

MONO COUNTY PLANNING COMMISSION

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

SPECIAL MEETING AGENDA

June 20, 2019 – 10 a.m.

Town/County Conference Room, Minaret Village Mall, Mammoth Lakes

Videoconference: Supervisors Chambers, County Courthouse, Bridgeport

Full agenda packets, plus associated materials distributed less than 72 hours prior to the meeting, will be available for public review at the Community Development offices in Bridgeport (Annex 1, 74 N. School St.) or Mammoth Lakes (Minaret Village Mall, above Giovanni's Pizzeria). Agenda packets are also posted online at www.monocounty.ca.gov / boards & commissions / planning commission. For inclusion on the e-mail distribution list, interested persons can subscribe on the website.

*Agenda sequence (see note following agenda).

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

2. PUBLIC COMMENT: Opportunity to address the Planning Commission on items not on the agenda

3. MEETING MINUTES: Review and adopt minutes of May 16, 2019 – **p. 1**

4. PUBLIC HEARING

10:10 A.M.

A. CONDITIONAL USE PERMIT 18-014/BASK Ventures Inc.: Proposal for indoor cultivation of cannabis on an Industrial (I) parcel located at 474 Industrial Circle, in the Sierra Business Park across from Mammoth Yosemite Airport (APN 037-260-004). Cultivation will occur in a 21,858-square foot indoor facility designed to incorporate up to 10,000 square feet of flowering canopy. A CEQA 15183 exemption is proposed. *Staff: Kelly Karl – p. 8*

5. WORKSHOP

A. TIOGA INN SPECIFIC PLAN: Amendment and Subsequent Environmental Impact Report (SEIR). Proposed addition of 150 new workforce housing bedrooms in up to 100 units, third gas pump island and overhead canopy, parking, package wastewater treatment system, replacement water tank, 30,000-gallon propane tank, and modifications to the boundaries and land use designations in the existing Specific Plan, which also allows for a hotel and restaurant; no changes are proposed to the hotel and restaurant components. The public comment period for the SEIR opens no later than June 14 and closes on August 13, 2019. *Sandra Bauer, consultant – p. 92*

More on back...

DISTRICT #1
COMMISSIONER
Patricia Robertson

DISTRICT #2
COMMISSIONER
Roberta Lagomarsini

DISTRICT #3
COMMISSIONER
Daniel Roberts

DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris I. Lizza

6. REPORTS

A. DIRECTOR

B. COMMISSIONERS

7. INFORMATIONAL

8. ADJOURN to regular meeting July 18, 2019

***NOTE:** Although the Planning Commission generally strives to follow the agenda sequence, it reserves the right to take any agenda item – other than a noticed public hearing – in any order, and at any time after its meeting starts. The Planning Commission encourages public attendance and participation.

In compliance with the Americans with Disabilities Act, anyone who needs special assistance to attend this meeting can contact the Commission secretary at 760-924-1804 within 48 hours prior to the meeting to ensure accessibility (see 42 USCS 12132, 28CFR 35.130).

*The public may participate in the meeting at the teleconference site, where attendees may address the Commission directly. Please be advised that Mono County does its best to ensure the reliability of videoconferencing but cannot guarantee that the system always works. If an agenda item is important to you, you might consider attending the meeting in Bridgeport.

Full agenda packets, plus associated materials distributed less than 72 hours prior to the meeting, will be available for public review at the Community Development offices in Bridgeport (Annex 1, 74 N. School St.) or Mammoth Lakes (Minaret Village Mall, above Giovanni's restaurant). Agenda packets are also posted online at www.monocounty.ca.gov/ / departments / community development / commissions & committees / planning commission. For inclusion on the e-mail distribution list, send request to cdritter@mono.ca.gov

Commissioners may participate from a teleconference location. Interested persons may appear before the Commission to present testimony for public hearings, or prior to or at the hearing file written correspondence with the Commission secretary. Future court challenges to these items may be limited to those issues raised at the public hearing or provided in writing to the Mono County Planning Commission prior to or at the public hearing. Project proponents, agents or citizens who wish to speak are asked to be acknowledged by the Chair, print their names on the sign-in sheet, and address the Commission from the podium.

1

MONO COUNTY PLANNING COMMISSION

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

DRAFT MINUTES

May 16, 2019

COMMISSIONERS: Scott Bush, Roberta Lagomarsini, Chris I. Lizza, Dan Roberts & Patricia Robertson

STAFF: Wendy Sugimura, director; Hailey Lang & Bentley Regehr, planning analysts; Kalen Dodd, public works; Christy Milovich, deputy county counsel; CD Ritter, PC secretary

PUBLIC: Dwain Chichester, Chad Taylor, Cory Zila, Wayne Beaver, Stephane Banta, John Head, Russ Veenker, Terry Heaton, Darryl Despie

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE: Chair Scott Bush called the meeting to order at 10:00 a.m. at the board chambers in Bridgeport, and attendees recited the pledge of allegiance.

2. PUBLIC COMMENT: Opportunity

3. MEETING MINUTES

MOTION: Adopt minutes of April 18, 2019, as amended: 5A third-to-last graph: Discussed issue at **board Friends of the Inyo** level. (*Roberts/Robertson. Roll-call vote: Ayes: 5.*)

4. PUBLIC HEARING

A. CONDITIONAL USE PERMIT 19-002/Walker River Farms: Proposal for a cannabis microbusiness on an Agriculture (AG-10) parcel located at 1129 Larson Lane, Coleville (APN 002-110-021). The cannabis canopy will be roughly 8,600 square feet. The entire operation consists of four buildings (20' x 64' each). Microbusiness activities include cultivation, distribution, and non-storefront retail. A CEQA 15183 exemption is proposed. *Staff: Hailey Lang*

Hailey Lang introduced proposal. Non-storefront allows for state cannabis events, no sales on parcel. Long ingress driveway to site with four buildings. Plan policies consistent with General Plan. Overhead utility extension can be approved by PC. Ag operations allowed. Cannabis cultivation = ag operation. Within critical sage-grouse habitat but leks eight miles away. Proposes 12 parking spaces in two areas, 9' x 18' for areas under 7,000' elevation. Home allows up to four employees (maximum 10 employees). No signage proposed. Minimal outdoor lighting around buildings for safety, no interior lighting visible outside. RCI consultants conducted CEQA analysis 15183. Reviewed potential impacts. No public comments received.

Lang indicated Use Permit modification required if use expands.

Sugimura: Operations permit approved by BOS (Board of Supervisors) annually, compliance check to renew. Taxes by Finance based on canopy size to ensure operation not exceed what's permitted.

Plant more cannabis outside? *Sugimura: Modify wording.*

Fence for livestock control? *Lang: Yes.*

Water from river? *Lang: Lahontan approval. Existing well.*

OPEN PUBLIC COMMENT: Duane Chichester thought proposal deserved full CEQA (California Environmental Quality Act) review for possible expansion later. Where does power come from? Type of well OK to grow cannabis?

Sugimura: NRCS (Natural Resources Conservation Service) provides funding in farm bill. Mono doesn't enforce another agency's regulations. Between property owner and NRCS. Enough water needs to be supplied in compliance with use permit.

Chad Taylor: Letters within 300' involve only six people. More letters to inform others?

DISTRICT #1 COMMISSIONER Patricia Robertson	DISTRICT #2 COMMISSIONER Roberta Lagomarsini	DISTRICT #3 COMMISSIONER Daniel Roberts	DISTRICT #4 COMMISSIONER Scott Bush	DISTRICT #5 COMMISSIONER Chris I. Lizza
---	--	---	---	---

Employees regulated? *Sugimura: Regulations are part of operations permit approved by BOS. Idea today is review permit on land use issues, siting, odors, visuals. How operation is run not regulated by use permit. How operation is run is important, as actual business plan and hours of operations can impact community as well. Operations permit gets into level of detail. Background checks mentioned but not adopted. Facility operator needs background check, live scan, ensure employees responsible. Keep employee register. More regulations for cannabis than any other.*

Bush reminded cannabis was voted upon by Californians, 60% approved. People in general across CA support. Something very detrimental in order to turn it down.

Signage? *Bush: No retail signage.*

Accountability as lessee to respect area? *Bush: Leasing happens on ag land. Sugimura: Proof of lease to cannabis operator. Documentation subject to all Mono and State regulations.*

If breach of lease? *Sugimura: Lease is private between owner and operator. Mono concerned if in compliance. If not, action against lessee and property owner. CLOSE PUBLIC COMMENT.*

DISCUSSION: Robertson wanted to add condition of housing, as parking spaces were mentioned. *Milovich: complicated, inappropriate. Not requirement in any written provisions or regulations. Discretion of PC. Nothing requires employee housing.*

Part of security plan to have people on site? *Milovich: Not required in General Plan or operations permit. Up to PC. No specific security measures are mandated.*

Sugimura: No mandated requirement but consistent with policy that project mitigate impacts. Could tie housing for four to permit.

Lizza noted 12 parking spaces for employees, plenty of parking. *Sugimura: Lang confirmed parking.*

Lagomarsini opposed mandate of employee housing; maybe employee not want to live on site.

Security plan taken up at BOS? *Sugimura: Yes. Security plans confidential between CDD and sheriff.*

Lagomarsini suggested subscribing to PC or BOS to get all information via email.

Sugimura stated it is of concern that people get information on these projects. CDD not hiding, using means it has of distribution lists, project to LDTAC prior to PC. Noticing under state law 300' 10-day notice in newspaper in Mammoth. Must maintain fair noticing, no standards to expand noticing for one project but not another. Interested parties may request in writing that notices be mailed.

MOTION: Find that project qualifies as Exemption under CEQA guideline 15183 and instruct staff to file Notice of Exemption; make required findings in project staff report; and approve Use Permit 19-002 subject to Conditions of Approval. (*Lizza/Roberts. Roll-call vote: Ayes: 5.*)

B. CONDITIONAL USE PERMIT 19-006/Tioga Green and REVOCATION OF CONDITIONAL USE

PERMIT 34-06-05/Hebert: Conversion of an existing vacant 690-square foot commercial building into cannabis retail and revocation of the existing use permit for a drive-through restaurant. The proposal is located at 51005 Highway 395 (APN 021-080-022) south of the Lee Vining commercial core and gains access from Utility Road. Modifications to the property include interior remodel of existing structure, addition of storage shed, new signage, and paving and lighting for parking area. A Class 3 CEQA exemption is proposed. Land use designation is commercial (C). *Staff: Bentley Regehr*

Bentley Regehr noted two components, presented background. Hebert transferred ownership. Noted only one sign is allowed. Caltrans wanted construction within boundaries unless encroachment permit. Louis Molina did environmental health site visit, project in compliance. On-site consumption prohibited. Applicant engage with PUD (Public Utility District) for water. Site outside PUD service district.

Robertson: Signage language will be one freestanding double-sided sign.

Roberts: Sign example with green cross = symbol for medical, perhaps not appropriate for this project.

Sugimura: Site plan shows two signs but only one sign is allowed; consider allowing staff to approve location for single sign.

OPEN PUBLIC COMMENT: Applicant **Cory Zila** cited green cross as international symbol and stated June Lake sign depicts cannabis leaf.

Bush explained drive-through restaurant originally proposed at site. Drive-through cannabis? Old use permit expired. Green cross maybe only medical?

Water? *Zila: Well on site doesn't provide sufficient water. Will renegotiate service with PUD. Employee restroom only, minimal use. Brand new leach field, septic tank.*

Owner and manager? *Zila: Both.*

Wayne Beaver, 50-year Lee Vining resident, never thought he'd be discussing this. Maybe add a few more conditions. No thought about kids, schools. Attended RPAC meetings. 600' buffer should be larger. Kids walk past facility. Safe Routes to Schools will extend sidewalk farther from town so Mobil Mart kids can walk. High school kids run cross country daily.

Liquor stores too? *Beaver: Not just cannabis. Issue is safety of children.*

How would building affect safety of kids? *Beaver: Kids get marijuana. Bush: Parenting issue.*

Beaver: Tried to help keep kids off drugs, alcohol, cigarettes by baseball and soccer. Did not vote for cannabis. Kids need to be protected. Understands it's legal for adults in California. Kids still get stuff. Change 600' buffer to 1,500'.

Stephane Banta, closest Lee Vining business owner, stated when people come into town on 395, first thing they see is that building. Does it promote drug use in community? Parents use with kids in car; crosswalks not acknowledged; small community has people speeding through town. Put it away from town. Recreational cannabis accessible other places if desired. Not federally legal. Safety of tourists a concern. Not an opioid but used instead of drugs. Get cannabis out of sight, out of mind. What other forms of drugs allowed? Heroin? Hard to test for DUI under cannabis influence. Affecting kids, world tourists to Yosemite (federal) and Bodie ghost town. Drug could be laced. Opens doors to other stuff.

Bush respected closely held beliefs, speaking on this project.

Banta: First thing people see when come to town. Safety risk. Not enough room in community to support. **CLOSE PUBLIC COMMENT.**

DISCUSSION: Lagomarsini: Signage should be consistent throughout Mono to address concerns. Green cross means medical marijuana. Parents can educate kids not to go inside. Bars admit no one under 21, maybe there too. No way to deny project unless project doesn't provide unfulfilled service, could go to June Lake or Mammoth Lakes. PC must approve. Sees detriment of drugs.

Bush noted signage size and number. People need to know what's in that building, something that tells what's inside. Keep kids safe. If worried about location, if not at end, then in middle of town? Not offering any way to have anything if can't be at end of town.

Michael Draper stated General Plan Ch. 13 requires clearly legible posting that no person under 18 allowed on premises for medical, 21 for personal use. Project must follow this chapter.

Lizza mentioned comment letter from David Strelneck, nearby property and business owner. Appreciated comments, respected friends and neighbors regarding first thing see coming into town. Equated cannabis to alcohol. All same arguments -- kids come inside to buy candy bars, prevent liquor and cigarettes reaching youth. Laws help prevent kids' access to cannabis. Alcohol a sin, a vice, much worse effects. Tobacco exacts huge societal costs. Society allows products but protects kids. Lizza's father died of alcohol abuse last year. Alcohol far worse than cannabis. Chosen to control product, regulations in place.

Roberts understood concern about kids. Daughter schooled in Lee Vining. Cannabis not suddenly available in Lee Vining; it was available when daughter was there. Hope is by controlling better, less available in black market. Control as do other substances.

Robertson was comfortable with Ch. 13. Public process held. Implored main street businesses to participate in Caltrans program.

Sugimura reminded that 600' and 1,000' buffers were discussed at Mono Basin RPAC; community could have asked for increased buffer. RPAC members and public present did not voice a unified opinion one way or another, therefore the County default of 600' was implemented. The larger 1,000' buffer was not requested, nor was an expanded buffer discussed. At the RPAC meetings, it was pointed out that this specific site (as well as Tioga Inn) is outside both buffer zones on the maps. Caltrans program is street rehab, not safe routes to schools. Operations permit inserted language against products attractive to kids, no gels, no flavored products, warning labels. Christy Milovich noted state law of no advertising cannabis within 1,000' of schools. Consumption incorporated into Code. Can't consume within 1,000'. BOS did not expand. Good detailed definition of what's attractive to youth in County Code. Tried to prevent/eliminate attraction to kids.

Sugimura indicated PC reviews signs for size, location, aesthetics. Could ask removal of green cross sign. Certain words, images prohibited. Could impose a condition.

Milovich: Triggers free speech issues if dictate what can be on sign. PC can't decide verbiage. Green cross is universal for medicinal and appears to be expanding to recreational use.

Roberts clarified that DeCoster's sign in June Lake has artistic impression of marijuana leaf. Lizza wanted planning staff to decide location of sign and the Commission directed staff as such.

MOTION: Revoke Use Permit 34-06-05 for a drive-through restaurant; find that project qualifies as Categorical Exemption under CEQA guideline 15303 and instruct staff to file Notice of Exemption; make required findings in project staff report; and approve Use Permit 19-006 subject to Conditions of Approval. (*Robertson/Lagomarsini*. Roll-call vote: Ayes: 5.)

C. USE PERMIT & VARIANCE /3D Housing Development: Conditional Use Permit 18-017 proposes a five-unit housing project on the corner of Howard Avenue and Bruce Street in the community of June Lake. Each unit is approximately 800 square feet. Variance 18-001 is a request for a zero-foot setback from the top of a bank/water course for two units and a portion of the parking area. The watercourse runs along the eastern portion of the project site. The parcel is 0.43 acres in size (APN 015-103-022) and has a land use designation of Multi-Family Residential High (MFR-H). A CEQA exemption 15183 is proposed. *Staff: Bentley Regehr & Gerry Le Francois*

VARIANCE 18-001: Bentley Regehr reviewed project. Two bedrooms, 800 sq. ft. Stream on site, requesting 0' instead of 30' setback from top of bank. Side setback reduced because no snow shed.

Gerry Le Francois noted 15183 CEQA checklist looks at peculiar or unique aspects. GHG (greenhouse gas) analysis, not vehicle miles on impact. Triad/Holmes did flood study. Geological hazard evaluated. No biological impacts identified. Historic records request on archaeological came back negative. Project is consistent with approved General/community plan and densities, and so qualifies for 15183.

Regehr reviewed variance findings. Conditions of approval separate from use permit conditions.

Stream from/to? *Roberts: Water year-round, reaches Gull Lake.*

Lizza walked property yesterday. Other parcels along creek with 0' setback?

Le Francois: Heaton and Gonzalez variances, but not zero setback from Reversed Creek.

Ever approved 0' setback from creek in Mono? *Le Francois: PC could approve, modify, continue or deny project. Easier lots already built. Proponent proposes lower cost/sq. ft. can't push buildings closer together.*

Looks like 0' plus bridge. Why not reduce walkways to pull back from creek? *Le Francois: Staff asked about smaller or fewer units.*

Project as presented has no retaining walls or erosion control. *Le Francois: Subject to grading permit. Not allow sedimentation into creek. Dry wells to reduce runoff.*

Multifamily rental or ownership? *Regehr: No condition as proposed. Le Francois: Whatever PC decides, project managed by owners. Could return with condo project later, sell to whomever. Condition for no STR (short-term rental) use.*

Robertson: No standards for multifamily, e.g. recycling and trash management? *Le Francois: Constraints on snow storage. Variance rationale: five units.*

Robertson saw no definition of workforce housing. Think about community benefits to variance.

Lagomarsini noted similar setback for V16-001. Construction close to stream bed. How avoid getting anything into stream? Maybe take out two extra parking spaces to change setback. A lot of building on little lot next to stream bed. Good to have five more housing units but unsure how to address.

Variance 16-001? *Regehr: About 5' from bank.*

Lagomarsini: Maybe modify parking spaces. Bush: Maybe set minimum setback, let applicant reconfigure. *Le Francois cited discretion of PC.*

Roberts: Appears buildings have relatively small footprint, supported by piers. Robertson: Where does snow go: into stream, into street? *Regehr: Touched on in use permit. Two parking spots could be snow storage. Condition for no snow storage within stream banks.*

Garrett Higerd: Public Works responsible for grading and encroachment, managing FEMA floodplain. Concerns with water quality. Proposed on-site water retention system to prevent sediment into drainage. Some mitigations would apply in grading process. Agree with concerns on snow storage; if snow ends up in drainage channel, no capacity for flood water to flow. Tandem parking become snow storage?

Le Francois: Could look at semi-pervious pavers to ameliorate concern at top of bank vs permanent structure at 0' setback.

OPEN PUBLIC COMMENT: John Head, applicant and partner, thanked staff. Retirement goal for 20 years to provide workforce housing. Durable structures 2' off ground, assemble quickly. No grading for foundation. Zero setback not at top of slope, couple feet away. Careful of stream. Construction 40 years.

Steel-frame pier. Vault 4' x 4' below each for utilities. Looked everywhere for land for affordable rent. USFS might want to see units. 2BD/2BA units. Deals on land, reduction of fees offered in Mammoth Lakes.

Support beneath? *Corner posts.*

Why unit 5 14' not 5'? Pull off creek? Parking waiver on lower right corner, get 5' setback. *Le Francois: 5' more conservative than 0'. Stream incised and then levels out.*

Parking for five units? *Ten spaces. Maybe pull parking away from creek.*

Robertson: If pull units in, reduces snow storage. Essentially market rate units. No restriction to house locals or affordability requirements. Any incentives? *Head: Example of what might work in future. Lucky to find site outside Mammoth.*

Lizza noted each bedroom has ingress/egress.

Head: Unusual shape proven all over country. Ski resort housing is goal. Sent email for site visit.

Le Francois: Determine minimum from top of bank, redesign for 5' setback, reduced parking.

Russ Veenker opposed variance. Letter from neighbor also opposed variance. Existing guidelines adequate for that property site. Not opposed to developing, just setbacks. Reasons exist for those setbacks. Presented letter from neighbor Kevin Larsen.

Terry Heaton asked about "3D Housing." New technique? *No, acronym for initials.*

--- Break 12:45-12:55 p.m. ---

Move units for additional setback from stream? *Bush: Discuss setback, then decide.*

Does 30' apply same as Owens River or other waterway? *Le Francois: Yes. Irrigation ditches too. Standard since the 1980s to protect corridor.*

Roberts: Reduce setbacks to encourage development in that area. Lizza: Zero feet constitutes special privilege. Give this project 5' like other project. Bush didn't recall why 5' before. This home on pylons.

Lagomarsini: Another variance downstream. Heaton property vacant, then red-tagged structure. Heaton wanted addition to structure just downstream.

Vegetation removed around stream? *Le Francois: Working from top of bank out, so vegetation stays.*

Darryl Despie, partner. Improve drainage, trim vegetation, foot bridge to access parking. Architectural view beautified. Major waterway, no need to change.

Why 30'? *Le Francois: Input from resource agencies, traditional default. Applicant reached out to CDFW Army Corps of Engineers. No significant concerns with project 0' setback.*

Robertson: Structures unique. Supports variance if applicant amenable to requirements limiting workforce housing to locals.

Le Francois: If somebody local buys unit 5 at reduced setback, could move away or keep as second home. Robertson: Other resorts require locals.

Sugimura: Method most familiar is deed restrictions to certain income levels. Locals-only newer concept not as common. Legality unknown. Issue at hand is while could be defined affordable by design due to type of units, no guarantee available only to workforce. Could be second homeowners. PC determine if requirements meet that intent for workforce. Some other kind of reassurance needed if to be restricted to that intent, falls under General Plan guidance.

Robertson: Work survey showed locals compete with all income levels. Call it workforce but is that what we're doing? In Mammoth Lakes 40 units deed-restricted to locals. Live full time nine months. If move away, must sell. Annually monitor.

Milovich: PC can't require private owner to restrict sale of land. Volunteer to deed restrict or workforce. Not advisable to put restraints on him. Haven't researched.

Bush: Focus on variance to protect creek. Robertson: Increased density increases proceeds.

Lagomarsini: Any other configuration to allow streambank setback? Maybe tilt units 4 and 5. Best design? Bush: Decide on setback, then look at project.

Lagomarsini: Get most housing, protect stream. No less setback than other variance.

Bush: 5' OK? Continue to June meeting or make decision today?

Roberts: Type of construction above ground, pylon away. Go for 0' setback.

Lizza asked applicant to return with shortened walkways, down to three spaces on lower right corner rather than two. 5' setback but additional variance for one less parking spot. Want to look at track record of applicant. Is about local workforce? First project?

Head: To Mammoth Lakes since 1953, first place to try. Deed restrictions cloud property forever.

Intent to condominiumize? Head: Eventually. Affordable homes to own. Tract map later.

Robertson: Affordable not only to locals but also second homeowners.

Despie: Time constraint. Would rather go forward with variance of 5'. Another month might not get constructed before winter. Engineered several times. Work with whatever to get five units, not necessarily this layout. Designed for those who live and work in June Lake.

Rent two years, then buy? *Despie: OK. Vacation rental homes on market.* **CLOSE PUBLIC COMMENT.**

MOTION: Find that project is exempt from CEQA as Categorical Exemption under CEQA guideline 15183 and direct staff to file Notice of Exemption; adopt findings in project staff report; and approve Variance 18-001 to allow a ~~zero-foot~~ 5-foot setback from top of stream bank and 10-foot front setback for multi-family housing project on APN 015-102-022. (*Lizza/Lagomarsini. Roll-call vote: Ayes: 5.*)

Le Francois requested building code regulations on doors. Regehr noted the two tandem parking spaces behind unit 4 would be converted to snow storage and eliminate tandem parking.

CONDITIONAL USE PERMIT 18-017: Regehr: Stick with 10 units required for parking. Site plan had 12 spaces, with two as added snow storage. No off-site parking. Move extra snow off site.

Kalen Dodd: Didn't want to push snow into creek. Haul elsewhere. Lizza: Could drain into creek but not be pushed into creek.

Le Francois: 15183 exemption from additional EIR requirement. File notice of determination on 15183 under item 2.

Robertson: Multifamily rental requirements for lighting in parking areas? Trash receivable serviced by dumpster? Recycling provisions? *Regehr: Add conditions. Contract with provisional services.*

Head: Locate and screen dumpster. Or trash for each unit. Does not like dumpsters

Robertson: CA code requires outside public recycling receptacles. Operate and manage to high standards. Think about nuances of managing multifamily property.

Head: Make model project where residents are proud, happy to live there.

Asphalt? Dirt? *Regehr: Paved parking, striped.*

OPEN PUBLIC COMMENT: None. **CLOSE PUBLIC COMMENT.**

DISCUSSION:

Robertson: Snow removal? Condition 3: Move extra off site at owner's expense.

Le Francois: If can't meet 10 spaces parking, come back.

MOTION: Find that project is exempt from CEQA as a Categorical Exemption under CEQA guideline 15183 and direct staff to file a Notice of Exemption; make the required findings in the project staff report; and approve Use Permit 18-017 subject to Conditions of Approval as modified -- Condition 3: Additional snow accumulation shall be removed off site at owner's expense; Condition 17: Project shall comply with CalRecycle regulations for multi-family projects. Planning Commission authorized staff to review final, revised site plan that must be approved prior to issuance of building permits. (*Lagomarsini/Lizza. Roll-call vote: Ayes: 5.*)

5. WORKSHOP: None

6. REPORTS

A. DIRECTOR: 1) Permits: three cannabis, two to June 20, short-term rental, geothermal use permit; 2) Tioga Inn SP (Specific Plan): SWRCB (State Water Resources Control Board) responses, supplemental EIR for 45-day comment period; 3) June Lake Highlands: SP amendment/TM (Tract Map) amendment; 4) Local Hazard Mitigation plan to BOS for final approval; 5) Housing Element due to BOS Aug. 15, to PC in July to review comments from HCD (Housing & Community Development), also met on HB 2 grant applications; 6) sage grouse conservation work USFWS (US Fish & Wildlife Service) listing comment period open till end of May, final decision to DC in October, no further comments, already participated as much as can; 7) Walker Lake water transfer scoping period open, groundwater management act complete for Tri-Valley area, SWRCB said low priority, separate body to work on ground water sustainability plan; 8) Long Valley wells: LADWP withdrew wells due to drill rig impact to wet meadows, so delayed, will return in slightly different form; 9) OV pump storage by Premium Energy Holding for three reservoirs with raceways or tunnels to pump water up to store, water down when needed. Comments bring up red flags.

Three more cannabis? *Sugimura: Colitas in Walker, Bask at Sierra Business Park, Tillemans in Tri-Valley.*

B. COMMISSIONERS: None

7. INFORMATIONAL: None

8. ADJOURN at 1:52 p.m. to regular meeting June 20, 2019

Prepared by CD Ritter, PC secretary

Mono County

Community Development Department

P.O. Box 347
Mammoth Lakes, CA 93546
(760) 924-1800, fax 924-1801
commdev@mono.ca.gov

Planning Division

P.O. Box 8
Bridgeport, CA 93517
(760) 932-5420, fax 932-5431
www.monocounty.ca.gov

June 20, 2019

To: Mono County Planning Commission
From: Kelly Karl, Assistant Planner
Re: Use Permit 18-014/BASK Ventures, Inc. Indoor Cannabis Cultivation

RECOMMENDATION

It is recommended the Planning Commission take the following actions:

1. Find that the project qualifies as an Exemption under CEQA guidelines 15183 and instruct staff to file a Notice of Determination;
2. Make the required findings as contained in the project staff report; and
3. Approve Use Permit 18-014 subject to Conditions of Approval.

BACKGROUND

In November 2016, California voters approved the Adult Use of Marijuana Act (Proposition 64) to legalize adult use of marijuana (in addition to medical uses that were legalized in 1996). Every precinct in Mono County passed Proposition 64 with margins as low as 1.4% in the Bridgeport area to a high margin of approximately 30% in the Mono Basin, June Lake, and Wheeler Crest areas.¹ The state's legalization of adult use marijuana presented local jurisdictions with several choices for regulating the new industry: 1) ban cannabis activities in whole or part; 2) adopt local regulations for cannabis activities; or 3) remain silent and defer to state laws and regulations.

Mono County conducted a community-based planning effort for feedback on the most- appropriate regulatory approach and, ultimately, to develop policies and regulations for legalized cannabis activities. In 2017, the following 12 Regional Planning Advisory Committee (RPAC) meetings and outreach sessions were conducted: two in Antelope Valley, three in Bridgeport, one in June Lake, two in the Mono Basin, two in Long Valley, and two in Tri-Valley. Three workshops were held with the Planning Commission, and feedback from the Commission and RPACs were incorporated into the development of the policies. Concurrently, the Cannabis Joint Committee, which is comprised of 10 County departments/divisions, reviewed the policies and public feedback, and provided additional input that was incorporated as policies were developed.

At a formally noticed public hearing in October 2017, the Commission recommended General Plan policies pertaining to cannabis activities for adoption by the Board. The Board of Supervisors held five workshops, including one with the Town of Mammoth Lakes and one specific to cannabis taxation, to consider the public feedback received through RPAC, Planning Commission, and Joint

¹ To be clear, the margin represents the amount over and above the 50% +1 required for passage of the proposition.

Committee discussions, and provide direction to staff. In December 2017, the Board held a public hearing adopting the General Plan policies recommended by the Planning Commission.

Following the adoption of guiding policies, specific regulations in both the General Plan and Mono County Code were developed through another community-based planning effort. The RPACs again held a total of 12 meetings where cannabis regulations were discussed: two in Antelope Valley, three in Bridgeport, two in the Mono Basin, one in June Lake, two in Long Valley, and two in the Tri-Valley. The Planning Commission also again held three workshops to both incorporate RPAC feedback into the regulations and provide additional input and direction to staff, and the staff-level Cannabis Joint Committee provided additional feedback.

The Commission made a recommendation to the Board to adopt new regulations in March 2018. The Board of Supervisors heard two minor updates and held four discussions on cannabis taxation, in addition to three workshops on cannabis regulations where specific policy issues were considered. The Board adopted the new General Plan and Mono County Code regulations at a formal public hearing on April 17, 2018.

In addition to the structured public engagement process above, the public is always welcome to directly contact Community Development Department staff and Mono County Supervisors via phone or email, or to schedule an in-person meeting to share comments, concerns, and input. Attendance at public meetings and speaking in public is not necessary in order to provide feedback.

PROJECT DESCRIPTION

UP 18-014/BASK Ventures, Inc. (BVI) is a proposal for indoor cannabis cultivation on a 1.16-acre parcel located at 474 Industrial Circle in the Sierra Business Park (APN 037-260-004). The General Plan designation for the proposed project is Specific Plan (SP) and is governed by the Sierra Business Park Specific Plan. Sierra Business Park (SBP) is an industrial park located at the former site of Sierra Materials, a sand and gravel extraction operation that created an excavated bed that is 20-25 feet below the surrounding land. The central objective of SBP is to accommodate needed industrial services in the county while also protecting the scenic resources of the region and the Highway 395 Scenic Corridor.

The proposed small indoor cultivation will occur in a 21,858-square foot indoor facility designed to incorporate 18,067 square feet of warehouse space for cannabis cultivation, 10,000 square feet of which will consist of flowering canopy, and an additional 3,791 square feet for general office use (Attachment 1). Plants will be grown in individual light-sealed, climate-controlled rooms based on the lifecycle of cannabis and will include vegetative, flower, drying, processing/trimming, and storage/vault rooms. At full capacity the facility will operate up to two vegetative rooms, six flower rooms, two drying rooms, one processing/trim room, and storage/vault room. All inputs will be controlled in each room including optimal temperature, humidity, carbon dioxide level, light, water, nutrients, plant protectants, and air flow/exchange.

All applications for commercial cannabis activity must be approved through a Conditional Use Permit (CUP) process. A CUP for retail cannabis must demonstrate adequate plans for site control, setbacks, odor control, signage, visual screening, lighting, parking, and noise, as presented in this report.

The project qualifies for a 15183 CEQA exemption, as it is consistent with the Sierra Business Park Specific Plan and EIR, the Mono County General Plan EIR, and Mammoth Vicinity policies. The project does not have any significant environmental effects, including those peculiar to cannabis operations.

DISCUSSION

The project is located along U.S. Highway 395, in the Scenic Combining District of Highway 395 and across from the Mammoth Yosemite Airport. Uses surrounding the project are a mix of Open Space (OS), Resource Management (RM), Airport (A), Public and Quasi-Public Facilities (PF) and Specific Plan (SP) parcels. The south and east sides of the property are bordered by Inyo National Forest Resource Management (RM) parcels, and the north and west sides are bordered by undeveloped Specific Plan (SP) parcels within the Sierra Business Park. The property is currently undeveloped and owned by Green Team Holdings, LLC. Green Team Holdings, LLC (GTH) is a land holding company that will be responsible for construction and necessary improvement work for the tenant's specific use. BVI is a cannabis operating company and a tenant of GTH. BVI has a lease agreement in place with GTH for the specific use.

FIGURE 1: REGIONAL PROJECT LOCATION

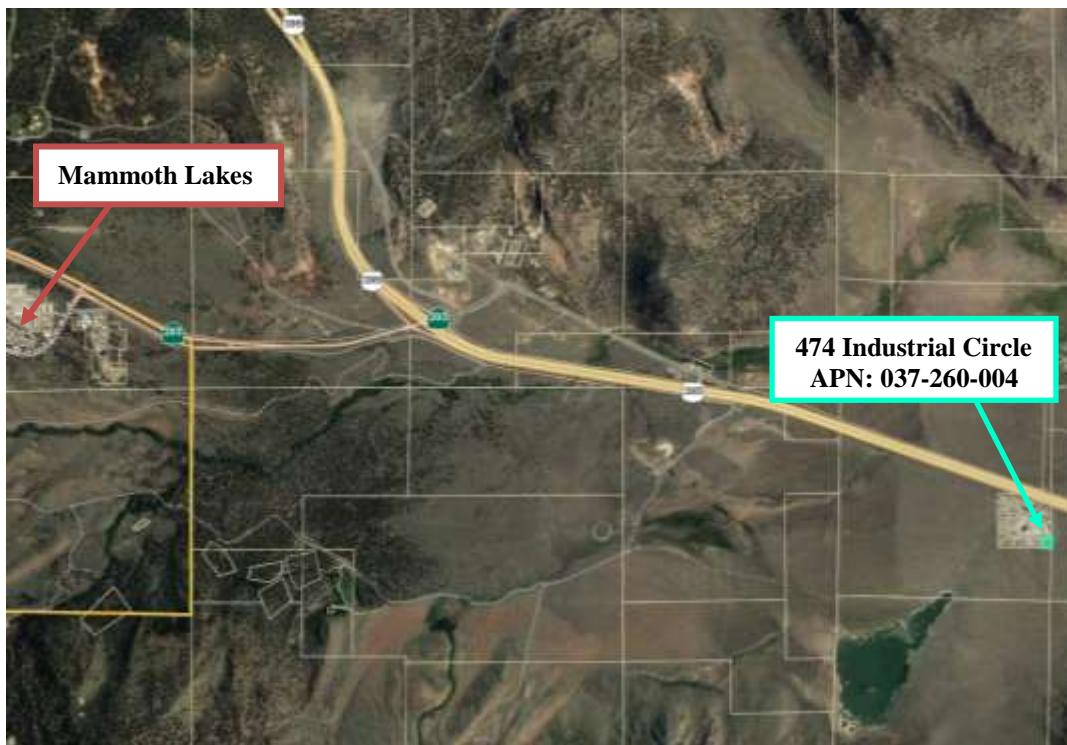


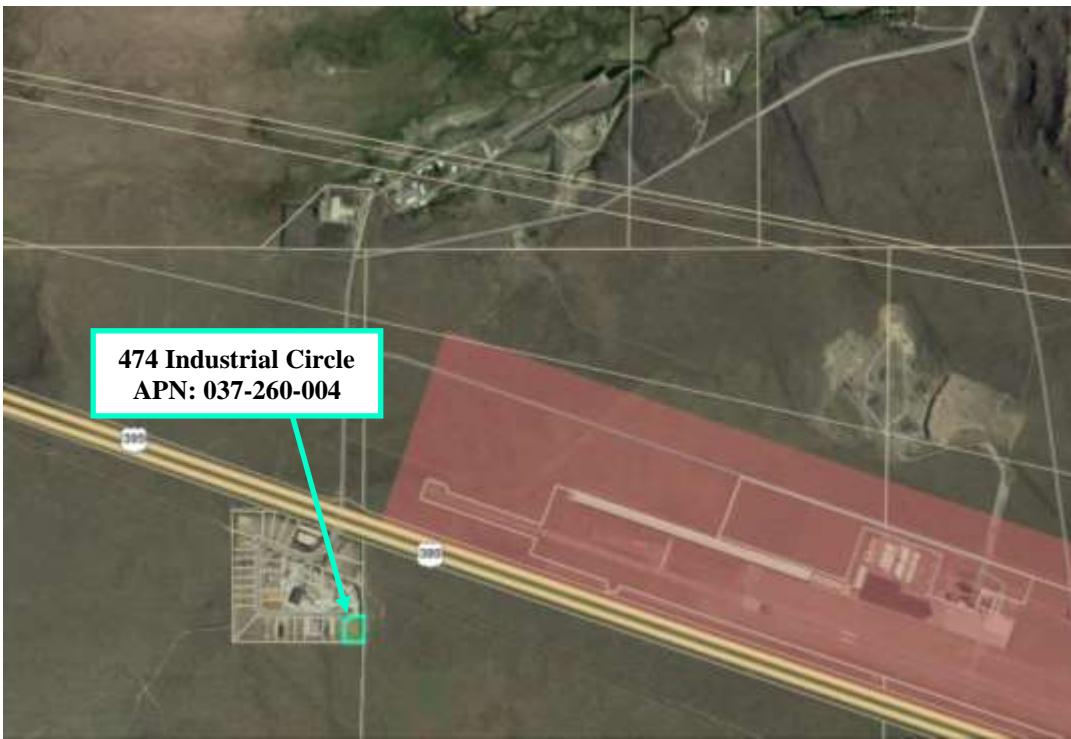
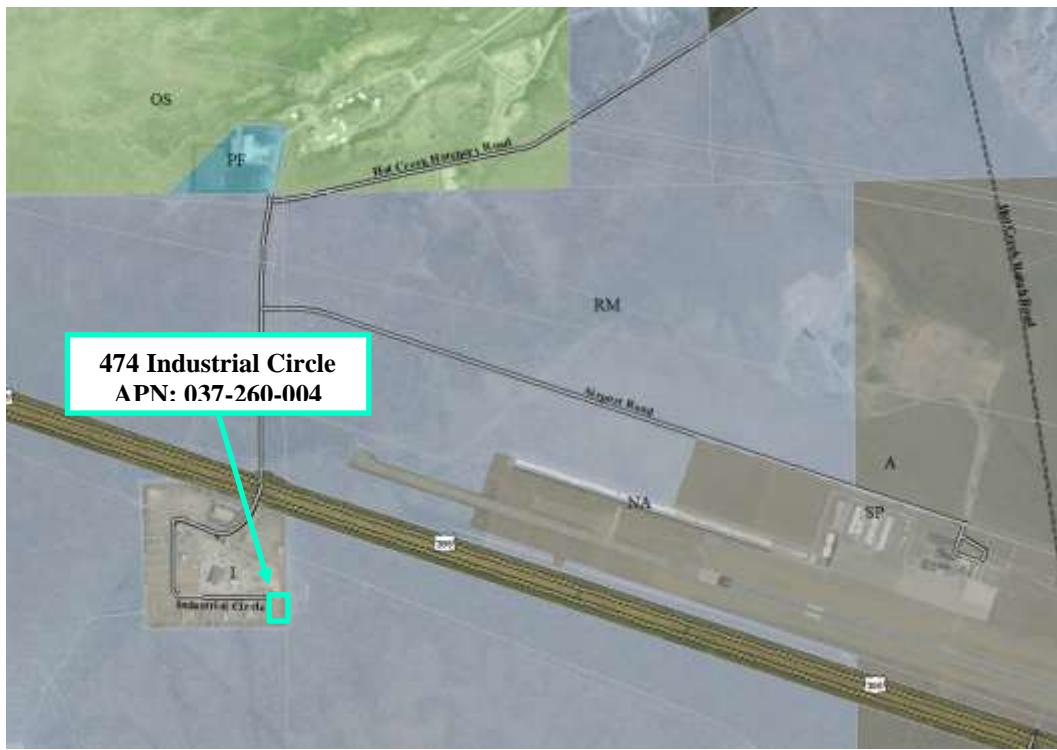
FIGURE 2: SPECIFIC PROJECT LOCATION**FIGURE 3: PROJECT LAND USE DESIGNATION**

FIGURE 4: PROJECT SITE PICTURE #1

View of the project site and the Perimeter Maintenance Zone (PMZ) located on the south & east sides of the parcel.

FIGURE 5: PROJECT SITE PICTURE #2

View of the project site looking south.

FIGURE 6: PROJECT SITE PICTURE #3

View of the project site, adjacent parcels, and surrounding landscape looking southeast.

LAND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE (LDTAC)

The LDTAC reviewed the application on September 17, 2018, and recommended application acceptance. LDTAC reviewed draft Conditions of Approval on June 3, 2019.

CEQA COMPLIANCE

The County contracted with Panorama Environmental, Inc. (Panorama) to prepare an Initial Study checklist in compliance with CEQA Guidelines Section 15183 (Attachment 2). CEQA mandates that projects that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects that are peculiar to the project or its site. Panorama found no significant impacts peculiar to cannabis cultivation or beyond the scope of mitigation measures stated in the Mono County General Plan EIR and the Sierra Business Park Specific Plan & EIR. The 15183 analysis specifically reviewed potential impacts related to land use, housing, soils, water, air quality/odors, transportation, biological resources, energy resources, hazards, noise, and utilities.

Ultimately, the review determined:

1. The construction and operation of the project would not result in significant impacts to habitat of fish or wildlife species or threaten to eliminate a plant or animal community. There are no important examples of major Californian prehistoric or historic periods in the project site. The project would not eliminate important examples of the major periods of California history or prehistory.
2. Development of the SBP was previously analyzed in the SBP EIR and any future development within the SBP would be conducted consistent with the conditions of the SBP EIR; therefore, development within the SBP is not considered a cumulative impact. No cumulatively considerable impacts would occur.
3. Mono County General Plan policies and regulations include countywide policies to guide the operations of commercial cannabis. The countywide commercial cannabis policies include designated land use for commercial cannabis activities; avoidance, reduction, and prevention of potential issues specific to commercial cannabis activities that may adversely affect communities; encouragement of responsible establishment and operation of

commercial cannabis activities; and working toward consistent and compatible regulations and efficient oversight of cannabis activities with other responsible entities.

4. The project would be located within a land use designation that allows for cannabis activities. The project applicant has developed a Cultivation Operation Plan that addresses odor, sanitation, waste disposal, and workspace safety issues specific to commercial cannabis activities. The design of the project is consistent with countywide policies, standards and SBP design guidelines to ensure there would be no substantial adverse effects.
5. The project would not substantially degrade the quality of the environment, impact plant or animal communities, or impact historic or prehistoric resources. The project would not result in cumulatively considerable impacts on the environment and would not result in significant impacts.

GENERAL PLAN CONSISTENCY

The project is consistent with General Plan Land Use Designation policies, Countywide Land Use policies, and Mammoth Vicinity Area Plan policies contained in the Mono County General Plan Land Use Element.

The General Plan land use designation for this property is Specific Plan (SP) and the proposed use is consistent with SBP SP policies and regulations. Further analysis of consistency can be found in the Sierra Business Park Specific Plan Consistency section below.

The General Plan allows cannabis cultivation as a permitted use subject to use permit on Industrial land use designations. According to the Mono County General Plan, “the ‘I’ designation is intended to provide for heavy industrial uses that may potentially cause moderate to high degrees of environmental nuisances or hazards. The functional and visual character of the district is such that it should be located in areas that are relatively remote from residential and commercial development.” Permitted uses under the Industrial land use designation include all uses listed as permitted under Industrial Park (e.g., agricultural uses, nurseries, and greenhouses), caretaker units, heavy vehicle storage and maintenance, and adult-oriented businesses conducted in compliance with the locational requirements of Chapter 19 of the Land Development Regulations and with the permit and other operational requirements of Chapter 5.45 of the Mono County Code. Commercial cannabis cultivation is permitted subject to a Use Permit and compliance with Chapter 13, and a Cannabis Operations Permit pursuant to Mono County Code Chapter 5.60.

The proposed project is consistent with Countywide Land Use policies that seek to provide for industrial land use needs that do not create significant environmental impacts and are economically beneficial to the area. The proposed cannabis cultivation is an economically beneficial industrial use that creates jobs and contributes to the County’s tax base.

The project is also consistent with the Mammoth Vicinity Area Plan’s commitment to maintaining the scenic and environmental integrity of the area while also providing for industrial land use needs in unincorporated areas. The project limits growth to an existing industrial park and protects the scenic quality of the Highway 395 Scenic Corridor by following the Sierra Business Park design guidelines for minimizing visual impacts.

MONO COUNTY LAND USE ELEMENT, COUNTYWIDE LAND USE POLICIES

Objective 1.F. *Provide for industrial land uses that are economically beneficial to the area and that are compatible with the environment.*

Policy 1.F.1. *Provide for local industrial land use needs.*

Policy 1.F.2. *Provide for light industrial uses (e.g., light manufacturing, assembly work, etc.) that do not create significant environmental impacts.*

Objective 1.I. *Maintain and enhance the local economy.*

Policy 1.I.1. *Land use designations shall provide sufficient land for the economic development of community areas.*

Policy 1.I.2. *Assess the economic costs and benefits of proposed development projects.*

Objective 1.L. *Provide for commercial cannabis activities in Mono County in a way that protects public health, safety, and welfare while also taking advantage of new business and economic development activities.*

(Policy 1.L.1 & Policy 1.L.2. not applicable.)

Policy 1.L.3. *Avoid, reduce, and prevent potential issues specific to commercial cannabis activities that may adversely affect communities.*

Policy 1.L.4. *In recognition of the potential economic benefits of this new industry, encourage the responsible establishment and operation of commercial cannabis activities.*

MONO COUNTY LAND USE ELEMENT, MAMMOTH VICINITY

GOAL 21. *Maintain and enhance the scenic, recreational, and environmental integrity of the Mammoth vicinity.*

Objective 21.A. *Maintain and enhance scenic resources in the Mammoth vicinity.*

Policy 21.A.2. *Future development shall be sited and designed in a manner that preserves the scenic vistas presently viewed from US 395.*

Objective 21.B. *Provide for the land use needs of both the incorporated and unincorporated areas.*

Policy 21.B.1. *Contain growth in and adjacent to existing developed areas.*

Policy 21.B.2. *Provide for industrial land use needs.*

Policy 21.B.3. *Future development projects shall avoid potential significant environmental impacts or mitigate impacts to a level of non-significance, unless a statement of overriding concerns is made through the EIR process.*

COMPLIANCE WITH MONO COUNTY CANNABIS REGULATIONS, CHAPTER 13

In addition to General Plan policies and regulations, commercial cannabis activities shall comply with Chapter 13. The following general standards and requirements apply to all commercial cannabis activities permitted in the county:

13.070 C. Site Control.

No commercial cannabis activity shall be allowed within six hundred (600) feet of schools providing instruction to kindergarten or any grades 1 through 12, day care or youth centers, parks, ballfields, playgrounds, libraries, community centers, and licensed childcare facilities.

None of the above-mentioned facilities are located within 600 feet of the site. The Mammoth Vicinity has no schools, or day care/youth centers, parks, playgrounds, community centers, or licensed childcare facilities. The Whitmore Recreation Area is located three miles from the project site on Benton Crossing Road and includes track & sports field, a public pool, and three ballfields.

FIGURE 7: LAND USE DESIGNATIONS WITHIN A 600' RADIUS OF THE PROJECT



13.070 D. Setbacks.

All commercial cannabis activities shall meet existing setbacks established in General Plan Chapter 4 – Land Use Designations and 4.120 Yards and Setbacks.

The proposed indoor cannabis cultivation facility meets setback standards in the Sierra Business Park Specific Plan. See Sierra Business Park Specific Plan Consistency section below for discussion.

13.070 E. Odor Control.

An odor mitigation plan is required to demonstrate that odors generated by the commercial cannabis activity shall not unreasonably impact adjacent properties and uses, or that odor mitigation measures are not applicable due to lack of cannabis-related odor generation, location or siting, design features, or other factors.

Indoor cultivation allows for greater control over the varying levels of odor emitted during the lifecycle of cannabis (e.g., propagation, vegetative, flowering, harvest, drying, packaging, and storage). BVI has created an Odor Management Plan that combines facility design with standard operating procedures (SOPs) that vary based on developmental stage. Two primary odor-mitigation devices will be used in the indoor cultivation facility: 1) commercial Photohydroionization (PHI) units designed to eliminate 99.99% of all odors; and 2) activated carbon filters. Less odor-intensive rooms on site (propagation and vegetative) will utilize a PHI unit installed in the primary Heating Ventilation and Air Conditioning System (HVAC) to mitigate the minimal odors emitted during this stage as well as odor mitigation SOPs including physically containing odors by closing the entrance to this room to minimize the possibility of odor escaping into the hallway, and cleaning and disinfecting all tables/surfaces that come in direct contact with cannabis immediately after use. Odor-intensive rooms including flowering, harvest, drying, packaging, and storage will utilize odor mitigation SOPs (described above), a PHI unit, and an activated carbon filter attached to the inlet of the HVAC system in each room. These two odor-mitigation devices used together in the most odor-intensive rooms should render the air emitted outside the building free of any detectable odor.

The odor mitigation devices will be serviced and maintained by properly trained employees using SOPs based on the maintenance needs of each type of filter (pre-filter, carbon filter or PHI unit). Every filter will be tagged to identify the employee that installed it, the date/time the unit was replaced, and date by which the device should be replaced. Detailed service and maintenance records will be kept for all serviceable items in the odor control system and will contain the following information: date and time of service, service performed, name of individual performing the service, and unit number or device number serviced.

To prevent system malfunctions from going unnoticed, BVI's Quality Assurance Manager (QAM) will walk the perimeter of the facility as part of the routine facility inspections to confirm there is no detectable odor being emitted. If any odor is detected, the QAM will record the issue in their inspection notes and note the location of the detected odor. If BVI receives an odor complaint, the QAM will complete a complaint form to document the incident, which will include date and time of complaint, name of complainant, description of the complaint, and name and badge number of the employee recording the complaint. Upon completion, the form will be immediately provided to the General Manager and the Maintenance Manager in order to begin the odor complaint investigation and resolution process. The Maintenance Manager will follow a diagnostic process to determine the possible source of the odor, repair or replace equipment as necessary, and confirm the repair has resolved the odor issue.

The nearest receptors for the project are the adjacent Specific Plan (SP) and Resource Management (RM) parcels APNs: 037-260-015, 037-260-003, 037-130-007 and 037-130-016 (Inyo National Forest parcels). There are no residences within 2,000 feet of the project area, however the SBP does allow caretaker units to be built on parcels within the Park. At the time of this staff report,

two units have been built and another two units have been reserved with active building permits of the six allowable. The two units that have been built are located at the concrete batch plant, adjacent to the proposed cultivation facility's parcel. Inhabitants of the caretaker's units could be potential receptors, however odor from the indoor cannabis cultivation facility utilizing the mitigation measures described above should not be more obnoxious than the other industrial uses on parcels in the SBP.

13.070 F. Signage.

A Sign Plan shall be required to demonstrate compliance with General Plan Land Development Regulations, Chapter 4.190 Signs, and Chapter 7 Signs.

The project does not propose any signage.

13.070 G. Visual Screening.

All Cannabis, Cannabis Products and Cannabis Accessories shall be screened from view from a public right of way to the best of the Permittee's ability.

All cultivation activities will occur inside the facility and cultivation activities are further enclosed in light-tight climate-controlled environments that will have zero visibility from outside the facility. Deliveries and pickups of cannabis products or anything related to cultivation will occur inside the gated property and will utilize the shipping/receiving roll-up doors. The front of the building will be screened from the interior street by an 8' high "Verti-Crete" ledge stone wall with an 8'-high entrance gate composed of steel, wrought iron, or wide mesh galvanized chain link. The remaining sides of the property, excluding the east and south sides that are screened and enclosed by the PMZ, will utilize fencing constructed of galvanized chain-link with dark brown plastic slats. Additionally, the concave topography of the SBP, coupled with the SBP building height limit of 30 feet for pitched-roof structures, will ensure that the facility is not visible from US Highway 395 and will maintain the scenic nature of the Highway 395 corridor.

13.070 H. Lighting.

All commercial cannabis activities shall comply with General Plan Land Use Element Chapter 23 – Dark Sky Regulations regardless of activity type or Premise location.

All exterior lighting will be in compliance with the Sierra Business Park Specific Plan. Exterior lighting will comply with Chapter 23 Dark Sky Regulations and be held to the minimum necessary to assure the safety of all persons on site and for lot visibility from the exterior by local police or other patrols.

13.070 I. Parking.

A Parking Plan depicting availability and requirements for parking shall be submitted. The Plan shall demonstrate the provision of adequate on-site parking for all employees and allow for loading and unloading.

The site plan provides 16 paved parking spaces, including 15 employee spaces for the maximum number of employees that will each be 10' x 20' in size plus one ADA-compliant space. The site provides adequate parking and space for loading areas, if the Planning Commission finds that the project qualifies under the "other" category in Chapter 6, Parking, Table 06.010 Required Number

of Parking Spaces (see Figure 5) and approves staff-recommended parking requirement for this project (see Sierra Business Park Specific Plan Consistency section below for discussion).

13.070 J. Noise.

Noise generation shall comply with the Mono County General Plan Noise Element and Mono County Code, Chapter 10.16.

The project is not expected to generate noise beyond that of similar industrial operations in the Sierra Business Park.

13.070 K. Fire Protection.

The project complies with the SBP fire sprinkler system requirements, has submitted a Fire Prevention Plan, and received a Provisional “Will Serve” letter from the Long Valley Fire Protection District. The Conditions of Approval require the project to adhere to requirements of the Fire Protection District and obtain a Final “Will Serve” Letter.

13.070 L. Security Plan.

A Security Plan was submitted as part of the application and has been submitted for review and approval by the Mono County Sheriff’s Department. Approval of the Security Plan will be required before the Cannabis Operations Permit is finalized.

13.070.M. Water Conservation.

BVI estimates their water use will be 800 to 1,000 gallons per day (gpd) by the third year of operation (see “2.7.2.1 Water Supply and Use” in Initial Study). In order to reduce the amount of water needed for the cultivation facility, a Reverse Osmosis (RO) system will be installed to reclaim and reuse wastewater from cultivation operations. This closed-loop system would drain all wastewater from the grow areas into a holding tank separate from the septic system where it would be reclaimed by running it through the RO system and the filtered water would be reused for cultivation operations. Please see section “2.7.2.2. Wastewater and Sewage” in the Initial Study for discussion (Attachment 2).

The SBPOA issued a “Will Serve” Letter based on BVI’s estimated maximum water use. The project applicant has also obtained a “Will Serve” Letter from Mountain Meadows Mutual Water Company (MMMWC) as alternative water supplier while SBPOA brings its water system into compliance with the Division of Drinking Water. The contract with MMMWC will be utilized until the SBPOA water system is fully permitted and operational after which the SBPOA will be the sole water provider for this project.

13.080 A. Setbacks.

The project meets applicable setback requirement set forth in the SBP SP (see Sierra Business Park Specific Plan Consistency section below for discussion).

13.080 B. Lighting.

Exterior lighting would consist of only lights required for safety and lot visibility from the exterior by local police or other patrols and would comply with the county’s Dark Sky Regulations. Grow areas will not have windows and all cultivation activities will take place in climate-controlled light-sealed rooms ensuring that the light produced in the grow areas will not be visible from the exterior

of the building. Please see section “2.5.3. Light and Signage” in Initial Study (Attachment 2) for more details.

13.080 C. Dust Control.

Dust control measures shall be utilized on access roads and all ground-disturbing activities shall be conducted in compliance with the Great Basin Unified Air Pollution Control District regulations, Mono County grading requirements, and will implement dust control mitigation measures from the SBP EIR.

13.080 D. Canopy Area.

BVI has provided a site plan identifying the location and square footage of all cultivation-related rooms in the proposed facility. The facility proposes a maximum of 10,000 square feet of flowering canopy area and the Conditions of Approval require that the canopy area not exceed 10,000 square feet without approval from the Mono County Planning Commission.

13.080 E. Hazardous Substances.

In no case shall any hazardous, flammable, or explosive substance be used to process or manufacture Cannabis Products on the premises unless all necessary permits have been obtained from all the appropriate agencies.

13.080 F. Closed to General Public.

Cannabis cultivation premises shall be inaccessible by the general public unless supervised by the permittee.

13.080 G. Building Use.

The proposed building is not intended for residential use, and in no case shall a residential building be used for cultivation as part of this project.

13.080 H. Energy & Quality Control.

The project proposes to install solar panels on the building rooftop to offset electrical uses during operation. Please see section “2.5.4.3. Energy Supply and Use” in the Initial Study (Attachment 2) for discussion.

The use of a unique identifier as well as inventory and quality control procedures will be analyzed as part of the Operations Permit.

SIERRA BUSINESS PARK SPECIFIC PLAN

Please click the link below to access the full text of the Sierra Business Park Specific Plan:
<https://www.monocounty.ca.gov/planning/page/sierra-business-park-specific-plan-july-2014>

The project is compatible with the purpose and objectives of the SBP SP, which seeks to provide for industrial uses while protecting the scenic resources in the region and along the Highway 395 scenic corridor. Cannabis-related industrial uses are not currently included in the SBP SP; however, an indoor cannabis cultivation facility is similar to and not more obnoxious than the uses currently approved in the SBP SP. The General Regulations 2.1 & 2.2 in the SBP SP state that in the case of the SP being silent on development standards, guidelines, or regulations, the Mono County General Plan shall prevail. As discussed above, the General Plan allows for cannabis

cultivation in I land use designations subject to Chapter 13, a use permit, and Mono County Code 5.60.

The location of the proposed project is consistent with the purpose and objectives of the SBP SP. Adequate site area exists for the proposed use and lot coverage is 58% (calculated by the amount of impermeable surface), which is well below the 80% maximum allowable coverage for lots in SBP. The indoor cultivation facility does not encroach on setbacks and provides a 25' side-yard setback on the west (exceeding the 10' SBP SP standard), 36' front-yard setback (exceeding the 20' SBP SP standard), and maintains the width of the Perimeter Maintenance Zone (PMZ) in the east and rear yard, as required. The project provides 3,347 square feet of snow storage, which is above the 2,449-square foot minimum required by the SBP Design Standards (25% of the area from which snow is to be removed). The proposed 29' 7" building height is below the 30-foot maximum building height for pitched-roof structures in SBP. The fencing and screening requirements are in compliance with SBP SP (see 13.070 G. Visual Screening discussion below).

The site plan provides 16 total parking spaces, 15 employee spaces plus one ADA-compliant space and provides proper loading areas in front of both roll-up doors. All employee parking spaces will each be 10' x 20' in size and all parking and drive areas will be paved. The site provides adequate parking and space for loading areas, if the Planning Commission finds that the project qualifies under the “other” category in Chapter 6, Parking, Table 06.010 Required Number of Parking Spaces (see Figure 5) and approves these recommended parking requirement for this project which was based on 13.070.I of the General Plan. Table 06.010 specifies the required number of parking spaces based on broad use categories; however, the proposed cannabis cultivation facility does not fit neatly into any of the existing categories. The two closest categorical matches to the proposed project are “manufacturing & industrial uses” and “warehouse, wholesale stores” which would both require 21 parking spaces for this project. However, under the “other” category in Table 06.010, which specifies that “for any uses not specifically mentioned herein, the Commission shall determine the number or amount of parking required,” the cannabis regulations standard under 13.070.I. could be applied, which requires adequate parking for the maximum number of employees plus one ADA space.

FIGURE 7: TABLE 06.010 REQUIRED NUMBER OF PARKING SPACES

Bed-and-Breakfast Establishments	In MFR-H, CL or C land use designations, same as Commercial Lodging.
Car Wash	One space for each bay.
Commercial Lodging	One space per sleeping room plus one space for each two employees on largest shift.
General Retail, Services & Offices	One space for each 200 sq. ft. of gross leasable floor area. No fewer than two spaces.
Guest Parking for Mobile-Home Parks	One space for each 10 lots.
Guest Parking for Multifamily	One space for each six units, no fewer than two.
Manufacturing & Industrial Uses	Two spaces for each three employees on largest shift, not fewer than one space for each 1,000 sq. ft. of gross floor area.
Other	For any uses not specifically mentioned herein, the Commission shall determine the number or amount of parking required.
Public Assembly (e.g., churches, theaters, community centers)	One space for each four seats, no fewer than one space for each 100 sq. ft. of largest room.
Residential Unit	Two spaces per unit. Tandem parking allowed for SFR and Accessory Units.
Restaurants, Bars & Food Carts	One space for each three seats plus one space for each employee on largest shift.
Schools, Academies	Two spaces for each classroom.
Service Stations, Automobile Repair	Two spaces for each working bay plus one space for each employee on largest shift.
Warehouse, wholesale stores	One space for each 1000 sq. ft.

PUBLIC HEARING NOTICE

A public hearing notice was published in the May 30, 2019, issue of the Mammoth Times and the June 1, 2019, issue of The Sheet (Attachment 3) and was mailed to surrounding property owners within 300 feet of the proposed project. At the time of this staff report no public comment was received.

USE PERMIT FINDINGS

In accordance with Mono County General Plan, Chapter 32, Processing-Use Permits, the Planning Commission may issue a Use Permit after making certain findings.

Section 32.010, Required Findings:

1. *All applicable provisions of the Mono County General Plan are complied with, and the site of the proposed use is adequate in size and shape to accommodate the use and to accommodate all yards, walls and fences, parking, loading, landscaping and other required features because:*
 - a. This project complies with all applicable provisions in of the Mono County General Plan and the SBP SP (see discussion in General Plan Consistency and Sierra Business Park Specific Plan Consistency sections above). The SBP SP is silent on cannabis uses, and therefore the General Plan prevails.

2. *The site for the proposed use related to streets and highways is adequate in width and type to carry the quantity and kind of traffic generated by the proposed use because:*
 - a. The parcel is accessed by Industrial Circle via Highway 395 and is adequate for the kind of traffic generated by the proposed use. Industrial Circle and Highway 395 are used for accessing existing industrial businesses in the Mammoth Vicinity. Parking is provided for the maximum number of employees (15) plus one ADA-compliant parking space.
 - b. The proposed project is not expected to generate significant amounts of traffic to alter existing circulation patterns or cause a nuisance for adjacent property owners.
3. *The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located because:*
 - a. The proposed use is not expected to cause significant environmental impacts or be detrimental to surrounding property. Elements peculiar to cannabis, including odors and lighting, have been analyzed through the 15183 CEQA exemption process, and have been found to have no impacts beyond the scope of mitigation measures outlined in the Mono County General Plan EIR.
 - b. The proposed project is a conforming use according to the Mono County General Plan's Land Use Element and the Sierra Business Park Specific Plan and meets the cannabis regulations of the General Plan.
4. *The proposed use is consistent with the map and text of the Mono County General Plan because:*
 - a. The proposed use is consistent with the General Plan, the Mammoth Vicinity Area Plan and the SBP SP (see discussion in the General Plan Consistency and Sierra Business Park Specific Plan sections above).
 - b. Indoor cannabis cultivation is permitted in industrial land use designations, given they meet the criteria set forth by Chapter 13 and subject to Mono County Code 5.60.
 - c. The project is located within the SBP SP and the Mammoth Vicinity Planning Area. Both the SBP SP and the Mammoth Vicinity Area encourage industrial uses within existing development areas that do not impact the scenic resources of the region or the Highway 395 scenic corridor.

ATTACHMENTS

All files are available at <https://www.monocounty.ca.gov/planning/page/bask-ventures-inc-indoor-cannabis-cultivation> or by calling 760-924-1800.

- Attachment 1: Site Plan
- Attachment 2: Initial Study (IS Appendices are posted online only)
- Attachment 3: Public Hearing Notice

MONO COUNTY

Planning Division

DRAFT NOTICE OF DECISION & USE PERMIT

USE PERMIT: UP 18-014

APPLICANT: BASK Ventures, Inc.

ASSESSOR PARCEL NUMBER: 037-260-004

PROJECT TITLE: BASK Ventures, Inc. Indoor Cannabis Cultivation

PROJECT LOCATION: 474 Industrial Circle, Mammoth Lakes, CA 93546

CONDITIONS OF APPROVAL

See attached Conditions of Approval

ANY AFFECTED PERSON, INCLUDING THE APPLICANT, NOT SATISFIED WITH THE DECISION OF THE COMMISSION, MAY WITHIN TEN (10) DAYS OF THE EFFECTIVE DATE OF THE DECISION, SUBMIT AN APPEAL IN WRITING TO THE MONO COUNTY BOARD OF SUPERVISORS.

THE APPEAL SHALL INCLUDE THE APPELLANT'S INTEREST IN THE SUBJECT PROPERTY, THE DECISION OR ACTION APPEALED, SPECIFIC REASONS WHY THE APPELLANT BELIEVES THE DECISION APPEALED SHOULD NOT BE UPHELD AND SHALL BE ACCCOMPANIED BY THE APPROPRIATE FILING FEE.

DATE OF DECISION/USE PERMIT APPROVAL: June 20, 2019

EFFECTIVE DATE USE PERMIT: July 1, 2019

This Use Permit shall become null and void in the event of failure to exercise the rights of the permit within one (1) year from the date of approval unless an extension is applied for at least 60 days prior to the expiration date.

Ongoing compliance with the above conditions is mandatory. Failure to comply constitutes grounds for revocation and the institution of proceedings to enjoin the subject use.

MONO COUNTY PLANNING COMMISSION

DATED: June 20, 2019

cc:	<u>X</u>	Applicant
	<u>X</u>	Public Works
	<u>X</u>	Building
	<u>X</u>	Compliance

CONDITIONS OF APPROVAL

Use Permit 18-014/BASK Ventures Inc. Indoor Cannabis Cultivation

1. All development shall meet requirements of the Mono County General Plan, Mono County Code, and project conditions.
2. Project shall comply with Chapter 13, Cannabis Regulations.
3. The project is required to obtain a Mono County Cannabis Operations Permit pursuant to Mono County Code 5.60 and appropriate state licensing prior to commencing operation. A copy of state licenses shall be provided to the Mono County Community Development Department.
4. The project shall be in substantial compliance with the project description and the site plan (Attachment 1) of the staff report. A caretaker's unit has not been approved as part of this site plan and as such employees may not live on the premises. A future caretaker's unit may be approved pursuant to the conditions and manner described in the Sierra Business Park Specific Plan.
5. All exterior lighting must comply with Chapter 23, Dark Sky Regulations.
6. Number of employees shall not exceed 15 unless a new parking plan is approved by the Planning Commission.
7. There shall be no expansion of cannabis uses, and canopy area shall not exceed 10,000 square feet without approval from the Mono County Planning Commission.
8. Applicant must maintain active business license and tax certificate requirements.
9. Project is required to comply with requirements in the Sierra Business Park Specific Plan.
10. Construction for the project shall be contained within the boundaries of the parcel.
11. In the event of discovery or recognition of any human remains, all work shall be stopped, Mono County Community Development Department shall be notified immediately, and there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county has examined the site (California Health and Safety Code § 7050.5).
12. Project is required to comply with any requirements of the Long Valley Fire Protection District. The applicant shall provide a "will serve" letter from the Long Valley Fire Protection District indicating the FPD will provide service to the project.
13. Project is required to comply with requirements of the water system operator and the Will Serve Letters from the Sierra Business Park Owner's Association (SBPOA) and Mountain Meadows Mutual Water Company. The Mountain Meadows Mutual Water Company will be utilized until the SBPOA water system is fully operational after which the SBPOA will be the sole water provider for this project.
14. Project shall comply with all Mono County Building Division, Public Works, and Environmental Health requirements.
15. If any of these conditions are violated, this permit and all rights hereunder may be revoked in accordance with Section 32.080 of the Mono County General Plan, Land Development Regulations.

SITE PLAN / ROOF PLAN COVER INFORMATION

GREEN TEAM HOLDING, LLC - GROW FACILITY

CONTACT: BRIAN HERMAN
PROJECT ADDRESS:
APN: 037-260-004 0000

REVISIONS

AUG. 2018
SCALE:
DRAWN: CWT/CJO
PRINTED: 6.05.19
SHEET

A1.0

DESIGN DIMENSION ASSOCIATES HEREBY RESERVES ITS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS, IDEAS, AND DESIGNS. THESE PLANS, IDEAS, AND DESIGNS ARE NOT TO BE REPRODUCED, CHANGED, OR USED WITHOUT FIRST OBTAINING WRITTEN PERMISSION FROM DESIGN DIMENSION & ASSOC.

LEGAL DESCRIPTION

Lot 4 Sierra Business Park
ASSSESSOR PARCEL NUMBER: 037.260.004.0000
474 Industrial Circle
Mammoth Lakes, CA. 93546

OWNER

GREEN TEAM HOLDING, LLC
413 Pipes Ln.
Encinitas, CA. 92024
PH. 858.395.4384
Contact: BRIAN HERMAN

DESIGNER

DESIGN DIMENSION ASSOC., INC.
CRAIG TAPLEY/ DESIGNER
PO BOX 7193
MAMMOTH LAKES, CA. 93546
760.934.4348

ENGINEER

DESIGN DIMENSION ASSOC., INC.
JEFFREY PRITCHETT, PE.
208 PEPERELL CT.
VACAVILLE, CA. 95688
CL 707.567.1006

SCOPE OF WORK

SPECIAL INSPECTIONS

DEFERRED SUBMITTAL ITEMS

CODE COMPLIANCE

EXISTING TYPE V-A, 1 HR RATED STEEL, NEW SPRINKLERS
TRUSS ROOF, 1 HR SEPARATIONS PER PLAN
2016 CALIF. BLDG. CODE WHICH ADOPTS 2015 IBC, CFC 2016,
2016 CMC, 2016 CPC AND 2016 CEC.
F-1 PRODUCTION B- OFFICE
INDUSTRIAL / COMMERCIAL USE
MONO COUNTY BLDG DEPT. 760.924.1809/
BRENT CALLOWAY- PERMIT PROCESSING

CONSTRUCTION
CODE COMPLIANCE
OCCUPANCY ZONE
JURISDICTION

30'-0" SETBACK

30'-0" PERIMETER MAINTENANCE ZONE EASEMENT LINE
EASEMENT #1, MB 1079

15 SPACES
1,838 SQ.FT.

14
13
12
11
10
9
8
7
6
5
4
3
2
1

ADA
A4.0
ADA AISLE
ADA

CONSTRUCT WATER RETENTION
SYSTEM UNDER PAVING-
FUTURE MODEL TO BE ITEMIZED

WAREHOUSE CULTIVATION FACILITY WITH MAXIMUM 10 EMPLOYEES.

14 REGULAR SPACES
1 VAN ASSEC. SPACE

TOTAL PARKING PROVIDED
ADA PARKING PROVIDED

NOTE: ALL PARKING IS REFLECTED AS REQUIRED FOR ACTUAL "15" EMPLOYEES.

THE PARKING SPACES PROVIDED ARE STRICTLY FOR EMPLOYEES NO PUBLIC SALES ON SITE.

ALL ADDITIONAL PARKING ARE INTENDED FOR CUSTOMERS WITH
2 ADDITIONAL GUEST SPACES AND 1 ADA STANDARD SPACE.

PARKING REQUIREMENTS

PROPOSED BUILDINGS 21,710 SQ.FT.

PROVIDED - 13 REG. SPACES

GUEST - 2 REG. SPACES

HANDICAP - 1 ADA/ACCESS

WAREHOUSE CULTIVATION FACILITY WITH MAXIMUM 10 EMPLOYEES.

14 REGULAR SPACES

1 VAN ASSEC. SPACE

ADA PARKING PROVIDED

FUTURE MODEL TO BE ITEMIZED

THE PARKING SPACES PROVIDED ARE STRICTLY FOR EMPLOYEES NO PUBLIC SALES ON SITE.

ALL ADDITIONAL PARKING ARE INTENDED FOR CUSTOMERS WITH
2 ADDITIONAL GUEST SPACES AND 1 ADA STANDARD SPACE.

COVERAGE ANALYSIS

TOTAL LOT AREA 100% 50,421 SQ.FT.

ALLOWABLE COVERED AREA 80% 40,336.8 SQ.FT.

PROPOSED BUILDING AREA/ FOOTPRINT 19,787 SQ.FT.

PROPOSED PAVED/PARKING & DRIVE AREA 9,791 SQ.FT.

ACTUAL COVERED TOTAL AREA 58.7% 29,578 SQ.FT.

SNOW STORAGE (9,791 x .25) 2,448 SQ.FT.

ACTUAL STORAGE PROVIDED 4,169 SQ.FT.

COMPLETE SLOPE

3 X20' LEACH INFILTRATORS
FUTURE MODEL TO BE ITEMIZED

ORENCO AX20RT- TREATMENT UNIT
FUTURE MODEL TO BE ITEMIZED

SEPTIC TANK- IM180 WI ORENCO
NO TUBE EFFLUENT FILTER
FT0822-14B

4' 0" SEWER LATERAL

10'-0" SETBACK

SNOW STORAGE
1,509 SQ.FT.

388'-10" LINE

135'-4" LINE

31'-0 9/16" LINE

40'-0" SETBACK

264.06' N00°18'38"W

EASEMENT LINE, EASEMENT #1, MB1079

30'-0" SETBACK

30'-0" PERIMETER MAINTENANCE ZONE EASEMENT LINE, EASEMENT #1, MB1079

15 SPACES
1,838 SQ.FT.

14
13
12
11
10
9
8
7
6
5
4
3
2
1

ADA
A4.0
ADA AISLE
ADA

CONSTRUCT WATER RETENTION
SYSTEM UNDER PAVING-
FUTURE MODEL TO BE ITEMIZED

WAREHOUSE CULTIVATION FACILITY WITH MAXIMUM 10 EMPLOYEES.

14 REGULAR SPACES

1 VAN ASSEC. SPACE

ADA PARKING PROVIDED

FUTURE MODEL TO BE ITEMIZED

THE PARKING SPACES PROVIDED ARE STRICTLY FOR EMPLOYEES NO PUBLIC SALES ON SITE.

ALL ADDITIONAL PARKING ARE INTENDED FOR CUSTOMERS WITH
2 ADDITIONAL GUEST SPACES AND 1 ADA STANDARD SPACE.

ACTUAL COVERED TOTAL AREA 58.7% 29,578 SQ.FT.

SNOW STORAGE (9,791 x .25) 2,448 SQ.FT.

ACTUAL STORAGE PROVIDED 4,169 SQ.FT.

COMPLETE SLOPE

3 X20' LEACH INFILTRATORS
FUTURE MODEL TO BE ITEMIZED

ORENCO AX20RT- TREATMENT UNIT
FUTURE MODEL TO BE ITEMIZED

SEPTIC TANK- IM180 WI ORENCO
NO TUBE EFFLUENT FILTER
FT0822-14B

4' 0" SEWER LATERAL

10'-0" SETBACK

SNOW STORAGE
1,509 SQ.FT.

388'-10" LINE

135'-4" LINE

31'-0 9/16" LINE

40'-0" SETBACK

264.06' N00°18'38"W

EASEMENT LINE, EASEMENT #1, MB1079

15 SPACES
1,838 SQ.FT.

14
13
12
11
10
9
8
7
6
5
4
3
2
1

ADA
A4.0
ADA AISLE
ADA

CONSTRUCT WATER RETENTION
SYSTEM UNDER PAVING-
FUTURE MODEL TO BE ITEMIZED

WAREHOUSE CULTIVATION FACILITY WITH MAXIMUM 10 EMPLOYEES.

14 REGULAR SPACES

1 VAN ASSEC. SPACE

ADA PARKING PROVIDED

FUTURE MODEL TO BE ITEMIZED

THE PARKING SPACES PROVIDED ARE STRICTLY FOR EMPLOYEES NO PUBLIC SALES ON SITE.

ALL ADDITIONAL PARKING ARE INTENDED FOR CUSTOMERS WITH
2 ADDITIONAL GUEST SPACES AND 1 ADA STANDARD SPACE.

ACTUAL COVERED TOTAL AREA 58.7% 29,578 SQ.FT.

SNOW STORAGE (9,791 x .25) 2,448 SQ.FT.

ACTUAL STORAGE PROVIDED 4,169 SQ.FT.

COMPLETE SLOPE

3 X20' LEACH INFILTRATORS
FUTURE MODEL TO BE ITEMIZED

ORENCO AX20RT- TREATMENT UNIT
FUTURE MODEL TO BE ITEMIZED

SEPTIC TANK- IM180 WI ORENCO
NO TUBE EFFLUENT FILTER
FT0822-14B

4' 0" SEWER LATERAL

10'-0" SETBACK

SNOW STORAGE
1,509 SQ.FT.

388'-10" LINE

135'-4" LINE

31'-0 9/16" LINE

40'-0" SETBACK

264.06' N00°18'38"W

EASEMENT LINE, EASEMENT #1, MB1079

15 SPACES
1,838 SQ.FT.

14
13
12
11
10
9
8
7
6
5
4
3
2
1

ADA
A4.0
ADA AISLE
ADA

CONSTRUCT WATER RETENTION
SYSTEM UNDER PAVING-
FUTURE MODEL TO BE ITEMIZED

WAREHOUSE CULTIVATION FACILITY WITH MAXIMUM 10 EMPLOYEES.

14 REGULAR SPACES

1 VAN ASSEC. SPACE

ADA PARKING PROVIDED

FUTURE MODEL TO BE ITEMIZED

THE PARKING SPACES PROVIDED ARE STRICTLY FOR EMPLOYEES NO PUBLIC SALES ON SITE.

ALL ADDITIONAL PARKING ARE INTENDED FOR CUSTOMERS WITH
2 ADDITIONAL GUEST SPACES AND 1 ADA STANDARD SPACE.

ACTUAL COVERED TOTAL AREA 58.7% 29,578 SQ.FT.

SNOW STORAGE (9,791 x .25) 2,448 SQ.FT.

ACTUAL STORAGE PROVIDED 4,169 SQ.FT.

COMPLETE SLOPE

3 X20' LEACH INFILTRATORS
FUTURE MODEL TO BE ITEMIZED

ORENCO AX20RT- TREATMENT UNIT
FUTURE MODEL TO BE ITEMIZED

SEPTIC TANK- IM180 WI ORENCO
NO TUBE EFFLUENT FILTER
FT0822-14B

4' 0" SEWER LATERAL

10'-0" SETBACK

SNOW STORAGE
1,509 SQ.FT.

388'-10" LINE

135'-4" LINE

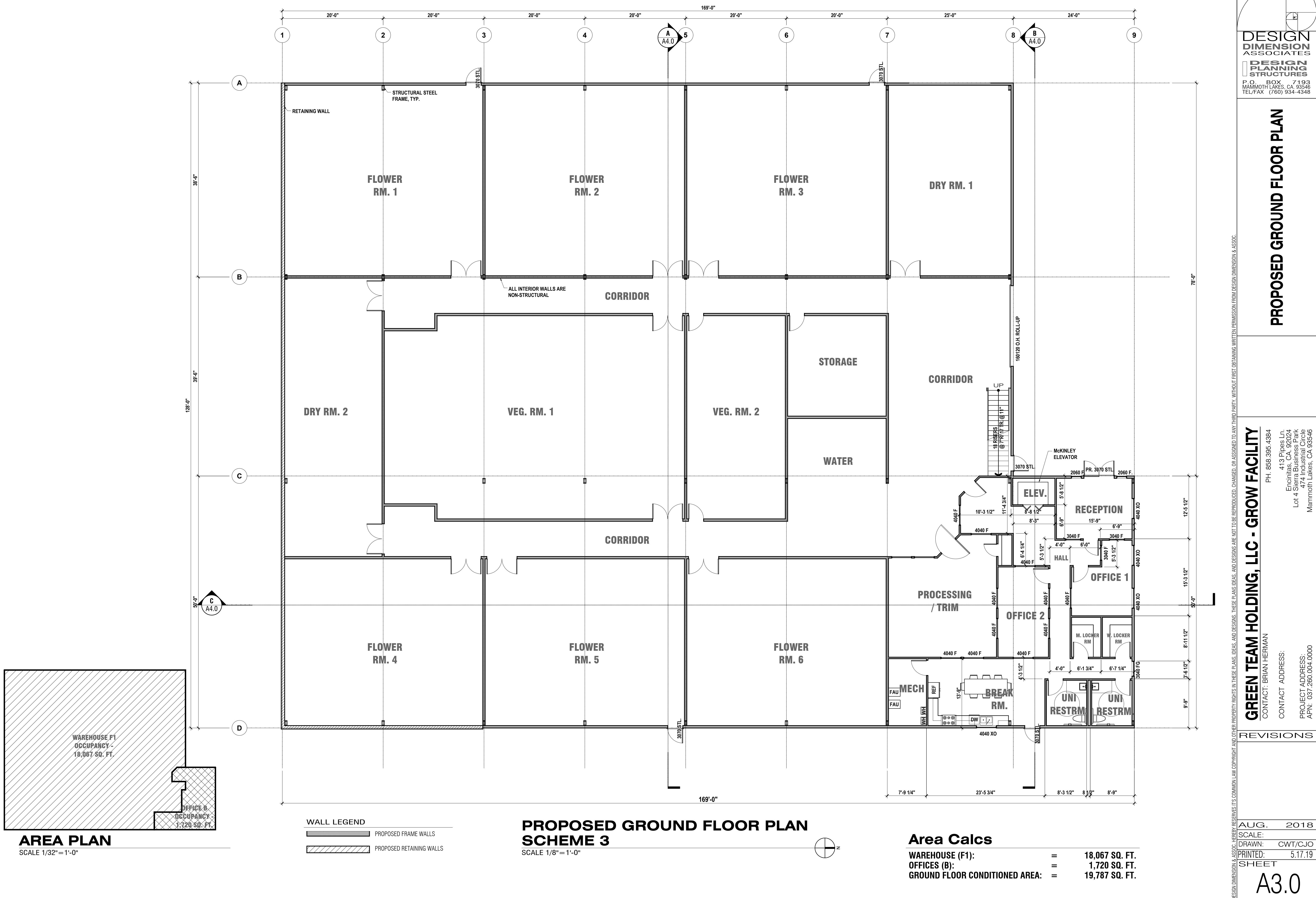
31'-0 9/16" LINE

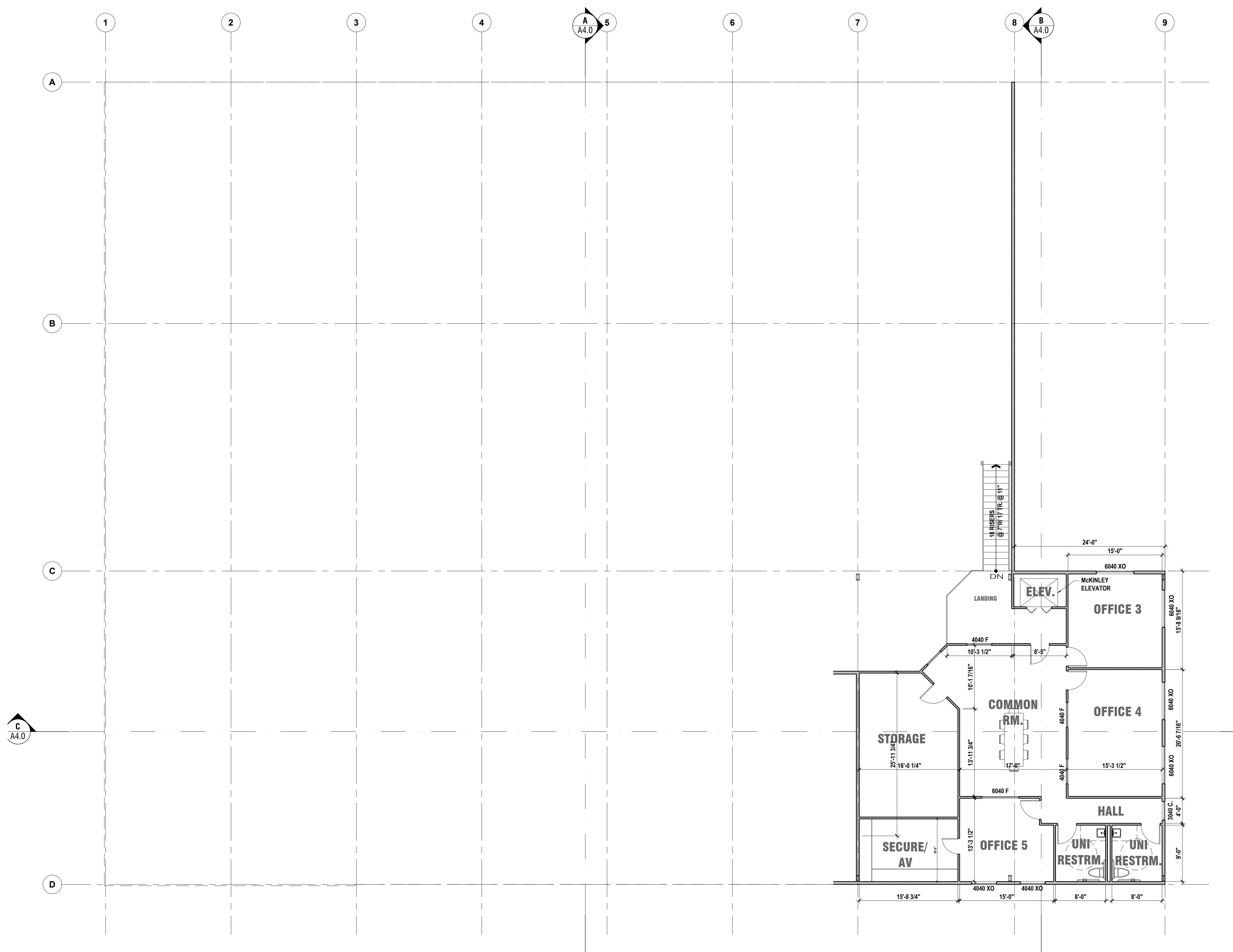
40'-0" SETBACK

264.06' N00°18'38"W

</div

PROPOSED GROUND FLOOR PLAN





**PROPOSED SECOND FLOOR PLAN
SCHEME 3**

SCALE 1/8"=1'-0"

WALL LEGEND
PROPOSED WOOD FRAME WALLS

Area Calcs
OFFICES (B): = 2,071 SQ. FT.

AUG. 2018
SCALE:
DRAWN: CWT/CJO
PRINTED: 5.17.19
SHEET

A3.1

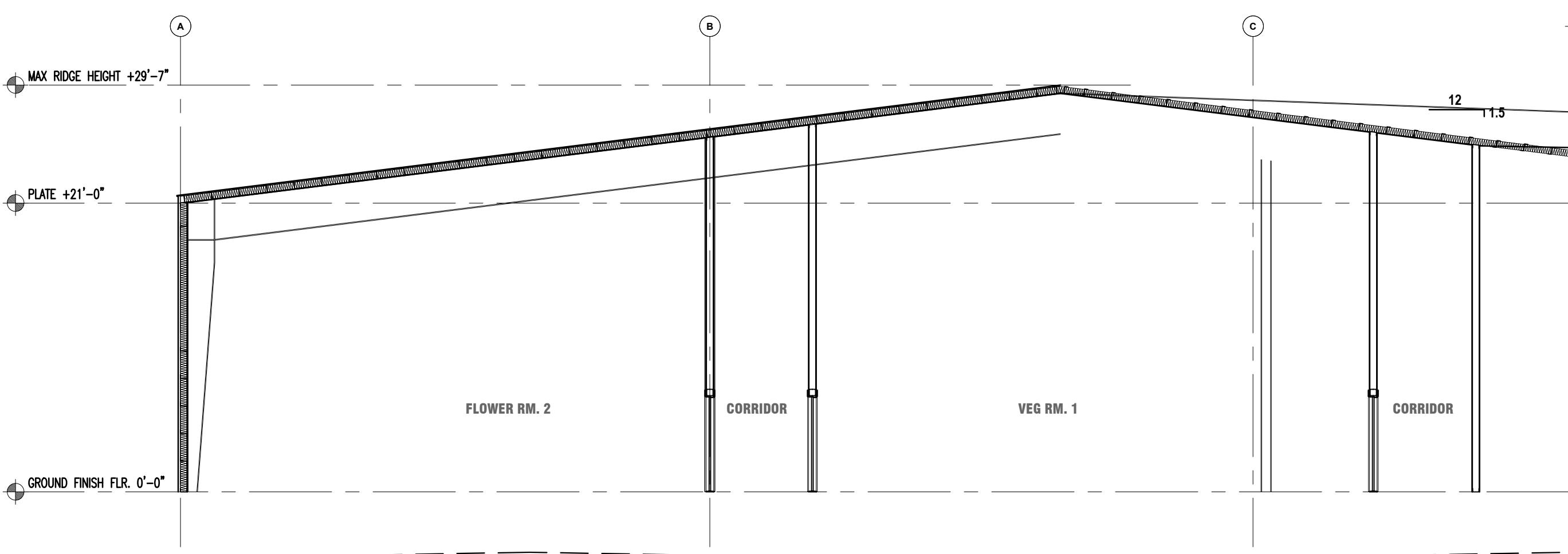
DESIGN DIMENSION ASSOCIATES
P.O. BOX 793
MAMMOTH LAKES, CA 93546
TEL/FAX (760) 934-4348

GREEN TEAM HOLDING, LLC - GROW FACILITY
PH. 858-396-4384
412 Ropes Ln.
Enchanted, CA 92044
Lot 4 Sierra Business Park
274 Industrial Circle
Mammoth Lakes, CA 93546

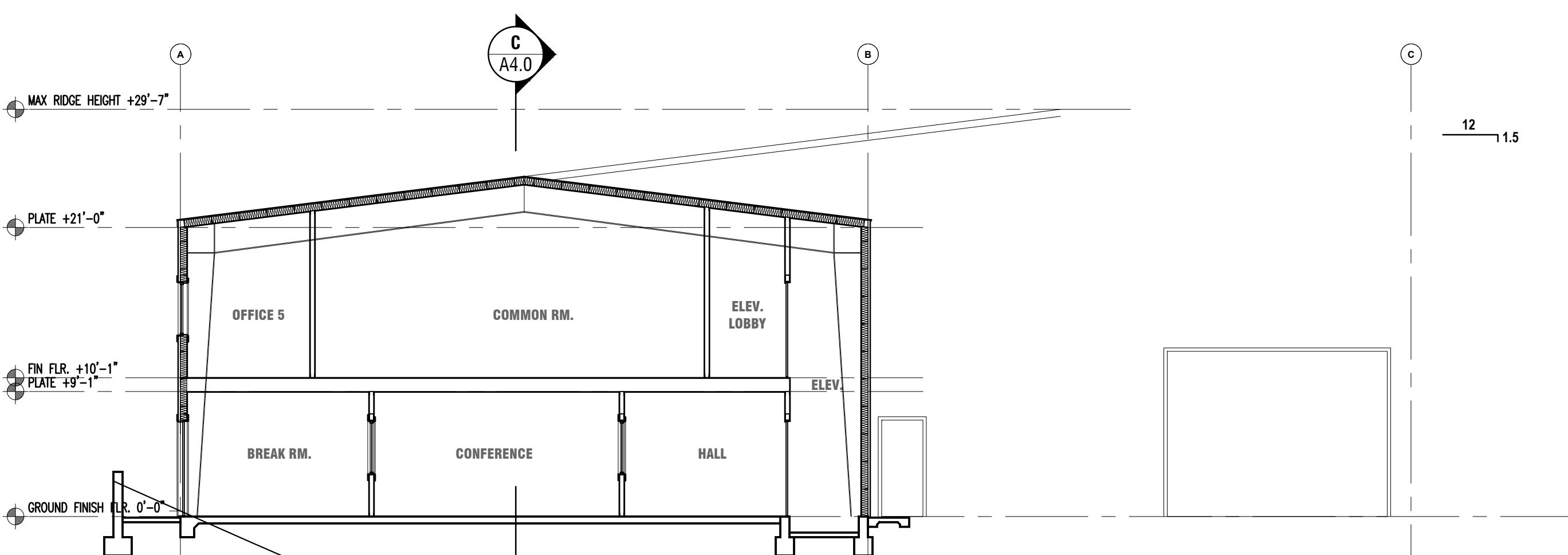
CONTACT: BRIAN HERMAN
PROJECT ADDRESS:
APN: 037-260-004-0000

REVISIONS

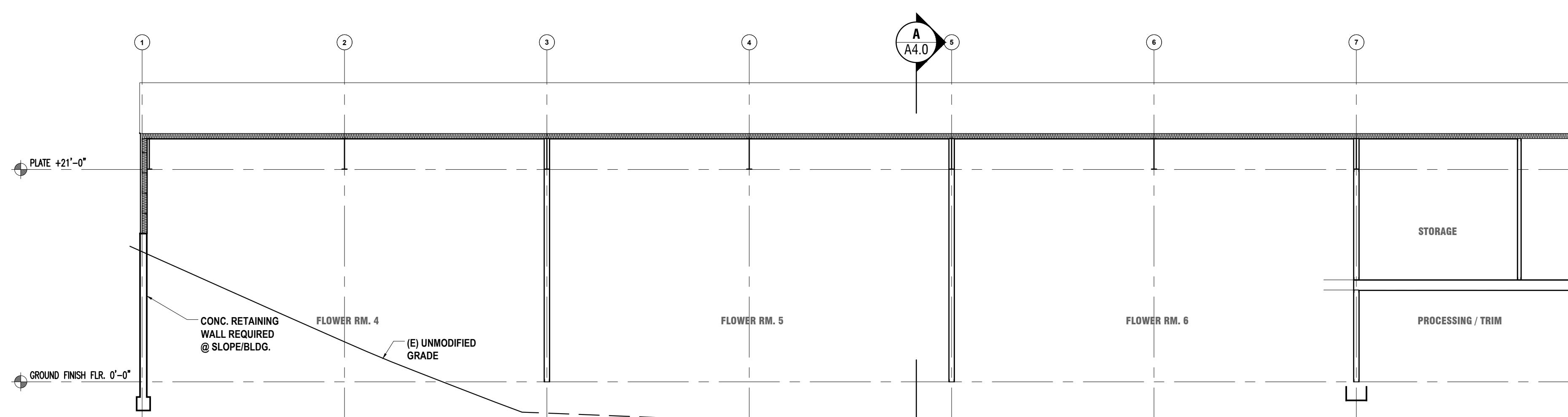
DESIGN DIMENSION ASSOC. HEREBY RESERVES IT'S COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS. IDEAS AND DESIGNS, THESE PLANS IDEAS, AND DESIGNS ARE NOT TO BE REPRODUCED, CHANGED, OR ASSIGNED, OR USED WITHOUT FIRST OBTAINING WRITTEN PERMISSION FROM DESIGN DIMENSION & ASSOC.

**PROPOS**

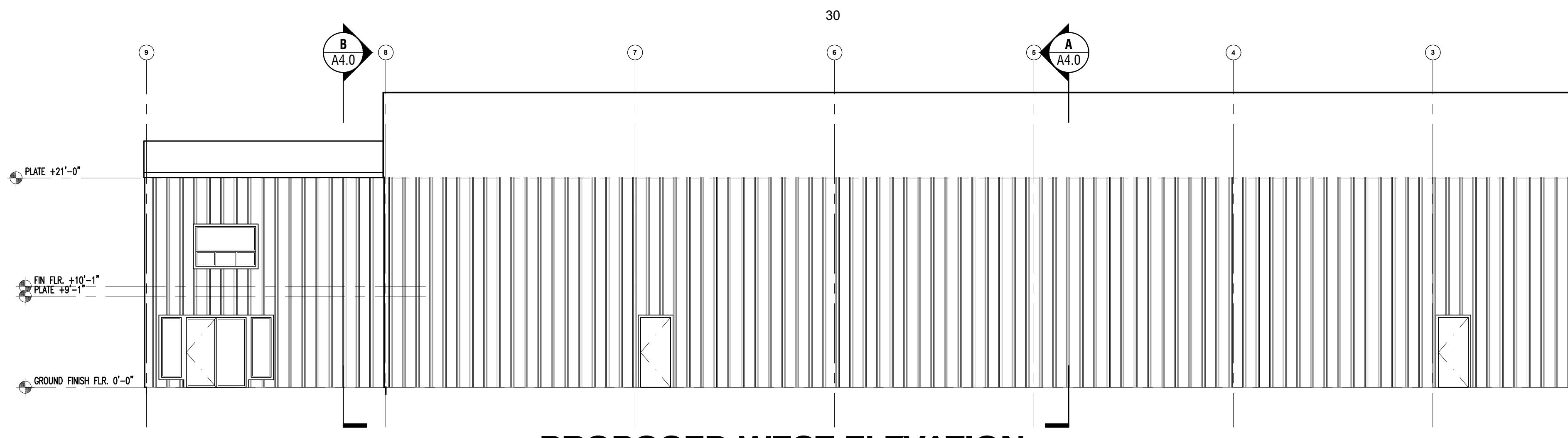
SCALE 1/8"=1'-0"

**PROPOSED**

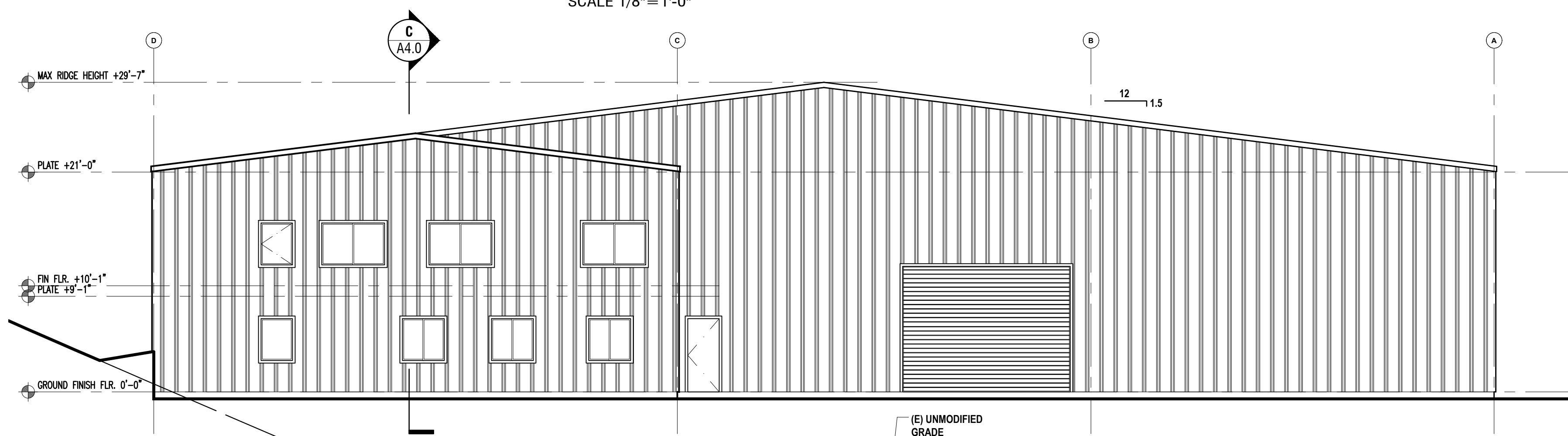
SCALE 1/8"=1'-0"

**PROPOSED**

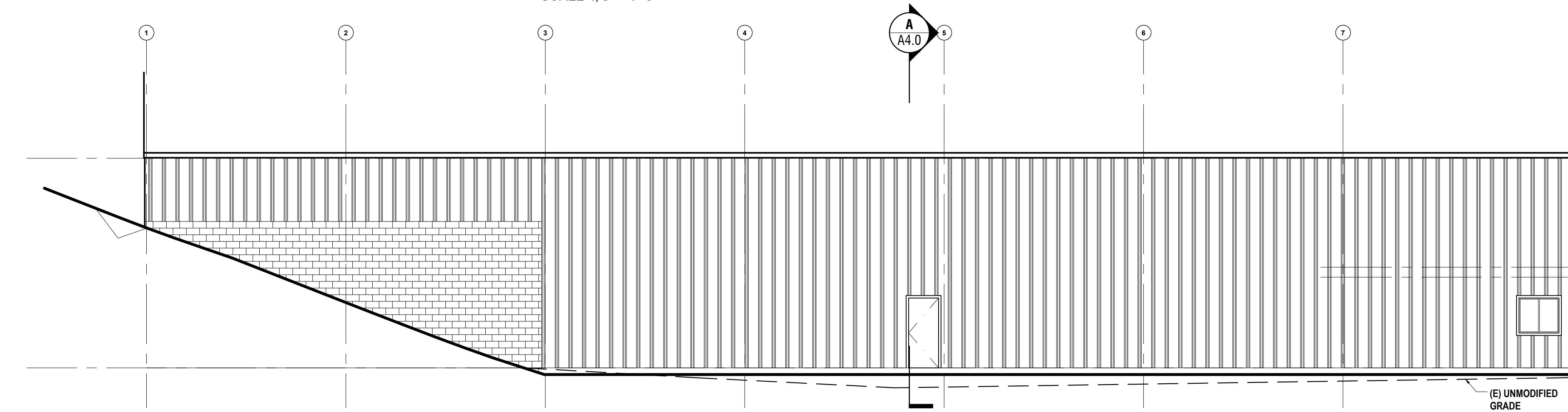
SCALE 1/8"=1'-0"



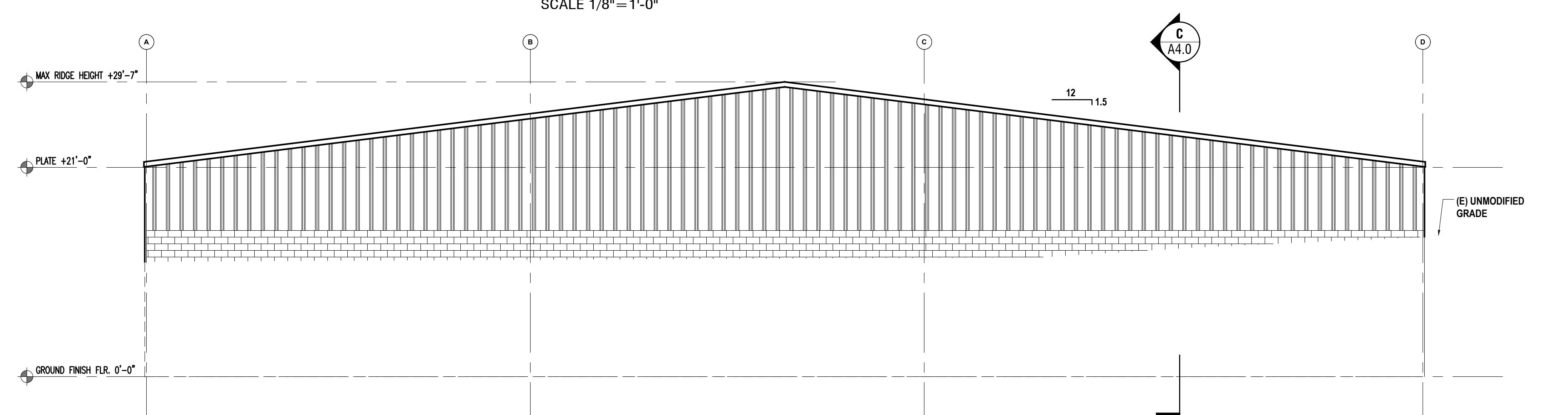
SCALE 1/8"=1'-0"



SCALE 1/8"=1'-0"



SCALE 1/8"=1'-0"



SCALE 1/8"=1'-0"

MONO COUNTY

<https://www.monocounty.ca.gov/planning/page/bask-ventures-inc-indoor-cannabis-cultivation>

June 2019

Mono County **BASK Ventures, Inc. Indoor Cannabis Cultivation Project**

Initial Study Checklist

June 2019

Prepared for:

Mono County Community Development Department
Planning Division
P.O. Box 347
Mammoth Lakes, CA 93546

Prepared by:

Panorama Environmental, Inc.
717 Market Street, Suite 650
San Francisco, CA 94103
650-373-1200
susanne.heim@panoramaenv.com

TABLE OF CONTENTS

1	Introduction.....	1-1
1.1	Application for Cannabis Use Permit.....	1-1
1.2	California Environmental Quality Act	1-1
2	Project Description	2-1
2.1	Overview	2-1
2.2	Project Location.....	2-1
2.3	Land Use Designations.....	2-1
2.4	Access.....	2-1
2.5	Project Facilities.....	2-4
2.6	Construction	2-8
2.7	Facility Operation	2-9
2.8	Agency Jurisdiction and Approvals.....	2-10
3	Environmental Analysis.....	3-1
3.1	Overview	3-1
3.2	Aesthetics	3-2
3.3	Agriculture and Forestry Resources.....	3-3
3.4	Air Quality	3-4
3.5	Biological Resources	3-7
3.6	Cultural Resources	3-9
3.7	Energy	3-10
3.8	Geology and Soils.....	3-11
3.9	Greenhouse Gas Emissions	3-13
3.10	Hydrology and Water Quality	3-14
3.11	Land Use and Planning.....	3-17
3.12	Mineral Resources.....	3-18
3.13	Noise	3-19
3.14	Population and Housing	3-20
3.15	Public Services.....	3-21
3.16	Recreation.....	3-23
3.17	Transportation.....	3-24
3.18	Tribal Cultural Resources.....	3-25

3.19	Utilities and Service Systems.....	3-27
3.20	Wildfire	3-29
3.21	Mandatory Findings of Significance	3-30
4	Determination	4-1
5	References	5-1

List of Figures

Figure 1-1	Regional Location.....	1-2
Figure 2-1	Project Site.....	2-2
Figure 2-2	Project Site Access.....	2-3
Figure 2-3	Cultivation Facility Layout: Ground Floor	2-5

List of Tables

Table 2-1	Operational Water Use	2-9
Table 2-2	Required Permits and Approvals	2-11

List of Appendices

Appendix A	Building Design
Appendix B	Operating Plan
Appendix C	Water Use Plan
Appendix D	Tract Map No. 36-159 Sierra Business Park Supplemental Sheet No. 1 & 2
Appendix E	Will Serve Letters
Appendix F	Conditional Waiver of Waste Discharge Requirements Notice of Applicability
Appendix G	Letter to Sierra Business Park Owners' Association

1 INTRODUCTION

1.1 APPLICATION FOR CANNABIS USE PERMIT

The project applicant, BASK Ventures, Inc. (BVI), is proposing to construct and operate an indoor cannabis cultivation facility (project) in the Sierra Business Park (SBP), located within unincorporated Mono County (Figure 1-1). In November 2016, Proposition 64 (the Adult Use of Marijuana Act) passed in all precincts of Mono County, and the majority of California. The Mono County Board of Supervisors approved General Plan Amendment 18-01, including Chapter 13 - Commercial Cannabis Activities, in April 2018. Chapter 13 requires that Mono County authorize a Conditional Use Permit and Cannabis Operation Permit prior to operation of a commercial cannabis activity. BVI filed an application for the Conditional Use Permit and Cannabis Operation Permit with Mono County on September 6, 2018.

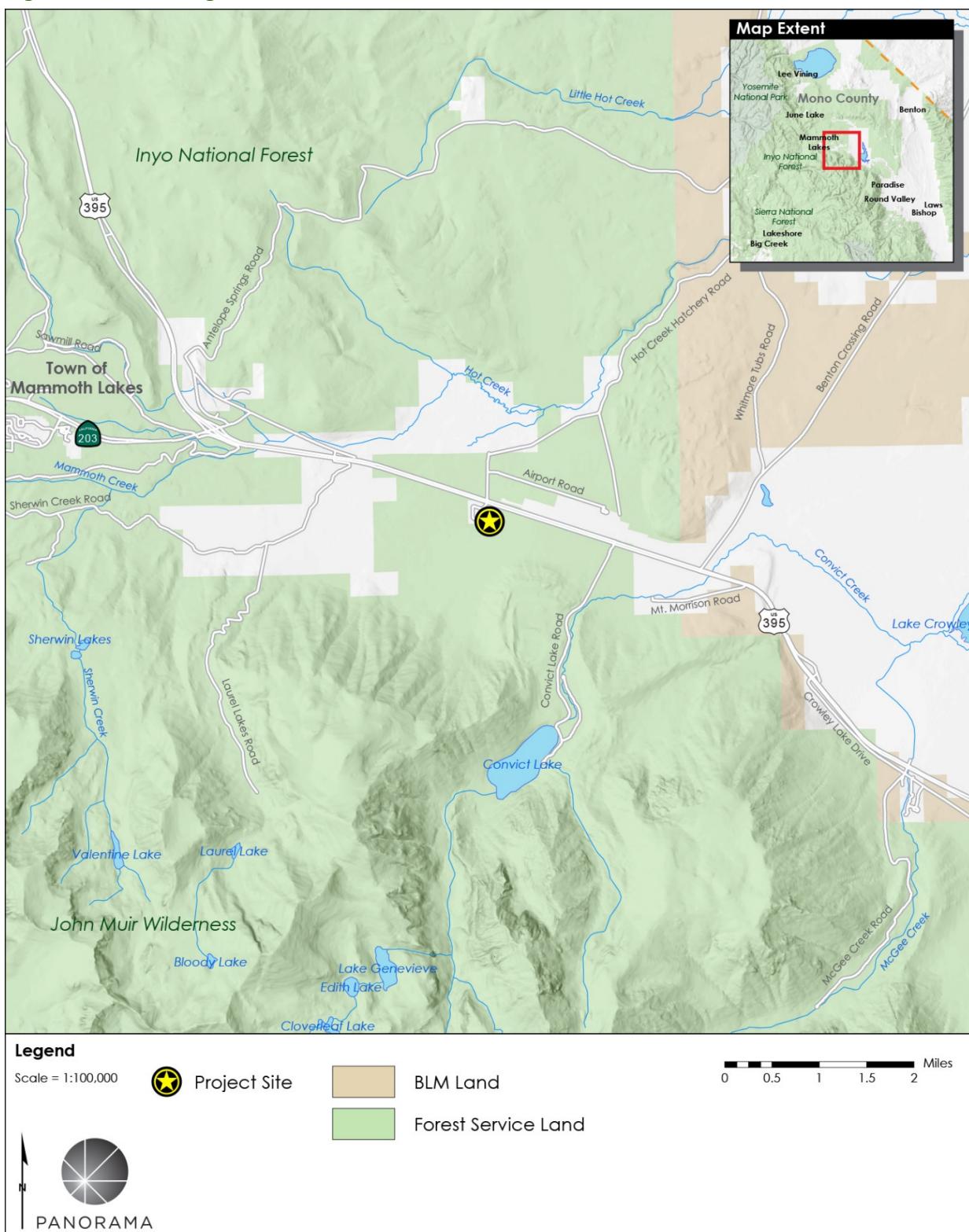
1.2 CALIFORNIA ENVIRONMENTAL QUALITY ACT

The California Environmental Quality Act (CEQA) requires public agencies to consider and analyze the potential environmental effects of activities that (a) involve the exercise of discretionary powers, (b) have potential to impact the environment, (c) meet the definition of a "project," and (d) are not categorically or statutorily exempt from CEQA. CEQA Guidelines §15183 provides a specific CEQA review process for qualifying projects that are consistent with a community plan or zoning. Under these regulations (reflected in California Public Resources Code (PRC) §21083.3 and CEQA Guidelines §15183), projects that are consistent with the development density of existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified shall be exempt from additional CEQA analysis except as may be necessary to determine whether there are project-specific significant effects that are peculiar to the project or site that would otherwise require additional CEQA review.

Mono County has existing land use, community plan, and general plan policies for which an EIR was certified; including:

- The Sierra Business Park Specific Plan Final Environmental Impact Report (FEIR) certified in 2000 (FEIR SCH#1997032100)
- The Mono County General Plan, Final Environmental Impact Report (FEIR) certified in 2015 (State Clearinghouse [SCH] #2014061029)

Figure 1-1 Regional Location



Sources: (US Geological Survey, 2013; U.S. Geological Survey, 2016; County of Mono, CA IT Department / GIS Division, 2018)

The SBP Specific Plan was adopted by the Mono County Board of Supervisors in 2000 and modified most recently in June 2014. The SBP Specific Plan FEIR contains an analysis of the development standards for future development of the SBP, consistent with the requirements established in Section 65451 of the California Government Code. The Sierra Business Park Specific Plan states that the General Plan should be the presiding document for issues not specifically referenced in the Specific Plan. In December 2017, the County approved Resolution R17-88 approving General Plan Amendment 17-03. The General Plan Amendment established Countywide policies governing cannabis activities in Mono County. Mono County General Plan cannabis regulations and Code Chapter 5.60 – Cannabis Operation was approved by the Board of Supervisors in April 2018 and provides regulations for the local permitting of commercial cannabis activities under specified conditions in the unincorporated areas of the County.

The Mono County Planning Division has prepared an Initial Study checklist to evaluate the project's consistency with the previous SBP EIR and General Plan EIR. As mandated by the CEQA Guidelines Section 15183, this checklist identifies whether environmental effects of the project:

1. Are peculiar to the project or the parcel on which the project would be located;
2. Were not analyzed as significant effects in a prior EIR on the land use, general plan, or community plan, with which the project is consistent;
3. Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the General Plan, community plan or zoning action; or
4. Are previously identified significant effects which, because of substantial new information that was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.
5. If environmental effects are identified as peculiar to the project and were not analyzed in a prior EIR, are there uniformly applied development policies or standards that would mitigate the environmental effects?

Pursuant to CEQA Guidelines Section 15183, subsequent environmental impact analysis would be required if any impacts meet the above criteria.

This page is intentionally left blank.

2 PROJECT DESCRIPTION

2.1 OVERVIEW

BVI proposes to construct a 21,858-square-foot cannabis cultivation facility within the SBP. The proposed facility would be constructed in accordance with the design guidelines approved for the SBP.

2.2 PROJECT LOCATION

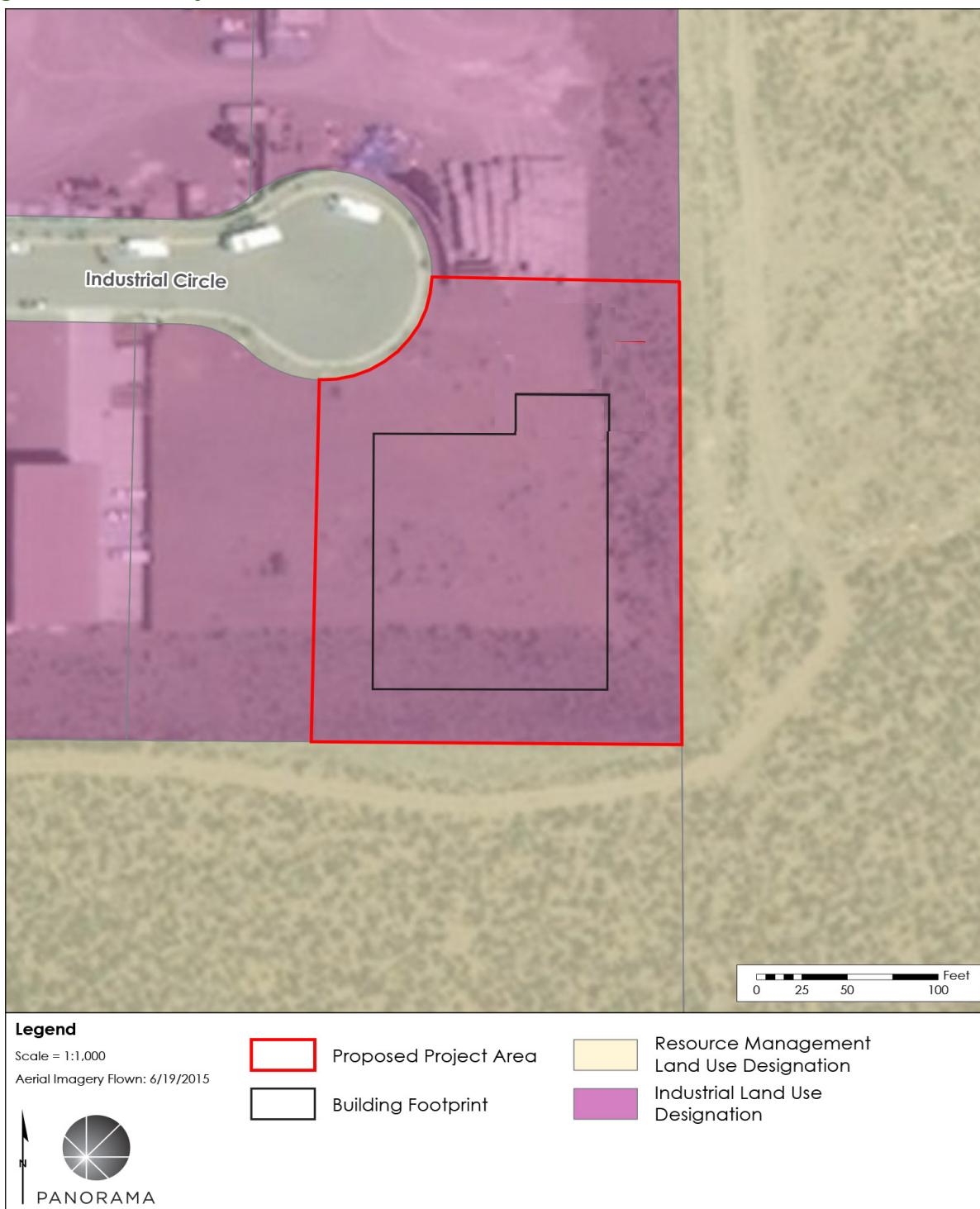
The project is located within the SBP on a currently vacant lot (Lot #4), with Assessor's Parcel Number (APN) 037-260-004. The SBP has a total of 32 lots, 14 of which are currently developed with approved industrial uses. The SBP is located approximately 5 miles outside the Town of Mammoth Lakes. It is surrounded by Inyo National Forest property and borders U.S. Highway 395. Figure 1-1 shows the regional location of the project site and Figure 2-1 shows the project site parcel. The project site address is 474 Industrial Circle, Mammoth Lakes, CA 93546.

2.3 LAND USE DESIGNATIONS

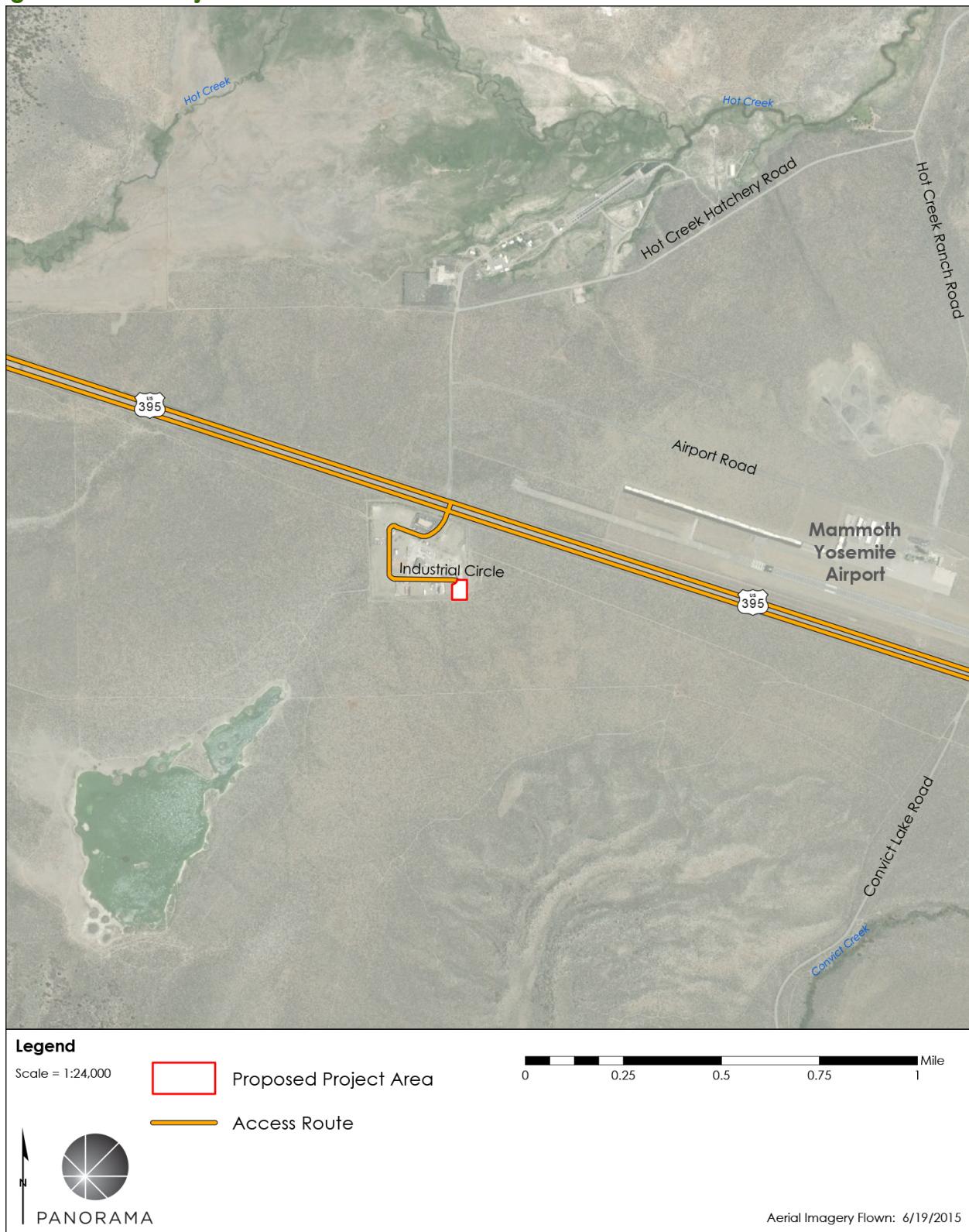
The project site is designated as Industrial Use consistent with other areas within the SBP. The Land Use Designation for parcels adjacent to the project site are Resource Management, as shown in Figure 2-1.

2.4 ACCESS

The project site is accessed from U.S. Highway 395 via Industrial Circle as shown in Figure 2-2.

Figure 2-1 Project Site

Sources: (County of Mono, CA IT Department / GIS Division, 2018; DigitalGlobe, 2015; County of Mono, CA IT Department / GIS Division, 2018)

Figure 2-2 Project Site Access

Sources: (County of Mono, CA IT Department / GIS Division, 2018; DigitalGlobe, 2015)

2.5 PROJECT FACILITIES

2.5.1 Buildings/Structures

The project consists of a 21,858-square-foot indoor cannabis cultivation facility with associated offices located on a 50,411-square-foot parcel as shown in the Site Plan and Facility Layout in Figures 2-3 to 2-5. The project would include approximately 18,067 square feet of warehouse space for cannabis cultivation, 10,000 square feet of which will consist of flowering canopy, and an additional 3,791 square feet for general office use (Figure 2-3). Two shipping/receiving roll-up doors would be installed in the building. The outside of the facility would be painted a muted brown (midnight bronze) or taupe (Sierra tan) with accent color a shade darker. No reflective surfaces would be used for the building façade. The building would be constructed to a maximum height of 30 feet with a pitched-roof design. Additional details on the proposed structure are provided in Appendix A.

2.5.2 Parking

The commercial and employee access for the project site would be provided via Industrial Circle at the north end of the parcel. Vehicles would enter through a gated entrance off Industrial Circle. The drive and parking area would be paved. Driveways and access points would comply with all County fire safety standards to maximize entry and egress space for emergency vehicles. A total of 3,347-square-feet of snow storage would be provided, with 1,509-square-feet located on the north side of the facility and 1,838-square-feet on the southwest corner of the facility (refer to Figure 2-5).

Sixteen parking spaces will be constructed on site on the north and west sides of the building including, fifteen general parking spaces for employees and one handicap-accessible parking space. Five to fifteen employees would be on site daily during operation (refer to Figure 2-5).

2.5.3 Lighting and Signage

Exterior lighting would be minimal and would comply with the County's Dark Sky Regulations. Lighting will consist of only lights required for safety and lot visibility from the exterior by local police or other patrols. All exterior lighting would be of a low, constant intensity, and would face downward. Lights will be shielded, and all lighting will be confined to the lot. The lighting fixtures will be painted a non-reflective color that conforms to the design guidelines of the SBP. Exterior circuit protection would be locked or enclosed within a locked National Electrical Manufacturers Association environmental cabinet.

Interior lighting would provide both a safe working environment and enhanced security. An interior strobe light would be installed and interfaced with the alarm system near the lobby area windows to provide a visual notification of alarm conditions to local law enforcement outside of the building. BVI does not propose any signage for the indoor cultivation facility.

Figure 2-3 Cultivation Facility Layout: Ground Floor

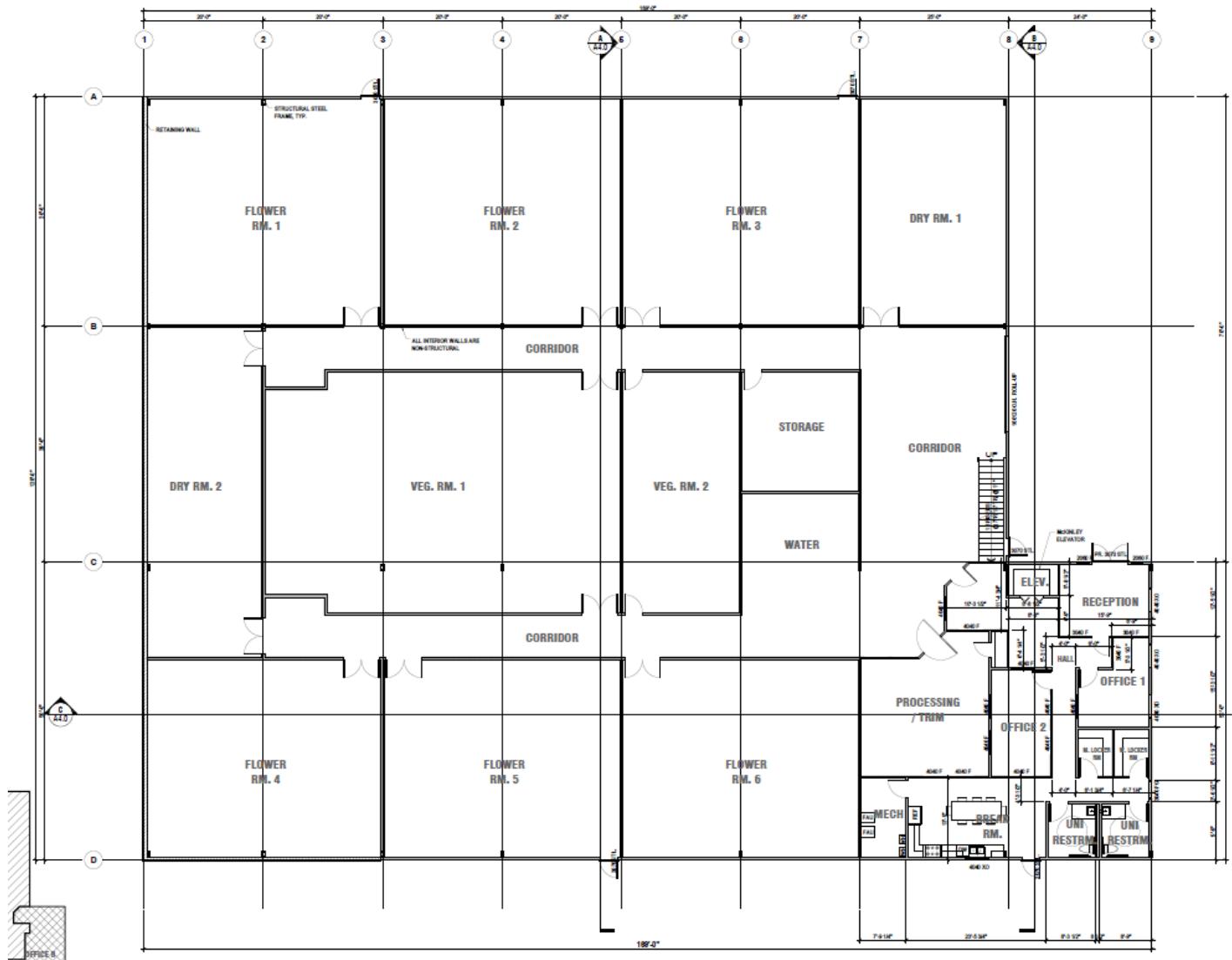


Figure 2-4 Cultivation Facility Layout: Second Floor

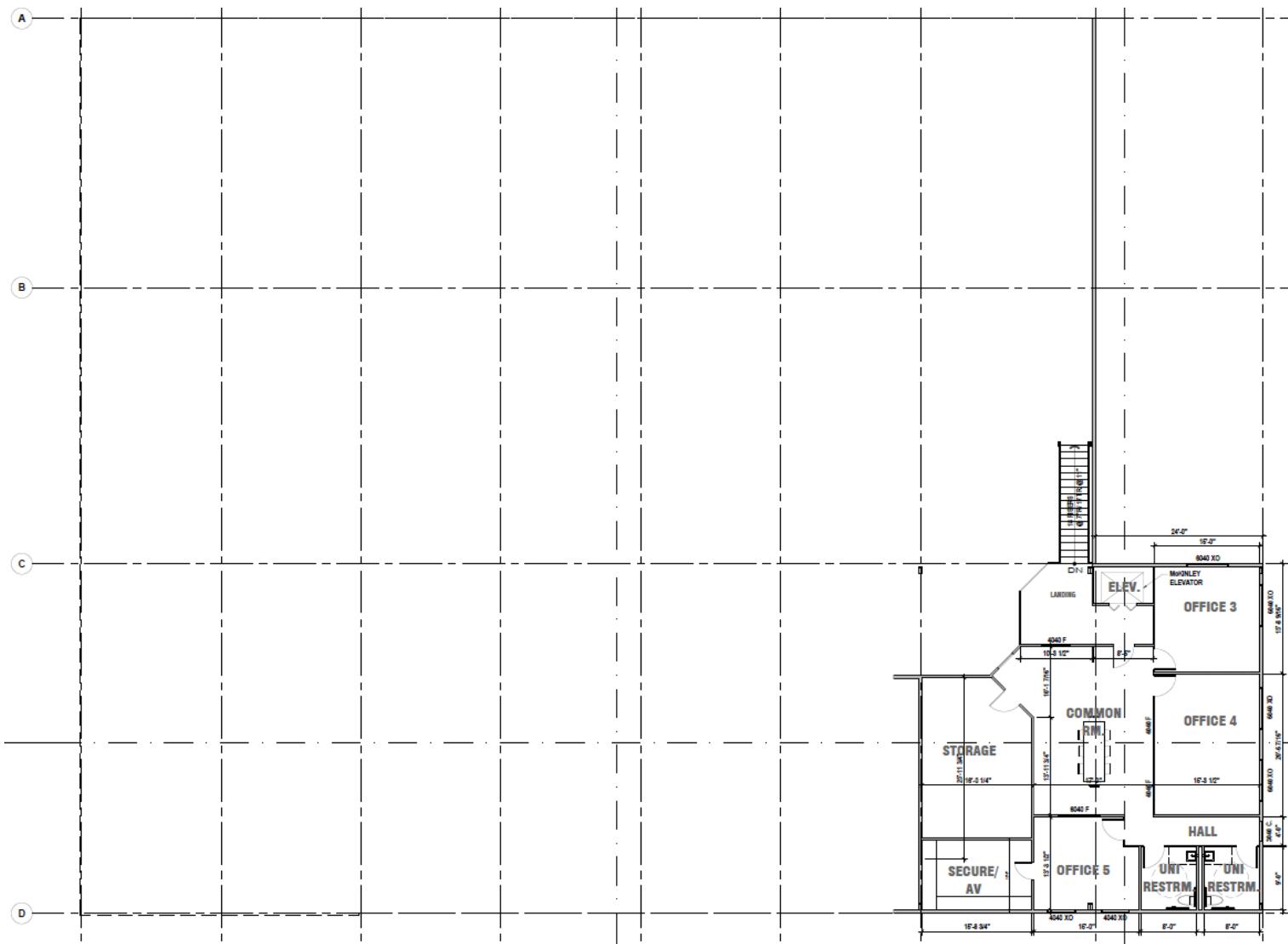
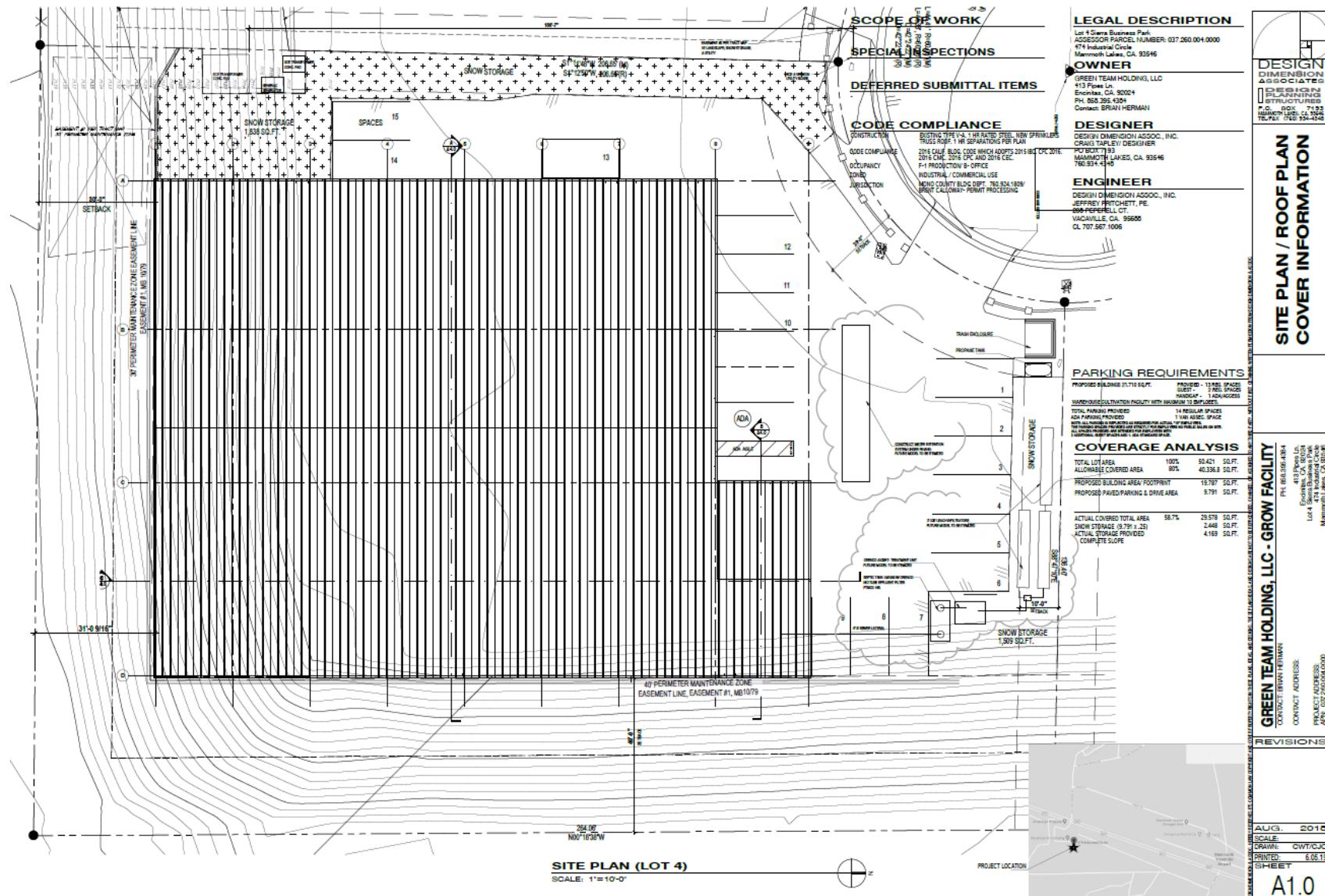


Figure 2-5 Site Plan



2.5.4 Utilities

The site would require improvements for water, sewer, and energy utilities.

2.5.4.1 Water

BVI would install a 5,000-gallon fresh water holding tank on the property. BVI would draw their daily allotment of water from the Sierra Business Park Owners' Association (SBPOA) system during periods of low demand, such as overnight or during the weekend, and store it in the on-site holding tank for later use. BVI will temporarily contract water service from Meadow Mutual Water Company until the SBPOA water system is fully operational after which the SBPOA will be the sole water provider.

2.5.4.2 Sewer

A septic system would be installed consistent with the Tentative Tract Map Supplemental Sheet 1 and Sheet 2 for sewage disposal (see Appendix D) and as approved by the Mono County Environmental Health Department. The septic system would need to comply with Mono County requirements and would utilize a "sand box" type leach field to reduce sewage effluent constituent concentrations consistent with the SBP requirements.

2.5.4.3 Energy Supply and Use

Electrical service from Southern California Edison would be extended to the site to supply electricity during construction and operation of the project. Solar panels would be installed on the building rooftop to generate approximate 40 kilowatts of power to offset electrical uses during operation.

A propane tank would be installed at the north end of the project site. A propane power generator would be installed for emergency power.

2.5.5 Other Improvements

The cultivation facility would be fully enclosed by an 8-foot high "Verti-Crete" ledge stone wall on the north side of the property (facing the interior road) and the remaining sides of the property, excluding the east and south sides which are screened and enclosed by the PMZ, will utilize fencing constructed of galvanized chain-link with dark brown plastic slats. An 8-foot high entrance gate composed of steel, wrought iron or wide-mesh galvanized chain link would be installed at the entrance to the facility. The facility would be inaccessible to the public.

2.6 CONSTRUCTION

Any vegetation on the site would be removed and some minor grading would be conducted on the site to create a flat building surface. Approximately 63 percent of the site may require some grading. After completion of grading, BVI would construct the building and install necessary infrastructure. A temporary power pole from Southern California Edison may be erected on the site for temporary energy supply, but it is anticipated that construction subcontractors would use generators for ease and maneuvering during construction activities.

Construction of the project would take approximately 4 to 6 months. A maximum crew size of 8 workers would be required for the project. A maximum of 16 vehicle trips from construction equipment and vehicles would occur daily during construction.

2.7 FACILITY OPERATION

2.7.1 Cultivation and Distribution

The proposed facility operations are described in detail in Appendix B. Facility operations will be related to cannabis cultivation and includes cultivation (including processing/trimming and wholesale activity) and general office activities. The cultivation facility would have dedicated rooms based on the lifecycle of cannabis, including vegetative, flowering, drying, processing/trimming, and storage/vault rooms. All runoff from the operational grow areas would flow directly to a closed-system wastewater holding tank. All cultivation activities would occur inside the building within light-tight, controlled environments and would not be visible from outside the facility.

All deliveries or pickups of cannabis products, or any shipments related to cannabis cultivation, would occur inside the gated property utilizing one of the shipping/receiving roll up doors located in Dry Room 1 or the corridor on the north side of the building (Figure 2-3).

2.7.2 Utilities

2.7.2.1 Water Supply and Use

Water would be used for plant cultivation and domestic uses. Water usage would increase over the first 3 years of operation. Table 2-1 provides the anticipated water usage over the first 3 years of the project. All subsequent years would have water demand similar to year 3. See Appendix C for Water Use Plan.

Table 2-1 Operational Water Use

Year	Gallons of Water (per day)
Year 1 (2019)	200-300
Year 2 (2020)	500-600
Year 3 (2021)	800-1000

Source: (BVI, 2018)

2.7.2.2 Wastewater and Sewage

The sources of wastewater would include excess irrigation (anticipated to be no more than 2-4 percent of water intake), domestic uses, cleaning, and reverse osmosis (RO) filtration reject stream. Only wastewater from domestic uses would be discharged to the septic system (see Appendix D). The cultivation facility would use a closed-loop system where all wastewater from the grow areas would drain into a holding tank separate from the septic system. Wastewater from cultivation operations would be reclaimed by running it through the RO

system, the filtered water would be reused for cultivation operations, and the minimal amount of water rejected by the RO system would be evaporated onsite using an industrial wastewater evaporator. Leftover solids from evaporation would be disposed of at Benton Crossing Landfill in Crowley Lake, California. Benton Crossing Landfill is scheduled to close in 2023, after which this project will utilize the new County waste facility.

The project facility would be equipped with a septic system to treat effluent and discharged domestic wastewater (see Appendix A for location of septic system). The project applicant has contacted the Mono County Department of Environmental Health about septic regulations and would comply with requirements set forth by the Sierra Business Park Specific Plan and Mono County to ensure the approval of septic permit.

2.7.2.3 Waste Disposal

Several distinct types of waste may be produced at the cultivation facility, including green waste, solid waste, liquid waste, and potentially hazardous waste such as cleaners or pesticides. BVI has developed a Waste Disposal Management Plan to manage waste generated from the cultivation facility (see Operating Plan in Appendix B). All employees will receive appropriate training prior to being assigned to handle waste.

2.7.2.4 Energy Supply and Use

Southern California Edison would supply electric power to the project. Additional energy from solar panels (approximately 40 kilowatts) would be used to offset the quantity of purchased electricity. A propane power generator would be located at the northwest corner of the project site and would be used for emergency power (refer to Figure 2-5).

2.7.3 Odor Management

BVI has developed an Odor Management Plan to minimize cannabis odors being emitted by the cultivation facility (see Operating Plan in Appendix B). The primary method of odor control involves the installation and use of a commercial photohydroionization (PHI) unit, designed to eliminate 99.99 percent of all odors. Activated carbon filters would be used as a secondary odor reduction method. Both primary and secondary systems will be installed within the cultivation facility to reduce detectable odors outside the facility.

2.7.4 Traffic Generation

The project is anticipated to create approximately 30 daily traffic trips from employees and distribution activities during operation. Five to fifteen employees would be on site daily during the operational period.

2.8 AGENCY JURISDICTION AND APPROVALS

Mono County is Lead Agency for this CEQA §15183 review. Mono County is responsible for the necessary Use Permit and Operations Permit.

Licensing and regulating commercial cannabis cultivators to ensure public safety and environmental protection in California is the purview of CalCannabis Cultivation Licensing, and the division of California Department of Food and Agriculture (CDFA). CDFA prepared a Program Environmental Impact Report (PEIR) to provide a transparent and comprehensive evaluation of the anticipated regulations and the activities that would occur in compliance with the regulations. Under this program, cannabis cultivation can occur in a combination of urban, rural, natural, and agricultural settings in the State.

The Lahontan Regional Water Quality Control Board is also responsible for protection of water resources. Approval from this board is also required for wastewater and sewage discharge.

If the project disturbs more than 1 acre of land it would require a Stormwater Pollution Prevention Plan (SWPPP) in accordance with State of California Board Order 2009-0009-DWQ, including associated sediment and erosion control best management practices. A SWPPP has been prepared for the SBP and contains a list of best management practices that BVI would implement on site.

Government Code §65300 requires each county to “adopt a comprehensive long-term general plan for the physical development of the county.” Mono County is unique in that the General Plan and Zoning Code have been combined into one document. There is a specific plan for Sierra Business Park.

Table 2-2 Required Permits and Approvals*

Permit or Approval	Agency	Function
Use Permit	Mono County Community Development Department, Planning Division	For commercial cannabis cultivation, processing, and distribution activities.
Operations Permit	Mono County Community Development Department, Planning Division	For operation of the commercial cannabis cultivation facility.
Grading Permit	Mono County Department of Public Works	For project site grading activity.
Building Permit	Mono County Community Development Department, Building Division	For construction of the cultivation facility.
Septic Permit	Mono County Department of Environmental Health	For septic system installation and sewage disposal.
Waste Discharge Permit	Lahontan Regional Water Quality Control Board	For waste disposal.
National Pollutant Discharge Elimination System General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit)	State Water Resources Control Board	For surface disturbance greater than 1 acre.

Permit or Approval	Agency	Function
Cannabis Cultivation License	California Department of Food & Agriculture	For commercial cannabis cultivation, processing, and distribution activities.

*Other permits, licenses and approvals may be required. The operator/applicant is responsible for meeting all applicable regulations.

3 ENVIRONMENTAL ANALYSIS

Project Title:	BASK Ventures, Inc. Indoor Cannabis Cultivation Project
Lead Agency Name and Address:	Mono County Community Development Department P.O. Box 347 Mammoth Lakes, CA 93546
Contact Person and Phone Number:	Kelly Karl, Assistant Planner 760-924-1809
Project Location:	474 Industrial Circle, Mammoth Lakes, CA 93546
Plan Area:	Sierra Business Park Specific Plan
General Plan Designation:	Industrial
Zoning:	N/A
Assessor Parcel Number (APN):	037-260-004

3.1 OVERVIEW

This checklist provides an analysis of potential environmental impacts resulting from the project. Following the format of CEQA Guidelines Appendix G, environmental effects are evaluated to determine if the project would result in a potentially significant impact triggering additional review under Guideline section 15183.

- Items checked “Significant Project Impact” indicates that the project could result in a significant effect which either requires mitigation to be reduced to a less than significant level or which has a significant, unmitigated impact.
- Items checked “Impact not identified by Sierra Business Park Specific Plan EIR (SBP EIR)” indicates the project would result in a project-specific significant impact (peculiar, off-site, or cumulative) that was not identified in the SBP EIR.
- Items checked “Substantial New Information” indicates that there is new information which leads to a determination that a project impact is more severe than what had been anticipated by the SBP EIR.

A project does not qualify for a §15183 exemption if it is determined that it would result in : 1) a peculiar impact that was not identified as a significant impact under the SBP EIR; 2) a more severe impact due to new information; or 3) a potentially significant off-site impact or cumulative impact not discussed in the Sierra Business Park Specific Plan EIR.

A summary of the analysis of potential environmental effects, and the applicability of the previously-certified SBP EIR, is provided below the checklist for each subject area.

3.2 AESTHETICS

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Significant Impact not Identified by SBP EIR	Substantial New Information
a) Would the project have a substantial adverse effect on a scenic vista?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Would the project substantially degrade the existing visual character or quality of the site and its surroundings?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Would the project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- (a) (b) The SBP EIR analyzed the SBP in relation to county and state scenic vistas and scenic highways. The project site is located within the SBP and the project design (height and type of facility) would fall within the design standards for the SBP.
- (c) The project facility height, color and material would be consistent with the SBP design guidelines. The project impacts on visual quality would be consistent with the impacts considered in the SBP EIR because the design of the facility would be consistent with the design guidelines that were analyzed. No impact peculiar to the project would occur.
- (d) The project would introduce some new lighting in the area. All proposed outdoor lighting would conform to the SBP design guidelines; therefore, the proposed lighting would not cause an impact peculiar to the project.

Indoor grow areas will not have windows and all cultivation activities will take place in climate-controlled light-sealed rooms ensuring that the light produced in the grow areas will not be visible from the exterior of the building. Therefore, the project would not create a new source of substantial light or glare that would adversely affect day or nighttime views.

The exterior wall color of the cultivation facility would be painted with a non-reflective paint. The roof would be a chestnut color and made of metal. The fencing is consistent with the design standards in the SBP Specific Plan. Fencing on north side of the property (facing the interior road) will consist on an eight-foot-high "Verti-Crete" ledge stone wall with an eight-foot-high entrance gate composed of steel, wrought iron, or wide mesh galvanized chain link with dark brown plastic slats. The remaining sides of the property, excluding the east and south sides which are screened and enclosed by the PMZ, will utilize fencing constructed of galvanized chain-link with dark brown plastic slats. No reflective surfaces would be utilized for the project. Therefore, the project would not create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.

Conclusion

The SBP EIR concluded that the SBP Specific Plan would result in less than significant impacts on visual resources with incorporation of mitigation measures limiting the height of buildings and imposing lighting restrictions. The project would be developed consistent with the design guidelines set forth in the SBP Specific Plan, including compliance with mitigation measures; therefore, the project would not result in any new significant impacts. Further environmental analysis is not required under CEQA.

3.3 AGRICULTURE AND FORESTRY RESOURCES

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Significant Impact not Identified by SBP EIR	Substantial New Information
a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Significant Impact not Identified by SBP EIR	Substantial New Information
c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

The SBP EIR did not analyze the impacts of the SBP on agriculture and forestry resources because there are no agriculture or forestry resources within the SBP, including the project area. Further environmental analysis is not required under CEQA because the project would not impact agriculture or forestry resources.

Conclusion

The discussion above indicated the construction and operation of the project would not result in impacts on agriculture or forestry resources. Further environmental analysis is not required under CEQA.

3.4 AIR QUALITY

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Significant Impact not Identified by SBP EIR	Substantial New Information
a) Would the project conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Significant Impact not Identified by SBP EIR	Substantial New Information
b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Would the project expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Would the project result in other emission (such as those leading to odor adversely affecting a substantial number of people?)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

(a) (b) The project is located within the Great Basin Unified Air Pollution Control District (GBUAPCD). Applicable plans and regulations include the Mono County Ozone Attainment Plan and the GBUAPCD rules and regulations. This project is located within a non-attainment area for the state ozone standard and is subject to the Mono County Ozone Attainment Plan. The source of the ozone exceedance was determined to be caused by ozone transport from the San Joaquin Valley Air Basin. Therefore, the ozone attainment is not applicable to this project because the exceedance is transported from a neighboring air basin.

The project would require minimal grading, because the project site is flat. The SBP EIR considered air quality impacts from dust emissions as a result of site grading. The SBP EIR includes Mitigation Measure 1 in Section 5.7: Air Quality (implement best-available control measures) to reduce dust emissions to a less-than-significant-level (Mono County, 2010). The project would implement the applicable mitigation measures from the SBP EIR and would not result in an impact peculiar to the project.

The project would generate a maximum of 16 daily traffic trips during construction. The SBP EIR analyzed construction of buildings that would be similar in size, scale, and scope to the project and, therefore, the project would not result in any greater construction emissions than those evaluated in the SBP EIR. The project would not result in an impact peculiar to the project.

During operation, air quality impacts would primarily derive from traffic generation, and energy and heating supplies. The project would generate a maximum of 30 daily

traffic trips during operation. The SBP EIR has considered development of Shipping and Delivery facilities in the SBP. The Shipping and Delivery facilities would generate much higher traffic volumes and greater travel distances than the project. The proposed 30 daily trips to the project site would not substantially increase air emissions. With respect to energy and heating, the entire SBP, including this project, is required to comply with California Energy Commission standards governing the efficiency of energy supply sources as well as mandatory GBUAPCD regulations governing the use of fireplaces and wood stoves set forth in the Mono County General Plan. This project does propose to install a wood burning stove or fireplace and therefore would not result in an impact peculiar to the project.

- (c) The nearest sensitive receptor would be individuals residing in the caretaker's units at the concrete batch plant, located approximately 400 feet to the northwest of the project. The project would not involve activities that would result in exposure of sensitive receptors to substantial pollutant concentrations. The impact would be less than significant and less than other industrial uses considered in the SBP EIR. No further analysis is required.
- (d) The project is located in the southeastern corner of the SBP. The project site is within the SBP surrounded by industrial uses and open space. The east and south ends of the project site border open space. A vacant lot is north of the project site. A recreational vehicle rental facility (Adventures in Camping) is approximately 225 feet west of the project site, within the SBP. No sensitive receptors are near the project. All cultivation would occur indoors in rooms dedicated to each stage of growth. A photohydroionization (PHI) Unit will be the primary device used to reduce odor emissions. The PHI Unit would be installed into air conditioning and heating system air ducts that release air outside the facility. In rooms where odor is more intense, activated carbon filters will be installed as secondary odor reduction method. The PHI Unit and carbon filters would ensure that odors do not affect sensitive receptors. As required by Chapter 13 - Commercial Cannabis Activities in the General Plan, BVI has prepared an Odor Management Plan (Appendix B) to reduce cannabis odors outside the cultivation facility. The project is consistent with the SBP and General Plan. No further analysis is required.

Conclusion

The SBP EIR contained analysis of the impacts on air quality from construction and operation of SBP and it was determined that the construction of SBP would result in temporary less than significant impact to air quality with implementation of best available dust control measures. As discussed above, the project would not result in an impact peculiar to the project. Further environmental analysis is not required under CEQA.

3.5 BIOLOGICAL RESOURCES

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Significant Impact not Identified by SBP EIR	Substantial New Information
a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pools, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Significant Impact not Identified by SBP EIR	Substantial New Information
f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- (a), (b) and (c) There are no special status plants or wildlife, sensitive natural communities, or areas of United States Army Corps of Engineers (USACE) or California Department of Fish and Game (CDFG) jurisdiction on the project site. The project site would be located within the SBP and the lot was previously graded/disturbed during initial SBP development activities. The project is surrounded by an elevated berm, contains minimal vegetation, and does not provide suitable habitat to special-status species with potential to occur in the region. No impacts would occur.
- (d) The properties in the SBP are developed for industrial use. Establishment of the SBP required analysis of migration corridors at the time the SBP EIR was prepared. The project would be consistent with the SBP design guidelines and building restrictions. The project would not result in an impact peculiar to the project.
- (e) No local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, apply to the project. The project would have no impact.
- (f) The project is not located within an area covered by an adopted habitat conservation plan or natural community conservation plan. The project would have no impact.

Conclusion

The SBP EIR concluded that the development of SBP would not result in impacts on sensitive habitats, special-status plant species, or USACE or CDFW jurisdictional waters; and would result in less than significant impact to nesting activities associated with the sage grouse. As discussed above, the project would not result in peculiar impacts on biological resources. Further environmental analysis is not required under CEQA.

3.6 CULTURAL RESOURCES

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Significant Impact not Identified by SBP EIR	Substantial New Information
a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- (a) (b) The project site has been subject to extensive excavation and earthwork as part of prior sand and gravel mining as well as operation of the concrete batch plant. These activities would have eliminated any historical and archaeological resources that may have been present on the site. The project would have no impact on historical or archaeological resources.
- (c) The project site does not include a known formal or informal cemetery that might contain interred human remains. The minimal grading proposed for the site is within the scope of analysis of the SBP EIR. Further analysis is not required.

Conclusion

The SBP EIR concluded that the development of SBP would not result in impacts to archaeological, paleontological, or historic resources. As discussed above, the project would not result in impacts to cultural resources. Further environmental analysis is not required under CEQA.

3.7 ENERGY

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Significant Impact not Identified by SBP EIR	Substantial New Information
a) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

(a) During construction, the project would consume energy supplies used by a wide range of equipment and construction vehicles. Energy used for construction vehicles and other energy-consuming equipment would be used during site preparation, grading and paving, collection and hauling of waste materials. These construction activities would not be different than construction activities that would be required for developing buildings that were included as permitted uses in the SBP. Construction of the project would not result in wasteful, inefficient, or unnecessary consumption of energy resources. The project would not result in an impact that is peculiar to the project.

During operation, the indoor cultivation facility would require the use of special lighting, ventilation, and air conditioning systems. Each of these systems uses a substantial amount of energy. The project applicant would install solar panels to generate 40 kilowatts per day to offset electrical use in the operation of the cultivation facility. In addition, all developments in Mono County would be required to comply with current California Green Building Standards Code Title 24, Part 11 (Cal Green) energy performance standards as well as policies and actions contained in the Mono County General Plan and the Resources Efficiency Plan to address energy conservation (Mono County , 2014). The project applicant would also have financial incentive to avoid wasteful, inefficient, and unnecessary consumption of the energy during operation. The operation of the project would result in the consumption of energy, but such consumption would not be expected to be wasteful or inefficient. The project would not result in an impact that is peculiar to the project.

(b) As discussed above, the project would obtain power from Southern California Edison, which is required to meet California's renewable energy goals and policies. The project applicant would install solar panels to offset energy uses during operation. The project is also required to comply with California Green Building Standards Code, policies and

actions set forth in the Mono County General Plan and the Resources Efficiency Plan; therefore, the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. The project would not result in an impact that is peculiar to the project.

Conclusion

The project would not result in significant impacts to energy resources. Further environmental analysis is not required under CEQA.

3.8 GEOLOGY AND SOILS

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Significant Impact not Identified by SBP EIR	Substantial New Information
a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Would the project result in substantial soil erosion or the loss of topsoil?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Significant Impact not Identified by SBP EIR	Substantial New Information
d) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

(a)-(f) The SBP EIR analyzed the impacts of developing the SBP on geology and soil resources. The SBP EIR concluded that developing the SBP would result in risk of erosion and slope instability and expose occupants and structures to seismic activity and future volcanic eruption. Implementation of a slope maintenance program would mitigate the risk of erosion and slope instability to a less than significant level. Conformance with standard codes and requirements would reduce the risk of seismic exposure to an acceptable level. The SBP is located in a designated volcanic hazard zone, the impact from future volcanic eruption is unavoidable and adverse.

The SBP EIR concluded the SBP site conditions are suitable for use of individual septic systems. The project would be located within the SBP and would install a septic system that adheres to the development standards of the SBP. Geologic conditions have not changed since the development of SBP. The project impact on geology and soil would not exceed the impacts that have been discussed in the SBP EIR.

In addition, to ensure the structural integrity of all buildings and structures, the project must conform to the Seismic Requirements as outlined within the California Building Code. Compliance with the California Building Code and the County Building Code will ensure that the project would not result in a significant impact. The project would comply with the California Building Code and implementation of standard engineering techniques that would ensure structural safety.

The project site does not contain any unique geologic features that have been listed in the County's Guidelines for Determining Significance for Unique Geology Resources nor

does that site support any known geologic characteristics that have the potential to support unique geologic features. The project would not result in an impact that is peculiar to the project.

Conclusion

The project would not result in significant impacts to geology and soil. Further environmental analysis is not required under CEQA.

3.9 GREENHOUSE GAS EMISSIONS

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Significant Impact not Identified by SBP EIR	Substantial New Information
a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- (a) A greenhouse gas emissions impact analysis was not conducted at the time of preparing the SBP EIR because the SBP EIR was certified before GHG emissions analysis was required under CEQA Guidelines. The sources of greenhouse emissions from the project are primarily electricity consumption and traffic generation. Southern California Edison would supply electricity to the project and a portion of the project's power use would be obtained from solar panels. Solar panels installed for the project would generate 40 kilowatts of power per day, which would offset the electrical use in the operation of the cultivation facility. The on-site solar generation would not produce greenhouse gas emissions. The greenhouse gas emissions from electricity consumption are not expected to have a significant impact to the environment that is peculiar to the project, because the power is sourced from Southern California Edison. Southern California Edison is required to comply with California's renewable energy requirements and policies. In 2017, Southern California Edison's energy resources consisted of 29 percent renewable, 4 percent coal, 15 percent hydroelectric, 34 percent natural gas, 9 percent nuclear, and 9 percent others (Southern California Edison, 2018). Southern California Edison is also required to comply with the requirements of SB 100, which would require Southern California Edison to obtain 100 percent of its energy from carbon free sources by 2050. Additionally, the solar panels installed by BVI would generate 40 kilowatts per day to offset purchased electricity used in the operation of the cultivation facility.

The SBP Specific Plan includes a list of permitted uses that would not require a use permit and would not trigger any further CEQA evaluation because there would be no discretionary action. Shipping and delivery facilities are a permitted use under the SBP Specific Plan and therefore a shipping and delivery facility could be developed on the project site without any CEQA review or further consideration of GHG emissions. GHG emissions associated with truck trips to a shipping and delivery facility is used as a comparison to the project because of the permitted use of shipping and delivery facilities under the SBP Specific Plan. The project would generate up to 30 worker vehicle trips and two truck trips per day during the operational period. The project would generate significantly fewer vehicle trips and associated greenhouse gas emissions from diesel-powered trucks than a shipping and delivery facility, which would be expected to generate several truck trips per hour. The project would not generate greenhouse gases that would be peculiar to the project.

- (b) The Mono County Resource Efficiency Plan was prepared to identify community sources of greenhouse emissions and use this data to develop General Plan policies and programs to reduce resource consumption and greenhouse emissions (Mono County , 2014). Implementation of the Resource Efficiency Plan would achieve the local objective of reducing greenhouse gas emissions by 10 percent from 2005 emissions levels and by 20 percent from the 2010 emissions level by the year 2020; and gain 38 megawatts of power in renewable energy production (Mono County , 2014). The SBP Specific Plan was considered by the Mono County General Plan and is consistent with the Resource Efficiency Plan. The project includes installation of solar panels to increase generation of renewable energy and would be developed consistent with the guidelines set forth in the SBP Specific Plan. The project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases.

Conclusion

As discussed above, the project would not result in significant impacts from greenhouse gas emissions that are peculiar to the project. Further environmental analysis is not required under CEQA.

3.10 HYDROLOGY AND WATER QUALITY

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Significant Impact not Identified by SBP EIR	Substantial New Information
a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Significant Impact not Identified by SBP EIR	Substantial New Information
b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:					
(i) result in substantial erosion or siltation on- or off-site;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(iv) impede or redirect flood flows?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Would the project be in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- (a) The SBP EIR analyzed the impacts of the SBP on water quality in the project vicinity. The project includes water treatment methods to recapture water that would be used during cannabis operations. The project septic system would comply with the wastewater and

sewage treatment design that was considered in the SBP EIR, which determined the impact would be less than significant.

The SBP EIR analyzed the impacts of grading on water quality and the EIR included mitigation measures for implementation of a SWPPP that includes on-site stormwater retention and an oil/water separator. As part of the SBP, the project applicant would be required to implement the BMPs identified in the SWPPP to mitigate erosion issues. In addition, the project applicant has submitted information to the State Water Resources Control Board for approval of discharging waste associated with indoor cannabis cultivation related activities and has received a Conditional Waiver of Waste Discharge Requirements Notice of Applicability (Appendix F) from the Lahontan Regional Water Quality Control Board. The project would comply with this mitigation measure and would not result in an impact peculiar to the project.

- (b) (e) The project is located within the Long Valley groundwater basin. The Long Valley groundwater basin is designated as very low priority under the Sustainable Groundwater Management Act (DWR, 2019), indicating that groundwater supplies are being managed sustainably and are not in a state of overdraft.

The SBP EIR estimated the water consumption for the SBP using low and high demand scenarios. The high demand scenario estimated that the maximum water demand would be 735 gallons per day per acre (gpd/acre) and 27,000 gpd for total project demand. The low demand scenario estimated water demand would be 185 gpd/acre and 6,800 gpd for total project demand. BVI estimated their water use based over the first 3 years of the project and expects the cultivation facility water usage to be 800 to 1,000 gpd by the third year of operation (Table 2-1). The SBPOA issued a Will Serve Letter to the project applicant based on BVI's estimated maximum water usage by year three (see Appendix E).

SBP estimates the total average daily demand in December, representative of winter water use, is 634 gpd and the total average daily demand in the summer is typically 20,000 gpd (Clay Murray, 2019). Based on these current figures from SBP, the addition of the daily water demand of 800 to 1,000 gpd for this project would not exceed the current total estimated for the SBP in the SBP EIR in both the low and high demand scenarios. Though BVI's project does not trigger an exceedance, there is the potential for the SBP to exceed the high-demand scenario at full build out. A letter has been sent to the SBPOA (Appendix G) to ensure future projects remain within the SBP EIR's water consumption estimates.

Therefore, the project would not exceed the impacts evaluated in the SBP EIR and the groundwater use would not be unsustainable. The SBP EIR also considered development of the site with buildings similar to the proposed project and determined that the impact from the introduction of impervious surfaces would not significantly affect hydrology. The impact would not be peculiar to the project.

- (c) The project would not alter a drainage pattern of the site because the site was previously graded, and berms were installed around the site to address drainage for the entire SBP. There is no stream or river on the project site or in the vicinity that would be affected by the construction of the project. The runoff from the project site after development would not exceed the impacts analyzed by the SBP EIR because the project facility is compatible with the types of buildings that were considered in the SBP EIR. The project would not result in hydrology impacts peculiar to the project.
- (d) The project is not located in flood hazard, tsunami, or seiche zones. The project would not risk release of pollutant due to project inundation. No impact would occur.

Conclusion

The SBP required implementation of a SWPPP to ensure that development of the SBP does not result in significant impacts. The project would implement the required BMPs in the SBP SWPPP and would not result in an impact that is peculiar to the project. Further environmental analysis is not required under CEQA.

3.11 LAND USE AND PLANNING

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Significant Impact not Identified by SBP EIR	Substantial New Information
a) Would the project physically divide an established community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation of adopted for the purpose of avoiding or mitigating an environmental effect?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- (a) The project will not physically divide an established community, because the project is located within the SBP Specific Plan area, which is planned for industrial uses. No impact would occur.
- (b) The SBP EIR analyzed the impacts to land use and relevant planning from developing the SBP and concluded the SBP site is one of the few locations in Long Valley that meets the General Plan objective of suitability for industrial development within a reasonable distance of population (refer to Section 5.5.3 of the SBP EIR). The project would construct an approximately 21,858-square-foot facility in a vacant lot for industrial use in the SBP, which is consistent with the Land Use Goals and Policies set forth for the SBP Specific Plan. The project is also consistent with the Mono County Cannabis Regulations

and General Plan Amendment to address environmental impacts specific to cannabis cultivation, including waste handling, recycling, water treatment and supply, and use of renewable energy. The General Plan Amendment determined that cannabis cultivation and operation were compatible with industrial use. The project would not change the zoning and land use designations. The project would not result in an impact that is peculiar to the project.

Conclusion

As discussed above, the project would not result in an impact on land use and planning. Further environmental analysis is not required under CEQA.

3.12 MINERAL RESOURCES

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Significant Impact not Identified by SBP EIR	Substantial New Information
a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

The SBP EIR did not analyze the impacts of the SBP on mineral resources. Resource extraction has been discontinued at the site due to the lack of significant additional on-site aggregated materials and the availability of superior resources in other location. There are no significant mineral resources within the SBP, including the project area. The project would, therefore, not affect mineral resources.

Conclusion

The discussion above indicated the construction and operation of the project would not result in impacts on mineral resources. Further environmental analysis is not required under CEQA.

3.13 NOISE

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Significant Impact not Identified by SBP EIR	Substantial New Information
a) Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- (a) The project would be located within an area designated for industrial use and far from sensitive receptors. The SBP analyzed impacts associated with development and operation of the SBP. The SBP analysis was based on noise levels associated with the concrete batch plant. The only noise sensitive receptors would be the caretaker's residing within the concrete batch plant located approximately 400 feet northwest of the project. Following construction, noise sources associated with the project would be the HVAC system, generator noise (when in use), and trucking sounds from distribution. The project would generate less noise than the concrete batch plant and noise sources would be subject to the County noise ordinance (Mono County Code Chapter 10.16). The project would not result in an impact peculiar to the project.
- (b) The project does not involve any major, new or expanded infrastructure such as mass transit, highways or major roadways or intensive extractive industry that could generate excessive groundborne vibration or groundborne noise levels and impact vibration sensitive uses in the surrounding area. The project would not create an impact from groundborne vibration.

- (c) The project site is approximately 1 mile west of the Mammoth Yosemite Airport. The SBP area would be exposed to an outdoor noise level of CNEL 65 due to air traffic and adjacent industrial land uses within the SBP. Employees would work predominantly indoors where noise is anticipated to be approximately 20-25 dBA less. A refrigerator generates a constant 50 dBA noise level. The nearby airport land use would not generate excessive noise levels for people working in the proposed cannabis facility. The project would not result in an impact peculiar to the project.

Conclusion

The SBP EIR concluded that the development of SBP would not result in significant impact on noise due to the distance to sensitive receptors. As discussed above, the project would not result in significant impacts on noise. Further environmental analysis is not required under CEQA.

3.14 POPULATION AND HOUSING

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Significant Impact not Identified by SBP EIR	Substantial New Information
a) Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- (a) The project would not add new homes, roads or infrastructure. BVI may employ up to 15 employees. There is an existing need for housing in the surrounding communities and the addition of 15 employees exacerbates this problem. However, the site is located proximate to communities to support a jobs to housing balance and an increase of 15 employees would have minimal impact on the existing housing need given the populations in both Town of Mammoth Lakes and Long Valley. Employees would likely commute to the project area from the surrounding communities. There would be no impact.
- (b) The project site is vacant. The project would not displace existing people or housing because the site does not contain residences. There would be no impact.

Conclusion

The SBP EIR concluded that developing the SBP would not induce growth in surrounding open space lands because the properties are public land managed by various governmental entities. The discussion above indicated the construction and operation of the project would not result in impacts on population and housing. Further environmental analysis is not required under CEQA.

3.15 PUBLIC SERVICES

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Significant Impact not Identified by SBP EIR	Substantial New Information
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
Fire protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- (a) The project does not include construction of new or physically altered governmental facilities. The project is not anticipated to require additional services.

Fire Protection. The project has considerable risk for fire and will require service from the Long Valley Fire District, a volunteer agency that serves a full time residential population in the Crowley Lake communities, the geothermal plant, Mammoth Yosemite Airport, SBP, and travelers along Highway 395 (Mono County Local Agency Formation Commission, 2009). The project obtained a Provisional Will Serve Letter from the Long Valley Fire Protection District and a final Will Serve Letter will be provided upon completion of the project (see Appendix E). The fire station is located approximately 8.2 miles southeast of the project site. The project would not affect response times or service ratios for the fire station and there would be no need to create a new or altered fire station. The SBP EIR analyzed the impacts on fire safety from developing the SBP. The SBP EIR concluded that the development of SBP would result in less than significant impacts with implementation of mitigation measures, including that all structures within the SBP shall comply with National Fire Protection Association Rule 704M and shall contain fire sprinkler systems that conform to Fire Protection District standards. The project would contain a fire sprinkler system to comply with the

requirements of development within the SBP. The project would not result in an impact on fire service that is peculiar to the project.

Police Protection. Police services for the project will be provided by the Mono County Sheriff's Department. The project would install numerous security measures and systems, including lighting, video surveillance, and perimeter fencing that will generate minimal additional need for police protection and would not require additional services beyond those currently available. The project would have no impact on existing police protection or necessitate additional police services. The project would not result in an impact on police service that is peculiar to the project.

Schools. No schools are located in the general vicinity of the project site. The nearest school to the project site is Mammoth Elementary School, located 6 miles west of the project in the Town of Mammoth Lakes. The project would create five to fifteen permanent jobs. The small increase in employment would be within the range that was envisioned for potential uses of the SBP (40-60 persons per gross acre). The impact on schools would not be peculiar to the project.

Parks. The project would not construct parks. The project would create five to fifteen permanent jobs and the new workforce would use parks in the surrounding area. The small increase in employment would be within the range that was envisioned for potential uses of the SBP. The project would not require the construction of additional parks and there would not be an impact.

Other Public Facilities. No other public facilities are located on the project site or in the vicinity of the project. No impact would occur.

Conclusion

The project is a commercial use proposed within the SBP. The project does not create an increase in demand for public services that would generate a need for new or altered government facilities. The impact on public services is not peculiar to the project. Further environmental analysis is not required under CEQA.

3.16 RECREATION

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Significant Impact not Identified by SBP EIR	Substantial New Information
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- (a) The project would create 5 to 15 permanent jobs. The new jobs could attract a small number of people to the region that would use regional parks; however, the new jobs would not be peculiar to the project and would not be expected to cause or accelerate substantial physical deterioration of neighborhood parks. The impact would not be peculiar to the project or parcel.
- (b) The project is an industrial use; it does not include recreational facilities or require the construction or expansion of recreational facilities. No impact would occur.

Conclusion

The SBP EIR did not analyze the impacts to recreation resources from developing the SBP because the SBP would not adversely affect existing recreational operations due to the low number of workers associated with the industrial uses envisioned in the SBP. The discussion above indicated the construction and operation of the project would not result in impacts on recreation resources that would be peculiar to the project. Further environmental analysis is not required under CEQA.

3.17 TRANSPORTATION

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Significant Impact not Identified by SBP EIR	Substantial New Information
a) Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) For a transportation project, would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Would the project result in inadequate emergency access?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- (a) The project is an industrial oriented project that will not significantly increase circulation impacts on surrounding roadway system. U.S. Highway 395 would be the main roadway that provides access to the project site. There are no public transit, bicycle or pedestrian facilities in the project area. The project will result in 16 daily trips (from a maximum of 8 construction workers) to U.S. Highway 395 during construction and 30 daily trips during operation (from a maximum of 15 employees). The increase in daily trips would not significantly impact the circulation system. The project is consistent with the proposed industrial uses for the SBP.
- (b) The project is not a transportation project. The project would not result in conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). No impact would occur.
- (c) The project would not increase hazards due to design feature or incompatible use because the project site is adjacent to an established highway and provides access to the project. The SBP includes access roads that are designed to accommodate industrial uses. The project would not create or require the creation of any new roads or modifications in road design. There are no incompatible uses proposed by the project that would impact surrounding land uses. Impacts would be less than significant.

- (d) The SBP EIR estimated developing the SBP would increase traffic on U.S. Highway 395 by as much as 5,022 trips per day for industrial park use, and the increase of traffic trip would not impact the Level of Service "A" on U.S. Highway 395 (Mono County, 2015). The project would not result in inadequate emergency access, because there is an access point to the project area along U.S. Highway 395. In addition, driveways and access points to the project site will comply with all county Fire Safety Standards to maximize entry and egress space for emergency vehicles, and adequate space will be provided for snow storage. The development of the project was considered as part of the SBP EIR traffic analysis, as such the project would not result in an impact peculiar to the project.

Conclusion

The SBP EIR analyzed potential impacts on traffic and air safety; however, the EIR did not analyze the impacts to transportation from developing the SBP because CEQA Guidelines update in 2018 were not applicable at the time of SBP EIR preparation. Construction and operation of the project would not significantly affect transportation. Further environmental analysis is not required under CEQA.

3.18 TRIBAL CULTURAL RESOURCES

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Significant Impact not Identified by SBP EIR	Substantial New Information
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Significant Impact not Identified by SBP EIR	Substantial New Information
<p>ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

(a)(i) and (ii) As discussed in Section 3.6: Cultural Resources, the project site has been subject to extensive excavation and earthwork as part of prior mining activities as well as operation of the concrete batch plant. These activities would have eliminated any known tribal cultural resources that may have been present on the site. A Condition of Approval for this project requires compliance with State Law and implementation of standard mitigation measures. The project would not result in an impact that is peculiar to the project.

Conclusion

Assembly Bill (AB) 52 went into effect July 1, 2015, which established a formal consultation process for California Native American tribes as part of CEQA. The SBP EIR was prepared before AB 52 was adopted, thus the SBP EIR did not analyze the impacts to tribal cultural resources. The discussion above indicated the construction and operation of the proposed project would not result in impacts to tribal cultural resources. Further environmental analysis is not required under CEQA.

3.19 UTILITIES AND SERVICE SYSTEMS

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Impact not Identified by SBP EIR	Substantial New Information
a) Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- (a) (b) The SBPOA would provide water to both the construction and operation activities. The SBPOA plans to construct a new well due to issues with the sanitary seal on the existing well that has compromised potable water quality. The new well was planned prior to

BVI filing their application, is not part of the project, and will not affect the allocation of water to SBP properties. The construction of the project will not result in a change of allocated water to properties and as such, the project would not require construction of new water supply utilities. The project applicant has also obtained a Will Serve Letter from Mountain Meadows Mutual Water Company as alternative water supplier due to SBPOA issues with the existing groundwater well (see Appendix E). The Mountain Meadows Mutual Water Company has sufficient water available to supply the project. The project would have sufficient water supplies available to operate and would not require construction of new water supply infrastructure.

Electric power would be provided by Southern California Edison which is the power supplier to other SBP properties. Sierra Tel and Verizon would be the telecommunication provider. The project would increase the impervious surfaces by approximately 29,578 square feet. Surface runoff from these impervious surfaces would flow into a dry well that would be designed to retain water and the runoff would be consistent with the stormwater drainage considered as part of the SBP. The portable toilet waste generated during construction would be minimal and would not substantially affect the capacity of wastewater treatment facilities. The project would not require the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities. The extension of these utilities to the project is consistent with the SBP development plan; therefore, no impacts peculiar to the project or parcel would occur.

- (c) A septic system (septic tank and leach field) would be installed on site to retain all non-cultivation related wastewater from the project, where it would be picked up by certified waste disposal company and disposed of properly. The SBP EIR analyzed the impacts of on-site septic system to water quality and concluded that the SBP site conditions are suitable for use of the septic systems (refer to Section 5.2.3 of the SBP EIR). Therefore, no impacts peculiar to the project or parcel would occur.
- (d) The project site is flat and would require minimal grading. The cut material would be disposed of at the Benton Crossing Landfill in Whitmore Hot Springs (approximately 7.2 miles northwest of project site). This landfill is estimated to close in 2023 and has approximately 695,047 cubic yards of capacity remaining (CalRecycle, 2019). The landfill has adequate capacity to accommodate the disposal of construction materials from the project. Therefore, no impacts peculiar to the project or parcel would occur.

Operation and maintenance of the project would generate solid waste consisting of paper, cardboard, and other common materials. Mammoth Disposal would be the solid waste hauler for the project. The project applicant would arrange for recycling services for solid waste, consistent with state and local laws, to the extent that these services are offered and available from Mammoth Disposal. Therefore, no impacts peculiar to the project or parcel would occur.

- (e) The project would comply with all federal, state, and local statutes and regulation related to solid waste. The project would consist of short-term construction activities (with short-term waste generation limited to minor quantities of construction debris) and thus would not result in significant long-term solid waste generation. Solid waste produced during construction would be disposed of in accordance with all applicable regulations. The project applicant has developed a Waste Disposal Management Plan that details the disposal process of waste produced from the cultivation facility to ensure disposal of waste is performed in a manner consistent with applicable local, state, and federal law. Therefore, no impacts peculiar to the project or parcel would occur.

Conclusion

As discussed above, the project would not result in significant impacts to utilities and service systems. Further environmental analysis is not required under CEQA.

3.20 WILDFIRE

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Impact not Identified by SBP EIR	Substantial New Information
If the located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
a) Impair an adopted emergency response plan or emergency evacuation plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Impact not Identified by SBP EIR	Substantial New Information
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

(a)-(d) The project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones (Cal Fire, 2007); therefore, no impacts peculiar to the project or parcel would occur.

Conclusion

As discussed above, the project would not result in impacts on wildfire. Further environmental analysis is not required under CEQA.

3.21 MANDATORY FINDINGS OF SIGNIFICANCE

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Impact Identified by EIR	Substantial New Information
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact Statement	No Impact/Less Than Significant	Less Than Significant with SBP Mitigation	Significant Project Impact	Impact Identified by EIR	Substantial New Information
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- (a) The construction and operation of the project would not result in significant impacts to habitat of fish or wildlife species or threaten to eliminate a plant or animal community. There are no important examples of major Californian prehistoric or historic periods in the project site. The project would not eliminate important examples of the major periods of California history or prehistory.
- (b) There are no other past, present, or reasonably foreseeable future projects outside of the SBP in the vicinity of the project site. Development of the SBP was previously analyzed in the SBP EIR and any future development within the SBP would be conducted consistent with the conditions of the SBP EIR; therefore, development within the SBP is not considered a cumulative impact. No cumulatively considerable impacts would occur.
- (c) Mono County General Plan policies and regulations include countywide policies to guide the operations of commercial cannabis. The countywide commercial cannabis policies include designated land use for commercial cannabis activities; avoidance, reduction, and prevention of potential issues specific to commercial cannabis activities that may adversely affect communities; encouragement of responsible establishment and operation of commercial cannabis activities; and working toward consistent and compatible regulations and efficient oversight of cannabis activities with other responsible entities. The project would be located within a land use designation that allows for cannabis activities. The project applicant has developed a Cultivation Operating Plan that addresses odor, sanitation, waste disposal, and workspace safety issues specific to commercial cannabis activities (see Appendix B). The design of the project is consistent with countywide policies, standard and SBP design guidelines to

ensure there would not be substantial adverse effect on human beings, either directly or indirectly.

Conclusion

As discussed above, the project would not substantially degrade the quality of the environment, impact plant or animal communities, or impact historic or prehistoric resources. The project would not result in cumulatively considerable impacts on the environment and would not result in significant impacts on human beings.

4 DETERMINATION

Based on this initial evaluation:

I find that the proposed infill project WOULD NOT have any significant effects on the environment that have not already been analyzed. Pursuant to Public Resources Code §21083.3 and CEQA Guidelines §15183, projects that are consistent with the development density of existing zoning, community plan or general plan policies for which an EIR was certified shall be exempt from additional CEQA analysis except as may be necessary to determine whether there are project-specific significant effects that are peculiar to the project or site that would otherwise require additional CEQA review.

A Notice of Determination (§15094) will be filed:

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project and/or revisions in the project have been made by or agreed to by the project proponent.

A Negative Declaration will be prepared:

I find the proposed project MAY have a significant effect on the environment.

An Environmental Impact Report is required:

I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, and uniformly applied development standards are required.

Signature

Date

Printed Name

Title

This page is intentionally left blank.

5 REFERENCES

- BVI. (2018, November 19). Water Service / Wastewater Discharge Request to SBPOA.
- CA IT Department/GIS Division . (2018).
- Cal Fire. (2007, November 7). Fire Hazard Severity Zones In State Responsibility Areas.
- CalRecycle. (2019, February 27). *Benton Crossing Landfill* (26-AA-0004). Retrieved from SWIS Facility Detail: <https://www2.calrecycle.ca.gov/swfacilities/Directory/26-AA-0004/>
- CDC. (2012). State of California Williamson Act Contract Land (Data Submissions Current to 2012). *Williamson Act Maps*.
- CDC. (2019, February 18). *Search for Maps, Reports, and Data*. Retrieved from https://www.conservation.ca.gov/dlrp/fmmp/Pages/county_info.aspx
- Clay Murray. (2019, March 27). Personal Communication between Community Development Department Director Wendy Sugimura and Clay Murray.
- County of Mono. (n.d.).
- County of Mono, CA IT Department / GIS Division. (2018, December 12). Centerlines GIS dataset.
- County of Mono, CA IT Department / GIS Division. (2018). Land Use Designations GIS dataset. *Parcels*. Mammoth Lakes, CA: County of Mono, CA IT Department / GIS Division.
- DigitalGlobal . (2015).
- DigitalGlobe. (2015, June 19). Aerial Imagery.
- DWR. (2019, March 17). *SGMA Basin Prioritization Dashboard*. Retrieved from California Department of Water Resources: <https://gis.water.ca.gov/app/bp2018-dashboard/p1/>
- Mono County . (2014, August 1). Mono County Resource Efficiency Plan .
- Mono County. (2010). *Sierra Business Park Specific Plan and Draft EIR*. Bauer Planning & Environmental Services, Inc.
- Mono County. (2015, July 31). County of Mono Regional Transportation Plan & General Plan Update Draft EIR. Bauer Planning & Environmental Services, Inc.

Mono County Local Agency Formation Commission. (2009, October). Long Valley Fire Protection District - Municipal Service Review.

Southern California Edison. (2018, July). 2017 Power Content Label .

U.S. Geological Survey. (2016). National Hydrography Dataset Waterbodies GIS dataset.

US Geolocgial Survey . (2013).

US Geological Survey . (2016).

US Geological Survey. (2013). USGS NED 1/3 Arc Second DEM Raster dataset.

Attachment 3

MONO COUNTY PLANNING COMMISSION

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

Date: May 28, 2019
To: The Sheet
From: CD Ritter
Re: Legal Notice for the **June 1** issue.
Invoice: Cara Isaac, PO Box 347, Mammoth Lakes, CA 93546

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that Mono County Planning Commission will conduct a public hearing **June 20, 2019**, at the Town/County Conference Room, Minaret Village Mall, Mammoth Lakes, CA, to consider the following: **10:10 a.m. CONDITIONAL USE PERMIT 18-014/Bask Ventures Inc.**: Proposal for indoor cultivation of cannabis on an Industrial (I) parcel located at 474 Industrial Circle, in the Sierra Business Park across from Mammoth Yosemite Airport (APN 037-260-004). Cultivation will occur in a 21,858-square foot indoor facility that is designed to incorporate up to 10,000 square feet of flowering canopy. A CEQA 15183 exemption is proposed. Project files are available for public review at the Community Development Department offices in Bridgeport and Mammoth Lakes. INTERESTED PERSONS may appear before the Planning Commission to present testimony or, prior to or at the hearing, file written correspondence with: Secretary to the Planning Commission, PO Box 347, Mammoth Lakes, CA 93546. If you challenge the proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to Secretary to the Planning Commission at, or prior to, the public hearing.

###

MONO COUNTY PLANNING COMMISSION

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

Date: May 28, 2019
To: Mammoth Times
From: CD Ritter
Re: Legal Notice for the **May 30** issue
Invoice: Cara Isaac, PO Box 347, Mammoth Lakes, CA 93546

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that Mono County Planning Commission will conduct a public hearing **June 20, 2019**, at the Town/County Conference Room, Minaret Village Mall, Mammoth Lakes, CA, to consider the following: **10:10 a.m. CONDITIONAL USE PERMIT 18-014/Bask Ventures Inc.**: Proposal for indoor cultivation of cannabis on an Industrial (I) parcel located at 474 Industrial Circle, in the Sierra Business Park across from Mammoth Yosemite Airport (APN 037-260-004). Cultivation will occur in a 21,858-square foot indoor facility that is designed to incorporate up to 10,000 square feet of flowering canopy. A CEQA 15183 exemption is proposed. Project files are available for public review at the Community Development Department offices in Bridgeport and Mammoth Lakes. INTERESTED PERSONS may appear before the Planning Commission to present testimony or, prior to or at the hearing, file written correspondence with: Secretary to the Planning Commission, PO Box 347, Mammoth Lakes, CA 93546. If you challenge the proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to Secretary to the Planning Commission at, or prior to, the public hearing.

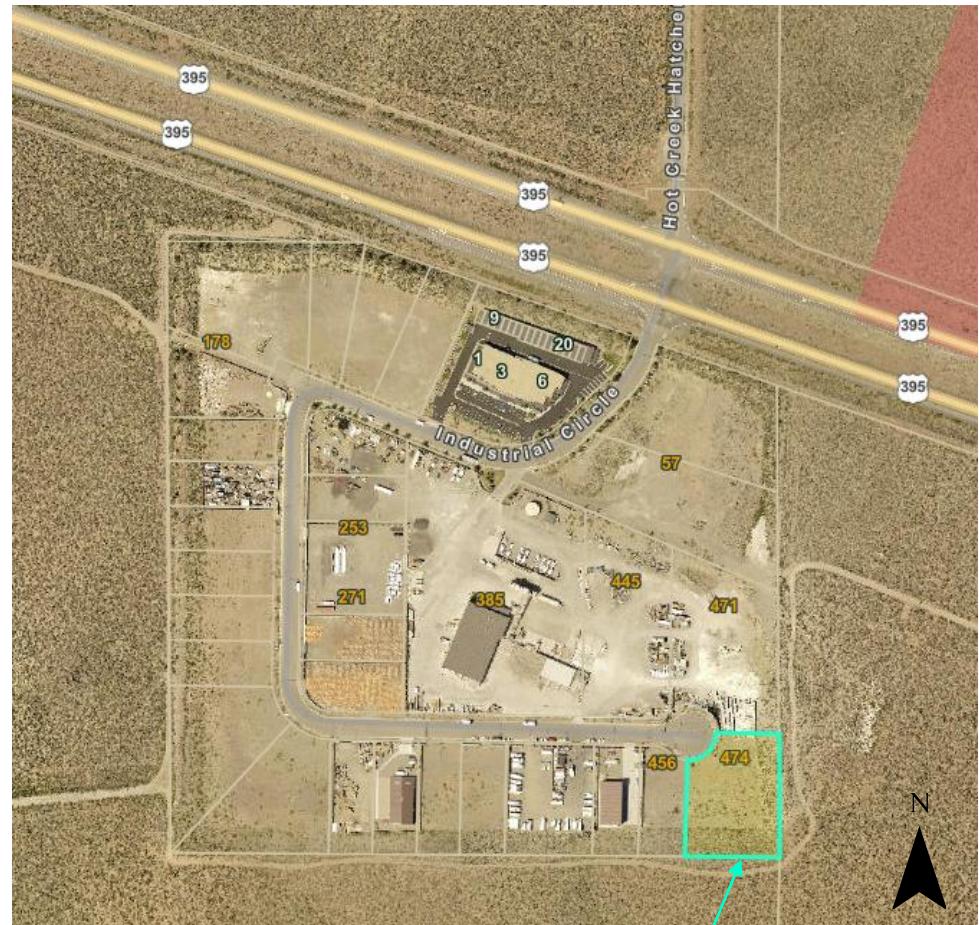
###

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Mono County Planning Commission will conduct a public hearing on **June 20, 2019**, at Town/County Conference Room, Minaret Village Mall, Mammoth Lakes, CA, to consider the following: **10:10 a.m. CONDITIONAL USE PERMIT 18-014/Bask Ventures, Inc.**: Proposal for indoor cultivation of cannabis on an Industrial (I) parcel located at 474 Industrial Circle, in the Sierra Business Park across from Mammoth Yosemite Airport (APN 037-260-004). Cultivation will occur in a 21,858-square foot indoor facility designed to incorporate up to 10,000 square feet of flowering canopy. A CEQA 15183 exemption is proposed. Project files are available for public review at the Community Development Department offices in Bridgeport and Mammoth Lakes.

INTERESTED PERSONS may appear before the Planning Commission to present testimony or, prior to or at the hearing, file written correspondence with: Secretary to the Planning Commission, PO Box 347, Mammoth Lakes, CA 93546. If you challenge the proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to Secretary to the Planning Commission at, or prior to, the public hearing.

Mono County Planning Division
 Kelly Karl, Assistant Planner
 PO Box 347
 Mammoth Lakes, CA 93546
 kkarl@mono.ca.gov
 760-924-1809



Project location highlighted in blue.
 474 Industrial Circle (APN 037-260-004)

Mono County

Community Development

PO Box 347
 Mammoth Lakes, CA 93546
 760.924.1800, fax 924.1801
commdev@mono.ca.gov

Planning Division

PO Box 8
 Bridgeport, CA 93517
 760.932.5420, fax 932.5431
www.monocounty.ca.gov

June 20, 2019

To: Mono County Planning Commission

From: Michael Draper, Planning Analyst
 Gerry Le Francois, Principal Planner

Re: Tioga Inn Specific Plan Workshop

RECOMMENDATION

Informational only and/or provide any desired direction to staff

BACKGROUND

The Tioga Inn Specific Plan and Environmental Impact Report (EIR) was approved in July 1993. The project objective is to provide a complete range of visitor and resident services in the Mono Basin such as lodging, meals, fuel, supplies, and meeting facilities.

The permitted entitlements of the project are:

1. Property divided into four parcels;
2. Hotel with 120 rooms, banquet facilities, coffee shop, retail area, etc.;
3. Full-service 100-seat restaurant and lounge;
4. Convenience Store / Gas station;
5. Residential area with a maximum of 10 residential units; and
6. Open Space preserve, facilities, and support areas.

Two or three amendments have occurred for various modifications such as changing the project phasing, approving a sign master plan, a lighting plan, a manager's unit for the convenience store gas station, a public restroom/shower/laundry facility on the Hotel parcel, and clarification that any future restaurant is to be constructed on the flat area of restaurant parcel.

Other changes included a conditional use permit for a cell tower and director review permits for kitchen expansion and additional restrooms and laundry facilities at the convenience store gas station.

In October 2016, a Notice of Preparation (NOP) for the project was published and a meeting was held in Lee Vining. At that time, the applicant was seeking approval of several project elements that were subsequently deleted from the application. As a result of comments received on the NOP, most elements of the prior Specific Plan approvals (including the hotel and the full-service restaurant) are now proposed to remain unchanged from the original approvals.

SPECIFIC PLAN

California state law allows (GC §65450) for Specific Plans on larger projects that detail out the development or implementation of a certain activity or development. Specific Plans are required to have a map and text for uses of the land, major project components, definitive development standards, implementation and financing measures, and to disclose the relationship between the specific plan and general plan, among other things.

WORKSHOP

Staff will provide an overview of the Tioga Inn Specific Plan Amendment and Supplemental Environmental Impact Report and receive any public and Commission comment, and direction from the Commission.

The current proposal retains the goals and concepts developed in 1993, with several newly added elements. Most significantly, the current proposal would provide up to 150 new workforce housing bedrooms in up to 100 new units. The current proposal also provides for a third gas pump island and overhead canopy, adds additional parking (to accommodate on-site guest vehicles as well as a general-use park-and-ride facility and bus parking for Yosemite transit vehicles), incorporates a new package wastewater treatment system (to replace the existing septic system) tied to a new subsurface drip irrigation system, replaces an existing water storage tank with a new tank on a nearby site, adds a new 30,000-gallon on-site propane tank (the new tank would eventually replace the existing five onsite tanks with a combined 2,500-gallon capacity), reconfigures the entry off SR 120, realigns the road serving the eight existing hilltop units, modifies the boundaries and acreage of designated open space, and modifies parcel boundaries.

The Specific Plan Amendment and Draft Subsequent Environmental Impact Report (DSEIR) were released on June 14, 2019, and are available for download at <https://www.monocounty.ca.gov/planning/page/tioga-inn-specific-plan-seir>. Copies are also available at Mono County libraries, at the Bridgeport and Mammoth Lakes Community Development Department offices, or by calling 760-924-1800.

The formal public review period for the DSEIR will be 60 days, the maximum allowed by law, running June 14, 2019, to August 13, 2019, at 5 pm. All comments should be submitted in writing to Michael Draper, Community Development Department, PO Box 347, Mammoth Lakes, CA 93546. Fax: 760-924-1801, email: mdraper@mono.ca.gov. All comments received by the closing of the public review period will be considered in the Final SEIR.

A public hearing by the Planning Commission to consider the project and SEIR is anticipated no earlier than November 2019. If the project is recommended for adoption and certification by the Planning Commission, the project will then be scheduled for a public hearing by the Mono County Board of Supervisors.