

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 210-012-019; Section 35 of Township 04 North, Range 04 East, H.B.&M., Dinsmore
County of Humboldt**

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

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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.

A Conditional Use Permit for an existing 40,025 square foot (SF) outdoor cannabis cultivation utilizing light deprivation techniques, in addition to 1,920 SF of ancillary propagation. Irrigation water is currently sourced from a permitted groundwater well on the subject parcel; however, use of the well for cannabis irrigation will be replaced by rainwater catchment for the foreseeable future, with a permitted point of diversion proposed as a potential backup water source. Annual water use is 166,300 gallons and there will be a total of 170,100 gallons of onsite water storage. Drying and processing occurs onsite. A maximum of eight (8) people may be onsite during peak operations. Power is provided by three (3) generators, and the applicant has long-term plans to convert to solar power. A Special Permit is also requested for installation, use, and maintenance of the point of diversion infrastructure within a Class II watercourse.

No known significant archaeological resources are in the project area. A Phase I Cultural Resource Inventory Report was prepared by DZC Archaeology and Cultural Resource Management in March 2018 (on file and confidential). No artifacts, features, or sites which would be considered a historical resource under CEQA 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 March 2019.

The project site contains riparian habitat associated with the Van Duzen River (Class I perennial watercourse), which traverses the northern portion of the site, in addition to two (2) Class II and a Class III intermittent stream located within the western portion of the site. All approved cannabis cultivation activities would occur outside of the required stream setbacks and on graded flats, as per the WRPP, which are typically indicative of slopes less than 5%. The Nearest Northern Spotted Owl (NSO) activity center is located approximately 0.28 miles from the nearest cultivation area, with the nearest NSO positive sighting located approximately 1.34 miles away. Artificial lighting is used to support the propagation areas, and three (3) generators are currently utilized for power supply. 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 26,025 SF of existing full sun outdoor and 14,000 SF of existing outdoor cannabis cultivation within seven (7) greenhouses and nine (9) hoop houses utilizing light deprivation techniques, in addition to 1,920 SF of ancillary nursery space within two (2) separate greenhouses. 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 portion of a parcel zoned as Agriculture Exclusive (AE), 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 eight (8) people onsite during peak operations and, since this is an existing operation, 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 Dinsmore area south of the Van Duzen River. The Van Duzen River (Class I perennial watercourse) traverses the northern portion of the site, with two (2) Class II and a Class III intermittent stream located within the western portion of the site, and are depicted on the Site Plan with respective Streamside Management Area (SMA) buffers. All approved cultivation activities would occur outside of the required stream setbacks. Surrounding lands include private timberland. As noted in the Water Resource Protection Plan (WRPP; WDID 1B161248CHUM), prepared by Pacific Watershed Associates in January 2017, project activities occur on graded flats, which are typically indicative of slopes between 0-5%.

The Nearest Northern Spotted Owl (NSO) activity center is located approximately 0.28 miles from the nearest cultivation area, with the nearest NSO positive sighting located approximately 1.34 miles away. Artificial lighting is used to support the propagation areas, and three (3) generators are currently utilized for power supply. Conditions of approval require the applicant use light and noise attenuation to ensure the project has a Less the Significant Impact on NSO.

Per review of CDFW's CNDDDB in December 2022, the site contains a mapped "North Central Coast Summer Steelhead Stream" (Van Duzen River) within the northern portion of the site, which provides potential habitat for summer-run steelhead trout (*Oncorhynchus mykiss irideus* pop. 36), a state "Candidate Endangered" species and CDFW species of special concern. However, the cultivation area is located within the southern portion of the site, more than 600 feet from the Streamside Management Area (SMA) buffer associated with the Van Duzen River. The nearest NSO activity center is located approximately 0.28 miles from the nearest cultivation area, with the nearest NSO positive sighting located approximately 1.34 miles away. Artificial lighting is utilized for the propagation areas. Additionally, power is currently provided by three (3) generators; however, the applicant has long-term plans to switch to solar power. Conditions of approval require the applicant to submit an energy use plan that describes how the operation will transition to use of 80% renewable energy (e.g., solar, wind, and/or hydropower) sources by the end of 2026. 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 Phase I Cultural Resource Inventory Report was prepared by DZC Archaeology and Cultural Resource Management in March 2018. 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 March 2019. Less than significant impact.

Energy: The project is for outdoor cannabis cultivation with on-site propagation, drying, and processing activities. Although power is currently provided by three (3) 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 graded flats, which are typically indicative of slopes between 0-5%, and cultivation activities are limited to the immediate area surrounding the greenhouses and full-sun gardens. Additionally, irrigation runoff and erosion control measures are implemented. Less than significant impact.

Greenhouse Gas Emissions: The project currently utilizes three (3) generators; however, the applicant has long-term plans for installation of solar. 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 40,025 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 project materials. Less than significant impact.

Land Use and Planning: The project proposes an agricultural activity on a portion of a parcel zoned as Agriculture Exclusive (AE), 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, more than 600 feet from the (SM) buffer associated with the Van Duzen River and 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 generators; however, the applicant has long-term plans to install solar onsite for the project. Noise attainment conditions are required for the project to ensure noise associated with the project is kept within allowable levels. 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 eight (8) 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 40,025 square feet of cannabis cultivation with ancillary propagation on a site where agriculture is a principally 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 eight (8) people may be onsite during peak operations; however, the project is an existing use, and, as a result, a significant increase in traffic is not expected under the project. Access to the site is via a private gravel road off State Highway 36. A Road Evaluation Report for the private road 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 intersection of the private access road and State Highway 36 to commercial driveway standards, in accordance with comments received from the California Department of Transportation (Caltrans) in October 2018, and/or provide proof of fair-share payment for the requested roadway improvements. Additionally, the applicant shall pay fair-share cost for maintenance of the road for the life of the project. Less than significant impact.

Tribal Cultural Resources: No cultural resources were identified on the site according to a Phase I Cultural Resource Inventory Report prepared by DZC Archaeology and Cultural Resource Management in March 2018. 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 March 2019. 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, and hauled to an approved transfer station/disposal facility, as needed. 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 currently sourced from a permitted groundwater well and associated storage tanks. However, under the project, use of the well for cannabis irrigation is to be replaced by rainwater catchment for the foreseeable future, with the permitted point of diversion (not yet installed) as a potential back-up water source. Use of the groundwater well for cannabis irrigation is required to cease prior to the 2023 cultivation season. The applicant would like to reserve the option to use the well “in the event the statewide emergency drought

restriction is rescinded or modified, or if the current county position on groundwater well use for cannabis irrigation changes.” Should use of the well for cannabis irrigation be requested by the applicant at a future time, a modification to this permit will be required. Additionally, use of the groundwater well may not occur until a qualified professional assesses the well and determines it is not hydrologically connected to surface waters 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 40,025 square feet of outdoor cultivation with ancillary propagation, drying, processing 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 documents):

- Site Plan prepared by Pacific Watershed Associates, received 1/4/23.
- Premises Diagram prepared by Pacific Watershed Associates, received 1/4/23.
- Cultivation and Operations Plan prepared by Pacific Watershed Associates, dated March 2022, with additional project information provided by Pacific Watershed Associates and The Law Office of Eugene Denson via email correspondence to the assigned planner, dated 3/1/22, 12/19/22, 1/4/23, and 1/13/23.
- Right to Divert and Use Water (Registration No. H501390, Certificate No. H100100), issued by the State Water Resources Control Board, dated 6/21/18.
- Well Completion Report (WCR2018-005155), received 10/24/18.
- Water Resource Protection Plan (WRPP; WDID 1B161248CHUM) prepared by Pacific Watershed Associates, dated November 2017, for the North Coast Regional Water Quality Control Board Order No. R1-2015-0023.
- Notice of Applicability (WDID: 1_12CC412908) issued by the State Water Resources Control Board, dated 9/6/19.
- Final Streambed Alteration Agreement (Notification No. 1600-2018-0843-R1) issued by the California Department of Fish and Wildlife (CDFW), dated 7/1/19.
- Diversion Infrastructure Plan prepared by Pacific Watershed Associates, received 7/15/21.
- Work Completion Report for Karen and Dennis Silva prepared by Pacific Watershed Associates, received 7/15/21.
- Timber Conversion Evaluation prepared by Blair Forestry Consulting, dated 11/8/18.
- 10% Dead, Dying or Diseased Trees Fuelwood or Split Products or Removal of Slash & Woody Debris Not Located Within a WLPZ Exemption (1-21EX-00075-HUM) issued by CAL FIRE, dated 2/2/21.
- Road Evaluation Report for the private road (from State Highway 36 to the subject property) prepared by Pacific Watershed Associates, dated 5/21/18.
- Property Deed and Easement Rights, dated 1/16/19.

- Maintenance of McClellan Mountain Access Road (letter), dated 6/15/12.
- Road License Agreement, received 11/29/21.
- Road License Agreement Extension, received 12/19/22.
- Preliminary Onsite Wastewater Treatment System Evaluation prepared by Pacific Watershed Associates, received 11/29/21.
- Generator Specifications, received 12/4/18 and 11/29/21.
- Initial Study for the Bridgeville Organics Pharms, LLC Cannabis Cultivation Project (Biological Study), prepared by Leopardo Wildlife Associates, dated 12/31/18.
- Grant Proposal for the Water Storage Program prepared by Pacific Watershed Associates, received 12/19/22.
- Phase I Cultural Resource Inventory Report for Bridgeville Organic Pharms, LLC, Commercial Cannabis Permit, APN No. 210-012-019, Humboldt County, California, prepared by Dimitra Zalavaris-Chase, M.A., R.P.A, Thomas J. Ross, B.A., and Joanne Gallagher, B.A., DZC Archaeology & Cultural Resource Management, Arcata, CA, March 2018.

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. The project was referred to the Northwest Information Center at Sonoma State and the Bear River Band of the Rohnerville Rancheria in June 2018. A Phase I Cultural Resources Inventory (dated March 2018; on file and confidential) was performed by DZC Archaeology and Cultural Resource Management, 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), also requested by the Bear River Tribal Historic Preservation Officer in March 2019.

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 (SMAWO) as well as Chapter 10 (Conservation and Open Space Elements) of the General Plan. The Van Duzen River (Class I perennial watercourse) traverses the northern portion of the site, with two (2) Class II and a Class III intermittent stream located within the western portion of the site. All cultivation meets or exceeds the setbacks to streamside management areas.

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

- The project is for 40,025 square feet of existing outdoor cultivation in a portion of the property zoned as Agriculture Exclusive (AE), 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 Agriculture Exclusive (AE) zone. No new increased cultivation will occur. A Timber Conversion Evaluation Report was prepared by Blair Forestry Consulting in November 2018, which assesses two (2) distinct conversion sites that total approximately 2.26 acres. Per the Report, timber conversion appears to have begun prior to May 2009 and involved multiple unconnected clearing sites totaling 0.91 acres, which created the initial footprint for both conversion sites. The two sites were slightly expanded in 2010 to approximately 1 acre. Between 2014 and 2016, an additional 0.37 acres were converted to cultivation space and created some connectivity between the prior conversion sites. Sometime prior to May 2018, an additional 0.89 acres was converted, and connected multiple areas that were previously cleared. This conversion created the two current conversion footprint areas totaling approximately 2.26 acres, which is under the three-acre maximum allowed under 14 CCR 1104.1. It is further noted that the cut trees were a mix of Douglas-fir and white and black oaks, and that approximately 0.8 acres of grading occurred within the conversion areas for cultivation flats. 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, and 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)).

- Water for propagation and cultivation is currently sourced from a permitted groundwater well and associated storage tanks. However, under the project, use of the well for cannabis irrigation is to be replaced by rainwater catchment for the foreseeable future, with the permitted point of diversion (not yet installed) as a potential back-up water source. Use of the groundwater well for cannabis irrigation is required to cease prior to the 2023 cultivation season. The applicant would like to reserve the option to use the well “in the event the statewide emergency drought restriction is rescinded or modified, or if the current county position on groundwater well use for cannabis

irrigation changes.” Should use of the well for cannabis irrigation be requested by the applicant at a future time, a modification to this permit will be required. Additionally, use of the groundwater well may not occur until a qualified professional assesses the well and determines it is not hydrologically connected to surface waters.

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

- The project currently utilizes three (3) 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 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 such 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 processing 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 September 9, 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.