

**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 221-121-001; 9850 Upper Mattole Canyon Road, Honeydew area  
County of Humboldt**

**Prepared By  
Humboldt County Planning and Building Department  
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**December 2022**

## 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 an existing 12,440 square foot (SF) outdoor cannabis cultivation, including 11,000 SF that is cultivated using light deprivation techniques within seven (7) hoop houses and 1,440 SF of full-sun outdoor cultivation, and 1,231 SF of ancillary propagation. Irrigation water is sourced from a 280,000-gallon rainwater catchment pond. Existing available water storage is 520,000 gallons in the pond and a series of hard-sided tanks. Estimated annual water usage is 102,650 gallons. The water supply is shared with PLN-11751-SP (previously approved) on contiguous parcel APN 221-121-013, located immediately south of the subject site. Drying and curing occurs onsite and on the adjacent property (APN 221-121-013) within two (2) structures totaling 1,380 SF, with all other processing occurring offsite at a licensed processing or manufacturing facility or at one of the applicant’s other properties (APN 221-201-021), located southwest of the site. A maximum of three (3) people will be onsite during peak operations. Power is provided by a generator; however, the applicant has long-term plans for installation of a solar system. The proposed project also includes Special Permits for reduction of the required 600-foot buffer from public lands, in addition to relocation of existing infrastructure outside of the required Streamside Management Area (SMA) buffer and associated restoration.

No known significant archaeological resources are in the project area. A Cultural Resources Investigation was conducted by Arsenault and Associates in March 2020 (on file and confidential). No artifacts, features, or sites which would be considered a historical resource under CEQA were identified during the survey. Although the Cultural Resources Investigation concludes that it is not anticipated to encounter significant buried archaeological materials at this location during implementation of the permit, it is noted that the potential for inadvertent discovery of such resources exists. 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 April 2022.

The project site contains riparian habitat associated with several Class III watercourses that traverse the southwestern, southern, and southeastern portions of the site. All approved cannabis cultivation activities and most respective infrastructure would occur outside of the required stream setbacks; however, six (6) existing water storage tanks, currently located within the required SMA buffers, will be required to be relocated outside of all required SMA buffers to a previously disturbed area without the use of heavy machinery. All approved cannabis cultivation activities will occur on slopes less than 5%. The Nearest Northern Spotted Owl (NSO) positive observation is located approximately 1.51 miles from the nearest

cultivation area, with the nearest NSO activity center located approximately 1.97 miles away. Artificial lighting is used to support the ancillary propagation areas totaling 1,231 SF. Power is currently provided by a generator; however, the applicant has long-term plans for installation of a solar system. Conditions of approval require the applicant use light and noise attenuation to ensure the project has a Less the Significant Impact on NSO. The applicant has enrolled with the State Water Resources Control Board Cannabis Cultivation Policy.

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 1,440 SF of existing full sun outdoor and 11,000 SF of existing outdoor cannabis cultivation within seven (7) hoop houses utilizing light deprivation techniques, in addition to 1,231 SF of ancillary nursery space. 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 Forestry Recreation (FR), 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, in addition to installation of the 280,000-gallon rainwater catchment pond, which required excavation. 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 PM<sub>10</sub>, for which the North Coast Air Basin is already in non-attainment. However, there will be a maximum of three (3) people onsite during peak operations and a significant increase in traffic is not expected under the project. 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 Honeydew area north of Mattole Canyon. Several Class III streams traverse the southwestern, southern, and southeastern portions of the site and are depicted on the Site Plan with respective Streamside Management Area (SMA) buffers. All cultivation areas are more than 70 feet from the nearest watercourse (Mattole Canyon), a Class III seasonal watercourse subject to a minimum 50-foot buffer per the Streamside Management Area and Wetlands Ordinance (SMAWO). However, six (6) existing water storage tanks are shown within the required SMA buffers, and 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. Additionally, the applicant shall submit a restoration plan or similar communication describing how the area will be restored and submit evidence demonstrating the area has been restored.

Surrounding lands include private timberland. As noted in the Water Resource Protection Plan (WRPP; WDID 1B171605CHUM), prepared for the site and adjacent property (APN: 221-121-013), located immediately south of the subject property, by Timberland Resource Consultants in May 2018, slopes of the onsite cultivation areas are 5%.

The onsite cultivation occurs within an existing open area on the subject site. occur in fields that have been in active agricultural operation. Per review of CDFW's CNDDDB in April 2022, there are no mapped sensitive species onsite and the nearest NSO positive observation is located approximately 1.51 miles from the nearest cultivation area, with the nearest NSO activity center located approximately 1.97 miles away. Additionally, the onsite cultivation is located near Final Critical Habitat for NSO (approximately 0.3 miles away), which appears to be located on the adjacent BLM lands (APN: 221-111-012) and not on the subject site. 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 Resource Survey was completed for the project area by Arsenault and Associates in March 2020. 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 April 2022. Less than significant impact.

**Energy:** The project is for outdoor cannabis cultivation with on-site drying and off-site processing. Although power is currently provided by a generator, 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 5% slopes, and cultivation activities are limited to the immediate area surrounding the greenhouses and gardens. Additionally, irrigation runoff and erosion control measures are implemented. Less than significant impact.

**Greenhouse Gas Emissions:** The project currently utilizes a generator; 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. No project-related activities occur on-site during the months of January and February, when winter conditions occur. Less than significant impact.

**Hydrology and Water Quality:** The project is for 12,440 square feet of outdoor (full sun and light deprivation) 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 Forestry Recreation (FR), 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 in an existing open area, 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 generator; however, the applicant has long-term plans to install a solar system onsite for the project. Drying and curing occurs onsite and on the adjacent property (APN: 221-121-013) within two (2) structures totaling 1,380 SF, with all other processing occurring offsite at a licensed processing or manufacturing facility or at one of the applicant's other properties (APN: 221-201-021), located southwest of the site, where a separate cannabis permit has been obtained under PLN-11832-CUP. Less than significant impact.

**Population and Housing:** The project is for outdoor cannabis cultivation. No housing is proposed nor is any removal of housing proposed. Up to three (3) people may be onsite during peak operations. 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 12,440 square feet of cannabis cultivation with ancillary propagation on a site where agriculture is the historical dominant use. The project will not increase the need for fire or law enforcement services. The project is not within 600 feet of a school. A parcel directly to the southwest of the site (APN: 221-111-012) is owned and managed by the Bureau of Land Management (BLM). The cultivation area located within the southwestern corner of the subject site is located approximately 198 feet northeast from the public land at the nearest point, as measured on Humboldt County WebGIS. However, no developed or designated recreational facilities are within 600 feet of the cultivation and propagation areas. 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 three (3) people may be onsite during peak operations. Access to the site is via a driveway off Upper Mattole Canyon Creek Road (which traverses the subject property) via Doody Ridge Road to Dutyville Road to Ettersburg-Honeydew Road to Briceland Thorne Road. Ettersburg-Honeydew Road and Briceland Thorne Road have been identified as County-maintained roadways that meet (or are equivalent to) Category 4 road standards for cannabis projects. Upper Mattole Canyon Creek Road, Doody Ridge Road, and Dutyville Road are privately maintained. Road Evaluation Reports prepared for the access roads indicate that the roadways meet a Category 4 road equivalent standard and are 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 (Dutyville 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), and maintain continued enrollment in the "Dutyville Friends of the Road" Road Maintenance Association (RMA) and shall 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 Resource Investigation completed by Arsenault & Associates in March 2020. 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 April 2022. Less than significant impact.

**Utilities and Service Systems:** Green waste material is composted onsite within a small area equipped with perimeter and top containment. 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 onsite rainwater catchment pond and associated storage tanks. 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 12,440 square feet of outdoor cultivation with ancillary propagation and drying 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 3 for a complete listing of document):

1. Site Plan prepared by the applicant's agent, received 6/13/22.
2. Cultivation and Operations Plan, received 12/19/19, with amendment received 11/18/21, and additional information provided by the applicant's agent via email correspondence to the assigned planner, dated 4/26/22.
3. Water Resource Protection Plan (WRPP; WDID 1B171605CHUM) prepared by Timberland Resource Consultants, dated 5/13/18, for the North Coast Regional Water Quality Control Board Order No. R1-2015-0023.
4. Final Streambed Alteration Agreement (Notification No. 1600-2019-0013-R1), issued by the California Department of Fish and Wildlife, dated 5/21/19.
5. Notice of Applicability (WDID 1\_12CC414728) issued by the North Coast Regional Water Quality Control Board, dated 12/8/20.
6. Road Evaluation Report for Upper Mattole Canyon Creek Road, from Doody Ridge Road, to the subject parcel, prepared by the applicant, dated 6/12/18.
7. Road Evaluation Report for Doody Ridge Road, from Wilder Ridge Road to Upper Mattole Canyon Creek Road, prepared by the applicant, dated 6/12/18.
8. Road Evaluation Report for Dutyville Road, from Ettersburg Road to the termination of Dutyville Road, prepared by the applicant's agent, dated 6/9/22.
9. Notification No. 1600-2019-0013-R1 – Project Inspection Report prepared by Timberland Resource Consultants, dated 12/11/20.
10. Water Distribution Diagram prepared by the applicant's agent, received 4/28/22.
11. A Cultural Resources Investigation for the Northern Thomas Commercial Cannabis Cultivation, Humboldt County, California, County Application: PLN-12179-CUP and PLN011751-CUP,

Assessor's Parcel Number (APN): 221-121-001 and 221-121-013 conducted by Arsenault and Associates, Arcata, CA, dated 3/17/20 (on file and confidential).

## **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.

## **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 April 2021. A Cultural Resources Investigation (dated March 17, 2020; 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 April 2022, in which the Tribe noted they were in agreeance with the recommendations outlined in the Report.

### 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. The project parcel contains several Class III streams that traverse the southwestern, southern, and southeastern portions of the site, and all cultivation areas meet or exceeds the setbacks to streamside management areas. However, six (6) existing water storage tanks are shown within the required SMA buffers 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. Additionally, the applicant is required to submit a restoration plan or similar communication describing how the area will be restored and submit evidence demonstrating the area has been restored.



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

- The project is for 12,440 square feet of existing outdoor cultivation in a Forestry Recreation (FR) 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 a Forestry Recreation (FR) zone. No new increased cultivation will occur. Based on review of historic aerial imagery, it appears that approximately 10 trees may have been removed post-2016, after the CMMLUO environmental baseline date. The project is conditioned to require the property be evaluated by a Registered Professional Forester (RPF) to determine the amount of timber conversion that occurred prior to and after the CMMLUO baseline date of January 1, 2016, submit a Timber Conversion Report prepared by a RPF to address previously unpermitted timber conversion, and re-stock an area onsite equivalent to the amount of area converted after the CMMLUO baseline date at a rate of 3:1. The project was referred to CAL FIRE for review and comment; however, CAL FIRE indicated they had no comment on the project in May 2021.

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 non-diversionary water source for irrigation. Water for irrigation is sourced from an existing 280,000-gallon rainwater catchment pond.

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

- The project currently utilizes a generator; 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 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 outdoor cultivation and does not use artificial light for cultivation.

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 December 21, 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.