

ATTACHMENT 3

**CEQA ADDENDUM TO THE
MITIGATED NEGATIVE DECLARATION FOR THE COMMERCIAL MEDICAL
MARIJUANA LAND USE ORDINANCE**

**Commercial Medical Marijuana Land Use Ordinance Mitigated Negative Declaration (MND)
(State Clearinghouse # 2015102005), January 2016**

**APN 220-071-008; 3550 Goodman Ranch Road, Whitethorn area
County of Humboldt**

**Prepared By
Humboldt County Planning and Building Department
3015 H Street, Eureka, CA 95501**

January 2023

Background

Modified Project Description and Project History – The Commercial Medical Marijuana Land Use Ordinance (CMMLUO) established specific regulations for commercial cannabis operations in Humboldt County. These regulations were developed in concert with the Mitigated Negative Declaration (MND) that was adopted for the ordinance in order to implement the mitigation measures of the MND. The MND addressed the broad environmental impacts that could be expected to occur from the adoption and implementation of the ordinance. The MND specified that the regulations established in the CMMLUO would mitigate the impacts of existing cannabis operations by establishing regulations for an existing unregulated land use to help prevent and reduce environmental impacts that are known to result from unpermitted baseline cultivation operations. Commercial cannabis cultivation in existence as of December 31, 2015 was included in the environmental baseline for the MND and the MND states that “Bringing existing operations into compliance will help to attenuate potential environmental effects from existing cultivation activities, including aesthetic impacts resulting from improper operation or poor siting.” The current project was contemplated by the MND and compliance with the provisions of the CMMLUO will fully mitigate all environmental impacts of the project to a less than significant level.

The modified project involves a Conditional Use Permit for the continued operation of an existing 22,000 square foot (SF) mixed light cultivation including 2,200 SF of ancillary propagation. Irrigation water is sourced from a spring diversion. Existing available water storage is 62,000 gallons and the applicant will install an additional 84,254 gallons, for a total of 146,254 gallons of onsite water storage. Estimated annual water usage is 159,200 gallons. Drying and curing occurs onsite, with all other processing occurring offsite at a licensed processing or manufacturing facility. A maximum of four (4) people may be onsite during peak operations. Power is provided by two (2) generators, with long-term plans for solar. A Special Permit for development in the Streamside Management Area (SMA) is also requested for continued use and maintenance of the existing point of diversion and relocation of two (2) existing water tanks outside of the required buffer.

No known significant archaeological resources are in the project area. A Cultural Resources Investigation was conducted by Arsenault and Associates (not dated, date stamp received 12/23/19; on file and confidential). No historical or archaeological resources were identified during the survey. Ongoing conditions of approval are incorporated regarding the inadvertent discovery protocol to protect cultural resources, consistent with the Report and comments received from the Bear River Band of the Rohnerville Rancheria in November 2021.

The project site contains riparian habitat associated with several watercourses, including the Mattole River, Little Finley Creek, and an unnamed stream, which traverse the northeastern, central, and southwestern portions of the subject parcel. All approved cannabis cultivation activities would occur outside of the required stream setbacks, once the two (2) 1,000-gallon water tanks are relocated outside of the riparian buffer to a previously disturbed area without the use of heavy equipment, required as a condition of approval, and on slopes less than 5%, as described in the Water Resource Protection Plan (WRPP), prepared by Timberland Resource Consultants in June 2017 and revised in April 2018. Per review of CDFW’s California Natural Diversity Database (CNDDDB) in March 2022, Cultivation Area #1 (northern cultivation area) is within mapped potential habitat for a special status species, the red-bellied newt (*Taricha rivularis*), and both cultivation areas are shown to be within close proximity of potential habitat of summer-run steelhead trout (*Oncorhynchus mykiss irideus* pop. 36). Additionally, the nearest Northern Spotted Owl (NSO) positive sighting is located approximately 0.92 miles from the nearest cultivation area, with the nearest NSO activity center located approximately 1.43 away, respectively. Conditions of approval will require light and noise attenuation measures, which will

specifically require noise to be at below 50 decibels at 100 feet which is below the guidance established by the California Department of Fish and Wildlife for protection of the species. Additional conditions of approval will require the applicant to refrain from using synthetic netting, ensure refuse is contained in wildlife proof storage, and refrain from using anticoagulant rodenticides to further protect wildlife. Additionally, the applicant has enrolled with the State Water Resources Control Board Cannabis Cultivation Policy. As proposed and conditioned, the project is consistent with CMMLUO performance standards and CDFW guidance and will not negatively impact NSO or other sensitive species.

The modified project is consistent with the adopted MND for the CMMLUO because it complies with all standards of the CMMLUO which were intended to mitigate impacts of existing cultivation. These include ensuring supplemental lighting and security lighting adheres to Dark Sky Association standards and ensuring project related noise does not harass nearby wildlife which will limit impacts to biological resources as a result of light and noise.

Purpose - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously certified Mitigated Negative Declaration (MND) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for a subsequent EIR or Negative Declaration have occurred. Section 15162 states that when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous MND; B) significant effect previously examined will be substantially more severe than shown in the previous MND; C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Summary of Significant Project Effects and Mitigation Recommended

A review of Appendix G impacts:

Aesthetics: The project is for 22,000 SF of existing mixed light cannabis cultivation within six (6) greenhouses in addition to ancillary nursery space within a separate greenhouse. The project will not significantly impact scenic vistas or public views as the project will occur within an existing open area

that is surrounded by forested land. The project is consistent with the agricultural visual character of the area. The project will not create a source of light or glare. Less than significant impact.

Agriculture and Forestry Resources: The project involves an agricultural activity on a parcel zoned as Timberland Production Zone (TPZ), in which all general agricultural uses are principally permitted. The project will not convert prime farmland or conflict with existing zoning for agricultural use or Williamson Act contract. The project will not result in the loss of forest land or conversion of forest land to non-forest use, as conditions of approval require post-2016 timber conversion to be properly mitigated and restocked at a 3:1 ratio, and no additional timber conversion is authorized under the permit. Less than significant impact.

Air Quality: Minimal construction activities are associated with the project. Construction activities included development of the cultivation and nursery spaces, storage areas, and water storage tanks, which required minimal grading for placement. The project will not expose sensitive receptors to pollutants or create objectionable odors affecting a substantial number of people. The project would not result in significant sources of greenhouse gas emissions. The project does utilize a gravel road, and traffic on gravel roads contribute to PM₁₀, for which the North Coast Air Basin is already in non-attainment. However, there will be a maximum of four (4) people onsite during peak operations, all of which reside onsite. A significant increase in traffic is not expected under the project, as this is an existing operation. As such, the continued use of the gravel road for the project is not a substantial change or additional significant impact not considered under the MND for the CMMLUO. Less than significant impact.

Biological Resources: The project is in the Whitethorn area south and east of the Mattole River. Several watercourses, including the Mattole River, Little Finley Creek, and an unnamed stream, traverse the northeastern, central, and southwestern portions of the site and are depicted on the Site Plan with respective Streamside Management Area (SMA) buffers. All cultivation areas are located outside of the SMA buffers required under the Streamside Management Area and Wetlands Ordinance (SMAWO). However, two (2) 1,000-gallon water tanks, located north of Cultivation Area #2, are shown to be located within a 50-foot SMA buffer on the Site Plan. Conditions of approval require the tanks to be relocated outside of all required SMA buffers to a previously disturbed area without the use of heavy machinery, which will ensure impacts to the SMAs are minimized.

Surrounding lands include private timberland. As noted in the Water Resource Protection Plan (WRPP; WDID 1B170612CHUM), prepared for the site by Timberland Resource Consultants in June 2017, slopes of the onsite cultivation and propagation areas are less than 15%.

Per review of CDFW's California Natural Diversity Database (CNDDDB) in March 2022, Cultivation Area #1 (northern cultivation area) is within mapped potential habitat for a special status species, the red-bellied newt (*Taricha rivularis*), and both cultivation areas are shown to be within close proximity of potential habitat of summer-run steelhead trout (*Oncorhynchus mykiss irideus* pop. 36). Typically, these species are found directly in or adjacent to the stream channel; therefore, impacts from the project are minimized. Additionally, the nearest Northern Spotted Owl (NSO) positive sighting is located approximately 0.92 miles from the nearest cultivation area, with the nearest NSO activity center located approximately 1.43 away, respectively. Conditions of approval require the applicant to describe how the operation will transition to use of 80% renewable energy (e.g., solar, wind, and/or hydropower) sources by the end of 2026, implement light and noise attenuation measures, refrain from using synthetic netting, ensure refuse is contained in wildlife proof storage, and refrain from using anticoagulant rodenticides to further protect wildlife. It was determined that the project and operations will have less than significant impacts with adherence to the recommended conditions of approval. Less than significant impact.

Cultural Resources: A Cultural Resources Investigation was completed for the project area by Arsenault and Associates (received December 23, 2019; on file and confidential). No archaeological or historic resources were identified. However, the project will adhere to the Inadvertent Discovery Protocol in the event of inadvertent discovery of resources, as recommended in the Report and the Bear River Band of the Rohnerville Rancheria in November 2021. Less than significant impact.

Energy: The project is for mixed light cannabis cultivation with on-site drying and curing and off-site processing. Although power is currently provided by two (2) generators, the applicant has long-term plans for installation of a solar system. Conditions of approval require the applicant to describe how the operation will transition to use of 80% renewable energy (e.g., solar, wind, and/or hydropower) sources by the end of 2026. The project would continue to utilize a generator for emergency purposes which is not uncommon for agricultural operations in rural areas. Less than significant impact.

Geology and Soils: No new structures are proposed that would expose people to risk of life from earthquakes. The project occurs on relatively flat land with less than 15% slopes, and cultivation activities are limited to the immediate area surrounding the greenhouses. Additionally, irrigation runoff and erosion control measures are implemented. Less than significant impact.

Greenhouse Gas Emissions: The project currently utilizes two (2) generators; however, the applicant has long-term plans for installation of a solar system. Conditions of approval require the applicant to describe how the operation will transition to use of 80% renewable energy (e.g., solar, wind, and/or hydropower) sources by the end of 2026. The project would continue to utilize a generator for emergency purposes which is not uncommon for agricultural operations in rural areas. Less than significant impact.

Hazards and Hazardous Materials: The project will store fertilizers, herbicides, and fuel in existing storage structures. All hazardous materials are stored in a locked area with secondary containment in accordance with applicable regulations. The project does not expose the public to hazards. The project is in a rural area rated as a high fire risk area; however, no significant wood framed structures will be constructed as part of this project. Additionally, conditions require fire-resistant materials be utilized for construction of the generator containment structures. The project would not impair emergency response or create a significant risk from wildfire. Less than significant impact.

Hydrology and Water Quality: The project is for 22,000 square feet of mixed light cannabis cultivation with ancillary propagation. The project will not degrade any water sources or contribute to sedimentation, as irrigation runoff, erosion control, and watershed protection measures are implemented by the project, as described in the Cultivation and Operations Plan. Less than significant impact.

Land Use and Planning: The project proposes an agricultural activity on a parcel zoned as Timberland Production Zone (TPZ), in which all general agricultural uses are principally permitted. The project will not physically divide an established community or result in a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. No impact.

Mineral Resources: No mining is proposed. The project will not result in the loss of availability of a known mineral resources that would be of value to the region and the residents of the state. The project will not result in the loss of availability of a locally important mineral resource recover site. No impact.

Noise: The project is located in a rural portion of the County, surrounded by forested land. The project will not result in the generation of excessive groundborne vibration or noise levels. Noise sources from

the operation will include those of typical agricultural operations, and the use of the two (2) generators; however, the applicant has long-term plans convert to solar, with a generator for back-up use only. Drying and curing occurs onsite, with all other processing occurring offsite at a licensed processing or manufacturing facility. Less than significant impact.

Population and Housing: The project is for mixed light cannabis cultivation with ancillary propagation. No housing is proposed nor is any removal of housing proposed. Up to four (4) people may be onsite during peak operations, all of which reside on the subject property. The project will not induce substantial unplanned population growth in an area nor displace substantial numbers of existing people or housing necessitating the construction of replacement housing. No impact.

Public Services: The project is for 22,000 square feet of cannabis cultivation with ancillary propagation on a site where agriculture is a permitted use. The project will not increase the need for fire or law enforcement services. The project is not within 600 feet of a school or park. Less than significant impact.

Recreation: The project site is private property and contains no recreational facilities nor are recreational facilities accessed through the property. No impact.

Transportation: Up to four (4) people may be onsite during peak operations, all of which reside onsite. Access to the site is via a driveway off Goodman Ranch Road (a private road) via Ettersburg-Honeydew Road to Briceland Thorne Road to Redwood Drive to Highway 101. Ettersburg-Honeydew Road and Briceland Thorne Road are included on the list of County-maintained roads that meet (or are equivalent to) road Category 4 standards for cannabis projects. The Road Evaluation Report prepared for a 4.3-mile segment of Goodman Ranch Road, from Ettersburg-Honeydew Road to the subject property, indicates that the roadway meets a Category 4 road equivalent standard and is adequate for the proposed use. The project site will also have adequate emergency access. Conditions of approval require the applicant to improve the access road (Goodman Ranch Road) to commercial driveway standards, maintain driveways and private road intersections onto the County road in accordance with County Code Section 341-1 (Sight Visibility Ordinance), take steps to form or join a Road Maintenance Association for the maintenance of Goodman Ranch Road, and pay fair-share cost for maintenance of the road. Less than significant impact.

Tribal Cultural Resources: No cultural resources were identified on the site according to a Cultural Resources Investigation completed by Arsenault & Associates (received December 23, 2019; on file and confidential). The lead agency consulted with local tribes through the project referral process. The project will adhere to the Inadvertent Discovery Protocol in the event of inadvertent discovery of resources, as recommended in the Report and the Bear River Band of the Rohnerville Rancheria in November 2021. Less than significant impact.

Utilities and Service Systems: Green waste material is composted onsite within a small area equipped with perimeter fencing and covered with tarps. Other materials, unsuitable for composting, are stored in conventional lid trash containers along with domestic waste, and hauled to an approved transfer station/disposal facility, as needed, as described in the Cultivation and Operations Plan. The project will provide portable toilets and handwashing stations for cultivation staff until permanent ADA accessible facilities are developed. Water for propagation and cultivation is sourced from an existing stream diversion and associated water storage tanks, with rainwater catchment and additional water storage to be added as a condition of approval. Less than significant impact.

Wildfire: The project will not interfere with any evacuation plan. The project will not develop any significant new structures that will increase the risk of wildfire. Less than significant impact.

No changes are proposed for the original MND recommended mitigations. The proposal to authorize the continued operation of an existing cannabis cultivation site consisting of 22,000 square feet of cultivation with ancillary propagation, drying, and curing activities is fully consistent with the impacts identified and adequately mitigated in the original MND. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the MND. Compliance with the CMMLUO ensures consistency with the adopted MND and provides for mitigation of all project related impacts to a less than significant level.

In reviewing the application for consistency with the adopted MND, the County considered the following information and studies, among other documents (see Attachment 4 for a complete listing of documents):

- Site Plan, received 12/23/19.
- Cultivation and Operations Plan, received 12/23/19, with additional information provided by the applicant, received 3/16/22.
- Right to Divert and Use Water (Registration ID H502559; Certificate No. H100338) issued by the State Water Resources Control Board (SWRCB), dated 11/27/18.
- Water Resource Protection Plan (WDID 1B170612CHUM) prepared by Timberland Resource Consultants, dated 6/5/17 and revised 4/4/18, for the North Coast Regional Water Quality Control Order No. R1-2015-0023.
- Final Streambed Alteration Agreement (Notification No. 1600-2019-0133-R1) issued by the California Department of Fish and Wildlife, dated 10/1/19.
- Road Evaluation Report for Goodman Ranch Road, from Ettersburg-Honeydew Road to the subject site, prepared by the former applicant, dated 12/21/19.
- Notice of Applicability (WDID 1B170612CHUM) issued by the North Coast Regional Water Quality Control Board, dated 3/16/18.
- Timber Conversion Evaluation prepared by Timberland Resource Consultants, dated 6/17/18.
- A Cultural Resource Investigation for the Little Finley Creek Commercial Cannabis Cultivation, Humboldt County, California, County Application #11426, Assessor's Parcel Number (APN): 220-071-008, prepared by Mark Arsenault, M.A., RPA, Arsenault and Associates, Arcata, CA, received 12/23/19.

Other CEQA Considerations

Staff suggests no changes for the revised project.

EXPLANATION OF DECISION NOT TO PREPARE A SUPPLEMENTAL MITIGATED NEGATIVE DECLARATION OR ENVIRONMENTAL IMPACT REPORT

See **Purpose** statement above.

In every impact category analyzed in this review, the projected consequences of the current project proposal are either the same or less than significantly increased than the initial project for which the MND was adopted. Based upon this review, the following findings are supported:

Project impact analysis of conformance to the Mitigated Negative Declaration Substituted Mitigation Monitoring and Reporting Program

Mitigation Measure 1: Required setback from tribal cultural resources and tribal consultation process (55.4.10(o) and 55.4.10(c)).

- The project is within the historic aboriginal territory of the Bear River Band of the Rohnerville Rancheria and the Intertribal Sinkyone Wilderness Council. The project was referred to the Northwest Information Center at Sonoma State, the Bear River Band of the Rohnerville Rancheria, and the Intertribal Sinkyone Wilderness Council in August 2017. A Cultural Resources Investigation (received December 23, 2019; on file and confidential) was performed by Arsenault and Associates, in which no cultural resources were identified and included the standard inadvertent discovery protocol, which has been incorporated into the project as an informational note (Informational Note C.3). The Report was reviewed by the Bear River Tribal Historic Preservation Office in November 2021, in which the Tribe requested inclusion of the standard inadvertent discovery protocol.

Mitigation Measure 2: Curing violations of state, county code (55.4.11(a)).

- The project is for existing cultivation and project approval includes a compliance agreement to cure unresolved violations of state or county code.

Mitigation Measure 3: Required setbacks from watercourses, wetlands, and Environmentally Sensitive Habitat Areas (55.4.11(d)).

- The project is located within the inland portion of the County and is subject to the setback standards in the Streamside Management Areas and Wetlands Ordinance as well as Chapter 10 (Conservation and Open Space Elements) of the General Plan. Several watercourses, including the Mattole River, Little Finley Creek, and an unnamed stream, traverse the northeastern, central, and southwestern portions of the site. All cultivation areas meet or exceed the setbacks to the SMAs. However, two (2) 1,000-gallon water tanks, located north of Cultivation Area #2, are shown to be located within a 50-foot SMA buffer on the Site Plan. Conditions of approval require the tanks to be relocated outside of all required SMA buffers to a previously disturbed area without the use of heavy machinery, which will ensure impacts to the SMAs are minimized.

Mitigation Measure 4: Permitting Tiers and related requirements (55.4.8.2 et seq.)

- The project is for 22,000 square feet of existing mixed light cultivation in a Timberland Production Zone (TPZ) zone, which requires a Conditional Use Permit. The project complies with the requirements described in 55.4.8.2 et seq.

Mitigation Measure 5: Retirement, Remediation, and Relocation Program (55.4.14)

- The project is not participating in the Retirement, Remediation, and Relocation program; therefore, this mitigation measure does not apply.

Mitigation Measure 6: Cannabis Cultivation on Forest Lands

- This project is for existing cultivation consistent with baseline conditions which is eligible in the Timberland Production Zone (TPZ). No new increased cultivation will occur. A Timber Conversion Evaluation was submitted for the project, which indicates 1.45 acres of timber conversion has occurred on the subject site during 2005 and 2009, and between 2010 and 2012, 2012 and 2014, and 2014 to 2016. No additional tree removal is proposed or authorized by this permit. A condition of approval has been included to require the applicant implement any remaining corrective actions identified in the Report to bring the project into compliance with the

California Forest Practice Act and the California Forest Practice Rules. Additionally, the project will be required to re-stock an area onsite equivalent to the amount of area converted after the CMMLUO baseline date at a rate of 3:1.

Mitigation Measure 7: Use of fertilizer, pesticide, fungicide, rodenticide, or herbicide (55.4.11(j)).

- The project operations plan describes measures that will be taken to properly store and handle hazardous materials. Compliance with the operations plan is a condition of project approval. The use of anticoagulant rodenticide is prohibited. The project is conditioned requiring the applicant to provide written compliance with the Certified Unified Program Agency (CUPA) requirements.

Mitigation Measure 8: Diversion of surface water and trucked water (55.4.11(l)-(m)).

- The project utilizes a stream diversion for irrigation. A Special Permit is requested under the project for development in the Streamside Management Area (SMA) related to continued use and maintenance of the existing point of diversion. To ensure sufficient water supplies are available to serve the project, conditions of approval require the applicant to install rainwater catchment infrastructure and additional water storage tanks.

Mitigation Measure 9: Generator Use (55.4.11(o)).

- The project currently utilizes two (2) generators; however, the applicant has long-term plans for installation of solar, with a generator for emergency backup only. The project is conditioned to require the applicant to submit an energy use plan that describes the power demand for the project that includes a description of what power is required for (e.g., propagation, cultivation, and processing) and how much power is required on a monthly and annual basis. The energy plan shall also include a description of the generator(s) used to meet the power demand and state how the size of the generator is reasonable based on the power demand. The generator(s) used to support operations shall not be larger than required to meet operational needs. The plan shall also describe how the operation will transition to use of 80% renewable energy (e.g., solar, wind, and/or hydropower) sources by the end of 2026. Additional conditions require that noise from the generator will not exceed 50 decibels at 100 feet or edge of clearing whichever is closer.

Mitigation Measure 10: Storage of Fuel (55.4.11(p)).

- The project is conditioned that fuel shall be stored and handled in compliance with applicable state and local laws and regulations and in such a way that no spillage occurs.

Mitigation Measure 11: Performance Standards for Cultivation and Processing Activities (55.4.11(q)-(u)).

- Applicant has provided a statement declaring they are an agricultural employer as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code).
- The project includes onsite ancillary drying and curing activities, and the operations plan describes operational practices and employee safety standards.

Mitigation Measure 12: Performance Standards for Mixed Light Cultivation (55.4.11).

- The project is for 22,000 SF of existing mixed light cultivation and ancillary propagation, both of which utilize artificial lighting. Conditions of approval require the applicant to implement light attenuation measures. Such measures include required compliance with International Dark Sky Association standards Lighting Zone 0 and Lighting Zone 1, and requiring the project be designed to regulate light spillage onto neighboring properties resulting from backlight, up light, or glare

(BUG). No use of artificial lighting is authorized by this permit until the applicant can demonstrate compliance with these standards.

Mitigation Measure 13: Humboldt Artisanal Branding Provision (55.4.15).

- The proposed project is for more than 3,000 square feet; therefore, this measure does not apply.

Mitigation Measure 14: Sunset Clause for applications

- The application was received on November 10, 2016, prior to the sunset of the ordinance.

Based upon this review, the following findings are supported:

FINDINGS

1. The proposed project will permit an existing cannabis operation and bring the operation into compliance with county and state requirements intended to adequately mitigate environmental impacts.
2. The circumstances under which the project was approved have not changed substantially. There are no new significant environmental effects and no substantial increases in the severity of previously identified effects.
3. For the current proposed project, there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted as complete.

CONCLUSION

Based on these findings it is concluded that an Addendum to the certified MND is appropriate to address the requirements under CEQA for the current project proposal. All of the findings, mitigation requirements, and mitigation and monitoring program of the MND, remain in full force and effect on the original project.