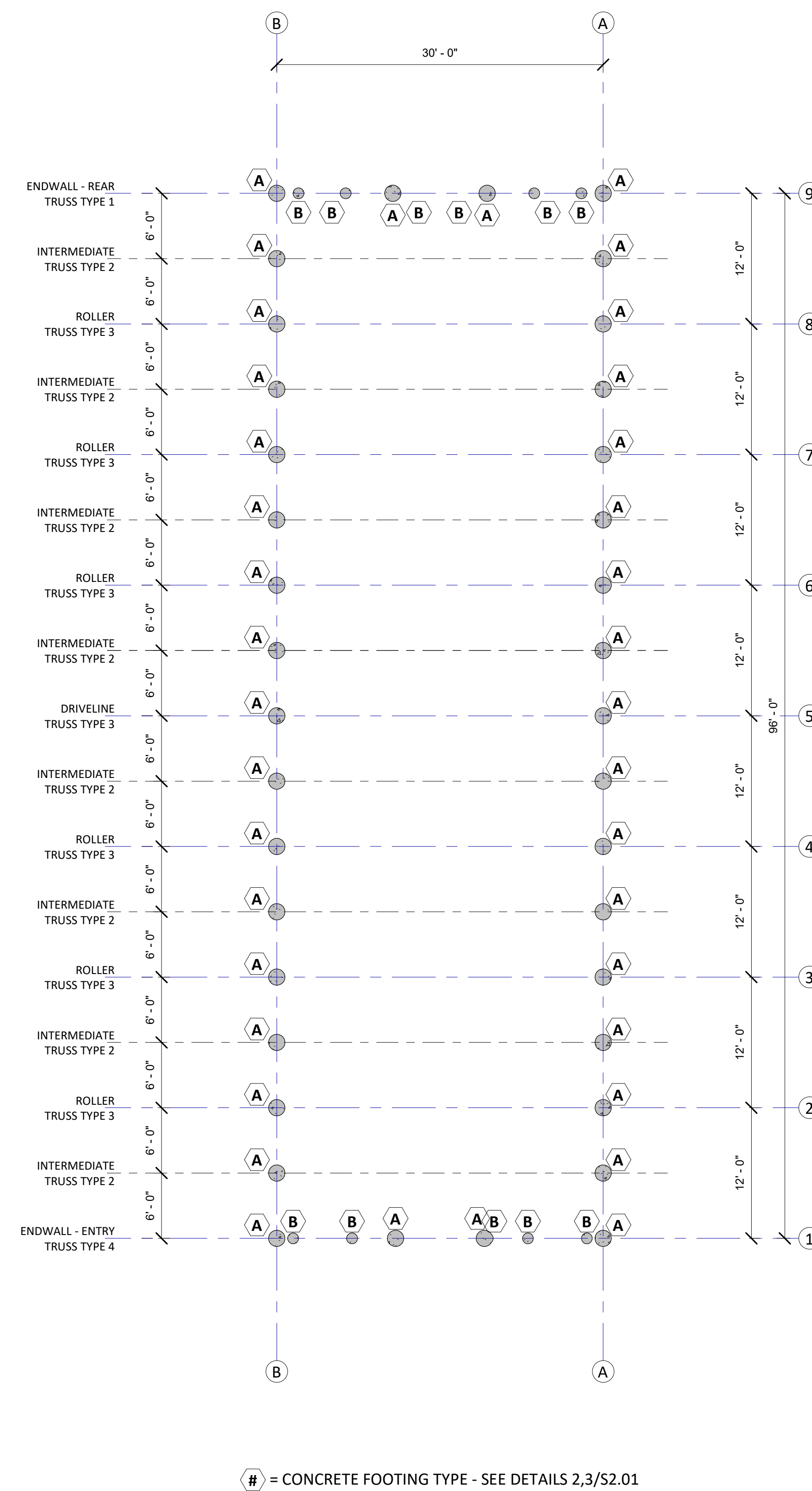
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CONCRETE FOOTING B

SCALE
1" = 1'-0"

2

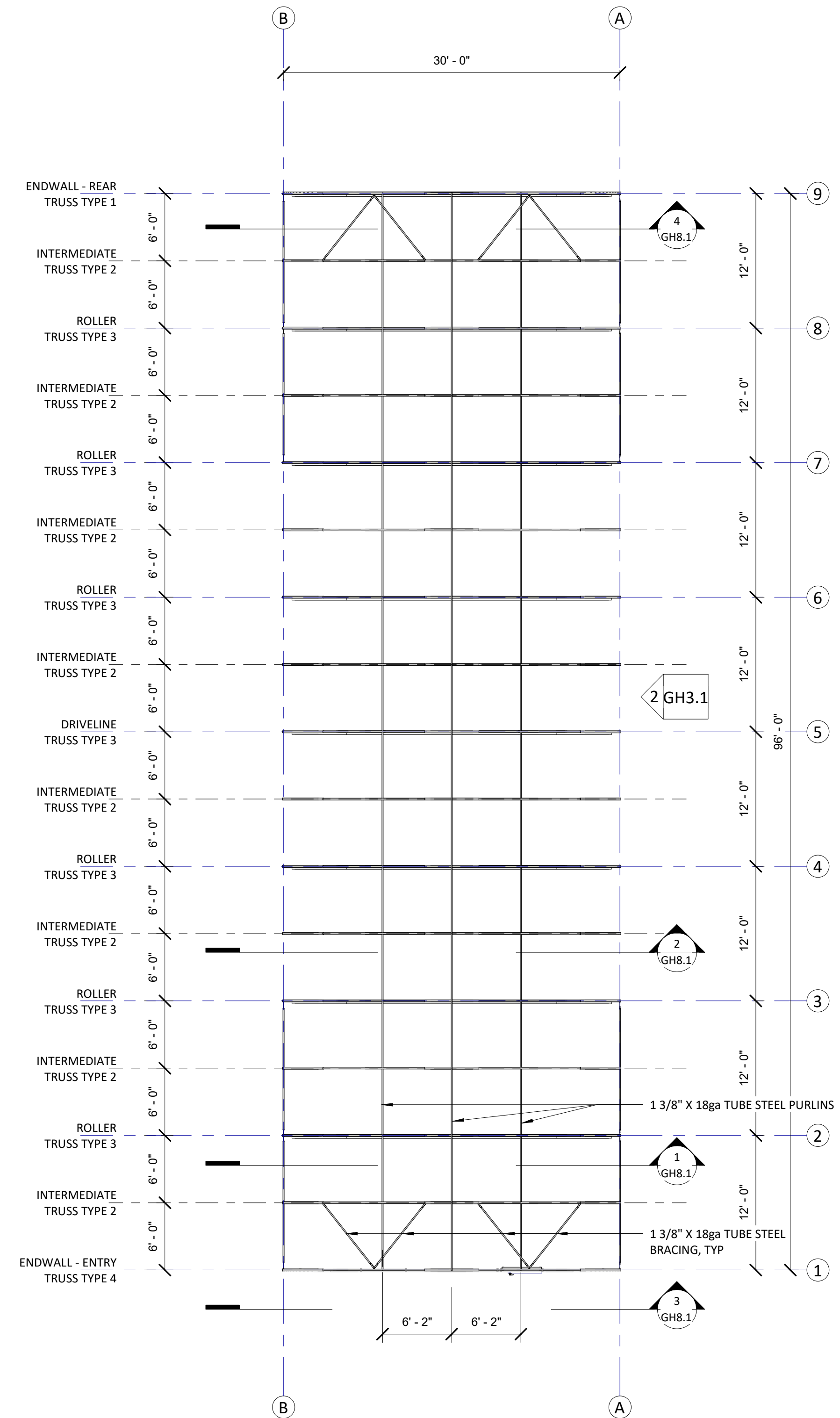


= CONCRETE FOOTING TYPE - SEE DETAILS 2,3/S2.01

FOUNDATION PLAN

SCALE
1/8" = 1'-0"

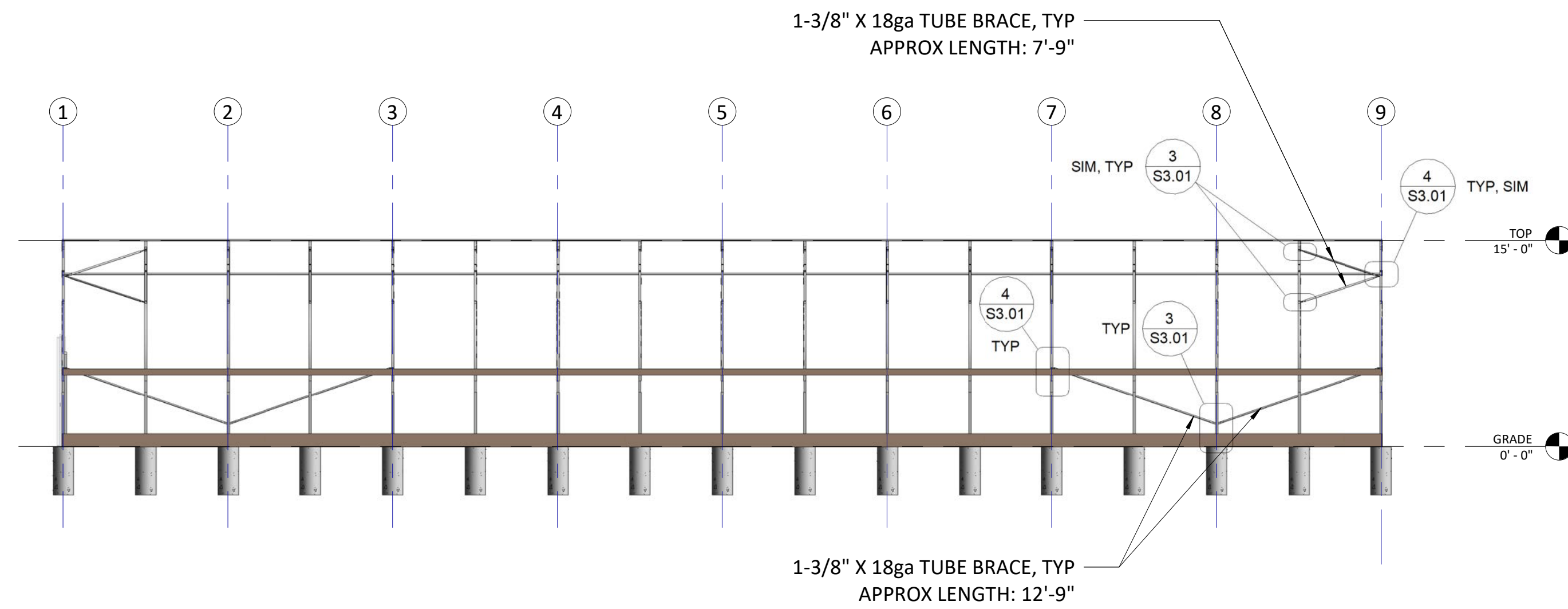
1	
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FRAMING PLAN

SCALE
1/8" = 1'-0"

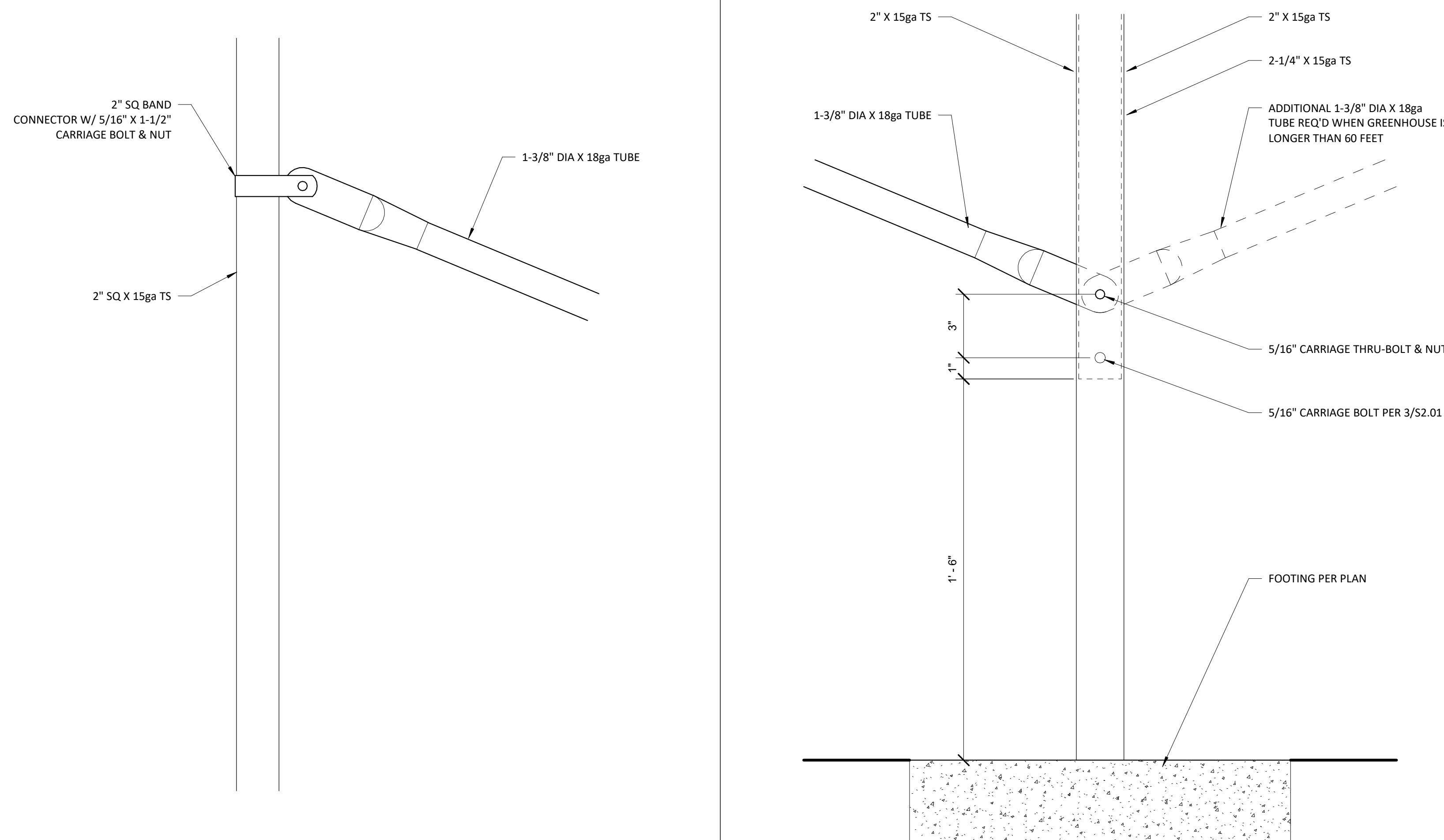
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FRAMING ELEVATION - SIDE

SCALE
1/8" = 1'-0"

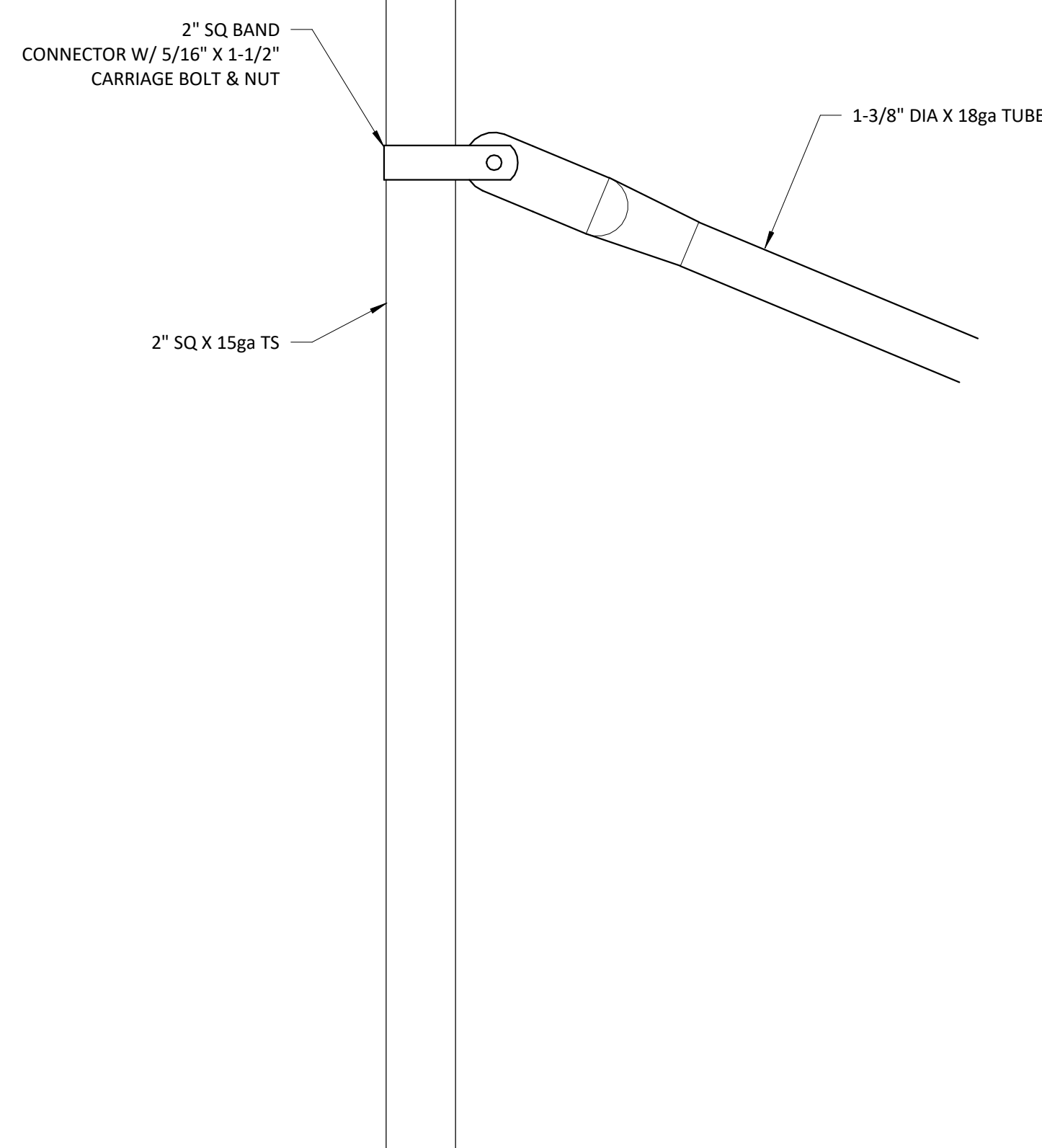
2



BRACE CONNECTION - LOWER

SCALE
3" = 1'-0"

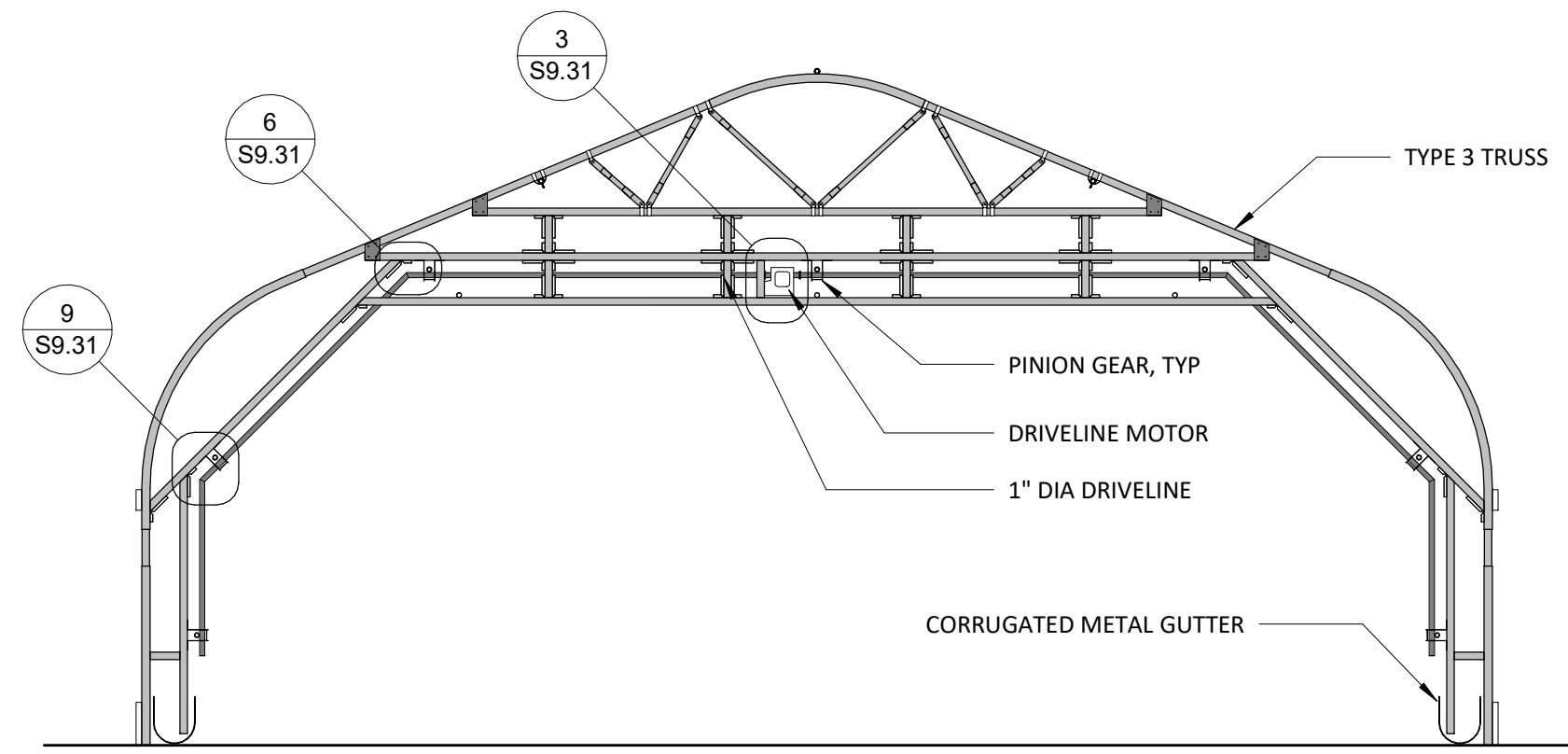
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BRACE CONNECTION - UPPER

SCALE
3" = 1'-0"

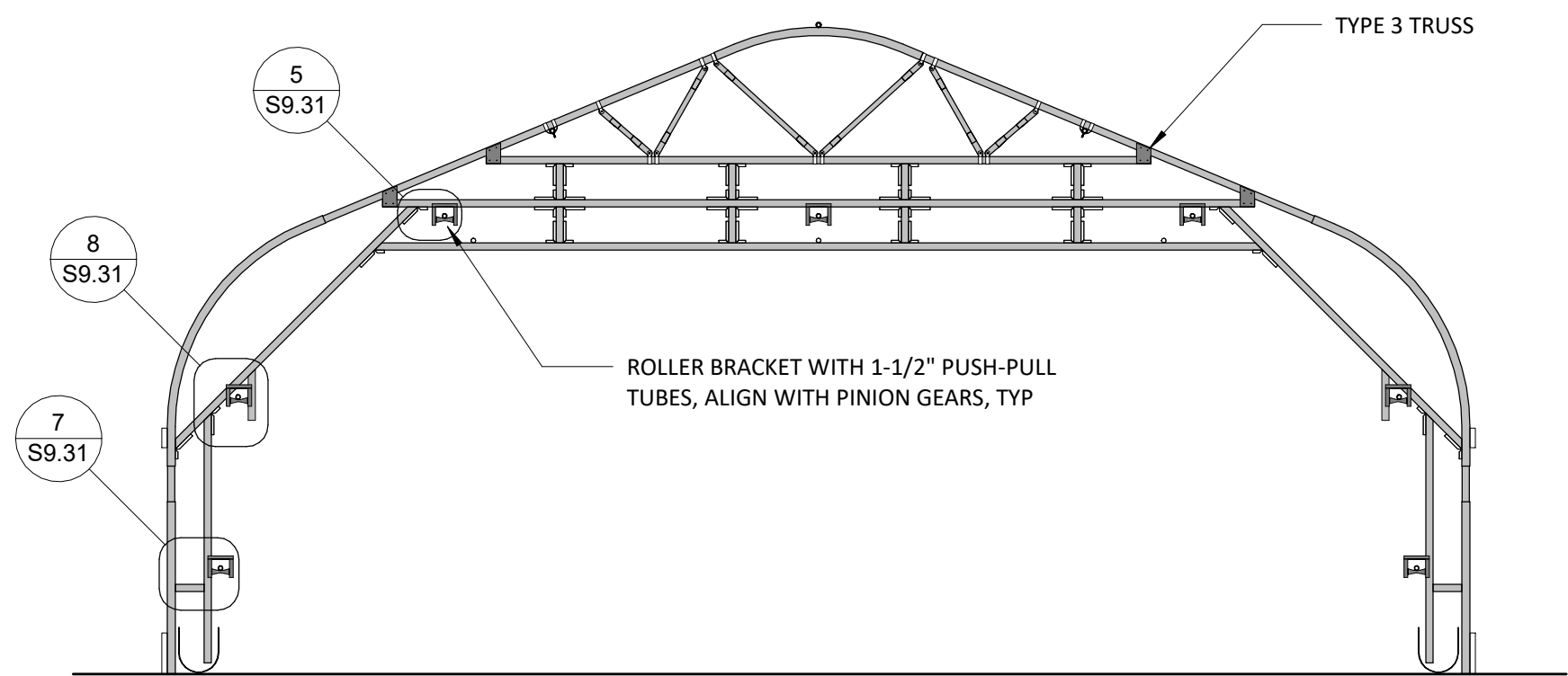
4



SECTION @ LIGHT DEP DRIVELINE

SCALE
1/4" = 1'-0"

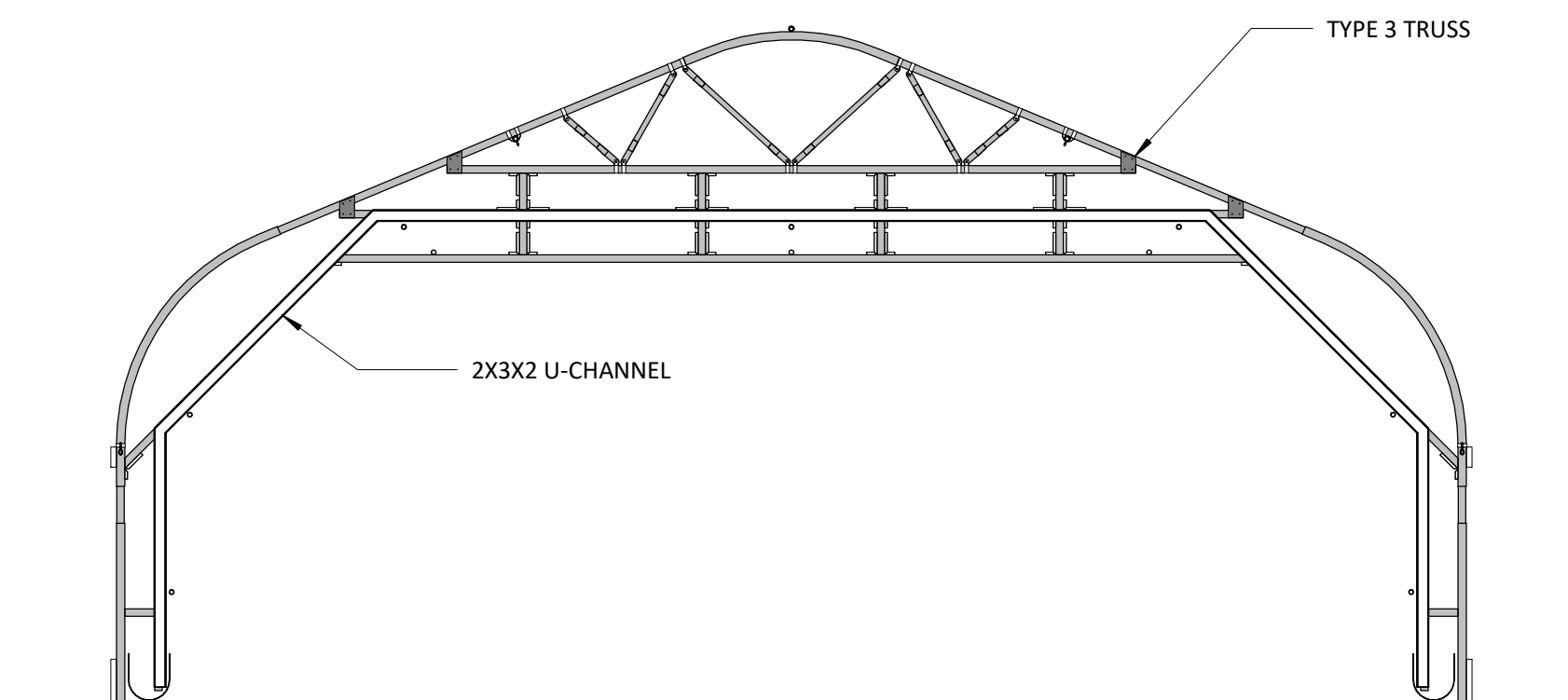
5



SECTION @ LIGHT DEP ROLLERS

SCALE
1/4" = 1'-0"

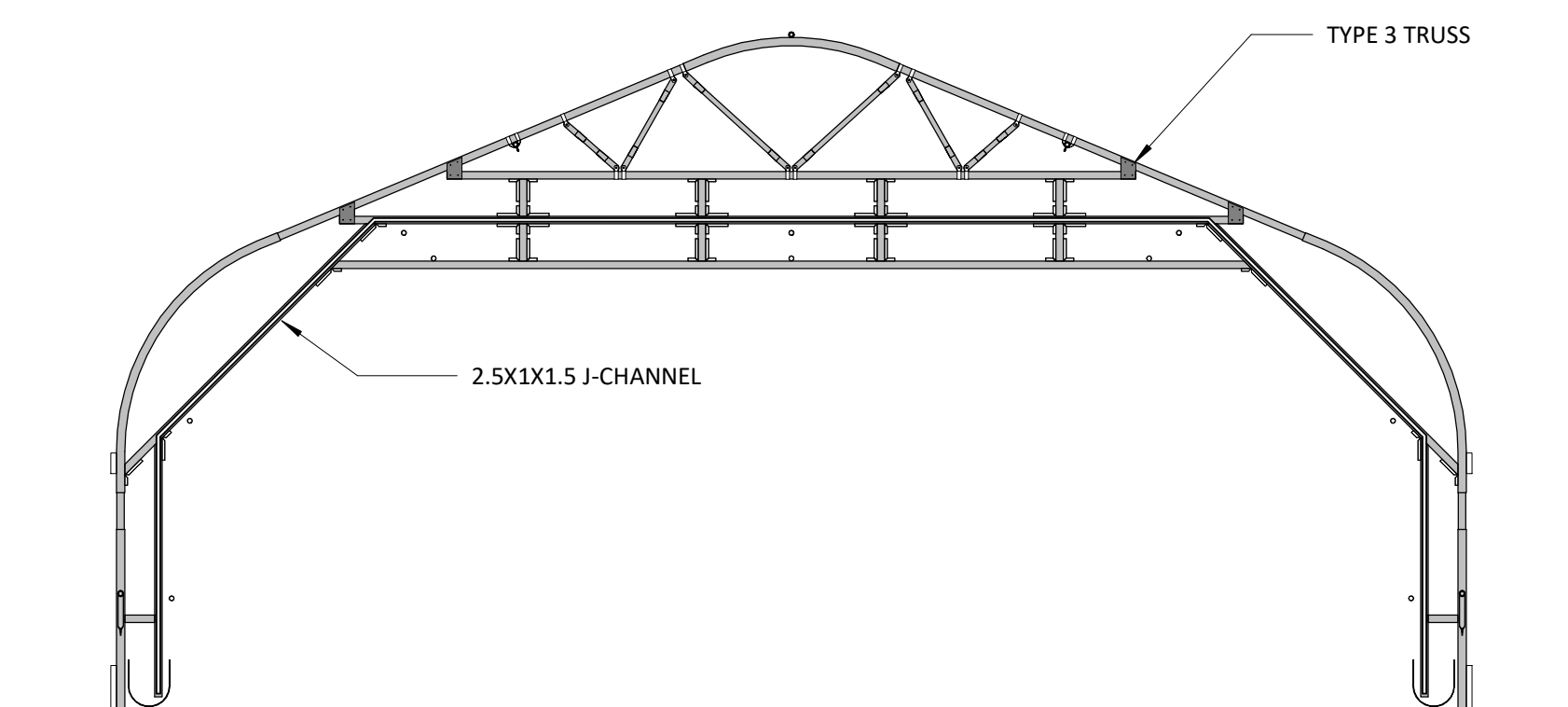
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SECTION @ LIGHT DEP FIXED END

SCALE
1/4" = 1'-0"

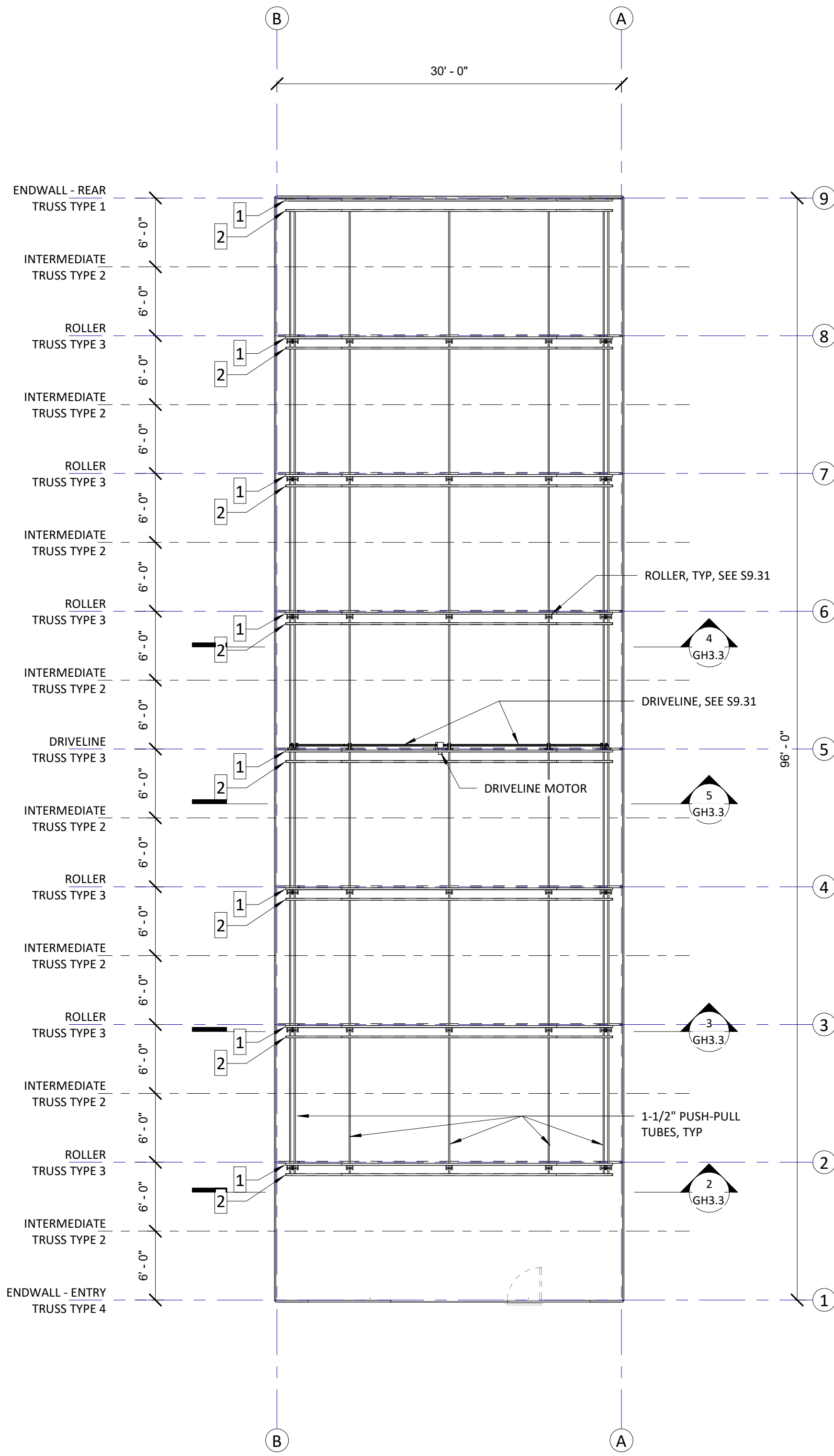
3



SECTION @ LIGHT DEP LEADING EDGE

SCALE
1/4" = 1'-0"

2



1 = FIXED END PER 3/S3.31
2 = LEADING EDGE PER 2/S3.31

LIGHT DEPRIVATION PLAN

SCALE
1/8" = 1'-0"

1

GRAPHIA
ARCHITECTURE
& ENGINEERING

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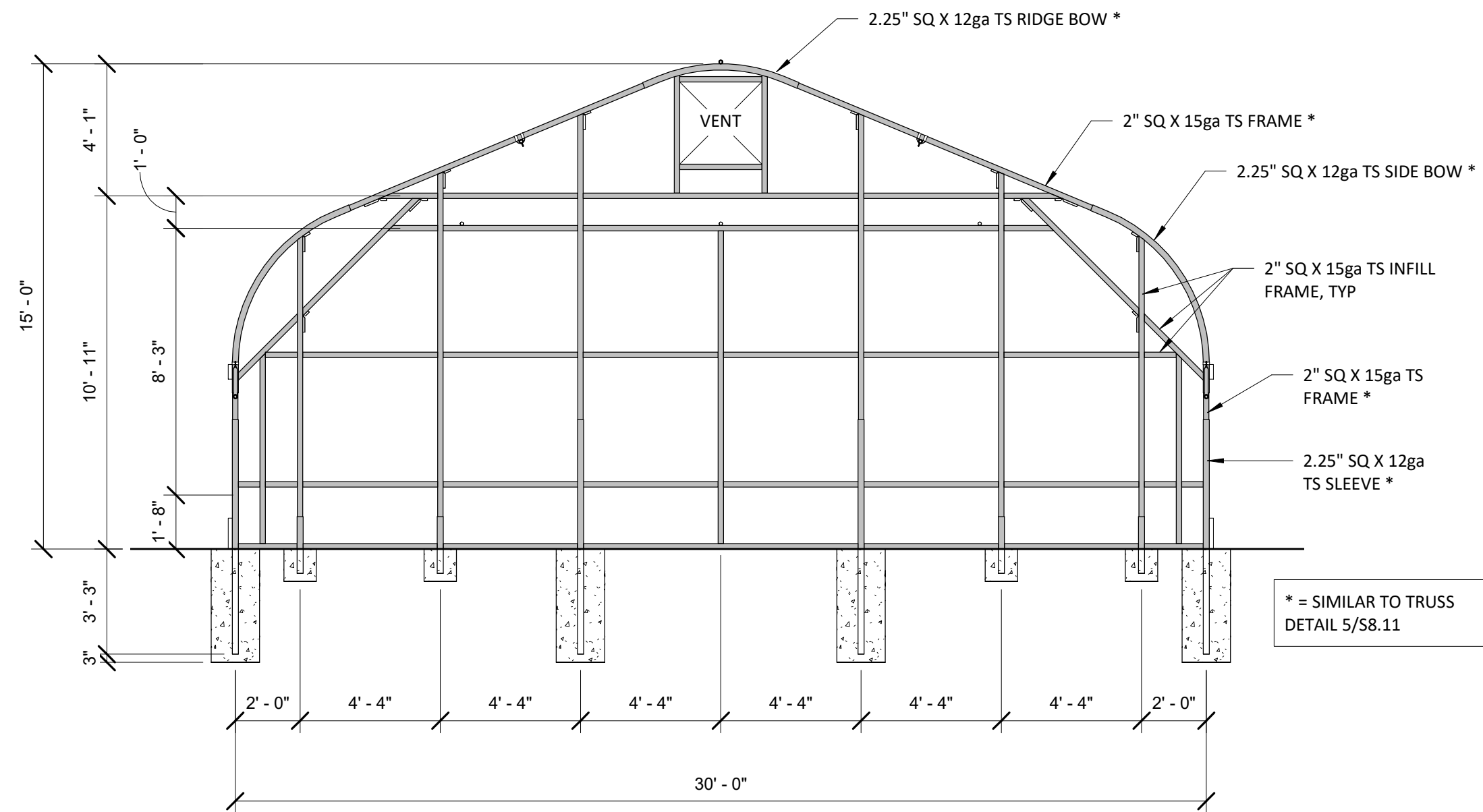
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SOMERSET, CA 95684

TITLE:
LIGHT DEPRIVATION PLANS
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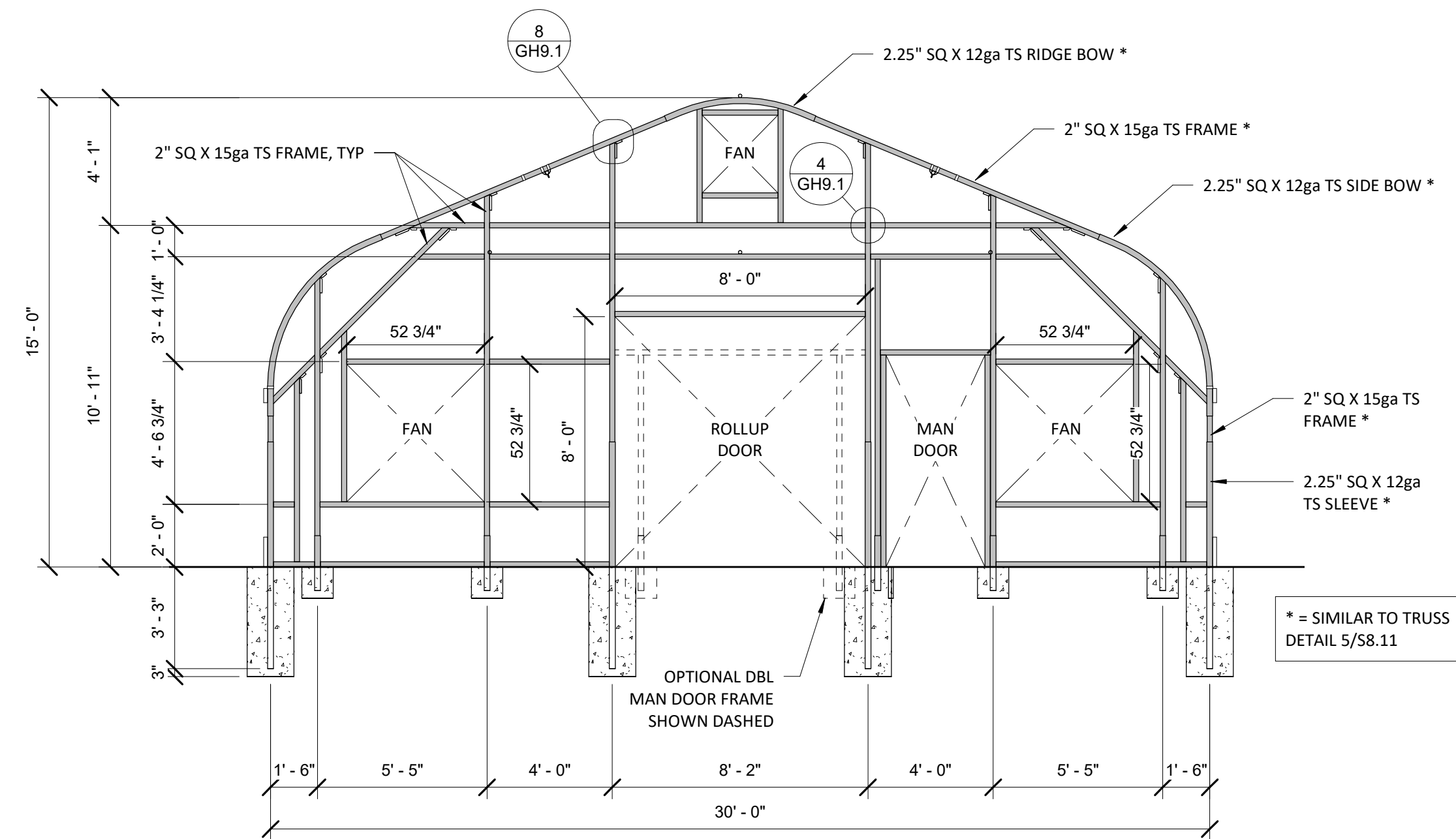
SHEET:
GH3.3
SHEET: OF SHEETS



TYPE 1 - ENDWALL TRUSS - REAR

SCALE
1/4" = 1'-0"

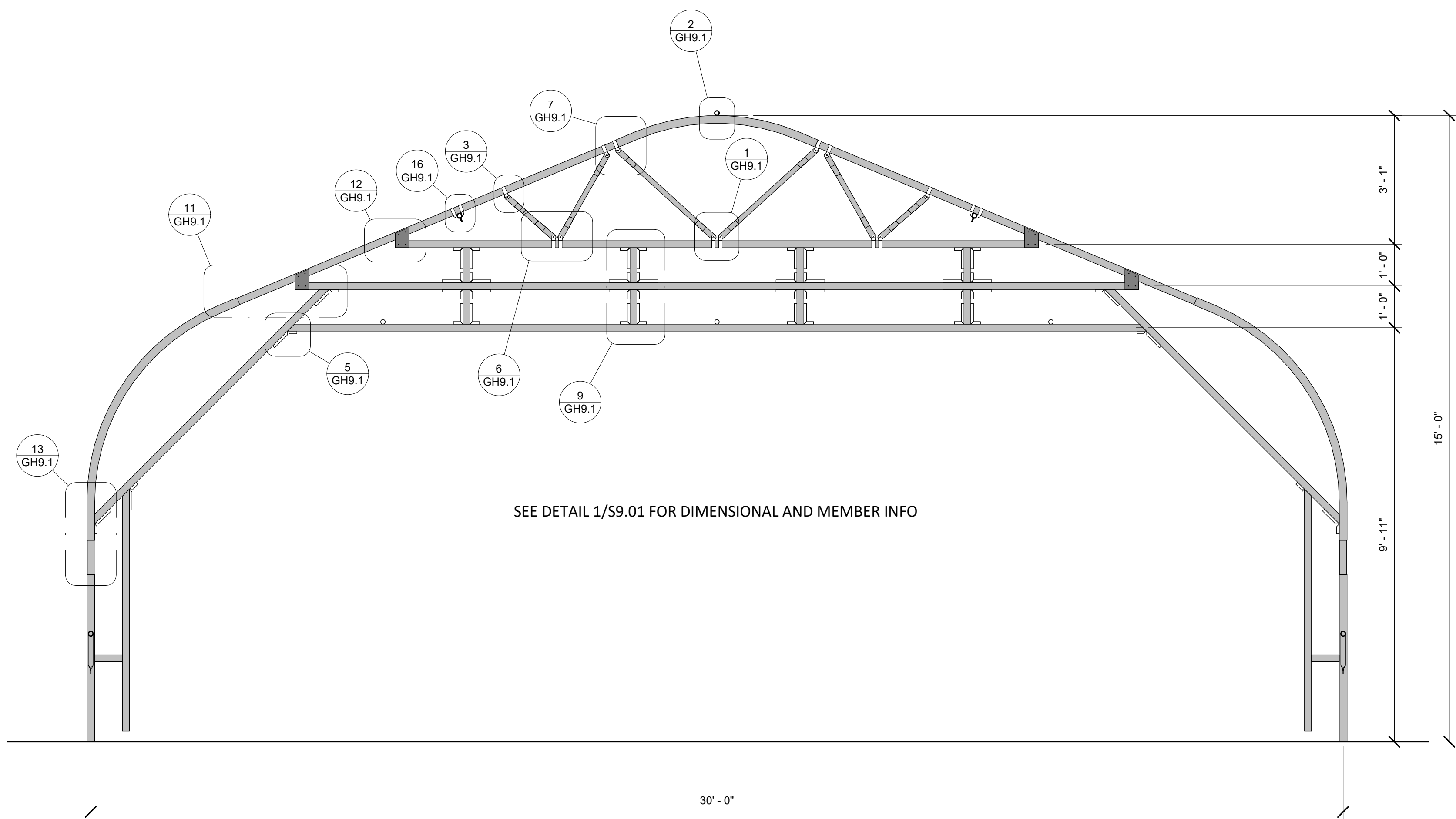
4



TYPE 4 - ENDWALL TRUSS - ENTRY

SCALE
1/4" = 1'-0"

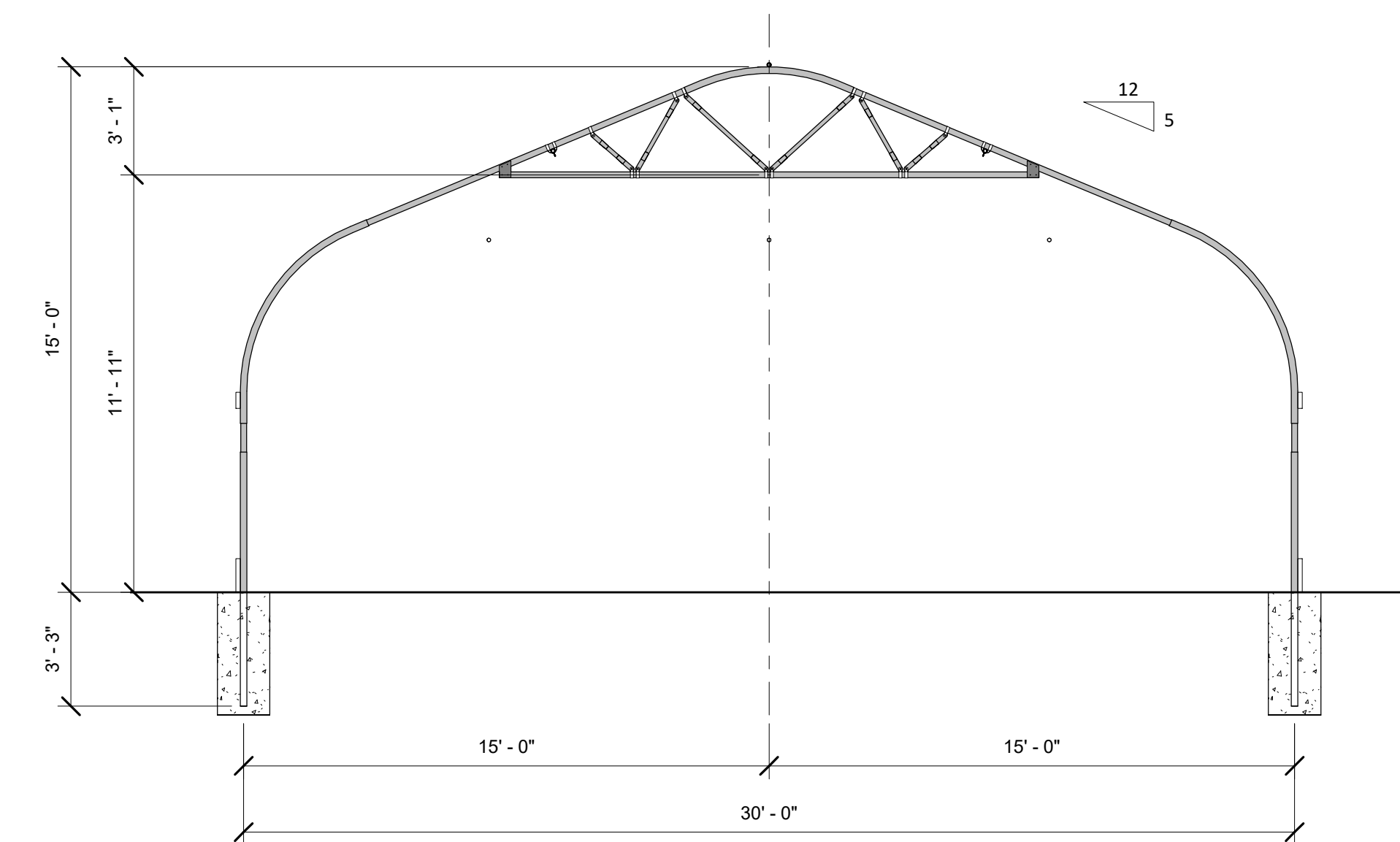
3



DETAIL - TRUSS

SCALE
1/2" = 1'-0"

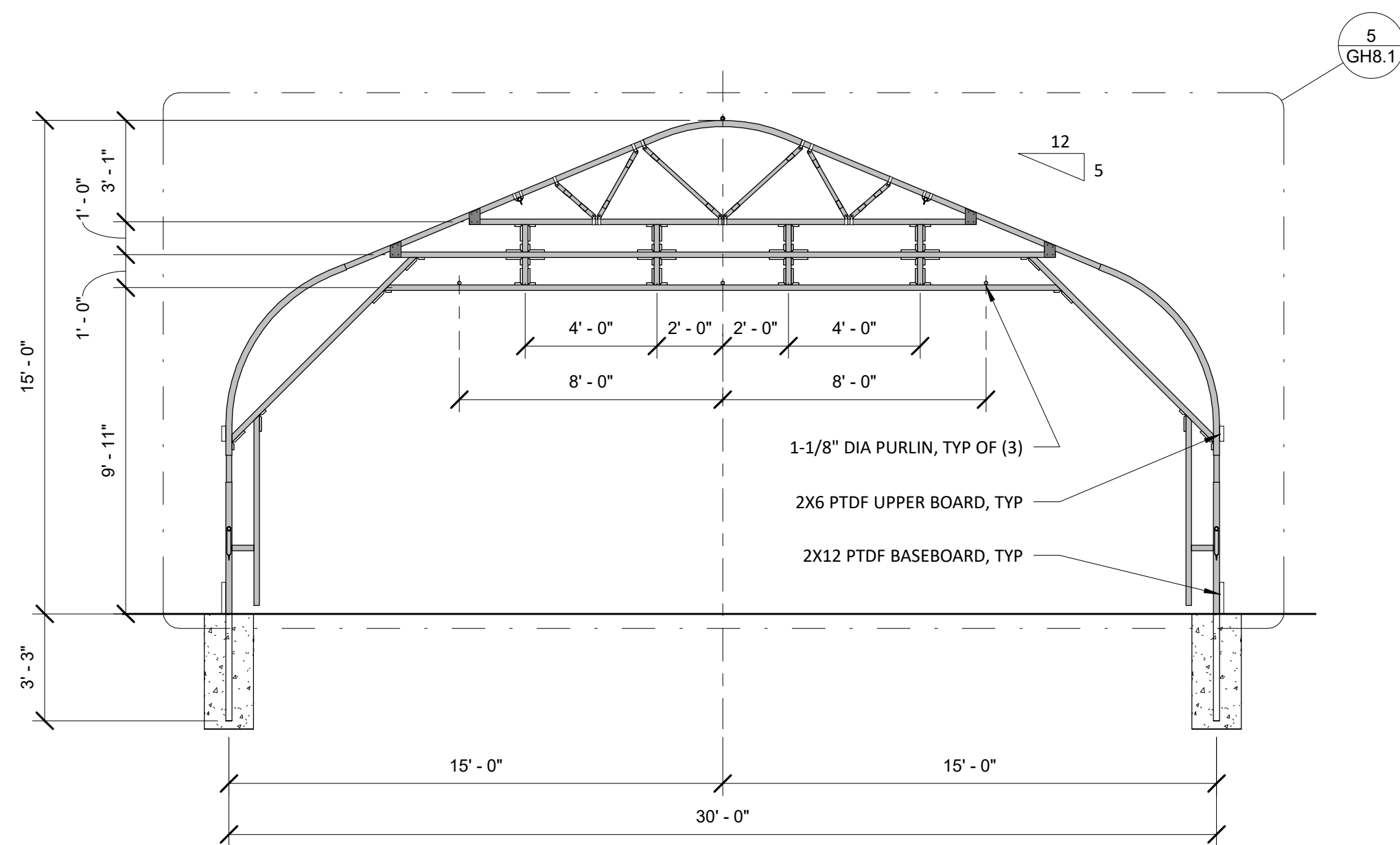
5



TYPE 2 - INTERMEDIATE TRUSS

SCALE
1/4" = 1'-0"

2



TYPE 3 - EQUIPMENT TRUSS

SCALE
1/4" = 1'-0"

1

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SECTIONS

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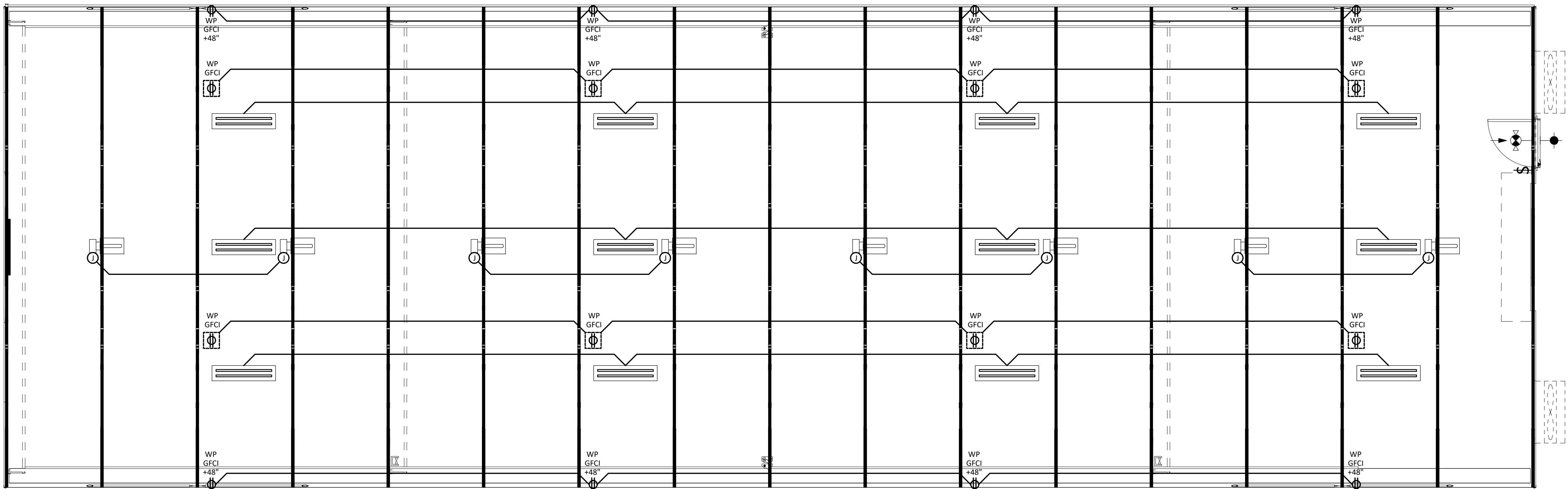
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SHEET:

GH8.1

SHEET: OF SHEETS



MECHANICAL, ELECTRICAL & PLUMBING PLAN

SCALE: 0 4'

2

SCHEDULE: PANEL-A

VOLTS:	120 / 208		PHASE:	3	WIRE:	4	MAIN:	100A MLO		LOCATION: AS SHOWN	MOUNTING: SURFACE			AIC: 25,000	
CIRCUIT NO.	CIRCUIT BREAKER		WIRE AWG	DESCRIPTION	VOLT AMPS					DESCRIPTION	WIRE AWG	CIRCUIT BREAKER		CIRCUIT NO.	
	AMP	POLE			LOAD	PH. A	PH. B	PH. C	LOAD			POLE	AMP		
1	20	1	12	GFCI RECEPTACLES	720	949			229	GREENHOUSE-LIGHTING	12	1	20	2	
3	20	1	12	GFCI RECEPTACLES	720		955		235	GREENHOUSE-LIGHTING	12	1	20	4	
5	20	1	12	HAFS RECEPTACLES	720			949	229	GREENHOUSE-LIGHTING	12	1	20	6	
7	20	1	12	HAFS RECEPTACLES	720	1,720			1000					8	
9	20	2	12	GROW LIGHTS	1000		2,000		1000	GROW LIGHTS	12	2	20	10	
11					1000			2,000	1000					12	
13	20	2	12	GROW LIGHTS	1000	2,000			1000	GROW LIGHTS	12	2	20	14	
15					1000		1,000		0					16	
17					0			0	0					18	
19					0	0			0					20	
21					0		0		0					22	
23					0			0	0					24	
25					0	0			0					26	
27					0		0		0					28	
29					0			0	0					30	
31					0	0			0					32	
33					0		0		0					34	
35					0			0	0					36	
37					0	0			0					38	
39					0		0		0					40	
41					0			0	0					42	
TOTAL CONNECTED LOAD:						4,669	3,955	2,949		TOTAL VOLT-AMPS / PHASE					
						ØA	ØB	ØC							
BUS A =		4,669 VA		TOTAL: 11,574 VA	(1.25)	= 14,467 VA /		(208V)	(1.732)	40 AMPS					
BUS B =		3,955 VA													
BUS C =		2,949 VA													

GREENHOUSE LIGHT FIXTURE SCHEDULE

ID	SYMBOL	MOUNTING	TYPE	MANF	CATALOG NUMBER	LAMP	TEMP	LUMENS	VOLTS	COUNT	WATTS	SUB-TOTAL	REMARKS
A		EXTERIOR WALL SURFACE	SCONCE	--	--	LED	3000K	1300	120V	1	13.0	13.0	
B		INTERIOR SURFACE	4' VAPORPROOF	EATON	4VT2	LED	4000K	4000	120	12	30.0	360.0	
C		INTERIOR WALL SURFACE	EMERGENCY EXIT SIGN & LIGHT WITH BATTERY BACK-UP	CREE	E.XCL2GW	LED			120V	1	3.0	3.0	MEETS UL924, NFPA 101 LIFE SAFETY CODE, NEC, OSHA CODES.
D		INTERIOR CEILING SUSPENDED	FLOWER & VEG LIGHT	GAVITA	PRO 1000 DE US 240 PART NUMBER 18.63.14.37.20	HID			240	8	1050.0	8400.0	MEETS UL924, NFPA 101 LIFE SAFETY CODE, NEC, OSHA CODES.
										TOTAL LIGHTING AREA		TOTAL WATTS	TOTAL WATTS PER SQUARE FOOT
										5,760 SF		8776.0 WATTS	1.5 WATTS

ALL LIGHTS USED FOR THE CULTIVATION OF MARIJUANA SHALL BE SHIELDED AND DOWNCAST OR OTHERWISE POSITIONED IN A MANNER THAT WILL NOT SHINE LIGHT OR ALLOW LIGHT GLARE TO EXCEED THE BOUNDARIES OF THE PREMISES UPON WHICH THEY ARE PLACED. SECTION 5-20.07(C)

STRUCTURAL NOTES GENERAL

SCOPE OF CONSTRUCTION:

1.01 - THE CONSTRUCTION CONTRACT RELATED TO THE WORK OF THIS PROJECT IS HEREBY MADE A PART OF THESE DRAWINGS AS THOUGH FULLY CONTAINED THEREIN.

1.02 - THE CONSTRUCTION CONTRACT RELATED TO THE WORK OF THIS PROJECT IS HEREBY MADE A PART OF THESE DRAWINGS AS THOUGH FULLY CONTAINED THEREIN.

1.03 - PRIOR TO CONTRACT APPROVAL, THE FOUNDATION AND FRAMING CONTRACTORS SHALL VISIT THE PROJECT SITE, AND BY THEIR OWN INVESTIGATION, DETERMINE EXISTING SITE CONDITIONS AS TO THE QUANTITIES OF MATERIALS, LABOR HOURS, AND ANY OTHER COST ASSOCIATED WITH WORK THAT IS TO BE DONE UNDER THEIR CONTRACT AND AS REQUIRED TO PASS ALL BUILDING PERMIT INSPECTIONS. ALL MODIFICATIONS REQUIRED BY THE INSPECTION AUTHORITY SHALL BE MADE BY THE FOUNDATION AND FRAMING CONTRACTORS AT THEIR EXPENSE.

1.04 - PRIOR TO CONTRACT APPROVAL, THE FOUNDATION AND FRAMING CONTRACTORS SHALL VERIFY AND CONFIRM THE DESIGN REQUIREMENTS OF ALL NEW AND EXISTING ARCHITECTURAL, STRUCTURAL, PLUMBING, MECHANICAL, AND ELECTRICAL SYSTEMS AND REPORT ANY AMBIGUITIES OR DISCREPANCIES CONTAINED IN THE CONTRACT TO THE OWNER IN WRITING. ALL MODIFICATIONS REQUIRED TO COMPLETE THE CONTRACT RESULTING FROM AMBIGUITIES OR DISCREPANCIES NOT REPORTED PRIOR TO CONTRACT APPROVAL SHALL BE MADE BY EACH FOUNDATION AND FRAMING CONTRACTORS AT THEIR EXPENSE.

APPLICABLE LAWS, ORDINANCES, REGULATIONS AND STANDARDS:

2.01 - THE FOUNDATION AND FRAMING CONTRACTORS SHALL CONFORM TO THE LATEST APPLICABLE, ADOPTED EDITION OF THE CALIFORNIA CODE OF REGULATIONS, TITLE-24; UNIFORM BUILDING CODE; UNIFORM PLUMBING CODE; UNIFORM MECHANICAL CODE; NATIONAL ELECTRICAL CODE; AND ALL LOCAL CODES AND ORDINANCES REQUIRED TO RECEIVE A CERTIFICATE OF OCCUPANCY FROM THE BUILDING OFFICIAL HAVING JURISDICTION OVER THE PROJECT.

2.02 - THE FOUNDATION AND FRAMING CONTRACTORS SHALL PERFORM ALL WORK REQUIRED BY APPLICABLE BUILDING CODES AND REGULATIONS TO PASS ALL REQUIRED BUILDING INSPECTIONS.

PERMITS, LICENSES, INSPECTIONS AND FEES:

3.01 - THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED PLAN REVIEW, PERMIT, LICENSE, AND INSPECTION APPROVALS. ALL FEES REQUIRED FOR APPROVAL SHALL BE PAID BY THE OWNER.

GUARANTEE:

4.01 - THE FOUNDATION AND FRAMING CONTRACTORS SHALL GUARANTEE THAT ALL WORK REQUIRED TO CONSTRUCT THE PROJECT BE A COMPLETE WORKING SYSTEM AND SHALL OPERATE FREE FROM DEFECTS IN WORKMANSHIP AND MATERIALS. THE CONTRACTOR AGREES TO REPLACE, WITHOUT EXPENSE TO THE OWNER, ANY PROJECT COMPONENTS WHICH THE OWNER DETERMINES TO BE DEFECTIVE WITHIN ONE (1) CALENDAR YEAR FROM THE DATE OF FINAL CONTRACT ACCEPTANCE.

DATA AND MEASUREMENTS:

5.01 - DRAWING DATA CONTAINED HEREIN IS AS EXACT AS COULD BE DETERMINED WITHIN THE PROJECT ARCHITECT'S DESIGN SCOPE OF SERVICES RENDERED. AS SUCH THE ABSOLUTE ACCURACY OF THE DESIGN DATA IS NOT GUARANTEED. THE FOUNDATION AND FRAMING CONTRACTORS SHALL ENDEAVOR TO OBTAIN, VERIFY AND CONFIRM EXACT DESIGN DATA ON SITE AND SUITABLY ADAPT THE WORK TO CONFORM TO EXACT CONDITIONS ON SITE. THE CONTRACTOR SHALL REPORT ANY DESIGN DATA AMBIGUITIES OR DISCREPANCIES CONTAINED IN THE CONTRACT TO THE OWNER IN WRITING. ALL MODIFICATIONS REQUIRED TO ADAPT THE WORK SHALL BE MADE BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE.

5.02 - DO NOT SCALE THE DRAWINGS. WRITTEN DIMENSIONS AND ACTUAL BUILDING MEASUREMENTS TAKE PRECEDENCE OVER SCALED DRAWING INFORMATION.

5.03 - DIMENSIONS TO DOORS, WINDOWS, AND OPENINGS ARE NOMINAL WIDTHS. REFER TO SCHEDULE SHEETS FOR ACTUAL DIMENSIONS REFER TO THE MANUFACTURER FOR ACTUAL ROUGH OPENINGS.

SUBSTITUTIONS FOR SPECIFIED MATERIALS:

6.01 - SPECIFIC TRADE NAMES MENTIONED IN THE DRAWINGS ARE FOR THE PURPOSES OF ESTABLISHING MINIMUM STANDARDS OF QUALITY, STYLE OR TYPE, AND SHALL NOT BE CONSTRUED TO RESTRICT SUBSTITUTIONS. ALL SUBSTITUTIONS SHALL BE SUBMITTED BY THE FOUNDATION AND FRAMING CONTRACTORS TO AND APPROVED BY THE ENGINEER RECORD IN WRITING WITHIN A SUFFICIENT TIME FRAME AS NOT TO DELAY PROJECT COMPLETION.

CLEAN UP AND START UP RESPONSIBILITIES:

7.01 - AFTER COMPLETION OF THE WORK DESCRIBED IN THEIR RESPECTIVE CONTRACTS AND PRIOR TO ACCEPTANCE, THE FOUNDATION AND FRAMING CONTRACTORS SHALL THOROUGHLY CLEAN ALL EXPOSED SURFACES OF THEIR RESPECTIVE WORK COMPLETED.

7.02 - AFTER COMPLETION OF THE WORK DESCRIBED IN THEIR RESPECTIVE CONTRACTS AND PRIOR TO PROJECT ACCEPTANCE, THE GENERAL ENGINEERING CONTRACTOR, GENERAL CONTRACTOR AND SUBCONTRACTORS SHALL THOROUGHLY TEST AND PROPERLY START UP ALL PROJECT EQUIPMENT AS REQUIRED TO SECURE AND MAINTAIN SPECIFIED EQUIPMENT WARRANTIES. THE GENERAL ENGINEERING CONTRACTOR, GENERAL CONTRACTOR AND SUBCONTRACTORS SHALL REVIEW ALL MANUFACTURER'S RECOMMENDED OPERATIONS PROCEDURE WITH THE OWNER PRIOR TO PROJECT ACCEPTANCE.

7.03 - WARNING! IF YOU SCRAPE, SAND OR REMOVE OLD PAINT, FROM ANY SURFACE, YOU MAY RELEASE LEAD DUST. LEAD IS TOXIC. EXPOSURE TO LEAD DUST CAN CAUSE SERIOUS ILLNESS, SUCH AS BRAIN DAMAGE, ESPECIALLY IN CHILDREN. PREGNANT WOMEN SHOULD ALSO AVOID EXPOSURE. WEAR A NIOSH-APPROVED RESPIRATOR TO CONTROL LEAD EXPOSURE. CAREFULLY CLEAN UP WITH A WET MOP OR HEPA VACUUM. BEFORE YOU START, FIND OUT HOW TO PROTECT YOURSELF AND YOUR FAMILY BY CONTACTING THE U.S. EPA/LEAD INFORMATION HOTLINE AT 1-800-424-LEAD (5323)OR LOG ON TO WWW.EPA.GOV/LEAD.

STRUCTURAL NOTES CONCRETE

CAST-IN-PLACE CONCRETE:

CODES, SPECIFICATIONS, AND STANDARDS; CONCRETE WORK SHALL CONFORM TO THE FOLLOWING CODES, SPECIFICATIONS, AND STANDARDS, AND THE STANDARDS AND SPECIFICATIONS THEY REFERENCE. THE CONTRACTOR SHALL OBTAIN AND HAVE READILY AVAILABLE ON SITE THE LATEST VERSION OF THE "ACI MANUAL OF CONCRETE PRACTICE":

ACI:

- ACI-116 'CEMENT AND CONCRETE TERMINOLOGY'.
- ACI-301 'STANDARD SPECIFICATIONS FOR STRUCTURAL CONCRETE'.
- ACI-302 'GUIDE TO CONCRETE FLOOR AND SLAB CONSTRUCTION'.
- ACI-304 'GUIDE FOR MEASURING, MIXING, TRANSPORTING, AND PLACING CONCRETE'.
- ACI-305 'HOT WEATHER CONCRETING'.
- ACI-306 'COLD WEATHER CONCRETING'.
- ACI-308 'STANDARD SPECIFICATION FOR CURING CONCRETE'.
- ACI-309 'STANDARD PRACTICE FOR CONSOLIDATION OF CONCRETE'.
- ACI-311 'GUIDE FOR CONCRETE INSPECTION'.
- ACI-315 'DETAILS AND DETAILING OF CONCRETE REINFORCEMENT'.
- ACI-318 'BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE'.
- ACI-506R 'GUIDE FOR SHOTCRETING'.

ASTM:

- ASTM C33 'STANDARD SPECIFICATION FOR CONCRETE AGGREGATES'.
- ASTM C94 'STANDARD SPECIFICATION FOR READY-MIX CONCRETE'.
- ASTM C150 'STANDARD SPECIFICATION FOR PORTLAND CEMENT'.
- ASTM C260 'STANDARD SPECIFICATION FOR AIR-ENTRAINED ADMIXTURES FOR CONCRETE'.
- ASTM C309 'STANDARD SPECIFICATION FOR LIQUID MEMBRANE-FORMING COMPOUNDS FOR CURING CONCRETE'.
- ASTM C494 'STANDARD SPECIFICATION FOR CHEMICAL ADMIXTURES FOR CONCRETE'.
- ASTM C595 'STANDARD SPECIFICATION FOR BLENDED HYDRAULIC CEMENTS'.
- ASTM C618 'STANDARD SPECIFICATION FOR ... FLY-ASH-...', MAXIMUM LOSS ON IGNITION SHALL BE 1.0%.
- ASTM C1107 'STANDARD SPECIFICATION FOR CHEMICAL ADMIXTURES FOR USE IN PRODUCING FLOWING CONCRETE'.
- ASTM C-1116 'SYNTHETIC FIBER REINFORCED CONCRETE AND SHOTCRETE'.
- ASTM C-1218 'STANDARD TEST METHOD FOR WATER-SOLUBLE CHLORIDE IN MORTAR AND CONCRETE'.

MIX DESIGNS: THE CONTRACTOR SHALL DESIGN CONCRETE MIXES THAT MEET OR EXCEED THE REQUIREMENTS OF THE CONCRETE MIX TABLE. THE MIX DESIGNS SHALL FACILITATE ANTICIPATED PLACEMENT METHODS, WEATHER, REBAR CONGESTION, ARCHITECTURAL FINISHES, CONSTRUCTION SEQUENCING, STRUCTURAL DETAILS, AND ALL OTHER FACTORS REQUIRED TO PROVIDE A STRUCTURALLY SOUND, AESTHETICALLY ACCEPTABLE FINISHED PRODUCT. WATER-REDUCING ADMIXTURES WILL LIKELY BE REQUIRED TO MEET THESE REQUIREMENTS. CONCRETE MIX DESIGNS SHALL CLEARLY INDICATE THE TARGET SLUMP. SLUMP TOLERANCE SHALL BE ± 1-1/2 INCHES.

ITEM	DESIGN f'c (PSI)	MAX W/C RATIO	MIN FLYASH (PCY)**	MAX AGG SIZE (IN)	MIN CEMENTITIOUS MATERIAL (SACKS/YARD)*
BASEMENT, RETAINING & STEM WALLS	3000 @ 28 DAYS	0.45	100	3/4	5.5
FOUNDATIONS	3000 @ 28 DAYS	0.50	--	3/4	5
SLAB ON GRADE***	3000 @ 28 DAYS	0.45	100	3/4	5.5
COLUMNS & SHEAR WALLS U.N.O.	4000 @ 28 DAYS	0.50	--	3/8	5.5
ELEVATED BEAMS & SLABS	4000 @ 28 DAYS	0.45	100	3/4	5.5
ALL OTHER CONCRETE	4000 @ 28 DAYS	0.50	--	3/4	5.5

* TOTAL CEMENTITIOUS MATERIAL IS THE SUM OF ALL CEMENT PLUS FLYASH.
** AT THE CONTRACTOR'S OPTION, FLYASH MAY BE SUBSTITUTED FOR CEMENT BUT SHALL NOT EXCEED 25% BY WEIGHT OF TOTAL CEMENTITIOUS MATERIAL
*** FIBROUS CONCRETE REINFORCEMENT SHALL BE "FIBERMESH" MANUFACTURED BY SI CONCRETE SYSTEMS OR PRE-APPROVED EQUAL AND SHALL CONFORM TO ASTM C-1116 TYPE III 4.1.1, PERFORMANCE LEVEL 1, AND SHALL BE 100% VIRGIN POLYPROPYLENE FIBRILLATED FIBERS CONTAINING NO REPROCESSED OLEFIN MATERIALS AND SPECIFICALLY MANUFACTURED FOR USE AS CONCRETE SECONDARY REINFORCEMENT. DOSAGE SHALL FOLLOW MANUFACTURER'S RECOMMENDATION BUT NOT BE LESS THAN 1.5 LB/CU. YD.

ALTERNATE MIX DESIGNS: VARIATIONS TO THE MIX DESIGN PROPORTIONS MAY BE ACCEPTED IF SUBSTANTIATED IN ACCORDANCE WITH ACI-318, CHAPTER 5. PROVIDE SUBMITTALS A MINIMUM OF TWO WEEKS PRIOR TO BID FOR DETERMINATION OF ACCEPTABILITY.

AGGREGATE: COARSE AND FINE AGGREGATE SHALL CONFORM TO ASTM C-33

CEMENT: CEMENT SHALL CONFORM TO ASTM-150, TYPE II PORTLAND CEMENT, UNLESS NOTED OTHERWISE.

ADMIXTURES: ADMIXTURES SHALL BE BY MASTER BUILDERS, W.R. GRACE, OR PREAPPROVED EQUAL. ALL MANUFACTURERS RECOMMENDATIONS SHALL BE FOLLOWED.

WATER: SHALL BE CLEAN AND POTABLE.

MAXIMUM CHLORIDE CONTENT: THE MAXIMUM WATER SOLUBLE CHLORIDE CONTENT SHALL NOT EXCEED 0.15% BY WEIGHT OF CEMENTITIOUS MATERIAL UNLESS NOTED OTHERWISE.

CONCRETE EXPOSED TO WEATHER: PROVIDE 5.0% TOTAL AIR CONTENT FOR ALL CONCRETE EXPOSED TO WEATHER. TOTAL AIR CONTENT IS THE SUM OF ENTRAINED AIR PROVIDED BY ADMIXTURES AND NATURALLY OCCURRING ENTRAPPED AIR. AIR CONTENT SHALL BE TESTED PRIOR TO BEING PLACED IN THE PUMP HOPPER OR BUCKET; IT IS NOT REQUIRED TO BE TESTED AT THE DISCHARGE END OF THE PUMP HOSE. THE TOLERANCE ON ENTRAINPED AIR SHALL BE +2.0% AND -1.5% WITH THE AVERAGE OF ALL TESTS NOT LESS THAN THE SPECIFIED AMOUNT.

CONCRETE PLACEMENT: PLACE CONCRETE FOLLOWING ALL APPLICABLE ACI RECOMMENDATIONS. CONCRETE SHALL BE PROPERLY CONSOLIDATED PER ACI 309 USING INTERIOR MECHANICAL VIBRATORS; DO NOT OVER-VIBRATE. CONCRETE SHALL BE POURED MONOLITHICALLY BETWEEN CONSTRUCTION OR EXPANSION JOINTS. IF CONCRETE IS PLACED BY THE PUMP METHOD, HORSES SHALL BE PROVIDED TO SUPPORT THE HOSE. WEATHER FORECASTS SHALL BE MONITORED AND ACI RECOMMENDATIONS FOR HOT AND COLD WEATHER CONCRETING SHALL BE FOLLOWED AS REQUIRED. CONCRETE SHALL NOT FREE FALL MORE THAN 5 FEET DURING PLACEMENT WITHOUT WRITTEN APPROVAL OF ENGINEER.

FORMWORK STRIPPING:

- 1) COLUMNS & WALLS - COLUMNS AND WALLS NOT SUPPORTING FRAMING WEIGHT MAY BE STRIPPED AS SOON AS FORMS CAN BE REMOVED WITHOUT DAMAGING THE CONCRETE AND THE CONCRETE HAS REACHED A MINIMUM COMPRESSIVE STRENGTH OF 500 PSI.
- 2) BEAMS & SLABS - BEAMS AND SLABS MAY BE STRIPPED AND BECOME SELF-SUPPORTING AS SOON AS THEIR COMPRESSIVE STRENGTH REACHES 75% OF THE SPECIFIED DESIGN STRENGTH. RESHORING SHALL BE PROVIDED FOR ALL CONSTRUCTION LOADS THEREAFTER PER THE GENERAL CONTRACTOR.

STRUCTURAL NOTES CONCRETE

COLD WEATHER PLACEMENT:

1. COLD WEATHER IS DEFINED BY ACI 306 AS "A PERIOD WHEN FOR MORE THAN 3 SUCCESSIVE DAYS THE MEAN DAILY TEMPERATURE DROPS BELOW 40° F."
2. NO CONCRETE SHALL BE PLACED ON FROZEN OR PARTIALLY FROZEN GROUND. THAWING WITH HEATERS AND SUBSEQUENTLY COMPACTING THE GROUND IS PERMISSIBLE.
3. CONCRETE MIX TEMPERATURES SHALL BE AS SHOWN BELOW. HEATING OF WATER AND/OR AGGREGATES MAY BE REQUIRED TO ATTAIN THESE TEMPERATURES.
4. THE CONCRETE MAY REQUIRE PROTECTION FOR 4-7 DAYS AFTER PLACING. IF TEMPERATURES REMAIN BELOW FREEZING, INSULATING BLANKET COVERAGE IS REQUIRED. IF TEMPERATURES ARE SLIGHTLY BELOW FREEZING (30° F MIN) AT NIGHT AND ABOVE FREEZING DURING THE DAY, KRAFT PAPER WITH COMPLETE COVERAGE MAY BE USED IN LIEU OF INSULATED BLANKETS.
5. NO ADDITIVES CONTAINING CHLORIDES SHALL BE USED. USE "POZZUTEC 20" BY MASTER BUILDERS OR "POLARSET" BY W.R. GRACE OR PRE-APPROVED EQUAL.

CONDITION OF PLACEMENT AND CURING	WALLS & SLABS	FOOTINGS
MIN TEMP FRESH CONCRETE AS MIXED FOR WEATHER INDICATED (DEGREES F)	ABOVE 30°F 0°F TO 30°F	60 65 60 65
MIN TEMP FRESH CONCRETE AS PLACED AND MAINTAINED (DEGREES F)	BELOW 0°F	55 50
MAX ALLOWABLE GRADUAL DROP IN TEMP THROUGHOUT FIRST 24 HRS AFTER END OF PROTECTION (DEGREES F)		50 40

CONTROL AND CONSTRUCTION JOINTS: CONSTRUCTION JOINTS SHALL MEET THE REQUIREMENTS OF ACI 301 SECTIONS 2.2.2.5 AND 5.3.2.6. KEYWAYS PER SECTION 2.2.2.5B ARE NOT REQUIRED UNLESS DETAILED ON THE STRUCTURAL DRAWINGS. SPECIAL BONDING METHODS PER SECTION 5.3.2.6 SHALL BE SATISFIED BY ITEM 3 BELOW UNLESS OTHERWISE DETAILED ON THE STRUCTURAL DRAWINGS. WHERE CONSTRUCTION JOINTS ARE NOT SHOWN ON PLAN OR ADDITIONAL CONSTRUCTION JOINTS ARE REQUIRED, SUBMIT PROPOSED JOINTING FOR ENGINEER'S APPROVAL. PROVIDE CONSTRUCTION JOINTS AS INDICATED BELOW UNLESS NOTED OTHERWISE ON THE PLANS:

1. SLABS ON GRADE: PROVIDE CONSTRUCTION AND/OR CONTROL JOINTS AT 13 FEET OC FOR SLABS ON GRADE. PERPENDICULAR SPACING RATIO SHALL NOT EXCEED 1.5.
2. WALLS AND COLUMNS: COORDINATE CONSTRUCTION JOINTS WITH ARCHITECTURAL REVEALS.
3. BONDING AGENT: WHERE BONDING AGENT IS SPECIFICALLY CALLED OUT ON THE STRUCTURAL DRAWINGS, USE "WELD CRETE" BY LARSON PRODUCTS CORPORATION OR PRE-APPROVED EQUAL. FOLLOW ALL MANUFACTURER'S RECOMMENDATIONS.

EMBEDDED ITEMS: EMBEDDED CONDUIT IS NOT PERMITTED IN SLAB EXCEPT WHERE SPECIFICALLY SHOWN. IT SHALL BE PLACED AND REINFORCED PER THE TYPICAL CONCRETE DETAILS. NO ALUMINUM ITEMS SHALL BE EMBEDDED IN ANY CONCRETE. ALL EMBED PLATES SHALL BE SECURELY FASTENED IN PLACE.

CONCRETE CURING AND SEALING: CURING PROCEDURES SHALL COMMENCE IMMEDIATELY AFTER FINISHING CONCRETE TO MAINTAIN CONCRETE IN A MOIST DETERMINED. VERIFY CURING AND/OR SEALING PRODUCTS ARE COMPATIBLE WITH FLOOR COVERINGS SHOWN ON THE ARCHITECTURAL DRAWINGS. FOLLOW ALL MANUFACTURER'S RECOMMENDATIONS.

ITEM	NOTES
SLAB ON GRADE	2,3,5
BASEMENT WALLS	4
ELEVATED SLABS NOT EXPOSED TO EARTH OR WEATHER	2,3,5
ALL OTHER CONCRETE	NONE

CURRENT NOTES:

1. PROVIDE PRE-APPROVED MOIST CURE METHOD FOR A MINIMUM OF 7 DAYS.
2. WHEN THE ESTIMATED EVAPORATION RATE IS GREATER THAN 0.2 PSF/HOUR, PROVIDE A SPRAY APPLIED EVAPORATION RETARDER IMMEDIATELY AFTER CONCRETE PLACEMENT. THE EVAPORATION RATE MAY BE CALCULATED PER ACI 305 FIGURE 2.1.5.
3. APPLY A LIQUID MEMBRANE FORMING CURING COMPOUND PER MANUFACTURER'S RECOMMENDATIONS TO ALL EXPOSED SURFACES IMMEDIATELY AFTER FINAL FINISHING.
4. APPLY A LIQUID MEMBRANE FORMING CURING COMPOUND PER MANUFACTURER'S RECOMMENDATIONS TO ALL FORMED SURFACES IMMEDIATELY AFTER FORM REMOVAL. NOT REQUIRED IF FORMWORK REMAINS IN PLACE FOR MORE THAN 7 DAYS.
5. APPLY A SILANE SEALER WITH A MINIMUM SOLIDS CONTENT OF 40% PER MANUFACTURER'S RECOMMENDATIONS.

STRUCTURAL NOTES STEEL

DETAILING, FABRICATION AND ERECTION:

ALL WORKMANSHIP SHALL CONFORM TO THE CURRENT AISC MANUAL OF STEEL CONSTRUCTION AND AISC 360 CURRENT EDITION.

STEEL MEMBERS ARE EQUALLY SPACED BETWEEN DIMENSION POINTS UNLESS NOTED OTHERWISE.

ALL FABRICATION SHALL BE PERFORMED BY A FABRICATOR CERTIFIED BY THE AMERICAN INSTITUTE OF STEEL CONSTRUCTION.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL ERECTION AIDS AND JOINT PREPARATIONS THAT INCLUDE BUT ARE NOT LIMITED TO, ERECTION ANGLES, LIFT HOLES, AND OTHER AIDS, WELDING PROCEDURES, REQUIRED ROOT OPENINGS, ROOT FACE DIMENSIONS, GROOVE ANGLES, BACKING BARS, WELD EXTENSION TABS, COPEs, SURFACE ROUGHNESS VALUES AND TAPERS OF UNEQUAL PARTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COMPLIANCE WITH ALL CURRENT OSHA REQUIREMENTS.

HOLES, COPEs, OR OTHER CUTS OR MODIFICATIONS OF THE STRUCTURAL STEEL MEMBERS SHALL NOT BE MADE IN THE FIELD WITHOUT WRITTEN APPROVAL FROM THE STRUCTURAL ENGINEER.

MATERIAL PROPERTIES

WIDE FLANGE SECTIONS: ASTM A992 (Fy = 36 KSI)

OTHER SHAPES AND PLATES: ASTM A36 (Fy = 36 KSI)

STRUCTURAL STEEL PIPES: ASTM A53, GRADE B, TYPE E OR S (Fy = 35 KSI)

STEEL STRUCTURAL TUBING: ASTM A500, GRADE B, (Fy =46 KSI).

MACHINE BOLTS (M.B.): ASTM A307, GRADE A

HIGH-STRENGTH BOLTS: A325-ASTM F1852, A490-ASTM A490

ANCHOR BOLTS (A.B.): ASTM F1554, GRADE 36, CLASS 2A

WELDING:

STRUCTURAL STEEL: WELD IN ACCORDANCE WITH "STRUCTURAL WELDING CODE" AWS D-1.1. 70 KSI MINIMUM WELD MATERIAL.

CERTIFICATION: ALL WELDING SHALL BE PERFORMED BY AWS CERTIFIED WELDERS. WELDERS SHALL BE PREQUALIFIED FOR EACH POSITION AND WELD TYPE WHICH THE WELDER WILL BE PERFORMING. IF WELDERS ARE NOT CERTIFIED, CONTRACTOR SHALL PAY FOR ANY INSPECTIONS BY TESTING AGENCY THAT WOULD NOT HAVE BEEN REQUIRED IF SHOP WAS CERTIFIED. WITHOUT CERTIFICATION, ALL WELDS SHALL BE CONSIDERED FIELD WELDS.

WELD TABS (ALSO KNOWN AS WELD "EXTENSION" TABS OR "RUN OFF" TABS SHALL BE USED. AFTER THE WELD HAS BEEN COMPLETED THE WELD TABS SHALL BE REMOVED AND THE WELD END GROUND TO A SMOOTH CONTOUR. WELD "DAMS" OR "END DAMS" SHALL NOT BE USED.

THE PROCESS CONSUMABLES FOR ALL WELD FILLER METAL INCLUDING TACK WELDS, ROOT PASS, AND SUBSEQUENT PASSES DEPOSITED IN A JOINT SHALL BE COMPATIBLE.

ALL WELD FILLER METAL AND WELD PROCESS SHALL PROVIDE CHARPY V-NOTCH TOUGHNESS RATING PER LATEST EDITION OF AISC 341.

STRUCTURAL DESIGN CRITERIA

CODE LOADS	LOADING
LIVE LOAD (LL) OF ROOFS:	5.0 PSF
LIVE LOAD (LL) OF CEILINGS:	10.0 PSF
LIVE LOAD (LL) OF FLOORS:	40.0 PSF
SNOW LOAD (Pg):	0.0 PSF
RISK CATEGORY:	I
SOIL ALLOWABLE BEARING PRESSURE:	1,500 PSF
SITE CLASS (Fa):	D
SITE CLASS (Fv):	D
SEISMIC DESIGN CATEGORY (0.2 SEC):	D
SEISMIC DESIGN CATEGORY (1.0 SEC):	D
WIND (3-SEC PEAK GUST):	110.0 MPH
WIND (EXPOSURE):	C

GRAVITY DESIGN LOADS	LOADING
ROOF:	
ROOFING:	1.0 PSF
FRAMING:	1.5 PSF
TOTAL DEAD LOAD (DL):	2.5 PSF
TOTAL LIVE LOAD (LL):	5.0 PSF
TOTAL SNOW LOAD (SL):	29.0 PSF
TOTAL GRAVITY DESIGN LOAD ROOF:	36.5 PSF

PROJECT DESCRIPTION

GREENHOUSES:

ONE (1) NEW DOUBLE HOOP HOUSE, 30' X 108'

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PROJECT: 20201009

CIENT:
BINH LY
415-423-4659
bhl1228@yahoo.com

NEW 32' x 98' HOOP HOUSE FOR:
BINH LY
8260 FAIRPLAY ROAD
SOMERSET, CA 95684

TITLE:
COVER SHEET

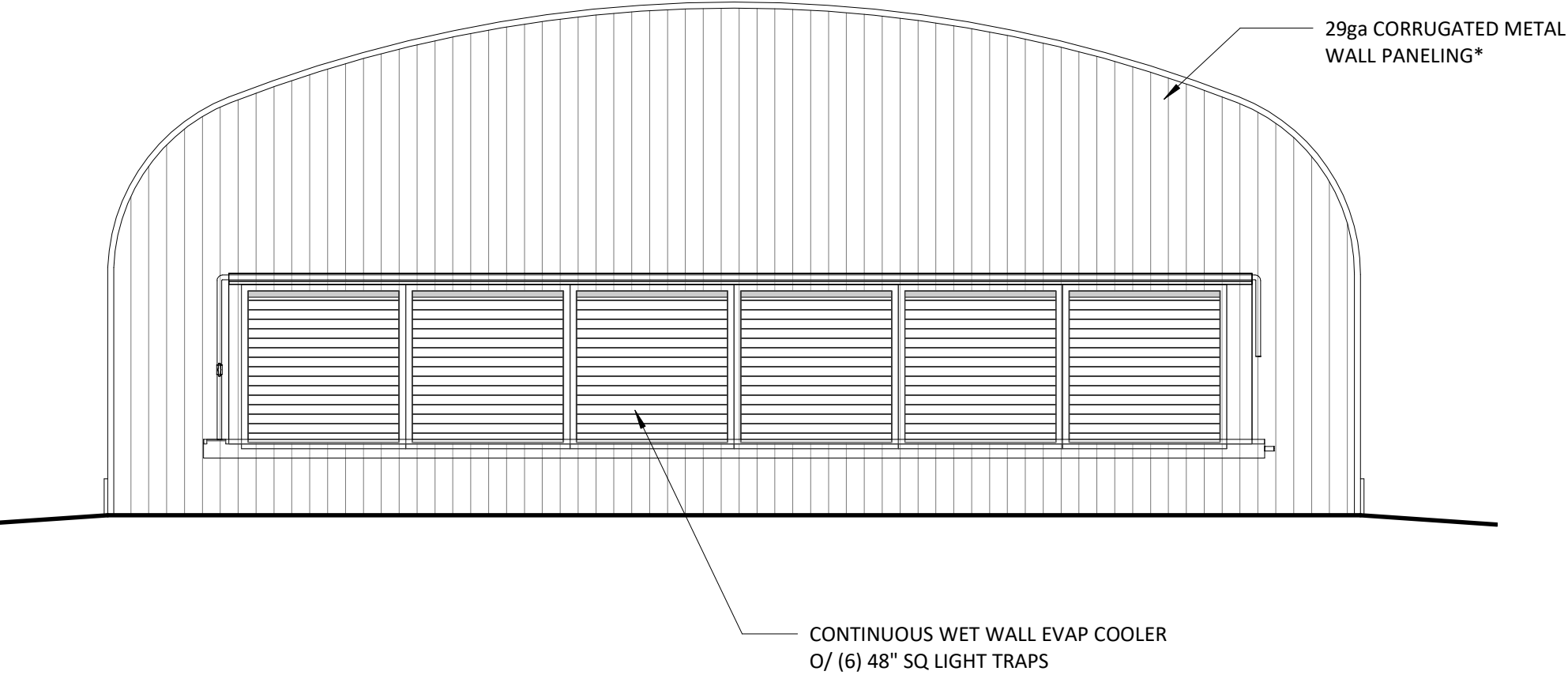
ISSUES:
Project Issue Date: 1/25/21
Project Status: PREDESIGN
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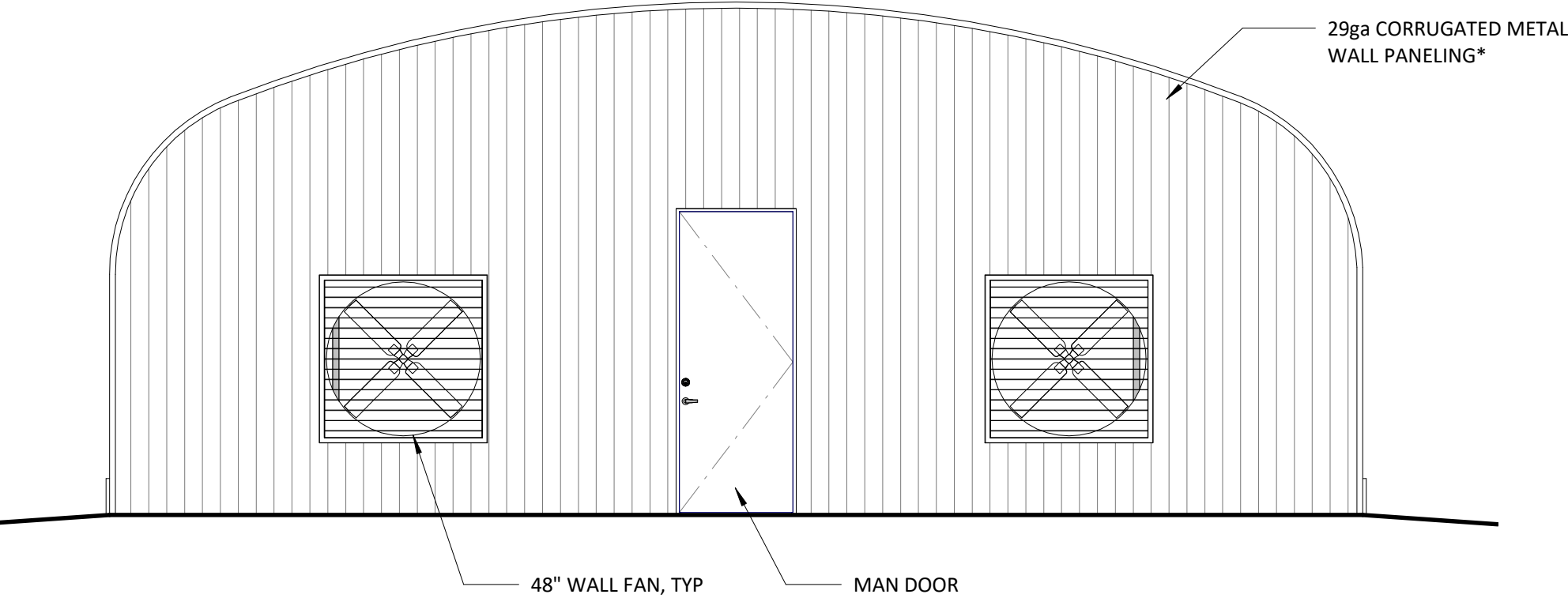


*ATTACH PER MANF AND PROVIDE FRAMING PER MANUFACTURER'S SPAN RATING REQUIREMENTS.

EXTERIOR ELEVATION - REAR

SCALE
1/4" = 1'-0"

3

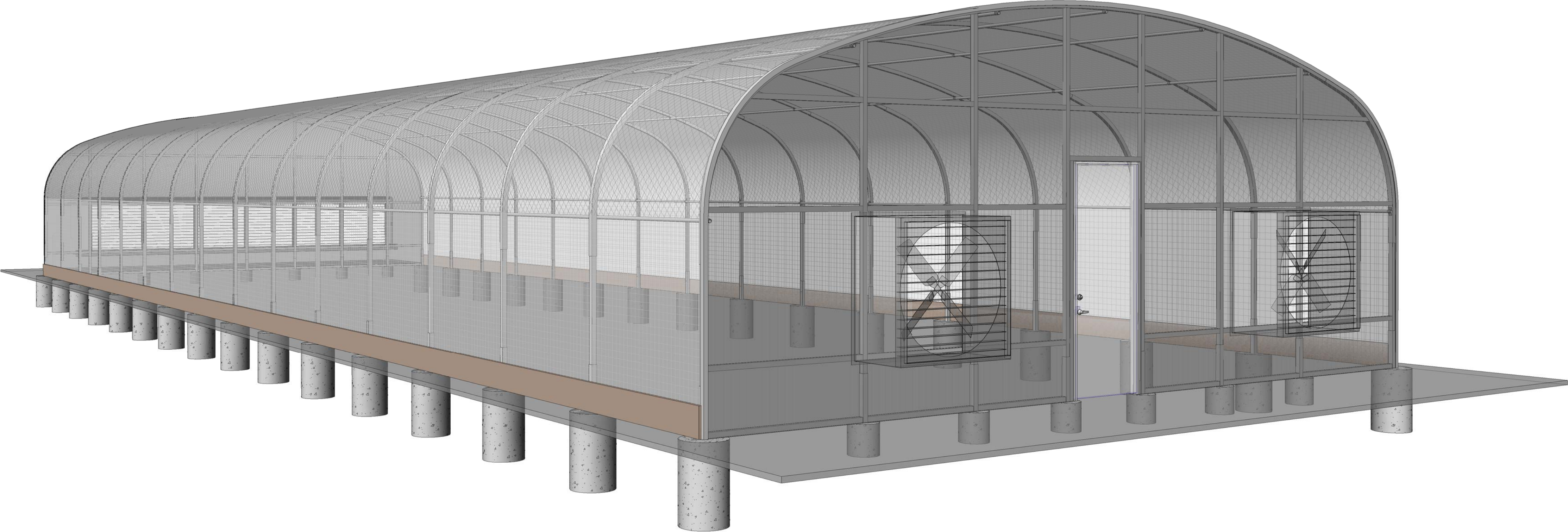


*ATTACH PER MANF AND PROVIDE FRAMING PER MANUFACTURER'S SPAN RATING REQUIREMENTS.

EXTERIOR ELEVATION - ENTRY

SCALE
1/4" = 1'-0"

2



PERSPECTIVE

SCALE

1

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PROJECT: 20201009

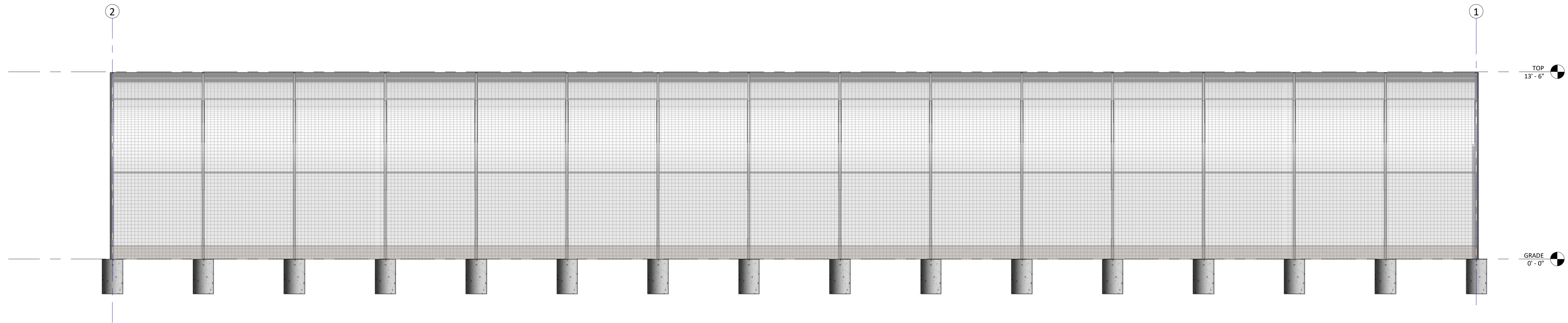
CLIENT:
BINH LY
415.423.4659
bhl1228@yahoo.com

NEW 32' x 98' HOOP HOUSE FOR:
BINH LY
8260 FAIRPLAY ROAD
SOMERSET, CA 95684

TITLE:
PROJECT OVERALL
ISSUES:
Project Issue Date: 1/25/21
Project Status: PREDESIGN
Sheet Issue Date: 1/25/21
Revision Number:
Revision Date:

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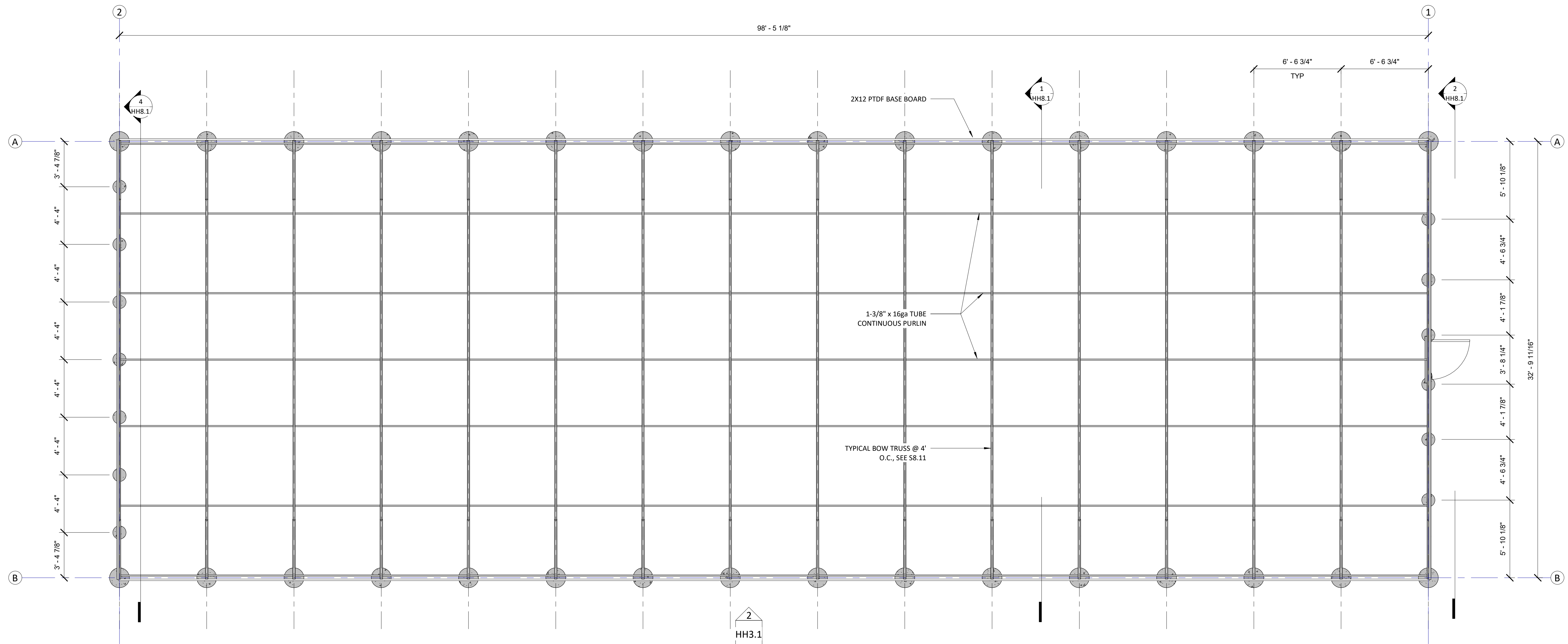
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FRAMING ELEVATION - SIDE

SCALE
1/4" = 1'-0"

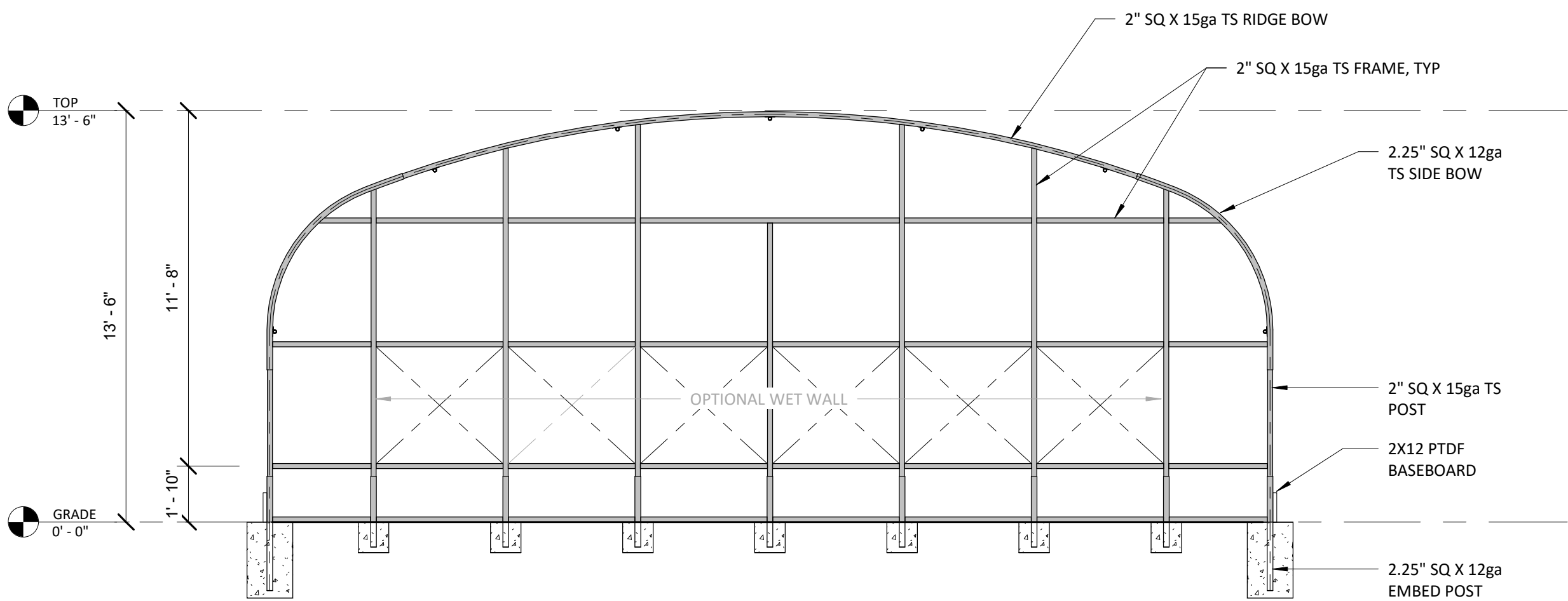
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FLOOR PLAN

SCALE
1/4" = 1'-0"

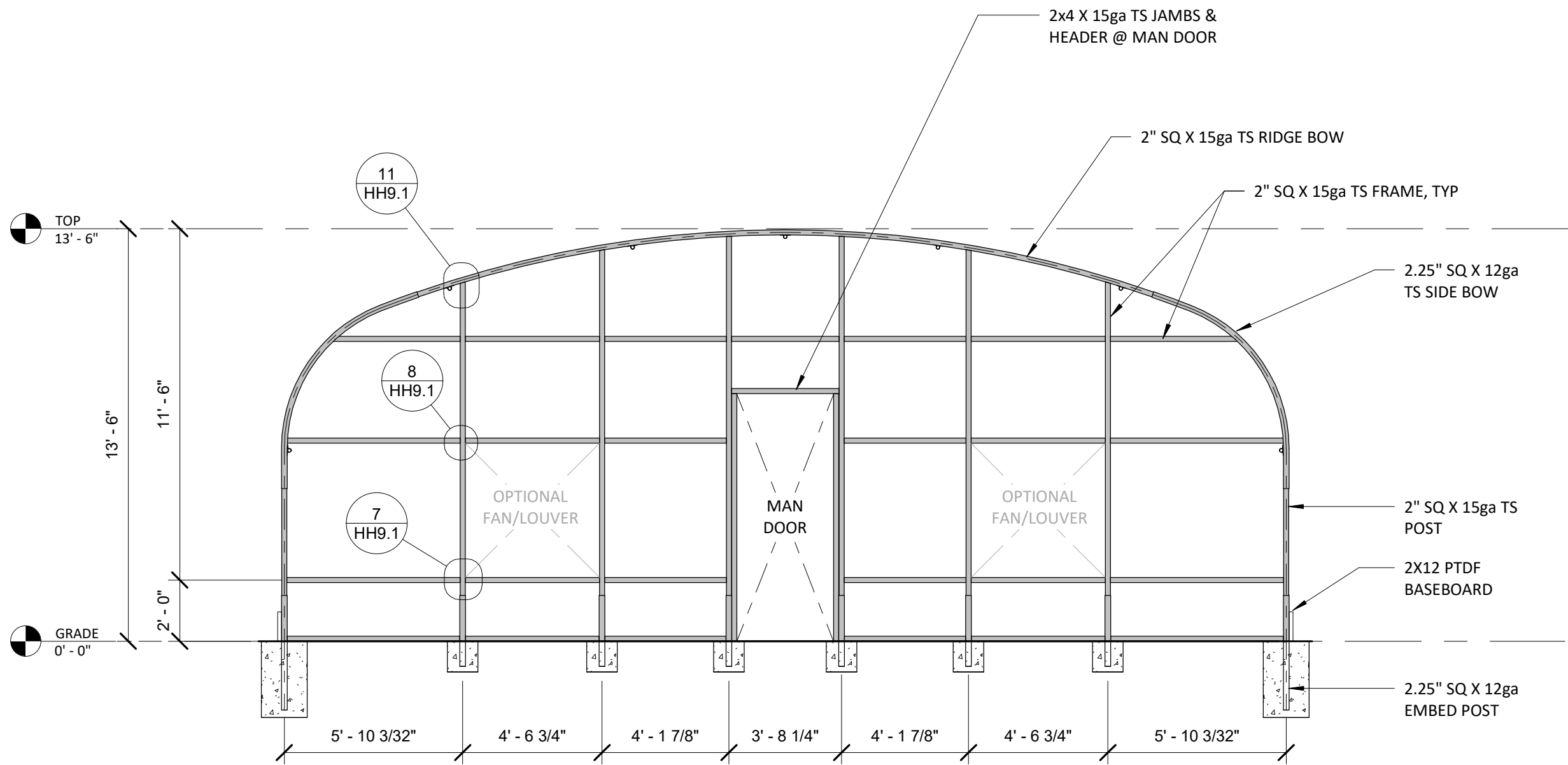
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ENDWALL FRAMING - REAR

SCALE
1/4" = 1'-0"

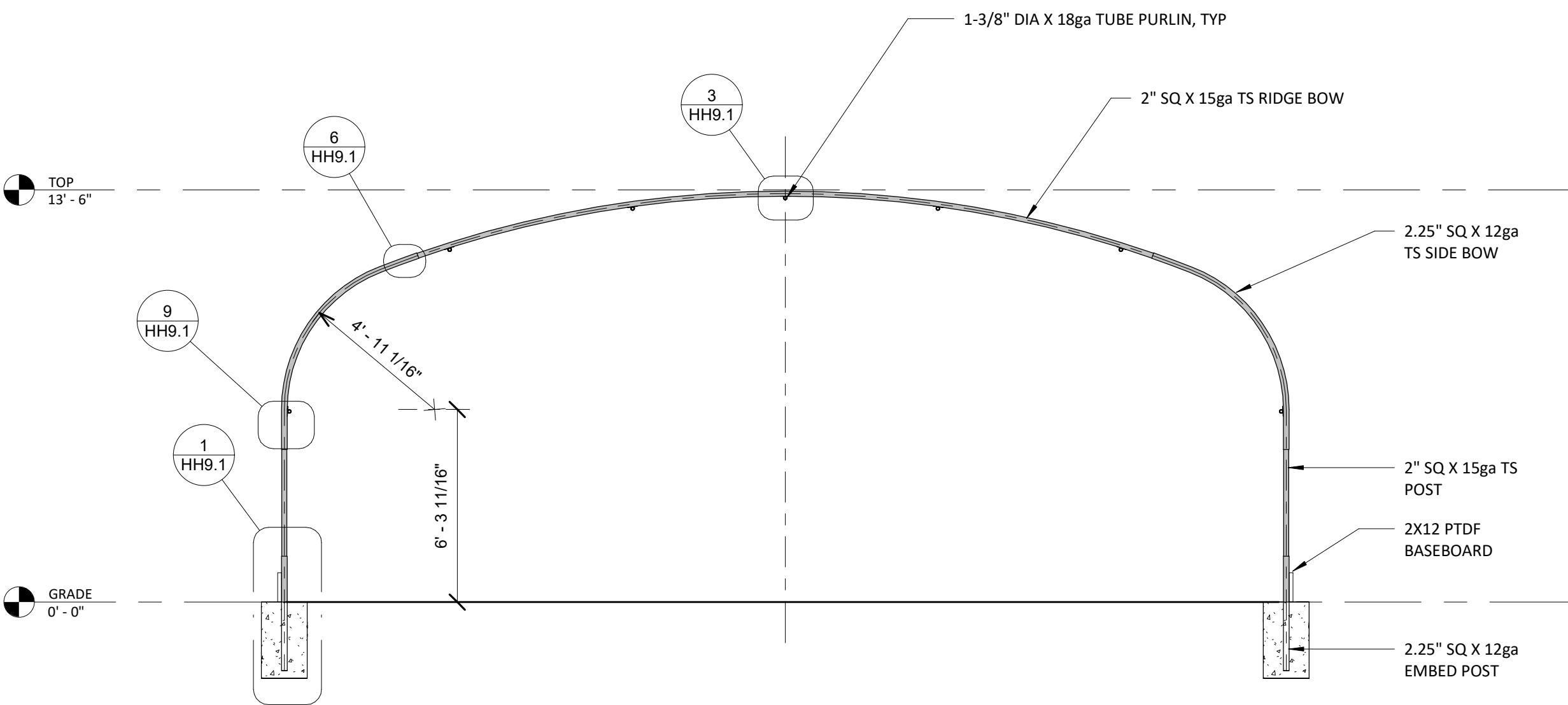
4



ENDWALL FRAMING - ENTRY OUTER

SCALE
1/4" = 1'-0"

2



TYPICAL BOW TRUSS

SCALE
1/4" = 1'-0"

1

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PROJECT: 20201009

CLIENT:

BINH LY

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NEW 32' x 98' HOOP HOUSE FOR:

BINH LY

8260 FAIRPLAY ROAD
SOMERSET, CA 95684

TITLE:

SECTIONS

ISSUES:

Project Issue Date:

Project Status:

Sheet Issue Date:

Revision Number:

Revision Date:

1/25/21

PREDESIGN

1/25/21

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HH8.1

SHEET: OF SHEETS

Appendix B

Biological Resources Assessment

**8260 Fairplay Road
Somerset, CA 95684
(APN: 094-090-010)**

Biological Resources Assessment

Prepared for:

Julie He (Applicants)
8260 Fairplay Road
Somerset, CA 95684

Prepared by:

Greg Matuzak, Principal Biologist
Greg Matuzak Environmental Consulting LLC
P.O. Box 2016
Nevada City, CA 95959
Email: gmatuzak@gmail.com

October 2021

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Report Summary

The Biological Resources Assessment Report includes the biological results of the background research, biological resources field surveys, data analysis, and impact assessment for the Project area. The key findings of this report include the following:

- No California Native Plant Society (CNPS) List 1, 2, 3, or 4 plant species or special-status wildlife species have been documented and mapped within the Project area based on background research. Results of the special-status plant surveys conducted within the entirety of the Project area during the blooming period for the potential special-status plant species that could occur within the Project area were negative for such protected plant species; therefore, it is unlikely any special-status plant or wildlife species occur within or directly adjacent to the Project area. Additionally, no special-status plant species were previously identified within 3 miles of the Project area.
- The Project area does not contain any oak trees or oak woodlands that will be removed or impacted by the proposed Project. The proposed Project area lies adjacent to oak trees and oak woodlands, but the current Site Plan for the Project includes complete avoidance of such protected oak resources and therefore, an Oak Resources Technical Report is not required for the proposed Project per the current Site Plan.
- The areas immediately adjacent to the Project area contains potential nesting habitat for raptors and other protected bird species. Though no active nesting was identified during August 2021 site surveys, pre-construction surveys are recommended to confirm the lack of nesting raptors and other protected bird species immediately prior to Project development if vegetation removal and project commencement will occur between March 1st and August 31st. No additional special-status wildlife species have the potential to occur within the subject parcel and therefore, would not be impacted by the Project.
- No fill or dredge material will be placed in a “waters of the U.S.,” including wetlands, or “waters of the State of California” from the implementation of the proposed Project. Therefore, Clean Water Act permits and compensatory mitigation will not be required.
- No CDFW Streambed Alteration Agreement will be required for the proposed Project given the lack of stream and riparian habitat within and adjacent to the Project area.
- A potential freshwater emergent wetland is located within the southern section of the Project area and is located outside of the County’s minimum setback of 100 feet from all perennial streams, rivers, lakes and 50 feet from intermittent streams and wetlands. The Project area does not contain any additional watercourses or other aquatic resources such as ponds or wetlands. Site surveys confirmed the lack of federal and State of California aquatic resources mapped within the proposed Project disturbance area. However, a pond within the central section of the subject parcel and a large wetland and drainage complex is located to the south of the proposed areas of disturbance within the subject parcel and will remain a minimum of 300 feet from the Project area at its closest location to the proposed Project disturbance area. Best Management Practices and other mitigation measures are included to demonstrate that the actual 300-foot El Dorado County

Ordinance 5110 Article 4 (Section 130.41.200.5.C) setback will be substantially achieved for the purpose of their required setback.

1 INTRODUCTION

At the request of the project applicant Julie He, Mr. Greg Matuzak was retained to prepare a Biological Resources Assessment Report ("Biological Report") for the ADP Cultivation Project ("Project") located in Somerset, El Dorado County, California (see Appendix A). The Biological Report includes an evaluation of sensitive biological resources within the Project area, including sensitive biological resources under the jurisdiction of the California Department of Fish and Wildlife ("CDFW"), United States Fish and Wildlife Service ("USFWS"), United States Army Corps of Engineers ("Corps"), and the El Dorado County Planning Department. Preparation of the Biological Report included background research, field biological resources surveys, and reporting as detailed herein.

Mr. Greg Matuzak, Principal and owner of Greg Matuzak Environmental Consulting LLC is a wetlands ecologist and wildlife biologist with 20 years of experience conducting aquatic resources delineations and biological resources assessments in Northern California. Mr. Matuzak is 40-hour Wetland Delineation Certified (Wetland Training Institute) and has conducted aquatic resources delineations for 100's of linear miles of projects and 1000s of acres of site development projects. Additionally, Mr. Matuzak has conducted special-status biological resources surveys and developed biological resources assessments for dozens of projects in Nevada, El Dorado, and Placer Counties. Mr. Matuzak has lived and worked in Nevada County for over 14 years. Mr. Matuzak was responsible for the field data collection and assessment developed as part of the development of this Biological Report. Mr. Matuzak is on the Nevada County Planning Department's list of Qualified Biological Resources Consultants and is a Qualified Biologist per the CDFW's definition.

1.1 Project Location

The proposed Project is located at 8260 Fairplay Road in Somerset, El Dorado County, California (APN: 094-090-010) and is approximately 60.57 acres in size. The subject parcel is located approximately 6.9 miles southwest of Somerset and approximately 17.7 miles southeast of Placerville off Mt. Aukum Road. See Appendix A for Vicinity and Project Location Figures and see Appendix B for a Site Plan.

1.2 Project Understanding

The Project involves construction of an approximately 10,000 SF of cannabis cultivation area, which will include two separate cultivation areas within the subject parcel to be developed in a single phase. See attached Site Plan for the location of the proposed cultivation area included as part of this Biological Report.

1.3 Biological Resources Assessment Purpose

The purpose of the Biological Report is to identify the location and extent of sensitive biological resources within the Project Area, including special-status plant and wildlife species.

Additionally, this Biological Report includes an impact assessment to such sensitive biological resources based on the Project Understanding outlined in Section 1.2 above. Section 6 includes avoidance, minimization, and mitigation measures to ensure that the Project Area disturbance, based on the Project Understanding, would not have a significant impact on such sensitive biological resources. This Biological Report also satisfies the El Dorado County Community Development Services Planning and Building Department Commercial Cannabis Permitting Office (CCPO) requirements for the approval of the Project and its potential to impact sensitive biological resources outlined in the California Environmental Quality Act (CEQA) Checklist.

Furthermore, based on the Project understanding, no oak trees are proposed to be removed or impacted and no riparian habitat, streams, waterways, or water crossings will be impacted as part of the implementation of the proposed Project within the subject parcel. Therefore, additional studies and reporting to evaluate such resources are not required as part of the CCPO approval process. This Biological Report meets the requirements of the CCPO as part of CEQA compliance for the Project and overall Project permit approval.

2 REGULATORY OVERVIEW

2.1 Federal Regulations

2.1.1 Section 404 of the Clean Water Act

The U.S. Army Corps of Engineers ("Corps") and the Environmental Protection Agency ("EPA") regulate the discharge of dredge or fill material into "waters of the U.S." under Section 404 of the Clean Water Act. "Waters of the U.S." include wetlands and lakes, rivers, streams, and their tributaries. Wetlands are defined for regulatory purposes as areas "...inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated solid conditions" as specified in 33 Code of Federal Regulations [CFR] 328.3, 40 CFR 230.3.

Generally, wetlands include swamps, marshes, bogs, and similar areas. Lakes, rivers, and streams are defined as "other waters of the U.S." Jurisdictional limits of these features are typically noted by the Ordinary High Water Mark ("OHWM"). The OHWM is the line on the shore established by the fluctuations of water and indicated by physical characteristics such as mark a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas (33 CFR 328 and 33 CFR 329).

Isolated ponds or seasonal depressions had been previously regulated as waters of the U.S. However, in *Solid Waste Agency of Northwestern Cook County (SWANCC) v. USACE et al.* (January 8, 2001), the U.S. Supreme Court ruled that certain "isolated" wetlands (e.g., non-navigable, isolated, and intrastate) do not fall under the jurisdiction of the CWA and are no longer under the jurisdiction of the Corps. Some circuit courts (e.g., *U.S. v. Deaton*, 2003; *U.S. Rapanos*, 2003; *Northern California River Watch v. City of Healdsburg*, 2006), though, have ruled that SWANCC does not prevent CWA jurisdiction if a "significant nexus" such as a hydrologic connection exists, whether it be man-made (e.g., roadside ditch) or natural tributary to navigable waters, or direct seepage from the wetland to the navigable water, a surface or underground hydraulic connection, an ecological connection (e.g., the same bird, mammal, and fish populations are supported by both the wetland and the navigable water), and changes to chemical concentrations in the navigable water is present due to water from the wetland.

Areas considered to be non-jurisdictional waters include non-tidal drainage and irrigation ditches excavated on dry land, artificially-irrigated areas, artificial lakes or ponds used for irrigation or stock watering, small artificial water bodies such as swimming pools, and water-filled depressions with no outlet for drainage (33 CFR, Part 328).

The *Clean Water Rule* is a 2015 regulation published by the EPA and Corps to clarify water resources management in the United States under a provision of the CWA. The regulation defined the scope of federal water protection in a more consistent manner, particularly over streams and wetlands, which have a significant hydrological and ecological connection to traditional navigable waters, interstate waters, and territorial seas. It is also referred to as

the *Waters of the United States* rule, which defines all bodies of water that fall under U.S. federal jurisdiction. The rule has been contested in litigation and in 2017 the Trump administration announced its intent to review and rescind or revise the rule. Following a Supreme Court ruling on January 22, 2018 that lifted a nationwide stay on the rule, the Trump administration formally suspended the rule until February 6, 2020, thereby giving the EPA time to issue a draft proposal of replacement water regulatory requirements.

On October 22, 2019, the EPA and the Corps published a final rule to repeal the 2015 Clean Water Rule: Definition of "Waters of the United States" ("2015 Rule"), which amended portions of the Code of Federal Regulations (CFR), and to restore the regulatory text that existed prior to the 2015 Rule. The final rule will become effective on December 23, 2019. The EPA and the Corps will implement the pre-2015 Rule regulations informed by applicable agency guidance documents and consistent with Supreme Court decisions and longstanding agency practice.

2.1.2 Section 401 of the Clean Water Act

Section 401 of the CWA requires an applicant, for any federal permit which may result in a discharge into waters of the U.S., to obtain a certification from the state that the discharge will comply with provisions of the CWA. The nine regions of the State Water Quality Control Board administer this program. Any condition of water quality certification would be incorporated into the Corps permit. California has a policy of no-net-loss of wetlands and typically requires mitigation for impacts to wetlands before it will issue a water quality certification. This Project is located under the jurisdiction of Region 5, the Central Valley Regional Water Quality Control Board ("RWQCB").

2.1.3 Endangered Species Act of 1973

For the Project area, consultation with the USFWS would be necessary if a proposed action may affect a federally listed species or occupied habitat. This consultation would proceed under Section 7 of the Endangered Species Act (ESA) if a federal action is part of the proposed action or through Section 10 of the ESA if no such nexus were available (USFWS, 1973).

2.1.4 Bald and Golden Eagle Protection Act

The Bald and Golden Eagle Protection Act (BAGEPA) (16 USC Section 668) protects bald and golden eagles and their nests from direct "take" (i.e. harm or harassment as described above). BAGEPA prohibits the take or commerce of any part of the bald or golden eagles (USFWS, 1940). The USFWS administers the Act and reviews actions that may affect species protected under the Act.

2.2 State Regulations

2.2.1 California Endangered Species Act

The California Department of Fish and Wildlife (CDFW) has jurisdiction over plant and wildlife species listed as threatened or endangered under section 2080 of the CDFW Code. The California Endangered Species Act (CESA) prohibits take of state-listed threatened and endangered species. The state Act differs from the federal Act in that it does not include habitat destruction in its definition of *take*. The CDFW defines *take* as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." The CDFW may authorize *take* under the CESA through Section 2081 agreements. If the results of a biological survey indicate that a state-listed species would be affected by the project, the CDFW would issue an Agreement under Section 2081 of the CDFW Code and would establish a Memorandum of Understanding for the protection of state-listed species. For species where an Agreement under Section 2081 is infeasible, an Incidental Take Permit (ITP) would be required prior to undertaking any project related activities that could directly or indirectly impact a CESA listed species.

2.2.2 Streambed Alteration Agreements: CDFG Code Section 1600 et seq.

CDFW has jurisdictional authority over substantial alterations to the bed or bank of rivers, streams, and lakes under Sections 1600–1616. CDFW has the authority to regulate all work under the jurisdiction of the State of California that would substantially divert, obstruct, or change the natural flow of a river, stream, or lake; substantially change the bed, channel, or bank of a river, stream, or lake; or use material from a streambed.

Given there will be no disturbance within or directly adjacent to watercourses and associated riparian vegetation and therefore, a CDFW Streambed Alteration Agreement would not be required for the Project.

2.2.3 Porter-Cologne Water Quality Control Act & Section 1601 and Section 1607 of CDFG Code

These acts and codes pertain to projects with potential impacts to water quality or waterways. The Project area does not contain any aquatic features or habitats considered waters of the State as defined by the State Water Resources Board (State Board 2014).

2.2.4 State Water Resources Control Board Wetland Policy (April 2019)

On April 2, 2019, the State Water Resources Control Board (State Water Board) adopted rules to protect wetlands and other environmentally sensitive waterways throughout the state. More than 90 percent of California's historic wetlands have been lost to development and other human activity. Wetlands are a critical natural resource that protect and improve water quality, provide habitat for fish and wildlife, and buffer developed areas from flooding and sea-level rise. The newly adopted rules provide a common, statewide definition of what constitutes a wetland.

They also provide consistency in the way the State Water Board and nine regional water boards regulate activities to protect wetlands and other waterways, such as rivers and streams, and bays and estuaries. The State of California waters of the state are, by definition, broader than "waters of the United States" covered by federal regulation. The newly adopted rules do not change that and will ensure that waters of the state will continue to be protected even if protections for federal waters are narrowed by administrative actions or the courts.

The new definition clarifies what is considered a wetland – and what is not – for the entire state, provides a common framework for monitoring and reporting the quality of California's remaining wetlands, helps ensure no overall net loss, and promote an increase, in the quantity, quality, and sustainability of waters of the state, including wetlands, improves transparency and consistency across the State Water Board and the nine Regional Water Quality Control Boards in how discharges of dredged or fill material in sensitive waterways are monitored and regulated, and avoids duplicative work and streamline requirements to cover all waters of the state, so both state and federal environmental concerns are addressed at once.

2.2.5 California Department of Fish and Game Code Sections 3503, 3503.5, and 3800: Nesting Migratory Bird and Raptors

Sections 3503, 3503.5, and 3800 of the CDFG Code prohibit the take, possession, or destruction of birds, their nests or eggs. Implementation of the take provisions requires that project-related disturbance within active nesting territories be reduced or eliminated during critical phases of the nesting cycle (approximately March 1 – August 31). Disturbance that causes nest abandonment and/or loss of reproductive effort (e.g. killing or abandonment of eggs or young), or the loss of habitat upon which birds are dependent, is considered "taking", and is potentially punishable by fines and/or imprisonment (LCC 2013).

2.2.6 California Special Species of Concern, Fully Protected, and Special Status Species

California designates Species of Special Concern (SSC) as species of limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational or educational values. These species do not have the same legal protection as listed species but may be added to official lists in the future (CDFW 2014).

In the 1960's California created a designation to provide additional protection to rare species. This designation remains today and is referred to as "Fully Protected" species, and those listed "may not be taken or possessed at any time" (CDFW 2014). There are no species designated as a Fully Protected species known to occur within or adjacent to the Project area.

California special status species are identified by the California Natural Diversity Database (CNDDB) and includes those species considered to be of greatest conservation need by the CDFW.

2.2.7 California Environmental Quality Act Guidelines Section 15380

California Environmental Quality Act (CEQA) Guidelines section 15380(b) provides that a species not listed on the federal or state list of protected species may be considered rare or endangered if the species can be shown to meet certain specific criteria. This section was included in the guidelines to deal primarily with situations in which a public agency is reviewing a project that may have a significant effect on, for example a "candidate species" that has not yet been listed by the USFWS or CDFW. CEQA, therefore, enables an agency to protect a species from significant project impacts until the respective government agencies have had an opportunity to list the species as protected, if warranted (CNRA 2012).

Plants appearing on the California Native Plant Society (CNPS) California Rare Plant Rank (CRPR) are considered to meet CEQA's Section 15380 criteria. Ranks include: 1A) plants presumed extirpated in California and either rare or extinct elsewhere, 1B) plant rare, threatened, or endangered in California and elsewhere, 2A) plants presumed extirpated in California, but more common elsewhere, and 2B) plants rare, threatened, or endangered in California, but more common elsewhere. Impacts to these species would therefore be considered "significant" requiring mitigation.

2.2.8 State Oak Woodland Regulations

State laws that regulate protection of oak woodlands include Professional Forester's Law (PFL) and CEQA according to Public Resources Code Section 21083.4. Oak woodlands are defined as areas having 10% oak canopy cover or greater. "Oaks" are defined in Public Resources Code Section 21083.4 as a native tree species in the genus *Quercus*, that is 5 inches diameter at breast height (DBH) or greater. The Oak Woodlands Conservation Act (SB 1334) provides funding for the conservation and protection of oak woodlands in California. Oak trees and oak woodland habitats are protected under both the State and the Nevada County landmark groves and landmark oak tree regulations as discussed below.

2.3 Local Regulations

2.3.1 El Dorado County Oak Resources Conservation Ordinance

Permits for removal of Oak Resources are required for any non-exempt action requiring discretionary development entitlements or approvals from the County, or ministerial actions requiring a building or grading permit issued by the County. *An Oak Resources Technical Report prepared by a certified arborist, qualified wildlife biologist or a Registered Professional Forester is required prior to issuing a permit to remove any Oak Resources.*

Required care, inspection and documentation of replacement plantings (including replacement of any dead trees) shall be performed by all permittees for a seven (7) year period from the date of the planting. The County shall provide an annual reporting to the Board of Supervisors on the number of oak removal permits issued and estimated inches/acres approved for removal during the reporting year. The County shall provide a biennial report to the Planning

Commission and Board of Supervisors of the in-lieu fees collected and recommend fee adjustments as appropriate.

Exemptions to oak mitigation requirements include but are not limited to: existing single-family parcel of one acre or less; fire safe activities to protect existing structures; utility line maintenance; emergency operations; County road projects; affordable housing projects; some agricultural activities; removal of dead, dying or diseased trees; some exemptions for personal use (e.g., firewood) limited to no more than eight trees per parcel per year; tree removal under a Timber Harvest Plan. Exemptions from mitigation do not apply to Heritage Trees, individual valley oak trees, and valley oak woodlands (unless these trees are dead, dying, or diseased).

The ORMP requires mitigation for permitted oak tree removal under the ORMP including: on-site retention; replacement planting on-site and off-site; and in-lieu fees that will be used to acquire land and/or conservation easements to conserve oak woodlands, and to plant and maintain native oak trees. (Under the prior General Plan Policy tree canopy retention was the only mitigation option available.) All mitigation requires additional permits depending upon the mitigation option chosen.

To encourage on-site retention of oak woodlands, the ORMP requires increasing mitigation ratios based on the amount of oak woodland removed: Removing 50 percent or less requires a 1-to-1 ratio of mitigation, removing up to 75 percent requires a 1.5-to-1 ratio of mitigation, and removing up to 100 percent requires a 2-to-1 ratio of mitigation. Mitigation of oak woodlands would consist of one of the options described above: on-site retention; replacement planting on-site and off-site; and/or in-lieu fees.

A security deposit is required for all discretionary projects proposing on-site oak tree/oak woodland retention and/or replacement planting as mitigation. No grading or other on-site work shall be permitted until the security deposit is posted. The in-lieu fee for removal of *oak woodlands* is calculated based on total cost per acre which is currently set at \$8,285. The in-lieu fee for removal of *individual oak trees* is calculated on a total cost per inch which is currently set at \$153 for a non-Heritage Tree and \$459 per inch for a Heritage Tree at a 3-to-1 ratio. The per-inch fee shall be multiplied by the total number of trunk diameter inches removed. The in-lieu fees collected will be deposited in the County's Oak Woodland Conservation Fund. That fund will be used to acquire land and/or conservation easements to conserve oak woodlands, provide for native oak tree planting, and for ongoing conservation area monitoring and management activities.

2.3.2 El Dorado County Ordinance 5110 Article 4 (Section 130.41.200.5.C)

Ordinance No. 5110 covers outdoor and mixed-light cultivation of commercial cannabis within El Dorado County and includes the following regarding stream setbacks:

- C. *Setbacks.* Outdoor or mixed-light cultivation of commercial cannabis shall be setback a minimum of 800 feet from the property line of the site or public right-of-way and shall be located at least 300 feet from the upland extent of the riparian vegetation of any watercourse.

2.3.3 El Dorado County General Plan Conservation and Open Space Element

CONSERVATION AND PROTECTION OF WATER RESOURCES

GOAL 7.3: WATER QUALITY AND QUANTITY

Conserve, enhance, and manage water resources and protect their quality from degradation.

OBJECTIVE 7.3.1: WATER RESOURCE PROTECTION

Preserve and protect the supply and quality of the County's water resources including the protection of critical watersheds, riparian zones, and aquifers.

Policy 7.3.1.1 Encourage the use of Best Management Practices, as identified by the Soil Conservation Service, in watershed lands as a means to prevent erosion, siltation, and flooding.

Policy 7.3.1.2 Establish water conservation programs that include both drought tolerant landscaping and efficient building design requirements as well as incentives for the conservation and wise use of water.

Policy 7.3.1.3 The County shall develop the criteria and draft an ordinance to allow and encourage the use of domestic gray water for landscape irrigation purposes. (See Title 22 of the State Water Code and the Graywater Regulations of the Uniform Plumbing Code).

OBJECTIVE 7.3.2: WATER QUALITY

Maintenance of and, where possible, improvement of the quality of underground and surface water.

Policy 7.3.2.1 Stream and lake embankments shall be protected from erosion, and streams and lakes shall be protected from excessive turbidity.

Policy 7.3.2.2 Projects requiring a grading permit shall have an erosion control program approved, where necessary.

Policy 7.3.2.3 Where practical and when warranted by the size of the project, parking lot storm drainage shall include facilities to separate oils and salts from storm water in accordance with the recommendations of the Storm Water Quality Task Force's California Storm Water Best Management Practices Handbooks (1993).

Policy 7.3.2.4 The County should evaluate feasible alternatives to the use of salt for ice control on County roads.

Policy 7.3.2.5 As a means to improve the water quality affecting the County's recreational waters, enhanced and increased detailed analytical water quality studies and monitoring should be implemented to identify and reduce point and non-point pollutants and contaminants. Where such studies or monitoring reports have identified sources of pollution, the County shall propose means to prevent, control, or treat identified pollutants and contaminants.

OBJECTIVE 7.3.3: WETLANDS

Protection of natural and man-made wetlands, vernal pools, wet meadows, and riparian areas from impacts related to development for their importance to wildlife habitat, water purification, scenic values, and unique and sensitive plant life.

Policy 7.3.3.1 For projects that would result in the discharge of material to or that may affect the function and value of river, stream, lake, pond, or wetland features, the application shall include a delineation of all such features. For wetlands, the delineation shall be conducted using the U.S. Army Corps of Engineers (USACE) Wetland Delineation Manual

Policy 7.3.3.2 intentionally blank

Policy 7.3.3.3 The County shall develop a database of important surface water features, including lake, river, stream, pond, and wetland resources.

Policy 7.3.3.4 The Zoning Ordinance shall be amended to provide buffers and special setbacks for the protection of riparian areas and wetlands. The County shall encourage the incorporation of protected areas into conservation easements or natural resource protection areas. Exceptions to riparian and wetland buffer and setback requirements shall be provided to permit necessary road and bridge repair and construction, trail construction, and other recreational access structures such as docks and piers, or where such buffers deny reasonable use of the property, but only when appropriate mitigation measures and Best Management Practices are incorporated into the project. Exceptions shall also be provided for horticultural and grazing activities on agriculturally zoned lands that utilize "best management practices (BMPs)" as recommended by the County Agricultural Commission and adopted by the Board of Supervisors. Until standards for buffers and special setbacks are established in the Zoning Ordinance, the County shall apply a minimum setback of 100 feet from all perennial streams, rivers, lakes, and 50 feet from intermittent streams and wetlands. These interim standards may be modified in a particular instance if more detailed information relating to slope, soil stability, vegetation, habitat, or other site- or project-specific conditions supplied as part of the review for a specific project demonstrates that a different setback is necessary or would be sufficient to protect the particular riparian area at issue. For projects where the County allows an exception to wetland and riparian buffers, development in or immediately adjacent to such features shall be planned so that impacts on the resources are minimized. If avoidance and minimization are not feasible, the County shall make findings, based on documentation provided by the project proponent, that avoidance and minimization are infeasible.

Policy 7.3.3.5 Rivers, streams, lakes and ponds, and wetlands shall be integrated into new development in such a way that they enhance the aesthetic and natural character of the site while disturbance to the resource is avoided or minimized and fragmentation is limited.

CONSERVATION OF BIOLOGICAL RESOURCES**GOAL 7.4: WILDLIFE AND VEGETATION RESOURCES**

Identify, conserve, and manage wildlife, wildlife habitat, fisheries, and vegetation resources of significant biological, ecological, and recreational value.

OBJECTIVE 7.4.1: PINE HILL RARE PLANT SPECIES

The County shall protect Pine Hill rare plant species and their habitats consistent with Federal and State laws.

Policy 7.4.1.1 The County shall continue to provide for the permanent protection of the eight sensitive plant species known as the Pine Hill endemics and their habitat through the establishment and management of ecological preserves consistent with County Code Chapter 130.71 and the USFWS's Gabbro Soil Plants for the Central Sierra Nevada Foothills Recovery Plan (USFWS 2002).

Policy 7.4.1.2 Private land for Pine Hill rare plant preserve sites will be purchased only from willing sellers.

Policy 7.4.1.3 Limit land uses within established Pine Hill rare plant preserve areas to activities deemed compatible. Such uses may include passive recreation, research and scientific study, and education. In conjunction with use as passive recreational areas, develop a rare plant educational and interpretive program.

Policy 7.4.1.4 The Pine Hill Preserves, as approved by the County Board of Supervisors, shall be designated Ecological Preserve (-EP) overlay on the General Plan land use map.

Policy 7.4.1.5 intentionally blank (Resolution 128-2017, October 24, 2017)

Policy 7.4.1.6 intentionally blank (Resolution 128-2017, October 24, 2017)

Policy 7.4.1.7 intentionally blank (Resolution 128-2017, October 24, 2017)

OBJECTIVE 7.4.2: IDENTIFY AND PROTECT RESOURCES

Identification and protection, where feasible, of critical fish and wildlife habitat including deer winter, summer, and fawning ranges; deer migration routes; stream and river riparian habitat; lake shore habitat; fish spawning areas; wetlands; wildlife corridors; and diverse wildlife habitat.

Policy 7.4.2.1 The County will coordinate wildlife and vegetation protection programs with appropriate Federal and State agencies.

Policy 7.4.2.2 The County shall continue to support the Noxious Weed Management Group in its efforts to reduce and eliminate noxious weed infestations to protect native habitats and to reduce fire hazards.

Policy 7.4.2.3 Consistent with Policy 9.1.3.1 of the Parks and Recreation Element, low impact uses such as trails and linear parks may be provided within river and stream buffers if all applicable mitigation measures are incorporated into the design.

Policy 7.4.2.4 Protect and preserve wildlife habitat corridors within public parks and natural resource protection areas to allow for wildlife use. Recreational uses within these areas shall be limited to those activities that do not require grading or vegetation removal.

Policy 7.4.2.5 Setbacks from all rivers, streams, and lakes shall be included in the Zoning Ordinance for all ministerial and discretionary development projects.

Policy 7.4.2.6 intentionally blank (Resolution 128-2017, October 24, 2017)

Policy 7.4.2.7 intentionally blank (Resolution 128-2017, October 24, 2017)

Policy 7.4.2.8 Conserve contiguous blocks of important habitat to offset the effects of increased habitat loss and fragmentation elsewhere in the County through a Biological Resource Mitigation Program (Program).

The Program will result in the conservation of: 1. Habitats that support special status species; 2. Aquatic environments including streams, rivers, and lakes; 3. Wetland and riparian habitat; 4. Important habitat for migratory deer herds; and 5. Large expanses of native vegetation.

A. Habitat Protection Strategy. The Program establishes mitigation ratios to offset impacts to special-status species habitat and special-status vegetation communities within the County.

Special-status species include plants and animals in the following categories: • Species listed or proposed for listing as Threatened or Endangered under the federal Endangered Species Act (ESA) or the California Endangered Species Act (CESA); • Species considered as candidates for listing as Threatened or Endangered under ESA or CESA; • Wildlife species identified by California Department of Fish and Wildlife (CDFW) as Species of Special Concern; • Wildlife species identified by US Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) as Species of Concern; • Plants listed as Endangered or Rare under the California Native Plant Protection Act; • Animals fully protected under the California Fish and Game Code; • Plants that have a California Native Plant Society (CNPS) California Rare Plant Rank (CRPR) of 1A (plants presumed extirpated in California and either rare or extinct elsewhere), 1B (plants rare, threatened, or endangered in California and elsewhere), 2A (plants presumed extirpated in California, but more common elsewhere), or 2B (plants rare, threatened, or endangered in California, but more common elsewhere). The CNPS CRPRs are used by both CDFW and USFWS in their consideration of formal species protection under ESA or CESA. With the exception of oak woodlands, which would be mitigated in accordance with the ORMP (see General Plan Policy 7.4.4.4), and Pine Hill rare plant species and their habitat, which would be mitigated in accordance with County Code Chapter 130.71 (see General Plan Policy 7.4.1.1), mitigation of impacts to vegetation communities will be implemented in accordance with the table below. Preservation and creation of the following vegetation communities will ensure that the current range and distribution of special-status species within the County are maintained.

B. Wildlife Movement for future 4- and 6- and 8-lane roadway construction projects. Consideration of wildlife movement will be given by the County on all future 4-, 6, and 8-lane roadway construction and widening projects. Impacts on public safety and wildlife movement for projects

that include new roads of 4 or more lanes or the widening of roads to 4 or more lanes will be evaluated during the development review process (see Section C below). The analysis of wildlife movement impacts will take into account the conditions of the project site and surrounding property to determine whether wildlife under crossings are warranted and, if so, the type, size, and locations that would best mitigate a project's impacts on wildlife movement and associated public safety.

C. Biological Resources Assessment. A site-specific biological resources technical report will be required to determine the presence of special-status biological resources that may be affected by a proposed discretionary project. Vegetation communities and special-status plants shall be mapped and assessed in accordance with the CDFG 2009 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities and subsequent updates, and the List of Vegetation Alliances and Associations (CDFG 2010) and subsequent updates. Any surveys conducted to evaluate potential presence of special status wildlife species shall conform to practices recommended by CDFW and/or USFWS at the time of the surveys.

The report will include an assessment of direct, indirect and cumulative impacts to biological resources, including vegetation communities, plant and wildlife species and wildlife movement. The report shall include recommendations for: • pre-construction surveys and avoidance/protection measures for nesting birds; • pre-construction surveys and avoidance/protection measures for roosting bats; • avoidance and minimization measures to reduce impacts related to entrapment, entanglement, injury, or poisoning of wildlife; and • avoidance and minimization measures to reduce indirect impacts to wildlife in open space adjacent to a project site. The results of the biological resources technical report shall be used as the basis for establishing mitigation requirements in conformance with this policy and the Oak Resources Management Plan (ORMP, see General Plan Policy 7.4.4.4).

D. Habitat Protection. Mitigation for impacts to vegetation communities defined above in Section A will occur within the County on a minimum contiguous habitat block of 5 acres. Wetlands mitigation may occur within mitigation banks and/or outside the County if within the watershed of impact. Mitigation sites will be prioritized based on the following criteria: • Location within PCAs and IBCs • Location within other important ecological areas, as defined in the Updated INRMP Initial Inventory and Mapping (June 2010); • Woodland, forest and shrub communities with diverse age structure; • Woodland and forest communities with large trees and dense canopies; • Opportunities for active land management to be used to enhance or restore natural ecosystem processes; • Presence of or potential to support special-status species; • Connectivity with adjacent protected lands; • Parcels that achieve multiple agency and community benefits; • Parcels that are located generally to the west of the Eldorado National Forest; and • Parcels that would preserve natural wildlife movement corridors such as crossings under major roadways (e.g., U.S. Highway 50 and across canyons).

E. Mitigation Assistance. The County will establish and maintain a database of willing sellers of land for mitigation of biological resource impacts within the County. The County will manage the database as a voluntary program wherein landowners must opt-in to be included in the database by contacting the County. The database will include the following information: • Property owner

name • Assessor's Parcel Number • Parcel acreage • General vegetation communities as mapped in the California Department of Forestry and Fire Protection's Fire and Resource Assessment Program (FRAP) database • Location within PCA, IBC, or important ecological area, as defined in the Updated INRMP Initial Inventory and Mapping (June 2010).

F. Mitigation Monitoring. Prior to final approval of an individual development project, applicants shall submit to the County a Mitigation Monitoring Plan that provides for periodic monitoring of preserved lands to assess effectiveness of the measures implemented to protect special-status and native species. The Mitigation Monitoring Plan shall demonstrate that funding is secured to implement the monitoring strategy in perpetuity.

3 METHODOLOGY

In order to evaluate the Project area for the presence of any sensitive biological resources, baseline information from databases and reporting for similar projects in the Sierra Nevada foothills and El Dorado County was collected and reviewed prior to conducting reconnaissance-level field biological surveys. The database searches, background research, and habitat level field surveys characterized the baseline conditions of the Project area. Based on the baseline conditions of the Project area, an assessment was implemented to determine if any special-status plant or wildlife species use the Project area at any time during their life cycle. The baseline conditions also identified the presence of any sensitive habitat or communities, including "waters of the U.S.," including wetlands, that have been identified and mapped within the Project area.

3.1 Sensitive Biological Resources Background Review

The following information was used to identify potential sensitive biological resources, including the presence of special-status plant and wildlife species, within the Project area region that could be found to use the Project area:

- California Department of Fish and Wildlife's California Natural Diversity Database records search of 3-mile buffer around the Project area (CDFW, 2021);
- The California Native Plant Society's Online Inventory of Rare and Endangered Plants of California for the Project area and El Dorado County (CNPS, 2021);
- The U.S. Fish and Wildlife Service Information, Planning, and Consultation System (IPaC) for endangered, threatened, and proposed listed species for the Project area (USFWS, 2021);
- National Wetland Inventory map of the Project area (NWI, 2021);
- United States Department of Agriculture (USDA) Soils Mapper of the Project area (USDA, 2021);
- Natural Resources Conservation Service (NRCS) Hydric Soils List for El Dorado County (NRCS, 2021); and
- El Dorado County Land Use and Development Code, Ordinances, and General Plan.

3.2 Reconnaissance Level Biological Resources Field Surveys

Reconnaissance-level biological resources field surveys were conducted on foot for the entirety of the Project area by Greg Matuzak, Principal Biologist and owner of Greg Matuzak Environmental Consulting LLC. Field surveys were conducted on August 6th, 2021. Follow up reconnaissance-level biological resources field surveys were not required or conducted by Greg Matuzak given the initial site visit and field surveys were conducted during the required blooming period for potential special-status plant species that have a potential to occur within the Project area. The purpose of the surveys completed in August 2021 was to identify habitat and vegetation

types and to determine the potential for any special-status plant and wildlife species identified in the desktop analysis and background research to occur within the Project area. Additionally, the surveys were focused on the presence/absence of special-status plant species to identify their occurrence within the proposed disturbance areas within the Project area.

For a review of the Project area and its relation to a potential freshwater emergent wetland is located within the southwestern section of the Project area, the potential wetland is located outside of the County's minimum setback of 100 feet from all perennial streams, rivers, lakes and 50 feet from intermittent streams and wetlands. The Project area does not contain any additional watercourses or other aquatic resources such as ponds or wetlands located within the subject parcel. A review of the National Wetland Inventory federal aquatic resources database was reviewed (see results within the appendices to this report) and review the most recent Google Earth imagery covering the Project area to estimate the distance of the potential wetland area from the proposed areas of disturbance within the subject parcel. Site surveys confirmed the lack of federal and State of California aquatic resources mapped within the Project disturbance areas and the site survey included a review of the wetland areas in question to the north of the access road from Fairplay Road to the existing residence within the subject parcel.

3.3 Project Area Characterization

All vascular plant species identified at the time of the surveys were recorded using keys and descriptions in *The Jepson Manual* (Baldwin et al., 2012). Additionally, vegetation types have been classified by wildlife habitats/vegetation types using the California Department of Fish and Game's (CDFG) *A Guide to Wildlife Habitats* (Mayer and Laudenslayer, 1988). A list of plant and wildlife species identified within the Project area as part of the development of this Biological Report is located in Appendix E.

4 ENVIRONMENTAL SETTING

4.1 Environmental Setting

The Project area is located in El Dorado County, CA in the northern-central Sierra Nevada foothills. The Sierra Nevada foothills lie between the western edge of the Sierra Nevada and the eastern border of the Central Valley. The foothills form a belt 10 to 30 miles wide that ranges from 500 to 5,000 feet in elevation in a series of northwest to north-northwest aligned ridges that decline in elevation from northeast to southwest. Many rapidly flowing rivers and streams run westerly in deeply incised canyons with bedrock channels to the Central Valley and eventually to the Pacific Ocean. Alluvial fans, floodplains, and terraces are not extensive; and all but the largest streams are generally dry during the summer. Dominant vegetation communities include grasslands, oak woodlands, and chaparral.

Vegetation communities within the Project area are typical of the lower Sierra Nevada foothills. The terrain within the Project area is typical of the lower Sierra Nevada foothills that normally vary between flat ridges and valleys to gently and moderately sloping hillsides. The Project area elevation ranges from approximately 2,450 to 2,500 feet above mean sea level (MSL) with the low elevation being located at the northern section of the subject parcel and the high elevation located within the southern section of the subject parcel.

Natural hydrological sources for the Project area include precipitation and surface run-off from adjacent lands. Mean annual rainfall in the area is 39 inches (NRCS, 2021). No aquatic features or habitats within the subject parcel are located within or directly adjacent to the Project area.

4.2 Project Area Soil Types

The USDA Soil Survey Mapper (USDA, 2021) identifies two (2) soil types within the Project area. USDA soil mapping for the Project area is included in Appendix C and indicates that the Project area contains the following soil types: Holland coarse sandy loam, 9 to 15 percent slopes and Holland very rocky coarse sandy loam, 15 to 50 percent slopes.

4.3 Project Area Vegetation Communities

Vegetation community types within the Project area are described below.

Annual Grassland

Within the annual grasslands within the subject parcel, the following species are dominant: slender wild oat (*Avena barbata*), ripgut brome (*Bromus diandrus*), softchess (*Bromus hordeaceus*), medusahead (*Taeniatherum caput-medusae*) and yellow-star thistle (*Centaurea solstitialis*). Most native grasslands in El Dorado County have been replaced by non-native invasive plants and the majority of the annual grassland habitat identified within the subject parcel is dominated by non-native annual grassland species and many are

considered invasive. The Project area is dominated by annual grassland within the subject parcel, and it is located within and adjacent to the Project area given the open and disturbed nature of the areas where proposed development will occur within the subject parcel. Access to the proposed Project area and the proposed Project area itself are dominated by this habitat type.

Blue Oak – Foothill Pine Woodland

Within the subject parcel, three (3) species of native trees were identified, including foothill pine (*Pinus sabiniana*), blue oak (*Quercus douglassi*), and interior live oak (*Quercus wislizeni*). This habitat is most dominant outside of the Annual Grassland habitat within the subject parcel. Blue Oak – Foothill Pine Woodland is the dominant tree habitat in the subject parcel. The subject parcel also includes ponderosa pine (*Pinus ponderosa*) scattered within the areas of woodlands within the subject parcel.

No native oak trees will be removed as part of the development of the proposed Project. The cultivation area, accessory areas, parking, and access road to the cultivation area are all located within open, disturbed areas dominated by non-native annual grassland species, ponderosa and incense cedar trees, and cultivated/planted vineyards; therefore, native oak trees will be avoided and no such oak trees are proposed to be removed.

Potential "Waters of the U.S.," including Wetlands

Riparian and Wetland Vegetation

The results of the National Wetland Inventory and National Hydrography Data for the subject parcel identifies a single large freshwater emergent wetland feature within the subject parcel. National databases for wetlands and streams also show a pond within the central section of the subject parcel a drainage connecting from the existing pond to the northwest section of the subject parcel. However, the proposed areas of disturbance within the subject parcel do not appear to contain potential wetlands that could be subject to potential regulation under the Clean Water Act. The potential wetlands mapped within the NWI and documented within the subject parcel are associated with runoff from the southern section of the subject parcel towards the central section of the subject parcel, which is lower in elevation.

The large freshwater emergent wetland mapped within the NWI is dominated by rush species (*Juncus sp.*) and sedges (*Carex sp.*), which show a prevalence and dominance of hydrophytic vegetation. The pond is fringed along the edges with cattails (*Typha sp.*), an obligate wetland plant. No additional wetland areas were identified within the subject parcel outside of the pond within the central section of the subject parcel and the mapped wetlands identified within the southern section of the subject parcel. The pond and potential wetland features do not contain any riparian vegetation.

5 RESULTS

Special-status species were considered for the Project area based on a current review of the CNDDDB and database information provided by the United States Fish and Wildlife Service and California Native Plant Society as well as the reconnaissance-level biological resources surveys.

5.1 Special-Status Species

Based on the results of the database searches, two (2) special-status wildlife and fish species were identified as previously occurring within 3 miles of the Project area. No special-status plant species have been previously identified within 3 miles of the Project area. A description of the special-status species previously known to occur within 3 miles of the Project area (CNDDDB, 2021) are discussed below (see Appendix G for a CNDDDB 3-mile buffer figure). No special-status plant species were identified within the Project area during reconnaissance-level surveys nor were any special-status wildlife species identified within the Project area. In addition, no USFWS Designated Critical Habitat (DCH) has been mapped by USFWS for any federally listed species within the vicinity of the Project area.

Great Gray Owl (*Strix nebulosa*) – Listed as Endangered under CESA

Permanent resident in the Sierra Nevada. Permanent resident in the Sierra from 4,500 – 7,500 feet MSL. Associated with old-growth coniferous forests bordering large meadow systems. Nesting typically occurs in broken top snags of dead trees, usually 24-inch dbh or greater for nesting. Does not build nest. May use old hawk or eagle nests. Forages in meadows. Generally, nests are in close proximity to meadows, but not always. This species is known from the western Sierra Nevada in the ponderosa pine zone.

This species has been previously documented within 3 miles of the subject parcel. The subject parcel does not provide suitable nesting opportunities given the species prefers larger, old growth forested habitat for nesting and large meadows for foraging, neither of which occur within the subject parcel. Therefore, the proposed Project would have no impact on the species.

Red Hills Soaproot (*Chlorogalum grandiflorum*) – California Native Plant Society List 1B.2

Red Hills soaproot is found in chaparral, cismontane woodland, lower montane coniferous forests on serpentinite and gabbroic substrates, between 800 and 5,545 feet above MSL. The species has no potential for occurrence within the Project area given a lack of chaparral habitat with gabbroic soils within the areas of proposed disturbance within the subject parcel (CNDDDB 2021). This species was not identified during field surveys conducted during the August 2021 surveys; however, the blooming period for this species is May to June. The surveys were not conducted during the blooming period for this species, but given the soils types within the areas proposed for development within the subject parcel lack the required habitat and soils types, this species would have a very low potential to occur within the subject parcel.

Nesting raptors and other migratory bird species - Protected under CA State DFG Code Sections 3503, 3503.5, and 3800

There is a low to moderate potential for nesting raptors and other nesting migratory bird species to occur within and directly adjacent to the Project area. The Project area contains suitable nesting habitat for bird species, such as tree nesting species (Cooper's hawk and other common raptors) and ground nesting species like the spotted towhee (*Pipilo maculatus*) and dark-eyed junco (*Junco hyemalis*). Additional species that are known to nest in shrub and tree habitat have the potential to nest adjacent to the Project area. The nesting season for raptors and other protected nesting birds within the Project area occurs between March 1st and August 31st.

6 CONCLUSIONS AND RECOMMENDATIONS:

These conclusions and recommendations are based on the findings of this Biological Report and the impact assessment based on the Project Understanding outlined in Section 1.2 above. The impact assessment and recommendations below are based on the proposed Project components that would require disturbance within the Project area. These project components area included in the Site Plan attached in Appendix B.

Under CEQA, the following conclusions of this Biological Report for potential impacts not requiring mitigation include the following:

- There are no pond, wetland, stream, or other aquatic habitat features within the proposed Project disturbance areas; therefore, the proposed Project would not be subject to permitting requirements under the Clean Water Act.
- There are no stream or riparian zone habitat features within 300 feet of the Project area; therefore, the proposed Project would not be subject to permitting requirements by CDFW (Streambed Alteration Agreement not required) and it will be located outside of the County's minimum setback of 100 feet from all perennial streams, rivers, lakes and 50 feet from intermittent streams and wetlands.
- However, the subject parcel does contain a potential freshwater emergent wetland within the southern section of the subject parcel and the potential wetland area is located a minimum of 300 feet from the proposed Project disturbance areas within the subject parcel. Therefore, the applicant will not be required to implement the Best Management Practices and other mitigation measures included below as part of a waiver request under Ordinance 5110 to demonstrate that the actual 300-foot El Dorado County setback will be substantially achieved for the purpose of their required setback given the 300-foot setback will be met by the proposed Project.
- Wildlife movement corridors typically are associated with ridgelines and valleys, rivers, and creeks supporting riparian vegetation. The proposed Project area does provide good cover for movement and foraging for many species; however, more typical movement corridors are available adjacent to the Project area within and adjacent to the subject parcel. Proposed Project development would temporarily impede wildlife use of the Project area; however, these Project related effects would be localized and would not substantially affect wildlife movements. No wildlife nursery sites are in the proposed Project area. The impact would be less than significant. No mitigation is required.
- Proposed Project area development would not conflict with any known local policies or ordinances and would be consistent with provisions of the El Dorado County General Plan Conservation and Open Space Element. The proposed Project is not within an important biological corridor or priority conservation area as identified in the general plan. No impact would occur.
- No draft or adopted habitat conservation plans, natural community conservation plans, or other approved local, regional, or state habitat conservation plans exist. No impact would occur.

For sensitive biological resources that have the potential to be impacted by the implementation of the proposed Project, avoidance, minimization, and mitigation measures are proposed to ensure that such disturbance does not cause a significant impact on any sensitive biological resources within the Project area.

Proposed Avoidance, Minimization, and Mitigation Measures

6.1 Potential Impacts to Special-Status Species

Special-status plant surveys were conducted within the Project area during August 2021, which does coincide with the typical blooming period of the special-status plant species that would normally have the potential to occur within the subject parcel and greater Project area. A single special-status plant species has been previously identified within 3 miles of the Project area (Red Hills soaproot) and no special-status plants were documented within the Project area during the site visit and surveys conducted as part of the development of this Biological Report. Given the Red Hills soaproot associates with species soils types (Gabbro soils for example) and those soils types are not located within the Project area, this species would have a very low potential to occur within the Project area. Therefore, there is a very low likelihood that the Project area would contain a protected special-status plant species listed by CNPS and per CEQA requirements based on the results of the background research and database searches and the August 2021 surveys conducted within the Project area. Additionally, the Project area does not contain suitable habitat for special-status wildlife species and therefore, the Project would have no impact on special-status wildlife species previously identified within 3 miles of the subject parcel or any other such species, nor would it have an impact on special-status plant species.

6.2 Potential Impacts to Nesting Raptors and other Protected Bird Species

Given the Project area contains some medium sized trees and many of those trees contain suitable habitat for nesting raptors and other protected bird species, removal of such trees should be done outside the breeding season, if possible, to avoid potential impacts to such protected nesting bird species. The breeding season for raptors and MBTA protected bird species in the vicinity of the Project area is generally from March 1 to August 31. Vegetation clearing or tree removal outside of the breeding season for such bird species would not require the implementation of any avoidance, minimization, or mitigation measures. However, construction or development activities during the breeding season could disturb or remove occupied nests of raptors and would require the implementation of a pre-construction survey within 250 feet of the any disturbance area within the Project area for nesting raptors and other protected bird species within 14 days prior to disturbance.

Avoidance: Vegetation clearing or tree removal outside of the breeding season for such bird species and/or avoidance of such potential nesting habitat would not require the implementation of any avoidance, minimization, or mitigation measures.

Mitigation: Construction or disturbance activities during the breeding season could disturb or remove occupied nests of raptors and/or protected bird species and would require the implementation of a pre-construction survey within and adjacent to any proposed disturbance area within the Project area for nesting raptors and other protected bird species within 14 days prior to disturbance. The nesting survey radius around the proposed disturbance would be identified prior to the implementation of the protected bird nesting surveys by a CDFW qualified biologist and would be based on the habitat type, habitat quality, and type of disturbance proposed within or adjacent to nesting habitat.

If any nesting raptors or protected birds are identified during such pre-construction surveys, trees or shrubs or grasslands with active nests should be not be removed or disturbed and a no-disturbance buffer should be established around the nesting site to avoid disturbance or destruction of the nest site until after the breeding season or after a qualified wildlife biologist determines that the young have fledged. The extent of these buffers would be determined by a CDFW qualified wildlife biologist and would depend on the special-status species present, the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. These factors should be analyzed by a qualified wildlife biologist to make an appropriate decision on buffer distances based on the species and level of disturbance proposed in the vicinity of an active nest.

Therefore, the proposed Project would have a **less than significant** impact on nesting raptors and other protected bird species with the implementation of the **mitigation measures** outlined above.

6.3 El Dorado County Oak Resources Conservation Ordinance

The Project applicant will comply with the El Dorado County Oak Resources Conservation Ordinance. No oak trees will be removed as per the current Site Plan for the proposed Project. However, if any changes occur to the Site Plan that would require the removal or work within the dripline of any protected oak resources, the following would be required to be implemented prior to the removal of or any impacts to oak trees and oak resources:

- Permits for removal of Oak Resources are required for any non-exempt action requiring discretionary development entitlements or approvals from the County such as an ADP cannabis cultivation permit. *An Oak Resources Technical Report prepared by a certified arborist, qualified wildlife biologist or a Registered Professional Forester is required prior to issuing a permit to remove any Oak Resources.*
- The ORMP requires mitigation for permitted oak tree removal under the ORMP including: on-site retention; replacement planting on-site and off-site; and in-lieu fees that will be used to acquire land and/or conservation easements to conserve oak woodlands, and to

plant and maintain native oak trees. (Under the prior General Plan Policy tree canopy retention was the only mitigation option available.) All mitigation requires additional permits depending upon the mitigation option chosen.

- To encourage on-site retention of oak woodlands, the ORMP requires increasing mitigation ratios based on the amount of oak woodland removed: Removing 50 percent or less requires a 1-to-1 ratio of mitigation, removing up to 75 percent requires a 1.5-to-1 ratio of mitigation, and removing up to 100 percent requires a 2-to-1 ratio of mitigation. Mitigation of oak woodlands would consist of one of the options described above: on-site retention; replacement planting on-site and off-site; and/or in-lieu fees.
- A security deposit is required for all discretionary projects proposing on-site oak tree/oak woodland retention and/or replacement planting as mitigation. No grading or other on-site work shall be permitted until the security deposit is posted.
- The in-lieu fee for removal of *oak woodlands* is calculated based on total cost per acre which is currently set at \$8,285. The in-lieu fee for removal of *individual oak trees* is calculated on a total cost per inch which is currently set at \$153 for a non-Heritage Tree and \$459 per inch for a Heritage Tree at a 3-to-1 ratio. The per-inch fee shall be multiplied by the total number of trunk diameter inches removed. The in-lieu fees collected will be deposited in the County's Oak Woodland Conservation Fund. That fund will be used to acquire land and/or conservation easements to conserve oak woodlands, provide for native oak tree planting, and for ongoing conservation area monitoring and management activities.

Therefore, the proposed Project would have a **less than significant** impact on protected oak resources with the implementation of the **mitigation measures** outlined above, if such resources may be impacted by the proposed Project.

6.4 El Dorado County Ordinance 5110 Ordinance: Stream Setback Requirements

El Dorado County Ordinance 5110 Article 4 (Section 130.41.200.5.C) covers outdoor and mixed-light cultivation of commercial cannabis within El Dorado County and includes the following regarding stream setbacks:

- *Setbacks.* Outdoor or mixed-light cultivation of commercial cannabis shall be setback a minimum of 800 feet from the property line of the site or public right-of-way and shall be located at least 300 feet from the upland extent of the riparian vegetation of any watercourse.

The Project area does not contain any watercourses or other aquatic resources such as ponds or wetlands. Site surveys confirmed the lack of federal and State of California aquatic resources mapped within the proposed Project disturbance areas (access and cultivation development) and therefore, the proposed Project would have no direct impact on any watercourses or other aquatic resources protected under local, state, or federal regulations. However, a potential freshwater emergent wetland within the southern section of the subject

parcel is located a minimum of 300 feet from the Project area at its closest location to the proposed Project disturbance area.

Therefore, the applicant would not be required to request a waiver to construct and operate the proposed Project within the 300-foot required Ordinance 5110 setback for streams.

Therefore, the proposed Project would have **No Impact** on the potential freshwater emergent wetland and its 300-foot setback area.

7 REFERENCES

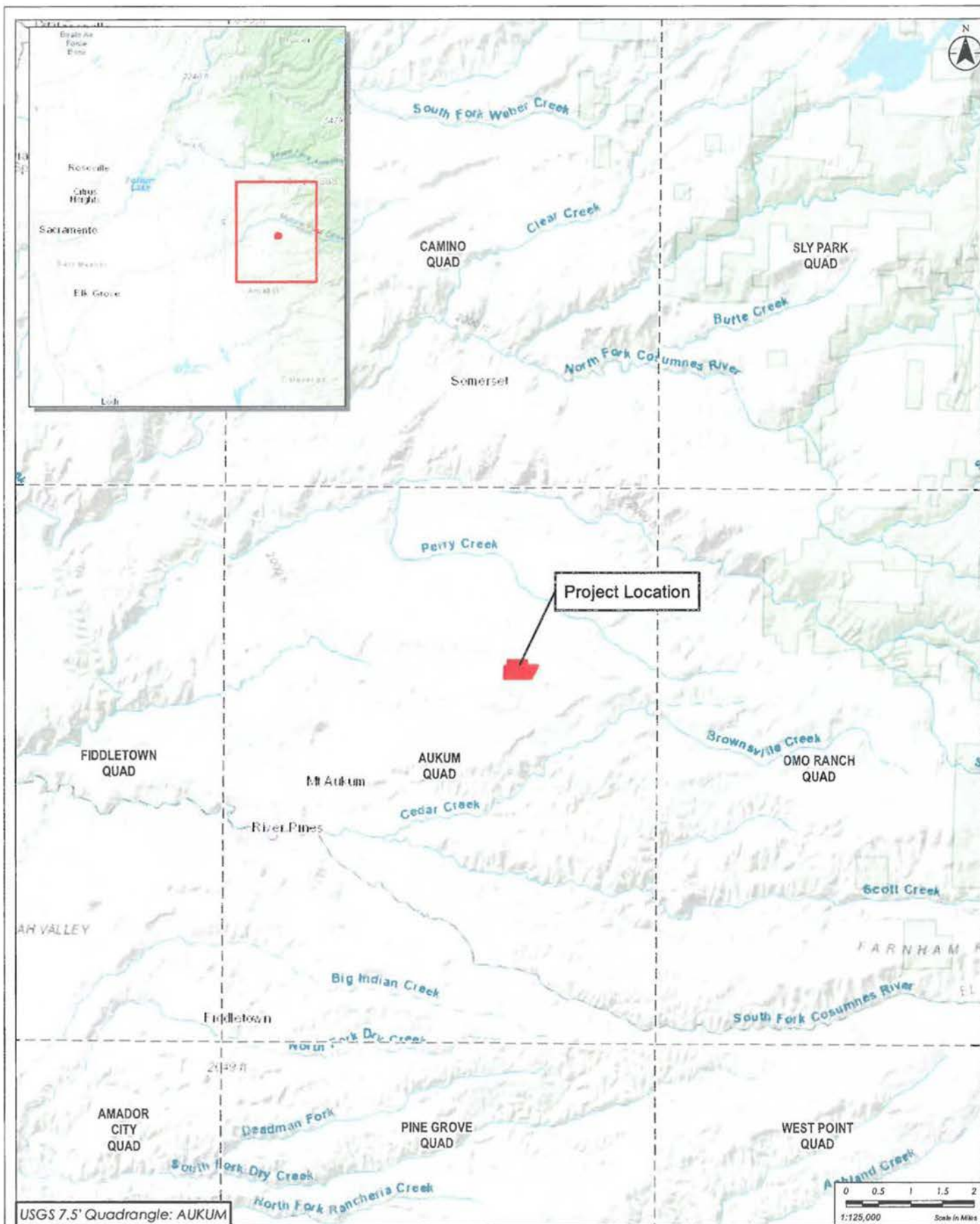
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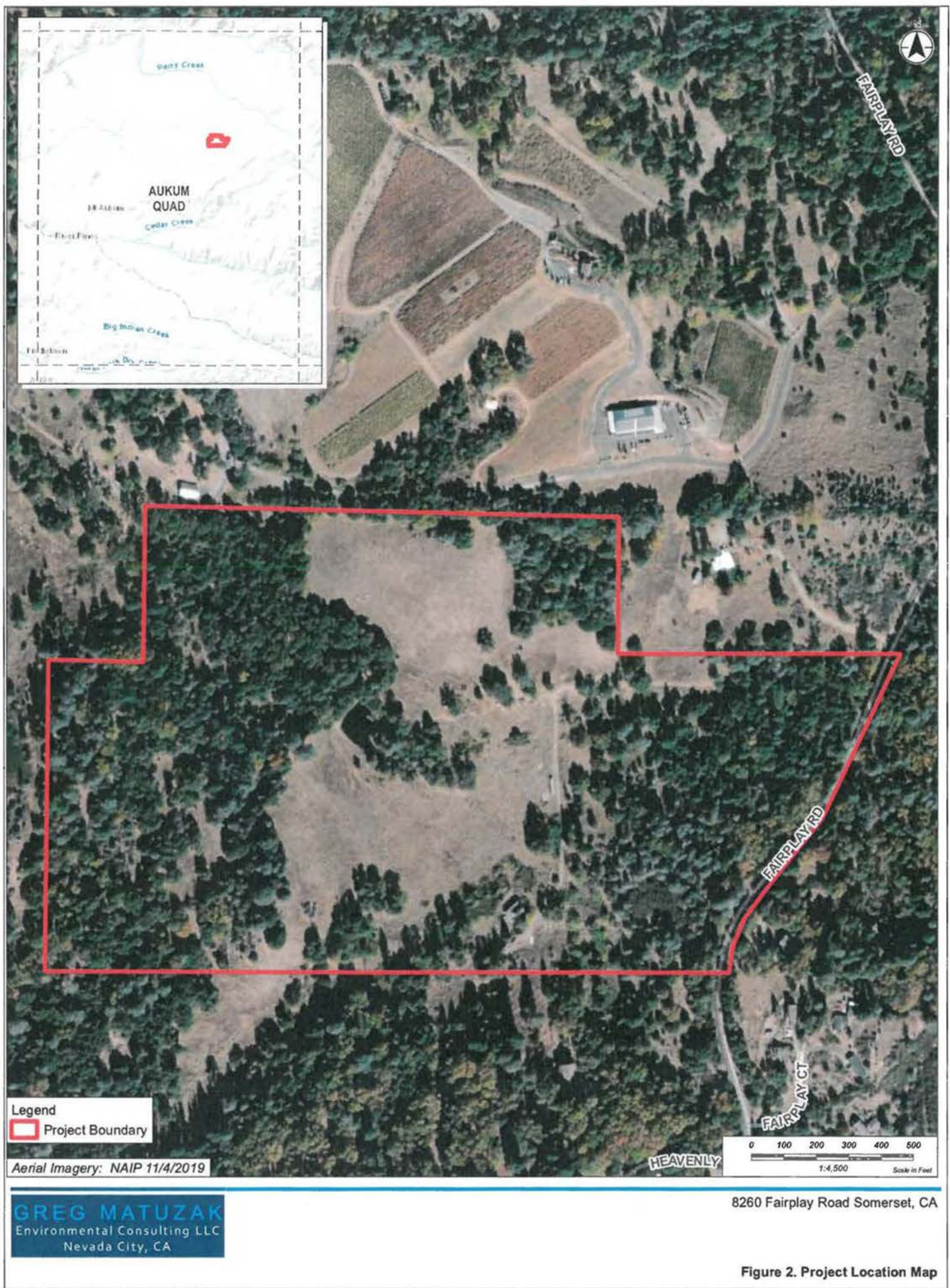
Appendix A

Project Overview Area Figures



GREG MATUZAK
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Figure 1. Vicinity Map



Appendix B

Site Plan



CULTIVATION AREAS

OUTDOOR CROP		VEGETATIVE (IMMATURE)	
SMALL LIGNED-1	20,000 SF	GW-1 OUTDOOR LIGNED-3	790 SF
SMALL LIGNED-2	20,000 SF	GW-1 OUTDOOR LIGNED-4	790 SF
SMALL LIGNED-3	20,000 SF	GW-1 OUTDOOR LIGNED-5	790 SF
SMALL LIGNED-4	20,000 SF		
SMALL LIGNED-5	20,000 SF	GW-2 OUTDOOR LIGNED-4	790 SF
SMALL LIGNED-6	20,000 SF	GW-2 OUTDOOR LIGNED-5	790 SF
TOTAL	50,000 SF	GW-2 MINOR LIGHT LICENSE	790 SF
		TOTAL	8,220 SF

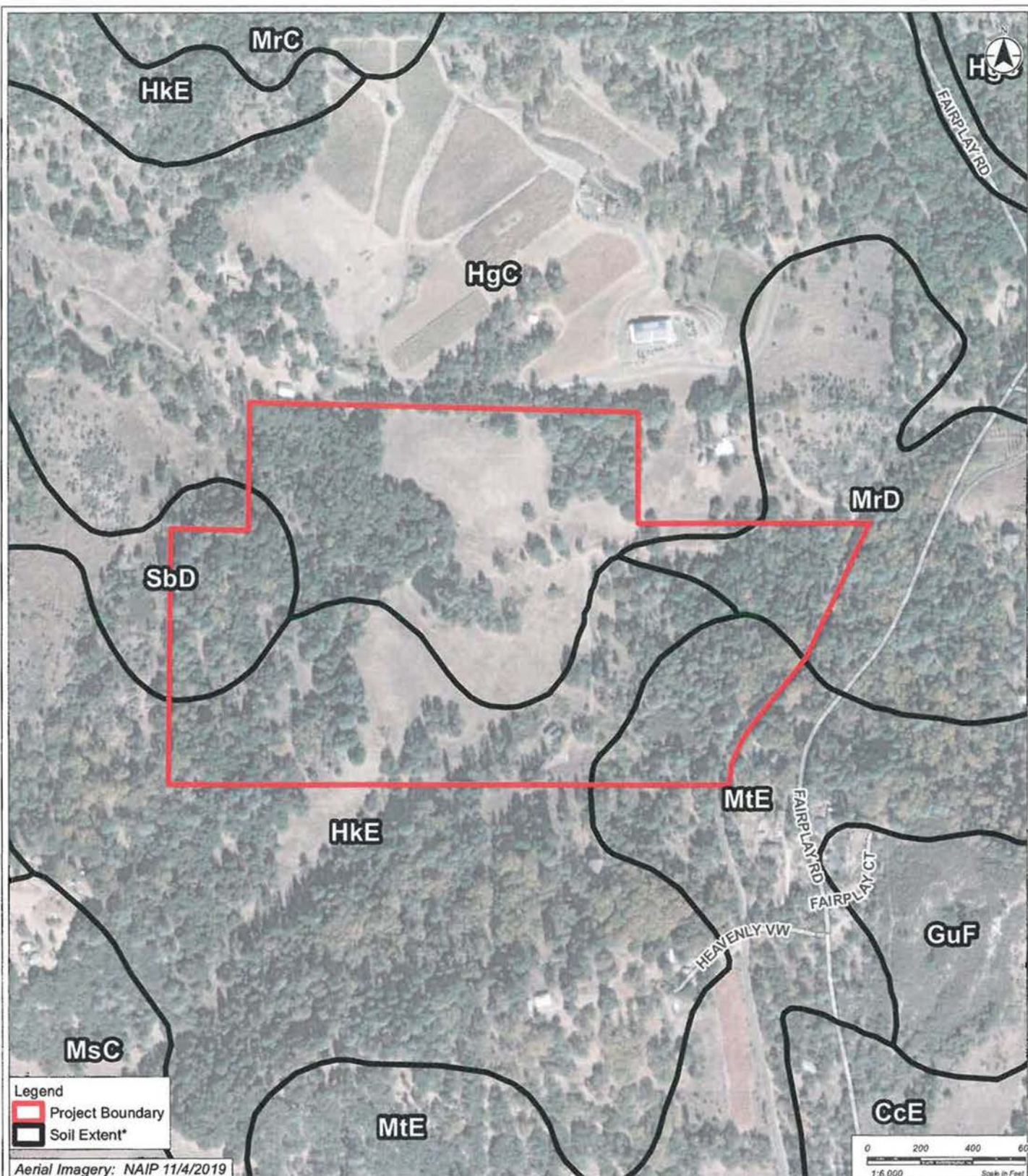
MINOR LIGHT LIGNED CROP	
HOOP HOUSE-1	1,685 SF
HOOP HOUSE-2	1,685 SF
HOOP HOUSE-3	1,685 SF
HOOP HOUSE-4	1,685 SF
HOOP HOUSE-5	1,685 SF
HOOP HOUSE-6	1,685 SF
TOTAL	9,900 SF

PROCESSING & VILLAGE AREA: 950 SF	
PROCESSING TRANSPORTING AREA: 285 SF	
DEE PRODUCTS STORAGE AREA: 200 SF	
EQUIPMENT AND TOOLS STORAGE AREA: 350 SF	
CHEMICAL STORAGE AREA: 157 SF	
CANNABIS WARE AREA: 304 SF	
CANNABIS CLOSET AREA: 108 SF	

A2.15

Appendix C

USDA Soils Map



SOIL TYPE*

CcE - Chaix very rocky coarse sandy loam, 9 to 50 percent slopes

GuF - Gullied land

HgC - Holland coarse sandy loam, 9 to 15 percent slopes

HkE - Holland very rocky coarse sandy loam, 15 to 50 percent slopes

MrC - Musick sandy loam, 9 to 15 percent slopes

MrD - Musick sandy loam, 15 to 30 percent slopes

MsC - Musick rocky sandy loam, 5 to 15 percent slopes

MtE - Musick very rocky sandy loam, 15 to 50 percent slopes

PrD - Placer diggings

SbD - Shaver coarse sandy loam, 15 to 30 percent slopes

* Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture, Web Soil Survey, Available online, Accessed 03/06/2019

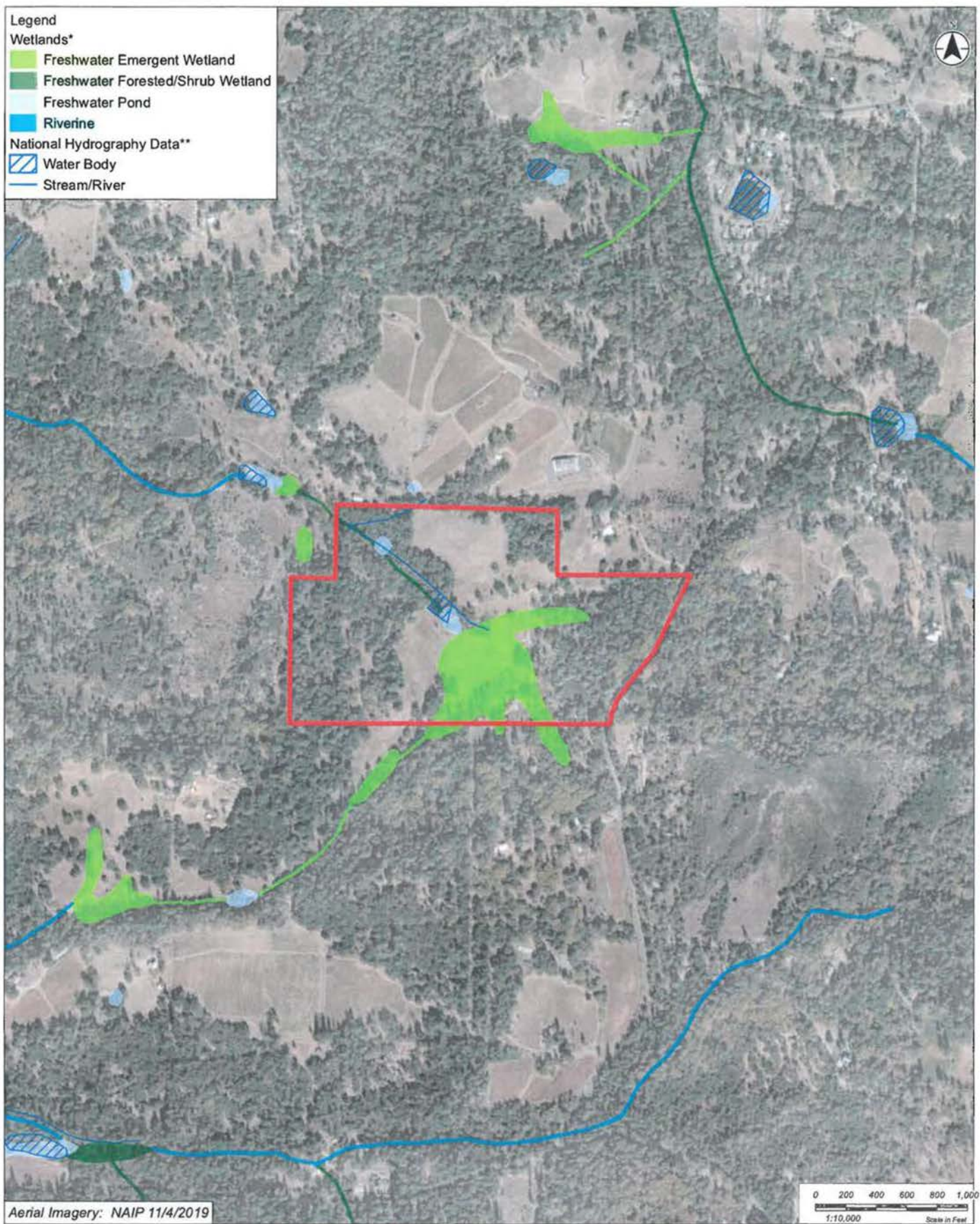
GREG MATUZAK
Environmental Consulting LLC
Nevada City, CA

8260 Fairplay Road Somerset, CA

Figure 4. Soils Map

Appendix D

National Wetland Inventory (NWI) Map



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Nevada City, CA

8260 Fairplay Road Somerset, CA

Figure 5. Wetlands and Water Features Map

* Data downloaded from <https://www.fws.gov/wetlands/Data/Data-Download.html> 3/6/2019
 ** National Hydrography Dataset (NHD) downloaded from <http://nhd.usgs.gov> March, 2019
 Prepared: Melissa Nugent 7/25/2021 D:\2020_GIS_Matuzak\20210725_EDonodo_8260FairplayRd\mxd\Fig5_NHD_NHD_EDonodo_8260FairplayRd.mxd

Appendix E

Plants and Wildlife Observed During Site Surveys

Plant and Wildlife Species Observed during the Subject Parcel

Site Surveys in August 2021

Common Name	Scientific Name	Species Status
Plants		
buttercup spp.	<i>Ranunculus</i> spp.	Not FESA, CESA, or CNPS listed
buckbrush	<i>Ceanothus cuneatus</i>	Not FESA, CESA, or CNPS listed
blue oak	<i>Quercus douglassii</i>	Not FESA, CESA, or CNPS listed
California wild rose	<i>Rosa californica</i>	Not FESA, CESA, or CNPS listed
cattail	<i>Typha</i> spp.	Not FESA, CESA, or CNPS listed
interior live oak	<i>Quercus wislizeni</i>	Not FESA, CESA, or CNPS listed
common mouse ear chickweed	<i>Cerastium fontanum</i>	Not FESA, CESA, or CNPS listed
common mullein	<i>Verbascum Thapsus</i>	Not FESA, CESA, or CNPS listed
common mustard	<i>Brassica rapa</i>	Not FESA, CESA, or CNPS listed
common periwinkle	<i>Vinca minor</i>	Not FESA, CESA, or CNPS listed
common sheep sorrel	<i>Rumex acetocella</i>	Not FESA, CESA, or CNPS listed
Cryptanth spp.	<i>Cryptantha</i> spp.	Not FESA, CESA, or CNPS listed
dandelion spp.	<i>Agoseris</i> spp.	Not FESA, CESA, or CNPS listed
deer brush	<i>Ceanothus Integerrimus</i>	Not FESA, CESA, or CNPS listed
English plantain	<i>Plantago lanceolate</i>	Not FESA, CESA, or CNPS listed

Common Name	Scientific Name	Species Status
everlasting pea	<i>Lathyrus latifolius</i>	Not FESA, CESA, or CNPS listed
filaree	<i>Erodium cicutarium</i>	Not FESA, CESA, or CNPS listed
foothill pine	<i>Pinus sabiniana</i>	Not FESA, CESA, or CNPS listed
honeysuckle spp.	<i>Lonicera</i> spp.	Not FESA, CESA, or CNPS listed
Himalayan blackberry	<i>Rubus armeniacus</i>	Not FESA, CESA, or CNPS listed
hyssop loosestrife	<i>Lythrum hyssopifolia</i>	Not FESA, CESA, or CNPS listed
iris spp.	<i>Iris</i> spp.	Not FESA, CESA, or CNPS listed
poison oak	<i>Toxicodendron diversilobum</i>	Not FESA, CESA, or CNPS listed
ponderosa pine	<i>Pinus ponderosa</i>	Not FESA, CESA, or CNPS listed
ripgut brome	<i>Bromus diandrus</i>	Not FESA, CESA, or CNPS listed
rush	<i>Juncus</i> spp.	Not FESA, CESA, or CNPS listed
sedge	<i>Carex</i> spp.	Not FESA, CESA, or CNPS listed
St. John's wort; Klamath weed	<i>Hypericum perforatum</i>	Not FESA, CESA, or CNPS listed
shamrock clover	<i>Trifolium dubium</i>	Not FESA, CESA, or CNPS listed
soft chess	<i>Bromus hordeaceus</i>	Not FESA, CESA, or CNPS listed
stork's bill spp.	<i>Erodium</i> spp.	Not FESA, CESA, or CNPS listed
toyon	<i>Heteromeles arbutifolia</i>	Not FESA, CESA, or CNPS listed

Common Name	Scientific Name	Species Status
wild oats	<i>Avena fatua</i>	Not FESA, CESA, or CNPS listed
wild rye	<i>Elymus glaucus</i>	Not FESA, CESA, or CNPS listed
yellow star thistle	<i>Centaurea solstitialis</i>	Not FESA, CESA, or CNPS listed

Birds		
American robin	<i>Turdus migratorius</i>	Not CESA or FESA listed. Migratory (active nests protected)
dark-eyed junco	<i>Junco hyemalis</i>	Not CESA or FESA listed. Migratory (active nests protected)
house finch	<i>Haemorhous mexicanus</i>	Not CESA or FESA listed. Migratory (active nests protected)
mourning dove	<i>Zenaida macroura</i>	Not CESA or FESA listed. Migratory (active nests protected)
northern flicker	<i>Colaptes auratus</i>	Not CESA or FESA listed. Migratory (active nests protected)
western scrub-jay	<i>Aphelocoma californica</i>	Not CESA or FESA listed. Migratory (active nests protected)

Appendix F

Photo Log

Photos of the Field Surveys of the Project Study Area



Photo 1: Access road within the subject parcel with existing residence. Potential wetland area (mapped within the NWI) located to the right in photo.



Photo 2: Potential wetland area (mapped within the NWI) located to the north of the access road to the existing residence.



Photo 3: Potential wetland area (mapped within the NWI) located to the north of the access road to the existing residence.



Photo 4: Potential wetland area (mapped within the NWI) located to the north of the access road to the existing residence. Open grassland area in the distance to the right includes the proposed access and Project disturbance areas within the parcel.



Photo 5: Existing pond within the central section of the subject parcel.



Photo 6: Looking northwest within a large potential freshwater emergent wetland area as mapped within the NWI. Project area located within the northeastern section of the subject parcel outside of the potential wetland area.



Photo 7: Looking east from the central section of the subject parcel where the access and Project disturbance areas will be located and turning around corner to the left.



Photo 8: Looking northeast into the proposed Project area where the proposed access and cultivation area will be developed within the subject parcel.

Appendix G

CNDDDB 3-Mile Buffer Figure

Appendix H

USFWS iPac Report

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

El Dorado County, California



Local office

Sacramento Fish And Wildlife Office

☎ (916) 414-6600

📠 (916) 414-6713

Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Amphibians

NAME	STATUS
California Red-legged Frog <i>Rana draytonii</i> Wherever found There is final critical habitat for this species. The location of the critical habitat is not available. https://ecos.fws.gov/ecp/species/2891	Threatened

Fishes

NAME	STATUS
Delta Smelt <i>Hypomesus transpacificus</i> Wherever found There is final critical habitat for this species. The location of the critical habitat is not available. https://ecos.fws.gov/ecp/species/321	Threatened

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

MIGRATORY BIRD INFORMATION IS NOT AVAILABLE AT THIS TIME

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Facilities

Wildlife refuges and fish hatcheries

REFUGE AND FISH HATCHERY INFORMATION IS NOT AVAILABLE AT THIS TIME

Wetlands in the National Wetlands Inventory

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

This location overlaps the following wetlands:

FRESHWATER EMERGENT WETLAND

[PEM1C](#)

[PEM1A](#)

FRESHWATER FORESTED/SHRUB WETLAND

[PFOC](#)

FRESHWATER POND

[PUBHh](#)

[PUBFh](#)

A full description for each wetland code can be found at the [National Wetlands Inventory website](#)

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

NOT FOR CONSULTATION

Appendix C

Odor Report



REVISED TECHNICAL MEMORANDUM

To: Mr. Binh Ly
BH & K, LLC

Date: February 16, 2026

From: Ray Kapahi *RK*
Tel: 916-806-8333
E-Mail: ray.kapahi@gmail.com

Copy: Julie He

Subject: Analysis of Odor at the Proposed Greenhouse and Outdoor Cannabis Cultivation
Located at 6260 Fairplay Road, Somerset (El Dorado County), California

INTRODUCTION AND SUMMARY

Environmental Permitting Specialists (EPS) has updated the odor analysis previously prepared September 5, 2021. This update is based revised site map. As before, the project involves use greenhouses, hoophouses and outdoor cultivation site would be located at 8260 Fairplay Road in Somerset. The overall site is 60 acres and includes square feet of greenhouses and 50,000 square feet of outdoor cultivation and 18,816 square feet of hoophouses and 17,280 square feet of greenhouses. As noted in the previous analysis, the highest odors are associated with the outdoor grow.

The cultivation areas would be located between 77 feet to 754 feet from the nearest property lines. A site map showing the revised cultivation areas are shown in Figure 1.

As done previously, EPS used an air dispersion model, 1 year (2019) of hourly wind and temperature data at Somerset and on-site measurements of odor intensity at other locations to conduct this analysis. Data from 4 other outdoor cannabis and hemp cultivation facilities and one Tedlar bag sample were reviewed as part of the current analysis. Odor measurements taken at 0.75 acre outdoor cultivation site in Yolo County were used as baseline odors to predict odors at the 8260 Fairplay Road property lines.

The results of our analysis indicate that maximum odor intensity along the property lines would range from 0.5 to 5.9 DT. The maximum odor intensity is predicted to occur at the Northwest corner of the property. Since there odor intensity is below 7 DT along the property lines, no further mitigation is recommended.

This Revised Technical Memorandum presents the methodology, data and assumptions used in this analysis. This same methodology is the same as was used in the previous Technical Memorandum. These are described in detail below.

SCOPE AND METHODOLOGY OF ODOR ANALYSIS

The overall methodology used in this analysis is to use an atmospheric dispersion model to predict the dilution of odors as they migrate away from the outdoor cultivation area. By calculating the relative concentration of odors adjacent to the cultivation area and at the property line(s), we can determine the dilution ratio defined as odor concentration at the cultivation area divided by concentration at the property line(s).

For example, if the maximum concentration at the cultivation area is 5,000 micrograms per cubic meter (ug/m³) and the relative concentration at the property line 2,000 ug/m³, the dilution ratio would equal:

$$\text{Dilution Ratio} = \frac{5,000 \text{ ug/m}^3}{2,000 \text{ ug/m}^3} = 2.5$$

In other words, the odors would be dilute by a factor of 2.5 as they migrate from the cultivation area towards the property line.

The dilution factor is used along with measurements at other outdoor cannabis cultivation sites to predict odor intensity at the current project's property lines. This methodology was reviewed the staff at El Dorado County Air Quality Management District (AQMD) to confirm that this approach would be acceptable. The District agreed with this approach as noted in their August 28, 2020 letter to Aaron Mount at El Dorado County Planning.

Modeling Methodology

We used the EPA and AQMD recommended AERMOD dispersion model (Version 19191) along with one year (2019) of hourly wind data for Somerset. The data (known as MM5) is derived from weather satellites to calculation winds and other parameters for all locations in the continental US. The data used was prepared by Lakes Environmental (Waterloo, Canada).

The cultivation sate was modeled as five (5) separate ground-based area sources each representing 10,000 square feet of outdoor grow areas. These represent sources of highest odors. Concentration was calculated using a 10 meter grid using an emission rate of 1.00×10^{-4} grams/sec-square meter. The layout of the modeling grid is shown in Figure 2.

The model results are concentrations in terms of micrograms per cubic meter at each grid location averaged over 1-hour. These concentrations are meaningful only in a relative sense to help establish the dilution pattern. It is recognized that the averaging time for odors is a few minutes, not 1 hour. Typically, peak concentrations over a few minutes are many times greater than those over 1 hour. However, the ratio of concentrations and the dilution factor will remain the same whether averaged over a few minutes or 1 hour averaging time.

Finally, we note that the maximum predicted concentration varies with both the distance and the direction from the cultivation site. Generally, the concentration decreases with distance from the cultivation site. Figure 3 illustrate the spatial distribution of 1-hour relative concentration. The raw data that was used to create the contours in Figure 3 is shown in Figure 4. These figures show that higher relative concentration occurs towards the Northwest. In other words, odor dilute not only with distance but also with direction. Electronic copies of the modeling files are available on request.

Baseline Odor Used in the Analysis

EPS used odor measurements taken at a Yolo County outdoor cannabis site. This outdoor site covers 0.75 acres and is located at 22945 County Road 23, Esparto. At the time the measurements were taken, the plants were 2 weeks away from harvesting. Odor measurements were taken September 22, 2020 that indicated odor intensity of 15 DT. However, we noted that there were brief periods when odor intensity was above 15 but were not fully captures by the Nasal Ranger. We estimated the peak odor intensity to be closer to 20 DT and this is the value used in the current analysis. A complete documentation of the September 22nd odor survey is attached.

CALCULATION OF ODOR INTENSITY AND RESULTS

The calculation of odor intensity at the property lines is as follows:

$$\text{Odor Intensity at Property Line} = \frac{\text{Baseline Odor Intensity (DT)}}{\text{Dilution Factor}}$$

For example, the odor intensity at the Northern property line (Figure 5) would equal:

$$\frac{20 \text{ DT}}{3.38} = 5.91 \text{ DT}$$

The results at the closest property lines are summarized on the next page and in Figure 6.

Calculation of Odor Intensity at Property Lines						
		Distance to Property Line		Max Relative Conc	Conc. At Property Line	Dilution Factor
		ft	m			Fenceline DT
North		77	23.5	672662	198502	3.39
West		754	229.9	572103	16314	35.07
East		346	105.5	280855	71206	3.94
South		274	83.5	966877	14398	67.15
Baseline DT:		20				

Since odor intensity is below 7 DT along the property lines, no additional odor mitigation is recommended.

Once a permit has been issued and cannabis cultivation proceeds, EPS staff will be available to conduct odor monitoring at your property to confirm that odors do not exceed the County's limit of 7 DT.

FIGURES

Figure 1: Site Map

Figure 2: Modeling Grid

Figure 3: Contours of Relative Concentrations

Figure 4: Display of Numerical Concentration

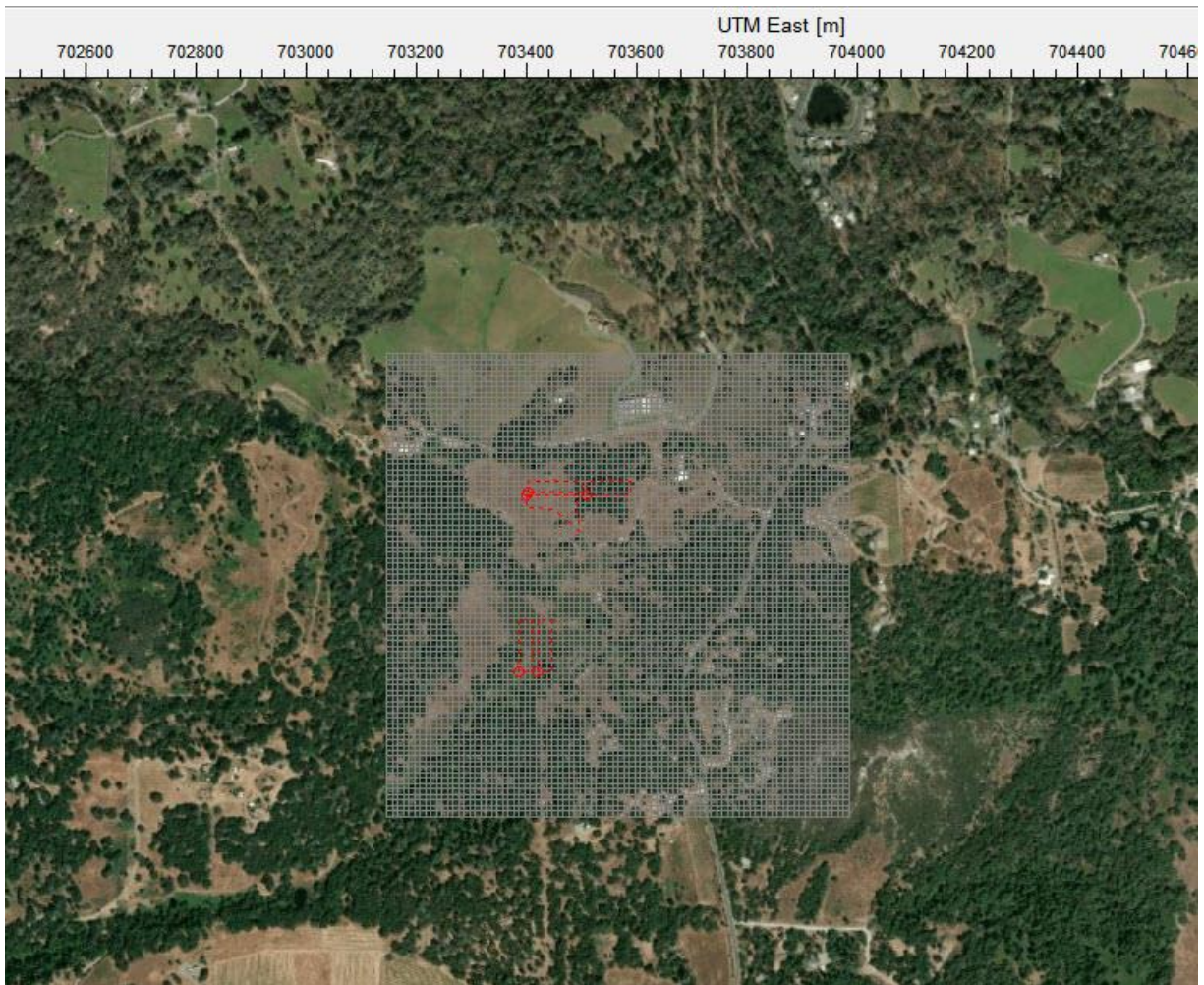
Figure 5: Calculation of Dilution Factor

Figure 6: Summary of Results

Figure 1

Site Map

Figure 2
Modeling Grid



The areas shown in red represent the sources of odors.

Figure 3

Contours of Relative 1-Hour Concentrations

(in micrograms per cubic meter)

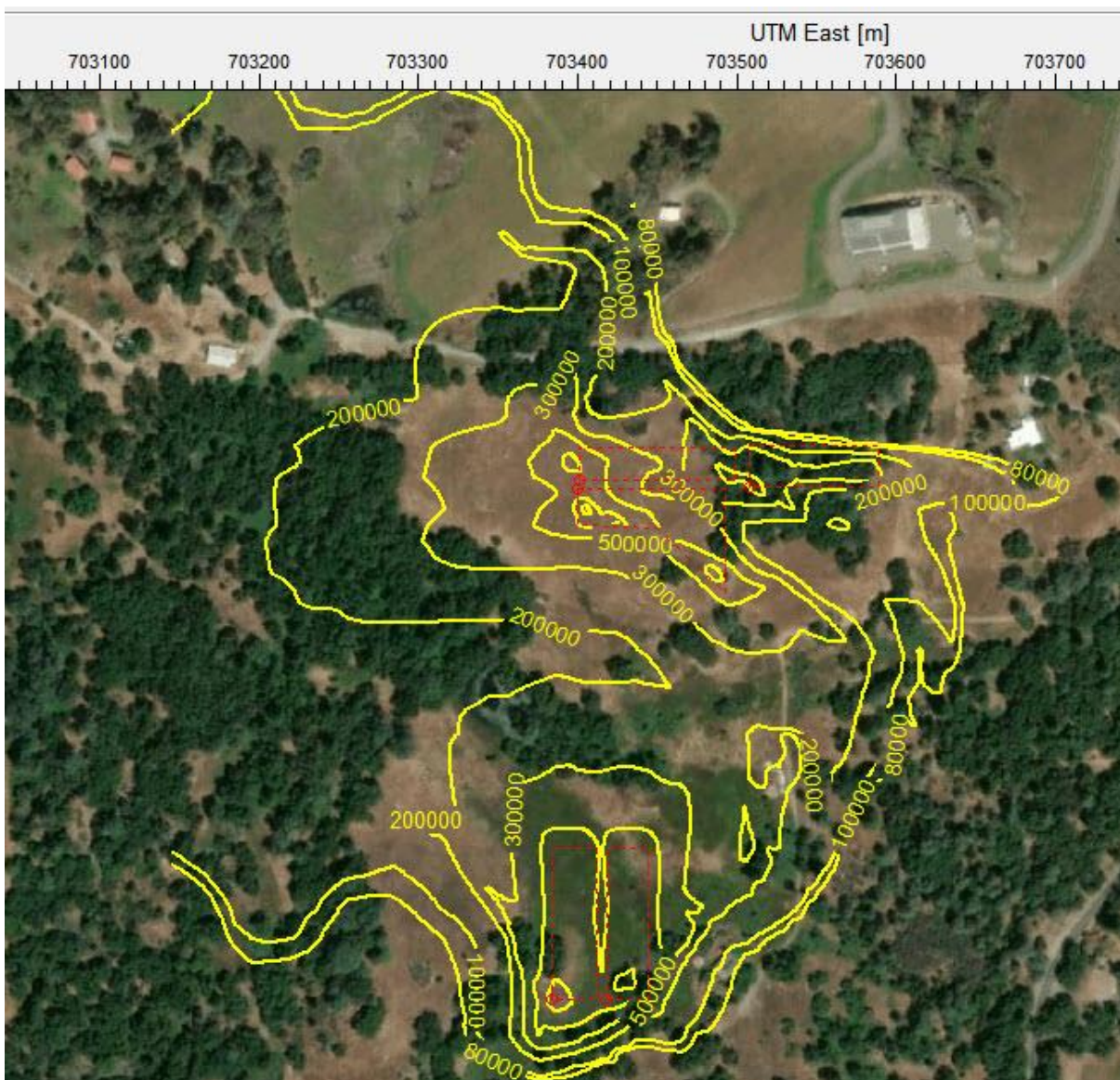
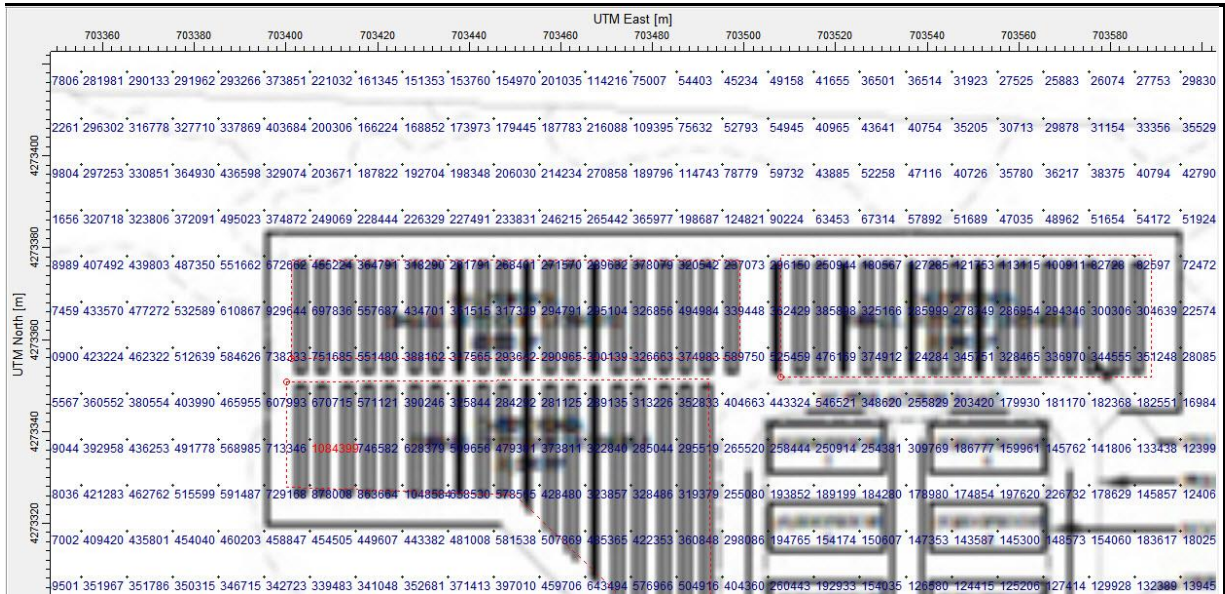


Figure 4

Numerical Values of Relative Odor Concentration

(in micrograms per cubic meter)



Note: These numerical values were used to create the contour plot shown in Figure 3.

Figure 5

Calculation of Dilution Factor at Northern Property Line

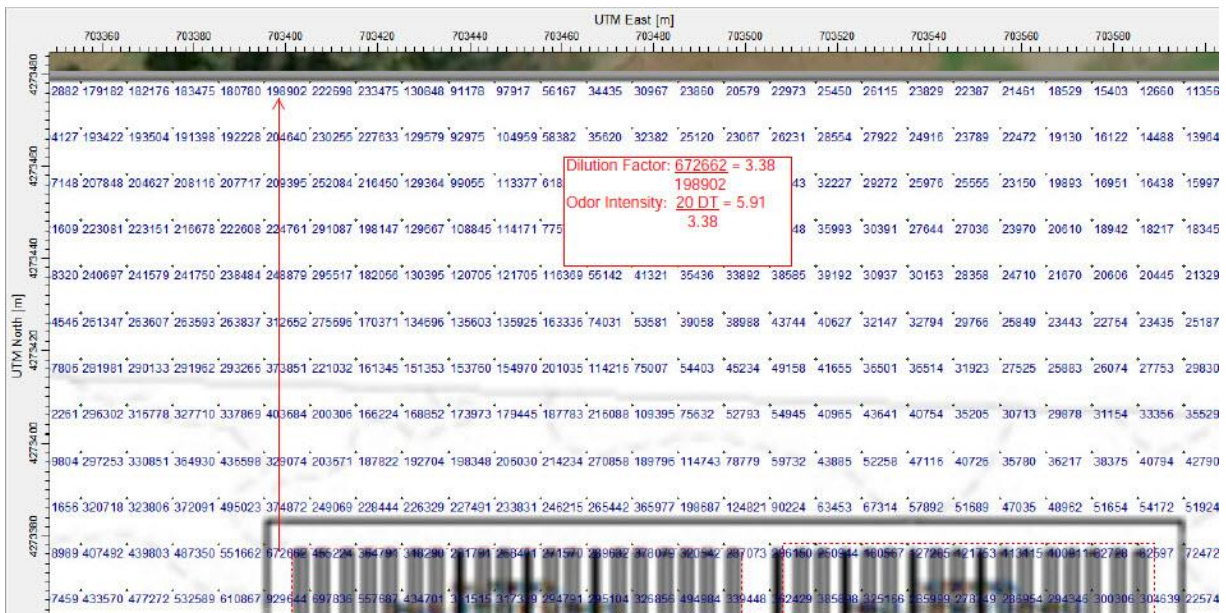
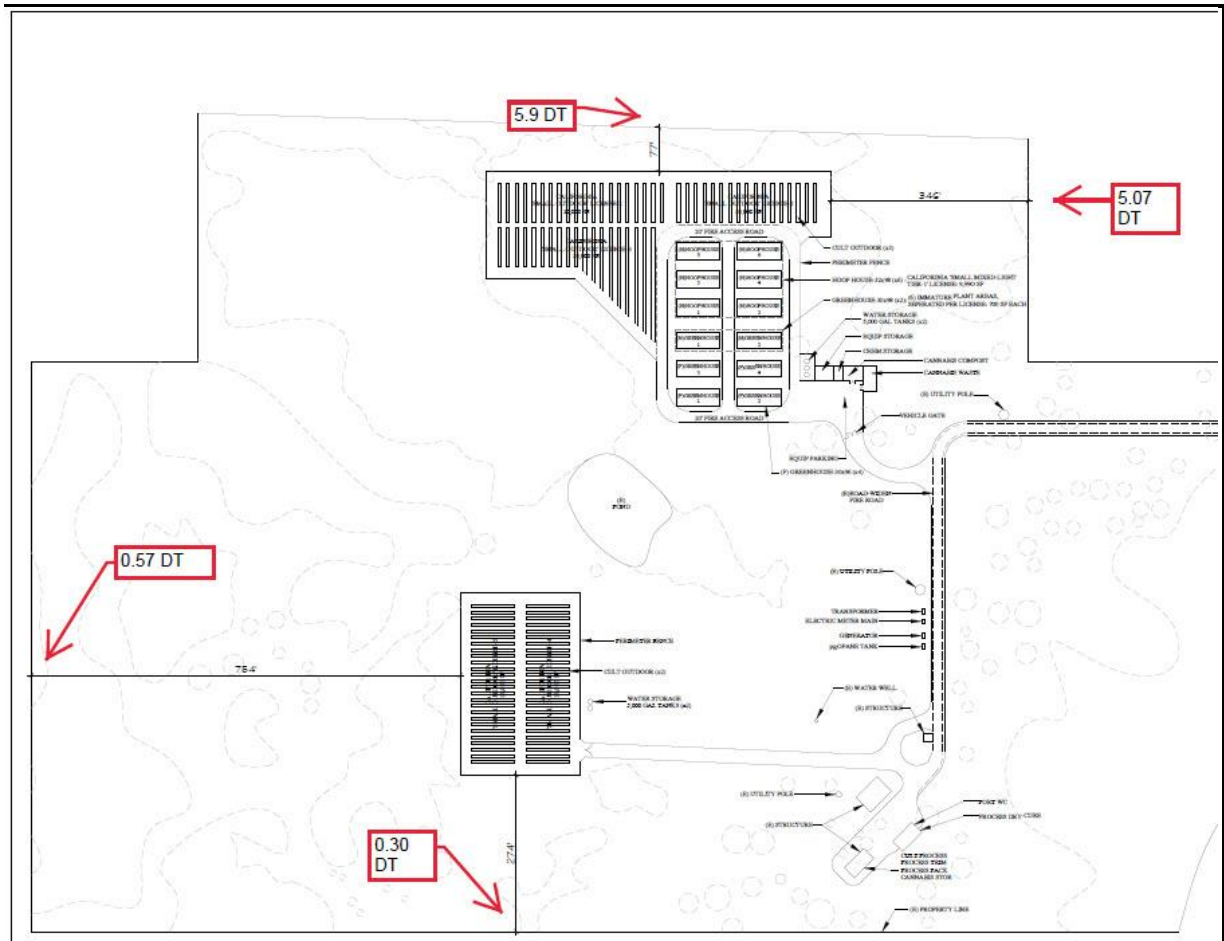


Figure 6

Summary of Results



ATTACHMENT

Yolo County Cannabis Site for Baseline Odor Measurements

September 22, 2020



COUNTY OF YOLO
CANNABIS TASK FORCE
120 W. Main Street, Suite C
Woodland, CA 95695
Telephone: (530) 406 4800

CULTIVATION LICENSE : PR0063595

LICENSE FOR CANNABIS CULTIVATION
NON-TRANSFERABLE

SUBJECT TO ALL CONDITIONS OF YOLO COUNTY CODE OF ORDINANCES TITLE 5, CHAPTER 20
THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE

CANNABIS CULTIVATION LICENSE

ISSUED TO:
CAPAY VALLEY INC

CONTACT:
CAPAY VALLEY INC
430 W CREEKSIDE CIR
DIXON, CA 95620

DATE OF ISSUE: 2/19/2020
DATE OF EXPIRATION: 12/31/2020

LOCATED AT:
22945 CR 23
ESPARTO, CA 95627
APN: 047-060-006

License Type: YEAR ROUND CULTIVATION LIC 1ST (1/4 ACRE)
Total Cultivation Area: 3/4 ACRE (32,670 sq ft)

General Conditions of approval of this Cannabis Cultivation License are listed below:

- Operations must comply with Yolo County's Ordinance on Marijuana Cultivation (Title 5, Chapter 20 of the Yolo County Code).
- This license supersedes Business License #12343 and is issued for cultivation only.
- Use of utilities and structures must be fully permitted under local authority.
- Licensee must maintain compliance with applicable requirements of the State Water Resources Control Board.
- Licensee must obtain and maintain in good standing a State license for cannabis cultivation.
- Licensees shall not commingle product with other cultivators or transfer marijuana to other cultivation sites, including a collocated site.
- This license constitutes a revocable privilege. Licensees have the burden of proving qualifications for a license at all times.
- Licensee shall permit Yolo County Staff the entry and inspection of all areas of the cultivation site.

Special Conditions:

Licensee must communicate to anyone coming on-site, including employees and contract labor, verbally and in writing through signage, that safe driving practices while traveling to and from the site must be followed.
Verified complaints on reckless driving may result in the issuance of a Notice of Violation.

Susan Strachan
Cannabis Policy and Enforcement Manager

Under federal and state law, compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open to the public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies: The Division of the State Architect at dgs.ca.gov/dsa/Home.aspx, The Department of Rehabilitation at rehab.cahwnet.gov, and The California Commission on Disability Access at ccda.ca.gov.

Yolo County Dept. of Community Services Code Enforcement Unit 120 W. Main St, Ste. C Woodland, CA 95695 (530) 406-4800



Excerpts of Weather Data

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
1	Location	22945 County Road 23, Esparto California														
2	Device Name	Kestrel 5500														
3	Device Model	KESTREL_5500L														
4	Serial Number	2486826														
5	DRMATTED DATE_TIN	Altitude	Dew Point	Density Altitude	Wind Chill	Direction - True	Headwind	Heat Stress Index	Crosswind	Wind Speed	Relative Humidity	Direction - Mag	Psychro Wet Bulb Temperature	Station Pressure	Temperature	Barometric Pressur
6	YY-MM-DD HH:MM:SS	ft	°F	ft	°F	°	mph	°F	mph	mph	%	°	°F	inHg	°F	inHg
7	9/22/2020 10:15	291	65	2,057	82.8	***	***	84.9	***	0	55	***	70.5	29.69	82.8	29.69
8	9/22/2020 10:15	291	65.2	2,067	82.9	***	***	85.3	***	0	55.2	***	70.7	29.69	82.9	29.69
9	9/22/2020 10:15	291	65.4	2,080	82.9	***	***	85.3	***	0.9	55.2	***	70.7	29.69	83.1	29.69
10	9/22/2020 10:15	295	65.4	2,090	83.1	***	***	85.6	***	0	55	***	70.9	29.69	83.2	29.68
11	9/22/2020 10:15	291	65.6	2,095	83.3	***	***	86	***	0	55.4	***	71.1	29.69	83.3	29.68
12	9/22/2020 10:15	295	65.6	2,092	83.1	***	***	85.6	***	0	55.6	***	71.1	29.68	83.1	29.68
13	9/22/2020 10:16	295	64.5	2,040	82.4	***	***	84	***	0	54.6	***	70.2	29.69	82.5	29.68
14	9/22/2020 10:16	296	62.8	1,988	81.9	***	***	82.8	***	0	52.4	***	68.9	29.68	81.9	29.68
15	9/22/2020 10:16	296	61.3	1,963	81.7	***	***	82.2	***	0	50.1	***	68	29.68	81.7	29.68
16	9/22/2020 10:16	296	60.2	1,951	81.5	***	***	81.3	***	0	48.3	***	67.3	29.68	81.6	29.68
17	9/22/2020 10:16	296	59.4	1,928	81.3	***	***	81	***	0	47.4	***	66.9	29.68	81.4	29.68
18	9/22/2020 10:16	296	58.9	1,894	80.8	***	***	80.4	***	0	47.3	***	66.6	29.68	80.9	29.68
19	9/22/2020 10:16	295	58.4	1,837	79.9	***	***	79.3	***	0	47.6	***	65.8	29.68	80	29.68
20	9/22/2020 10:16	295	57.8	1,771	79	***	***	78.1	***	0	48.2	***	65.3	29.68	79.1	29.68
21	9/22/2020 10:16	296	57.8	1,753	78.6	***	***	77.9	***	0	48.7	***	65.1	29.68	78.8	29.68
22	9/22/2020 10:16	295	57.8	1,739	78.4	***	***	77.7	***	0	49	***	65.1	29.69	78.6	29.68
23	9/22/2020 10:16	291	58	1,746	78.6	***	***	77.9	***	0	49	***	65.1	29.69	78.7	29.68
24	9/22/2020 10:16	291	58.2	1,773	79	***	***	78.3	***	0	48.8	***	65.5	29.69	79.1	29.68
25	9/22/2020 10:16	291	58.4	1,798	79.5	***	***	79	***	0	48.5	***	65.7	29.69	79.5	29.69
26	9/22/2020 10:16	291	58.6	1,825	79.9	***	***	79.3	***	0	48.2	***	66	29.69	80	29.69
27	9/22/2020 10:16	288	58.8	1,852	80.2	***	***	79.7	***	0	47.9	***	66.2	29.69	80.3	29.69
28	9/22/2020 10:16	291	59	1,874	80.6	***	***	80.2	***	0	47.7	***	66.4	29.69	80.7	29.68
29	9/22/2020 10:16	295	59.2	1,891	80.8	***	***	80.4	***	0	47.7	***	66.6	29.69	80.9	29.68
30	9/22/2020 10:16	288	59.3	1,899	81	***	***	80.8	***	0	47.7	***	66.7	29.69	81.1	29.69
31	9/22/2020 10:16	253	59.5	1,867	81.1	***	***	81	***	0	47.8	***	66.9	29.73	81.2	29.73
32	9/22/2020 10:16	310	59.6	1,946	81.3	***	***	81.1	***	0	47.7	***	66.9	29.67	81.3	29.67
33	9/22/2020 12:15	321	59.6	1,963	81.3	***	***	81.1	***	0	47.6	***	66.9	29.66	81.4	29.65
34	9/22/2020 12:15	81	59.1	1,662	81.3	***	***	81	***	0	46.8	***	66.7	29.91	81.4	29.91
35	9/22/2020 12:15	56	58.4	1,625	81.3	***	***	80.6	***	0	45.7	***	66.4	29.94	81.4	29.94

Certificate of Completion

Richard Ensminger

Completed the "ODOR SCHOOL"® course

Nasal Ranger Inspector

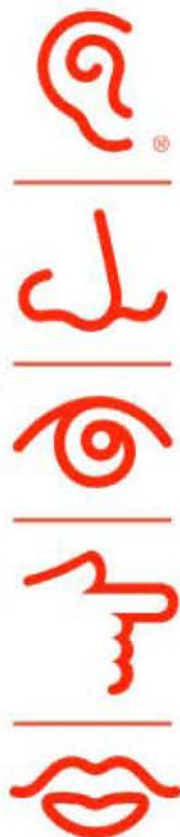
Odor Assessment & Measurement for Ambient Odors

This course prepares the individual to make odor observations and investigations, to record pertinent information, and to report the data and findings to management or officials. (3.5TCH)



01/07/2020

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Appendix D

Fire Safe Plan



John Pickett, RPF #2976

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RE: Fire Plan for parcel 094-090-010, 8260 Fairplay Road, Somerset, CA 95684

Introduction

Binh Ly has requested a fire plan for 094-090-010 for a cannabis cultivation operation on the parcel. The development of commercial enterprises in El Dorado County requires the development of a fire safety plan of sufficient detail to demonstrate that the property can be adequately protected from wildland fire. A fire plan evaluates the existing vegetation, slope, aspect, elevation, weather, and fire history to determine the potential for dangerous fires to threaten the property.

Parcel Description

Vegetation

The subject parcel is 60.6 acres and is the area of analysis in this fire plan. The property generally has thickets of canyon live oak with non-native annual grasses and chaparral. The parcel is surrounded by historic fires, with the Caldor Fire burning only two miles to the east. The region's fire return interval will likely decrease due to the increased flammability of native pioneer and non-native species, drought, and climate change.

The parcel has many live healthy and thriving oaks and pines, but there is fuel continuity across the property, and fire control will be difficult during periods of high fire danger. The primary carrier of fire will be dead and down fuel, grass, and the canyon live oak present on the property. The fuel model that best describes the vegetation on the property is an SH7 – Very High Load, Dry Climate Shrub, in the Standard Fire Behavior Fuel Models: A Comprehensive Set for Use with Rothermel's Surface Fire Spread Model. The grass chaparral mixture is defined as a Grass / Shrub Fuel Model 2(GS2) as described in *Standard Fire Behavior Fuel Models: A Comprehensive Set for Use with Rothermel's Surface Fire Spread Model. General Technical Report RMRS-GTR-153, Scott and Burgen.*

Slope and Aspect

Slope and aspect combine to create the topographical influences of fire on a slope. The project area has gently undulating slopes. These south-facing slopes are perfectly aligned for solar radiation to heat and dry vegetation and are moderately well aligned with the southwest winds that drive explosive fire growth, particularly for a fire originating in the North Fork Spanish Creek or South Fork Spanish Creek drainages. The slopes also promote the preheating of fuels and thus the rate and direction of spread. Additionally, south-facing slopes have more extended burn periods during the diurnal cycle due to solar drying.

Elevation

Elevation has an important influence on fire behavior by influencing the amount and timing of precipitation and determining exposure to prevailing winds or extreme fire behavior. The subject parcel sits at approximately 2480 feet in elevation. This elevation has hot, dry summers with distinct seasons and moderately cool winter with precipitation falling as rain and averaging 30 inches per year. Rainfall in amounts to influence fire behavior is rare after May, and fire season begins in earnest as early as June. This leaves a long hot summer with dry fuel.

Weather

Local weather drives fire behavior in the Sierra Nevada. El Dorado County is exposed to dangerous Diablo winds when low pressure off the coast of California and high pressure over the Great Basin result in strong, dry winds from the northeast. The subject parcel will be exposed to northeast winds several times each Fall, but these winds are unlikely to drive extreme fire weather. The subject parcel will be exposed to moderate diurnal upslope winds during much of the fire season because of the



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effects of solar radiation. One mitigating factor is that the property will also experience locally increased nighttime humidities due to the Delta breeze.

In SH&n fuel models, fires are likely to exhibit moderate rates of spread with moderate flame lengths during diurnal wind and fuel-driven fires. The Sand Fire burned approximately 4200 acres in line with the subject parcel and would have burned the property had it burned another day. The Sand fire was a fuel and topographically driven fire with strong diurnal wind influence. On the morning of the fire, humidities were very low, ranging from 8-13 percent, with light east winds increasing to over 18 miles per hour from the southwest during the afternoon. This wind pattern drove very high rates of spread with dangerous runs during the late afternoon. The subject parcel is also exposed to strong southwest winds from approaching low-pressure systems as they drop from the Gulf of Alaska. During these events, winds will pick up from the southwest, and before the arrival of moisture, there can be a very low humidity dry slot for up to a day before the arrival of increased humidities and wetting precipitation. During this period, fires can grow explosively.

Fire Hazard on the Subject Parcels

The subject parcel is exposed to considerable hazard from grass and brush and live oak fueled wildfires. An additional hazard is the dead oak from the Sand Fire that will be major ember producers during wildland fires. And while this is an active fuel model, it is also relatively easy to moderate this hazard by reducing fuels near structures, clearing around evacuation routes and then using methods to reduce the total tonnage of biomass available to burn.

Mitigations

Dr. Jack Cohen of the U.S. Forest Service's Rocky Mountain Research Station made the statement in his definition of the home ignition zone that "it is a home's construction and immediate surroundings that will determine a home's probability of ignition, not its site on a fire-prone landscape." From his research, we now moderate exposure to fire hazard by working in three zones around the structures and other areas with human habitation. The SH7 fire model is a brush and shrub-driven fire with moderate flame lengths. Burning oak, the deep duff layer present, and grasses would cause flame-lengths that would defy fire hand crews' control. Within the defensible space of a structure or within the Wildland Urban Interface, vegetation should be managed so that a fire will burn with four-foot flame lengths.

Fuel Break Around Structures

Clearing an effective fuel break on SH7 fuel types is best accomplished by masticating or otherwise cutting oak and chaparral and chipping or hauling the slash. The result will be a very durable treatment that should last years with minimal maintenance. The remaining forest will be primarily composed of gray pine, ponderosa pine, and blue oak.

Oak trees vary in flammability with canyon live oak burning with great energy and blue oak rarely burning except in chaparral form. Spacing oaks with 10 feet between canopies will reduce the potential for ignition. It is also true that establishing blue oak will greatly reduce the brush's rate and will again favor bunch grass over non-native annuals. Blue oaks do not regenerate well in grazing regimes, so again it is valuable to consult with the El Dorado County Conservation District on methods to promote blue oak regeneration.

Defensible Space

Defensible space around the structures will be critically important because of the likely ember production from dead oak on the property and in the Sand Fire scar. Defensible space is divided into three zones. The wildland fuel zone, the Lean, Clean and Green Zone and Non-combustible zone.



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- The wildland fuel zone should effectively extend 200 feet or to the slope break from the structure with the annual mowing of grasses and brush.
- The Lean, Clean and Green Zone extends from the structure to 30 feet. This zone must be mowed when grasses or brush are greater than 4 inches tall. No flammable vegetation may be present.
- The non-combustible zone extends from the structure to five feet. The subject parcel will be subject to massive ember wash during the next wildland fire. The maintenance of a non-combustible zone in combination with fire-safe venting and Class A roofing is the primary mitigation for ember ignition. Ember ignition generally occurs when embers strike a wall or Fall in wind vertices and accumulate at the bottom of the wall or in an inside corner of the structure. If there is any flammable material in this area the structure will be at increased risk. This area should likely be graveled in and treated with herbicide so that no vegetation can grow in this area. No leaf litter should be allowed to accumulate.

Evacuation Routes

The subject parcel has easy access to evacuation routes. Fuels modification is necessary along Fairplay Rd for a distance of at least 100-feet, but the entire property should be masticated.

Conclusion

The project is in a high fire hazard area with canyon live oak and native chaparral composing the primary fuel types with scattered pockets of thick oak and other areas with oak snags from the Sand Fire. The fuel model for the parcel is an SH7 which supports moderate rates of spread with moderate flame lengths. Effective fuel reduction can be obtained with mastication over the wooded portion of the parcel. This treatment will reduce the fire hazard in the area and increase forest health on the property. The proposed measures will effectively protect structures on the property, but safety for people can only be guaranteed with early and effective evacuation.

Appendix E

VMT Memorandum

VMT MEMORANDUM

For

Outdoor THC Cannabis Cultivation

8260 Fairplay Road, Somerset, CA 95634

Located In El Dorado County

Prepared for:

BINH LY Project

8260 Fairplay Road, Somerset, CA 95634

September 3, 2021

This VMT Memorandum

Authored by:

Grant P. Johnson, TE



Traffic Engineering & Transportation Planning

*This Memorandum has
been prepared and
certified by Grant P.
Johnson, TE, Principal.
Lic #1453*



Description of Project

The “**BINH LY**” project, located at 8260 Fairplay Road in Somerset and represented by APN 094-090-010, is zoned agricultural. The project site is 60.57 acres, and for the project will be a cultivation, transport-only distribution and manufacturing facility focused on cultivating quality cannabis biomass and manufacturing that biomass into packaged flower and pre-rolls. Any unused or residual biomass will be sold to extraction facilities through the regulated supply chain. The transport-only distribution license will be used to compliantly move the cultivated cannabis to the licensed Type N manufacturing premise, on the parcel, and then to a nearby full distribution center for testing, quality assurance, taxation and further movement through the regulated supply chain.

The trip generation of the project was developed in the On Site Transportation Review (OSTR) prepared for El Dorado County DOT dated September 3, 2021. In that report the following trip generation calculations shown in Table 1 were documented for both square footage as well as number of employees.

TABLE 1. TRIP GENERATION SUMMARY OF PROJECT, KSF* OR EMPLOYEES

ITE Trip Generation Manual Trip Generation Period (110 Light Industrial)	ITE Trip Generation Rate per KSF GFA	KSF of Facility	Trips	Threshold Policy TC- Xe	Conclusion
daily	4.96	2.44	12.1	100	<i>12.1 < 100, traffic study not needed</i>
a.m. peak hour	0.70	2.44	1.7	10	
p.m. peak hour	0.63	2.44	1.5	10	
ITE Trip Generation Manual Trip Generation Period	ITE Trip Generation Rate per EMPLOYEE	Max No. of EMPLOYEES (4 fulltime & 6 temp)	Trips	Threshold Policy TC- Xe	Conclusion
daily	3	10	30	100	30 < 100

Source: El Dorado County DOT and PRISM Engineering. *KSF=1,000 square feet

It can be seen from Table 1 that the project will generate a maximum of 30 daily trips based on using the employee metric in the calculation. Since 30 trips is less than the 100 daily trips threshold set forth in the County’s Policy TC-Xe, which if exceeded would trigger the need for a full traffic study instead of OSTR.

VMT Significance Determination

The California Office of Planning and Research (OPR) Technical Advisory provides this direction concerning the evaluation of impacts for Vehicle Miles Traveled (VMT) for a project:

Many local agencies have developed screening thresholds to indicate when detailed analysis is needed. Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact.

Per OPR's Technical Advisory, this determination is based on the following:

CEQA provides a categorical exemption for existing facilities, including additions to existing structures of up to 10,000 square feet, so long as the project is in an area where public infrastructure is available to allow for maximum planned development and the project is not in an environmentally sensitive area. (CEQA Guidelines, § 15301, subd. (e)(2)). Typical project types for which trip generation increases relatively linearly with building footprint (i.e., general office building, single tenant office building, office park, and business park) generate or attract an additional 110-124 trips per 10,000 square feet. Therefore, absent substantial evidence otherwise, it is reasonable to conclude that the addition of 110 or fewer trips could be considered not to lead to a significant impact.

This Memorandum details our findings of VMT transportation impacts based on trip generation of the project being estimated to be 30 trips per day (for 10 employees, the maximum total during seasonal harvest). This is based on a project description and site plan, as well as said / stated business operations (by applicant) for the cannabis farm cultivation project, and as detailed in the OSTR dated September 3, 2021. Our findings conclude that the project will generate "110 or fewer trips" per day, and in fact only will generate 30 or less trips per day.

Conclusion

The project does not have a significant impact on vehicle miles traveled or transportation impact.

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