

# MONO COUNTY PLANNING COMMISSION

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Bridgeport, CA 93517  
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## AGENDA

October 17, 2019 – 10 a.m.

Supervisors Chambers, County Courthouse, Bridgeport

**\*Videoconference:** Town/County Conference Room, Minaret Village Mall, Mammoth Lakes

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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](http://www.monocounty.ca.gov) / boards & commissions / planning commission. For inclusion on the e-mail distribution list, interested persons can subscribe on the website.

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*\*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 September 19, 2019 – *p. 1*

**4. PUBLIC HEARING**

**10:05 A.M.**

**CONDITIONAL USE PERMIT 18-018/Colitas Farms:** Proposal for cultivation, processing, and manufacturing of cannabis on an Agriculture (AG-10) parcel located at 324 North River Lane in Walker (APN 002-460-015). The proposed project includes: two 10,000 square foot (sf) greenhouses with cannabis canopy area not to exceed 20,000 sf at full build-out; one immature plant greenhouse (1,500 sf); one diffused light clone greenhouse (1,500 sf); two oil extraction, drying, and processing sheds (720 sf each, approximately 180 sf for drying, 348 sf for processing, and 192 sf for oil extraction); one manufactured home (693 square feet); one apartment barn (2,592 sf total with 1,000 sf of living space); two lavender cultivation areas (43,560 sf and 4,560 sf) and lavender oil extraction at full build-out; landscaping trees around the perimeter of the property; 14 parking spaces; and a one-way road with two access points. A CEQA 15183 exemption is proposed. *Staff: Hailey Lang – p. 4*

**11:05 A.M.**

**CONDITIONAL USE PERMIT 19-008/Shanti Co.:** Proposal for commercial cannabis cultivation on a 20-acre Agriculture (AG) parcel located at 100 N Bodie Hills Drive in the Mono Basin (APN 013-210-024). The proposal is for up to 50 commercial cannabis plants located on a 5,000-sf disturbance area that will replace an existing medical cannabis grow in the same location. A CEQA 15301 exemption is proposed. *Staff: Bentley Regehr – p. 111*

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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

**11:25 A.M.**

**GENERAL PLAN AMENDMENT 19-03/Housing Element Update.** The Housing Element is a required element of the General Plan and provides an analysis of the county's housing needs for all income levels and strategies to meet those needs. It is subject to detailed statutory requirements regarding content and must be updated on an eight-year cycle, meaning the proposed element would apply until 2027. The Housing Element contains three sections: 1) Goals and Policies, which identifies programs that promote the production of housing; 2) Technical Appendix, which provides background information, including demographics and a detailed site inventory; and 3) Progress Report providing updates on programs from the prior Housing Element. The Housing Element Update was originally recommended for approval by the Planning Commission as part of GPA 19-02 at the July 30, 2019, meeting. The California Department of Housing and Community Development (HCD) has since provided feedback that required corrections and a re-adoption of the Housing Element. These corrections include the monitoring of four unit complexes to determine if permitting procedures are a constraint on housing production and the addition of a program aimed at creating written procedures for providing reasonable accommodation for persons with disabilities. *Staff: Bentley Regehr – p. 127*

**5. WORKSHOP**

**11:35 A.M.**

**A. REGIONAL TRANSPORTATION PLAN (RTP) UPDATE** (*Continued from Sept. 19, 2019*): Presentation and request for input on the update to the RTP, which also serves as the General Plan Circulation Element. *Staff: Hailey Lang – p. 144*

**6. REPORTS**

**A. DIRECTOR**

**B. COMMISSIONERS**

**7. INFORMATIONAL**

**8. ADJOURN** to regular meeting November 21, 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 USC 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.

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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.

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## SPECIAL MEETING DRAFT MINUTES

September 19, 2019

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

**STAFF:** Wendy Sugimura, director; Gerry Le Francois, principal planner; Jake Suppa, compliance analyst; Michael Draper & Hailey Lang, planning analysts; Christy Milovich, assistant county counsel; CD Ritter, PC secretary

**PUBLIC:** Colleen Julian

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**1. CALL TO ORDER & PLEDGE OF ALLEGIANCE:** Chair Scott Bush called the meeting to order at 10:03 a.m. at the Lee Vining Community Center, and attendees recited the pledge of allegiance.

**2. PUBLIC COMMENT:** None

**3. MEETING MINUTES**

**MOTION:** Adopt minutes of July 30, 2019, as submitted. (*Lizza/Roberts. Ayes: 5-0.*)

**4. COMMISSION INTERPRETATION 19-002/Polvoorde:** Wendy Sugimura noted outright permitted uses at SBP (Sierra Business Park) unlike other land use designations, so parking standards do not cover that use. Interpretation could be used in future at SBP.

Kelly Karl presented parking for a proposed mini-storage facility in SBP: 180 storage units plus caretaker unit, six parking spaces (two for caretaker). Applicant's designer Michael Keltz attended by phone. Two buildings, covered breezeway between storage buildings. 12' wide traffic lane required. Parallel parking size is 10' x 20', proposed 9' x 18'. In winter, snow storage allows 9' parking lane. Buildings have 13/144 and 24/46 units. Building A has five rows of storage units. Snow storage needs adjustment to meet SBP requirement. Long Valley FPD approval needed on ingress/egress and snow storage.

Other projects under "other" category? *Karl: No large consensus on parking requirements. Note in conditions of approval.* Robertson: Not meet warehouse standard so falls in "other" category. *Sugimura: Maybe not called out as separate item, as SP (Specific Plan) governs.*

Lagomarsini: Four or some other number, shift building B for fire turn radius.

Sugimura: Parallel parking on main street equal 9' acceptable. If PC comfortable with layout but parking on back side of Building B. 9' parking lanes, 12' travel lane, 10' snow storage lane. Not want parking pushed out into street. No better guidance.

Striped parking? *Sugimura: Open parking lanes.* Bush: Why someone park other than storage?

Lizza: Breezeway = active loading/unloading.

Robertson: Less parking for A that has more units.

Lagomarsini: Split building A and B. Smaller units in back for smaller items. Shift Building B three feet. *Bush: Loading/unloading by hand carts.*

Lagomarsini: Manager unit for people to sign up/pay.

Rationale for not moving building for full snow storage and parking lane width? *Designer Michael Keltz: Have 477 sf of snow storage over what's required.*

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Chris I. Lizza

Roberts: Make full width for parking space, travel lane, snow storage.

Sugimura: PC determine/interpret sufficient parking to provide parallel sites along A and both sides B. Leave it up to designer to fit into project. Preapplication under Specific Plan not Use Permit, not submitted for building permit application.

Robertson: Comfortable with 37 parallel spots under warehouse use.

Sugimura: Designer adjust project. Sufficient parking

Lizza: Two spaces for loading/unloading. Entrance needs designated parking spots. Two loading/unloading at each entrance.

Robertson: Units blocked where more units, less parking.

Keltz: On small facility like this maybe not much traffic any given day.

Bush: Building A dimensions between small storage units? How access storage unit? *Keltz: Foot traffic. People use door easiest and closest.*

Lizza: Optimally two more parking spaces on left side.

Sugimura: Revise motion to include 9' parking aisle on back side of B for bigger units.

Lizza: Approving how many parking spaces? *Sugimura: Not delineated spaces. Parking aisle where pull off to side to load/unload.*

***MOTION:*** Find parking requirement detailed below is adequate. Two caretaker, four office spaces including one ADA, 9' loading/unloading west of A and east and west of B to include 11' drive aisle and 10' snow storage on west side of B. In place for all four seasons.

*(Lagomarsini/Robertson. Ayes: 5-0.)*

Lizza: Suggestion to designer Keltz: Two spaces on left, two on right.

## 5. WORKSHOPS

**A. ODOR MITIGATION ORDINANCE CONCEPT:** Jake Suppa did presentation and requested input on objectively evaluating cannabis odor impacts for compliance purposes. Odor is based on personal background vs odorant, a chemical compound that can be measured. Ambient odor level is when someone can detect change. Intensity is superficial. Monoterpenes associated with cannabis are hydrogen sulfide and methyl sulfide. N-butanol is standard for odor tests. Create inventory to determine compliance. Only standard available is hydrogen sulfide at oil refining plants. Colorado cannabis industry is indoors. San Francisco and San Diego are more directed toward waste industries and water plants. Order test kit, apparatus.

Nick Criss: Develop standard to measure if in compliance. *Bush: Everybody's nose is different.*

Suppa: N-butanol testing for specific smells. Olfactometer for in-house use costs \$3,000.

Sugimura: Get PC concurrence on field olfactometer to get empirical field data on threshold. Would not make purchase if PC saw no need.

Criss: Similar to noise levels, threshold of acceptable. Mitigation to bring down.

Roberts: Good in responding to future complaints.

Sugimura: Authority to establish standards. Not go too far if not seen as valuable.

Lizza: Look at feed lots, hay, cattle, etc. where Right to Farm applies.

Public: Absolute number comes up. Where human nose come in?

Suppa: Olfactory nerves differ.

Bush: Get standard of tolerant level. Just like sound/noise. Levels determined. Need to have tool.

Lagomarsini: Go to property once get machine, train two people (Criss and Suppa) so not have to start over.

Suppa: Fall back to N-butanol, send to lab or trained professional.

Bush: Interpretation of smells.

Walker River Farms: Consulted in Santa Barbara County. Three growers in Antelope Valley have faith in process. Support standard.

Bush: Some sounds, some smells are obnoxious.

**B. REGIONAL TRANSPORTATION PLAN (RTP) UPDATE:** Presentation and request for input on the update to the RTP, which also serves as the General Plan Circulation Element. *(Continued to October 17 meeting)*

**6. REPORTS**

**A. DIRECTOR:** None

**B. COMMISSIONERS:** None

**7. INFORMATIONAL:** None

- 8. 11:15 a.m. TIOGA INN SITE VISIT: TIOGA INN SPECIFIC PLAN AMENDMENT AND SUBSEQUENT ENVIRONMENTAL IMPACT REPORT.** The meeting adjourned to the Tioga Inn Specific Plan, 22 Vista Point Road, Lee Vining, CA, 93541, at 11:15 am. Commissioner Lizza recused himself from the site visit due to conflict of interest with the Tioga Inn SP project but all other commissioners attended the site visit and discussion of the project, which included up to 150 new workforce housing bedrooms in up to 100 units, a third gas pump island and overhead canopy, additional parking, a new package wastewater treatment facility, a replacement 300,000-gallon water tank, a 30,000-gallon propane tank, modifications to open space boundaries and acreage, and modifications to parcel boundaries. *Staff: Gerry Le Francois & Michael Draper, and consultant Sandra Bauer*

**9. ADJOURN** to regular meeting October 17, 2019

*Prepared by CD Ritter, PC clerk*

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October 17, 2019

To: Mono County Planning Commission

From: Hailey Lang, Planning Analyst

Re: Use Permit 18-018/Colitas Farms

### RECOMMENDATION

It is recommended that 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 18-018 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. 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.

In June 2017, California Senate Bill 94 was passed, consolidating the provisions of the Medical Cannabis Regulation and Safety Act and Proposition 64 (passed by voter approval in the November 2016 election) into what is now known as the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA). The Act creates a framework for the regulation of commercial medicinal and adult-use cannabis in California.

Three state authorities were authorized for the oversight and State permitting of cannabis businesses: The Bureau of Cannabis Control is the lead agency for retailers, distributors, testing labs, microbusinesses, and temporary cannabis events; CalCannabis, a division of the California Department of Food and Agriculture (CDFA), has oversight of cultivation; and the Manufactured Cannabis Safety Branch, a branch of the California Department of Public Health, regulates all commercial cannabis manufacturing. Each licensing authority requires an operator to receive local approval prior to applying for state licensure.

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 public feedback received through RPAC, Planning Commission, and Joint 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.

The adopted regulations established two permits required for local cannabis businesses: 1) Conditional Use Permit for the property's land-use entitlement; and 2) subsequent Cannabis Operation Permit for the business. While the Conditional Use Permit runs with the land, the Operation Permit is unique to the business and expires annually. A separate cannabis Operation Permit is required for each type of cannabis activity carried out on or at the premises regardless of ownership.

Pursuant to California Business and Professions Code Section 26000, et seq., a valid license issued by the state shall be required to operate any commercial cannabis activity within the county.



## PROJECT DESCRIPTION

The project is located at 324 N River Lane (APN 002-460-015) on an approximately 20-acre parcel in Walker. The Land Use Designation (LUD) for this parcel is Agriculture (AG). Types of uses permitted subject to a use permit on AG land include commercial hog and poultry raising, farm labor trailer parks, public utility buildings and/or structures, airports, heliports, stock-feeding yards, agriculture processing plants, slaughterhouses, limited-scale lodging, bed-and-breakfast establishments, animal hospitals, veterinary clinics, kennels, mineral exploration activities, equestrian facilities, commercial hunting and fishing, rural recreation, parks, golf courses, sport facilities, and commercial cannabis activities (nursery, cultivation, processing, manufacturing Type 6, N, and P, distribution, retail, and microbusiness).

A Mono County Use Permit and Operation Permit for cultivation, processing, and Type 6 manufacturing will be submitted to conduct operations. Obtaining the required California State permits to cultivate cannabis will be conditions of all permits.

The proposed project utilizes greenhouses and other structures to grow, process, and manufacture cannabis (see Attachment 1). The project facilities and ancillary items are listed below:

- Two 10,000 square-foot greenhouses
- One immature plant greenhouse (30'x50' or 1,500 sf)
- One diffused light clone greenhouse (30'x50' or 1,500 sf)
- Two oil extraction, drying and processing sheds (12'x60' or 720 sf each)
- One 800 sf compost area
- Three waste storage containers (10'x5' or 150 sf each)
- Two cannabis storage containers (8'x40' or 320 sf each)
- One barn (totaling 2,592 sf) with upstairs apartment (appx 1,000 sf)
- One accessory dwelling unit (13'x52' or 693 sf) with adjacent parking area
- Two diesel generators for backup and emergency supply
- One parking area for 10 vehicles (50'x58' or 2,908 sf)
- Four loading zone areas (800 sf each)
- Four 2,500-gallon water tanks
- One 10,000-gallon water tank
- Two propane tanks (250 gal and 1,000 gal)
- One well house (10'x10', or 100 sf)
- Front gate and fencing for security
- Underground utilities
- Trees around the property perimeter for visual aesthetics (Leyland Cypress and Sambuca Black Lace)
- One-way road with two access points

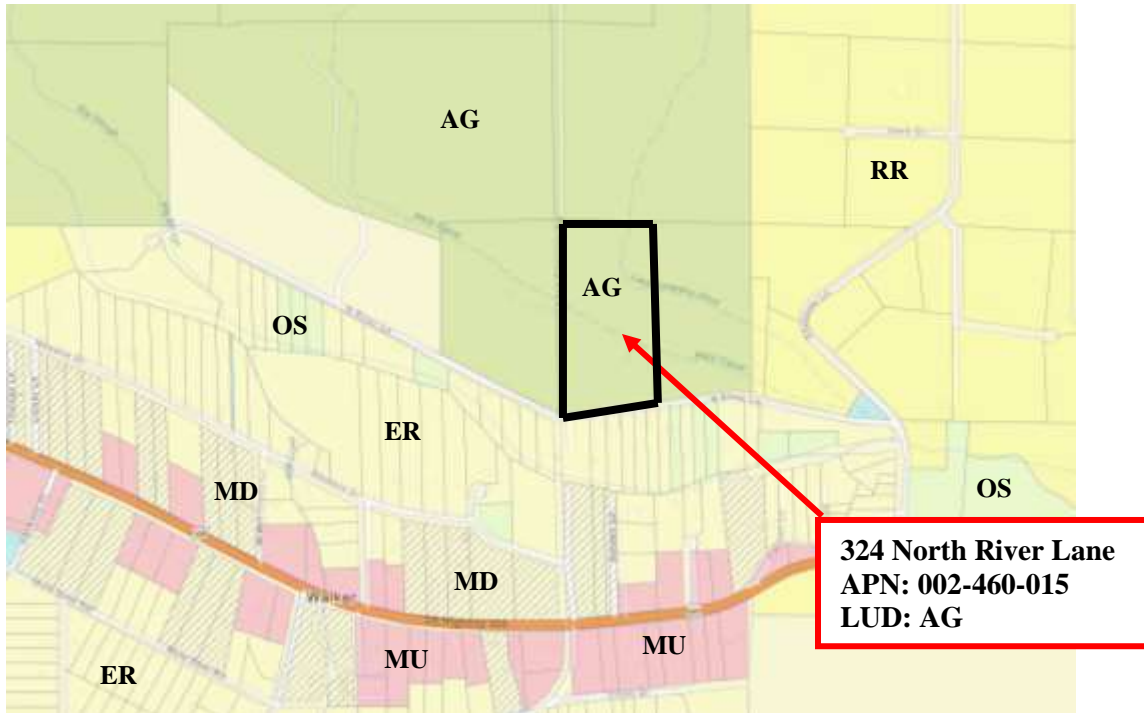
In addition to growing cannabis, the farm will grow lavender which includes the following items:

- Two lavender cultivation areas (43,560 sf and 4,560 sf) and lavender oil extraction
- One honey box

**PROJECT LOCATION**



**PROJECT LAND USE DESIGNATION**



### **LAND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE (LDTAC)**

The LDTAC first reviewed the application on Dec. 17, 2018, and recommended acceptance for permit processing. Based on community input, the applicants revised their project description to remove the outdoor grow and cultivate indoors only. With the change in project description, LDTAC reviewed the application again on Feb. 19, 2019, and re-accepted the permit for processing.

### **CEQA COMPLIANCE**

The County contracted with Resource Concepts Inc. (RCI) to conduct a 15183 analysis (Attachment 4). CEQA mandates that projects 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 peculiar to the project or its site. The 15183 analysis found no significant impacts peculiar to cannabis cultivation, processing, and manufacturing Type 6, or beyond the scope of mitigation measures stated in the Mono County General Plan EIR. The 15183 analysis specifically reviewed potential impacts related to land use, housing, soils, water, air quality/odors, transportation, biological resources, energy and mineral resources, hazards, noise, public services, utilities, aesthetics, cultural resources, recreation, and greenhouse gas emissions (GHG).

Ultimately, the review determined:

1. The land use and planning impacts of the proposed agricultural cultivation were analyzed in the EIRs certified in conjunction with the adoption of the Mono County General Plan;
2. This parcel is no different than other agricultural parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project;
3. There is no new substantial information indicating that the land use and planning impacts of the project will be more severe than described in the EIR; and
4. There are no cumulative or off-site land use and planning impacts from the proposed project that were not addressed in the prior EIR.

### **GENERAL PLAN CONSISTENCY**

The General Plan land use designation for this property is Agriculture with a 10-acre minimum (AG-10). According to the Mono County General Plan, “the ‘AG’ designation is intended to preserve and encourage agricultural uses, to protect agricultural uses from encroachment from urban uses, and to provide for the orderly growth of activities related to agriculture.” Permitted uses under the Agriculture land use designation include single-family homes, accessory buildings, non-commercial composting, and all uses proposed in conjunction with a bona-fide agricultural operation. Commercial cannabis cultivation is permitted subject to a Use Permit and compliance with Chapter 13, and a Cannabis Operation Permit pursuant to Mono County Code Chapter 5.60.

The proposed development is also consistent with Antelope Valley Area Plan policies contained in the Mono County General Plan Land Use Element.

### **MONO COUNTY LAND USE ELEMENT, COUNTYWIDE LAND USE POLICIES**

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

**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.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, ANTELOPE VALLEY POLICIES**

**GOAL 4.** Provide for orderly growth in the Antelope Valley in a manner that retains the rural environment, and protects the area's scenic, recreational, agricultural, and natural resources.

**Objective 4.A.** Guide future development to occur within the US 395 corridor and existing communities.

**Policy 4.A.3.** Along the Highway 395 corridor between existing communities, provide for limited development that is compatible with natural constraints and the Valley's scenic qualities.

**Objective 4.B.** Maintain the scenic, historic, agricultural, and natural resource values in the Valley.

**Objective 4.D.** Maintain and enhance the local economy.

### **PUBLIC HEARING NOTICE**

A public hearing notice was published in the Oct. 5, 2019, issue of The Sheet and the Oct. 3, 2019, issue of Mammoth Times (see Attachment 2) and was mailed to surrounding property owners within 300 feet of the proposed project (Attachment 3) on Oct. 2, 2019. No comments have been received as of the drafting of this staff report.

On October 9, 2018, prior to the first version of the application being accepted for processing, a petition with 49 signatures against the project was submitted to the Community Development Department. This petition was based on the previous project description that included an outdoor grow area. The petition comments on a number of topics including: general opposition to the legality of cannabis; watershed impacts; Water Board and/or Air Quality District compliance; location/site control; well/water impacts; pest control; natural hazard impacts; size of buildings; character of potential employees; odor and air quality impacts; visual impacts; noise; lighting; security; biological and cultural impacts; infrastructure; and regulatory impacts. The submitted petition is available upon request.

### **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. Cannabis cultivation, processing, and manufacturing Type 6 is permitted subject to use permit in AG designations and must comply with Chapter 13, Cannabis Regulations.
  - b. Adequate site area exists for the proposed uses. The footprint of cannabis operations at full buildout is up to 20,000 square feet out of approximately 20 acres of the property.
  - c. The site provides adequate parking and space for loading areas. Employee vehicles will be accommodated by the on-site parking areas. Ten parking spaces for non-residential employees will be located near the main access gate near the lavender grow area in the southeast corner of the property (parking stalls are approximately 10' x 20' each), and there are also four separate areas throughout the property designated for loading (800 square feet each). Two parking spaces are located by the apartment barn with two more by the manufactured home for a total of 14 spaces. Three turnouts would accommodate access and emergency vehicle turnaround. Per Chapter 6, Parking, Table 06.010, Required Number of Parking Spaces, Colitas Farms is required to have two spaces for each three employees on the largest shift. Colitas Farms would need to accommodate eight parking spaces plus the two parking spaces for each residential unit, for a total of 12 parking spaces. Per Chapter 6, Parking Stall Size, uncovered parking spaces in areas below 7,000 feet in elevation may be reduced to 9' x 18'. Therefore, the proposed parking exceeds required standards.
  - d. The location of the proposed project is consistent with the Antelope Valley Area Plan's intent for preserving agriculture (refer to General Plan Consistency).
  - e. There will be no detrimental impacts to housing. An apartment barn (with approximately 1,000 square feet of living space with a total of 2,592 square feet) will be located east of the main greenhouse to house the lone on-site employee. A dilapidated manufactured home currently exists on site and will be torn down and replaced with a new manufactured home (693 square feet) for additional employees at a later date.
  
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. During non-harvest times, employee traffic could be three round trips per day, five days a week, or about 60 round trips per month. During harvest seasons, employee traffic could increase to as much as nine round trips per day, five days a week, for about 45 round trips per week for four two-week periods. Employees will be encouraged to carpool to the site. Deliveries and shipping of products would occur twice per week via delivery van. No semi-trailers are anticipated for regular farm operations. The traffic for the proposed project is comparable to traffic typical for a farm with a family of four to six persons who commute to school or work and have the need for additional workers for harvest. Depending on the crop, a typical

farm could also be expected to have larger transportation and shipping vehicles, such as semi-trailers, which are not part of the proposed project.

The project area is accessed from Hwy 395 to Eastside Lane and then to North River Lane. The proposed project would increase traffic on all three access roads. Highway 395 is a designated interstate truck route and is designed for heavy traffic. Eastside Lane is a standard County collector/commercial (Class I for snow removal) maintained roadway designed for general uses (Mono County, 1981, 2013, 2014b).

North River Lane is a partially paved private road. Private roads often do not meet the County Roadway Standards and as a result have not been accepted into the County Roadway Systems (Mono County, 2013, 2014b). The existing road is adequate for the passenger vehicles and the types of delivery vans to be used to access the property. The project proponent is committed to maintaining the existing road in its current condition to access their driveway. Access to the proposed farm driveway is approximately 1,650 feet along the paved portion of North River Lane from Eastside Lane along which there are approximately six other driveways.

This traffic is not expected to impact the existing traffic load and capacity above and beyond that of a typical 20-acre traditional farming operation with family and workers living on site. The project will not create barriers for pedestrians or bicyclists, nor will it conflict with policies supporting alternative transportation.

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 uses are not expected to cause significant environmental impacts or be detrimental to surrounding property. Elements peculiar to cannabis, including odors, have been analyzed through the 15183 CEQA exemption process and have been found to have no impacts beyond the scope analyzed 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. The use permit process provides public opportunity to comment on the proposal and no comments were received as of the drafting of this staff report.
  - c. The Antelope Valley Fire Protection District Chief was consulted and recommended the following changes that were incorporated into the project: placement of a 10,000-gallon water tank for fire suppression at the front of the property and extension of the one-way road to a second access point on N. River Lane.
  
4. *The proposed use is consistent with the map and text of the Mono County General Plan because:*
  - a. Commercial cannabis activities are permitted on AG land given the applicant meets the criteria set forth by Chapter 13.
  - b. The project is located within the Antelope Valley Planning Area. The Antelope Valley Plan encourages the protection of agriculture and its related values.

### **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.*

The project is not located within 600' of schools, parks, playgrounds, libraries, or community centers. The nearest schools are Antelope Valley Elementary School and Coleville High School, both located four miles to the northwest in Coleville, CA.

#### **13070 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.*

All proposed structures and grow areas meet setback standards for agriculture designations (50' front, 30' rear, 30' side).

#### **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.*

The nearest receptor to this proposed project is a residence (APN 002-310-032) that is 277 feet south of the proposed clone greenhouse and 321 feet south of the main greenhouse. The composting area is 474 feet from the nearest residence.

Due to the proximity of receptors, Colitas Farms is proposing several methods for odor control. A high-pressure mister/fogger by NCM Environmental Solutions will be installed on all ventilation systems at the mature plant greenhouses, the immature plant greenhouse, and the defused light greenhouse. The compost area will also be equipped with the same high-pressure fogging system as the greenhouses. The high-pressure mister/fogger system disperses an odor-neutralizing product that traps airborne odors and biodegrades unpleasant smells. Both sheds for oil extraction, drying, and processing will have charcoal filter systems to assist with odor mitigation.

The NCM mister/fogger neutralizer has two active parts to neutralize odors, including fragrance and Metazene®. Metazene® is an odor-neutralizing compound that directly interacts with odors. Metazene® reacts with the highly volatile aromatic compounds in cannabis to form a complex ion that acts like a net to surround and envelope the odor. This complex ion becomes 'heavy' and less volatile resulting in the neutralization of the odor. The fragrance is an odor masker. It is made up of various essential oils and aroma chemicals as well as some solvents to increase tenacity and longevity. The odor control will be programmed to include wind speed and directions. Attachment

E in the CEQA document (Attachment 4 to the staff report) provides additional details on the Odor Control Plan.

The Mono County General Plan allows composting activities in the AG LUD up to a maximum of 100 cubic yards of composted materials at a time, and composting activities are required not to create a nuisance. No more than 100 cubic yards of compost will be present on the project site at a time consistent with the Mono County General Plan. Composted cannabis vegetation is a source of odors. The compost area will be covered when not in use to minimize odors. The NCM mister/fogger system described above will be installed over the compost area for odor control.

Lavender will be grown as an additional farm crop and a second scent barrier to any odors that could potentially occur outside of the greenhouses, storage/processing sheds, and composting areas. The lavender will cover 48,120 sf along North River Lane. With implementation of the odor control plan, it is not anticipated that any smell will occur outside the buildings.

#### **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.*

One hanging sign proposed will be located at the front of the property over the main entry gate. The sign will be ranch style and will be made of wood and copper. The sign will read, “Colitas Farms” with the company logo of a fox. It will be no larger than 10 square feet in size and will have a total clearance of 8-10 feet.

#### **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.*

The project site is not located adjacent to a county or state scenic highway. It is adjacent to parcels with agricultural LUDs to the north and is adjacent to estate residential parcels south of North River Lane. Due to the nature of proposed grow operations (greenhouses), crop cultivation will not substantially degrade the visual quality of the surrounding area. Buildings will be painted to match surrounding dark earth tones in coordination with Mono County. Perimeter fencing will be installed with a decorative, wooden main access gate (see Attachment 1).

There will be two lavender grows that cover 48,120 sf along North River Lane that will enhance views to the property. Additionally, a shelterbelt of trees (Leyland Cypress and Sambuca Black Lace) will surround the operations to improve the view from the public right of way. The purpose of the aesthetic enhancements is to increase the appealing nature of the property to landowners and viewers alike. With these proposed actions, the property will be enhanced to reflect the culture and character of the area. The proposed agricultural activities are compatible with the character of the lands in Antelope Valley and with the agricultural character that Antelope Valley policies intend to preserve.

#### **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 greenhouses are required to have blackout shade covers from dusk to dawn, and any exterior lighting will comply with the Mono County General Plan regulations for dark sky compliance.

**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.*

There are 14 parking spaces provided -- 10 near the gate, two next to the manufactured home, and two next to the apartment barn. There are also four loading and unloading areas throughout the project area. Additionally, three turnouts are provided and comply with all requirements of Chapter 22, Fire Safe Regulations. The parking stalls near the gate are approximately 10' x 20' each in size and comply with 06.030, Parking Stall Size. Colitas Farms is required to provide eight parking spaces plus the two parking spaces for each residential unit, for a total of 12 parking spaces based on the requirements of Table 06.010, Required Number of Parking Spaces. Per Chapter 6, Parking Stall Size, uncovered parking spaces in areas below 7,000 feet in elevation may be reduced to 9' x 18'. The parking and loading spaces provided comply with all requirements of Chapter 6, Parking.

**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 agricultural operations. The Mono County Noise Ordinance limits maximum exterior noise levels for agricultural operations to 65 dBA at all times when measured at or within the real property line of the receiving property.

In the event of electrical utility failure, backup diesel generators will be used (two at full build-out). Each proposed KD 110 generator emits 66 decibels at a distance of 22 feet, and both are placed at a minimum of 30 feet from the property line. In addition, the noise ordinance does not apply to the generation of sound in the performance of emergency work, including the use of generators, both fixed and mobile, during power outages.

The project will not increase the existing noise levels above that typical for an agricultural operation and will not expose people to severe noise levels. Noise levels for alternative power for cannabis production will comply with the requirements of 13.070.J. The project will follow all requirements of the County's Noise Ordinance (Mono County Code, Chapter 10.16) and will follow all requirements of 13.070. J.

**ATTACHMENTS**

- 1 Site Plan
- 2 Public hearing notice
- 3 Public hearing mailer
- 4 CEQA document



**CONDITIONS OF APPROVAL**  
Use Permit 18-018/Colitas Farms

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. Project is required to obtain a Mono County Cannabis Operation Permit pursuant to Mono County Code 5.60 and appropriate state licensing prior to commencing operation. A copy of state license shall be provided to the Mono County Community Development Department.
4. Project shall be in substantial compliance with the site plan as shown on Attachment 1 in the staff report.
5. Project is required to comply with any requirements of the Antelope Valley Fire Protection District.
6. Exterior lighting must comply with Chapter 23, Dark Sky Regulations.
7. Project shall provide 14 parking spaces, as shown on site plan.
8. Project shall not exceed a cannabis canopy of 20,000 square feet, as shown on the site plan. No additional activities, infrastructure, or expansion may occur without Planning Commission approval.
9. Applicant must maintain active business license and tax certificate requirements.
10. The project shall comply with Chapter 22, Fire Safe Regulations.
11. Exterior finishes on all buildings shall be dark earth tone colors.
12. If odor impacts are verified as defined by a cannabis odor enforcement program, odor mitigation may be required.
13. In the event of discovery or recognition of any human remains, all work shall be stopped, 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).
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

ATTACHMENT 1-SITE PLAN



## ATTACHMENT 2-PUBLIC HEARING NOTICE

## MONO COUNTY PLANNING COMMISSION

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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](http://www.monocounty.ca.gov)

Date: October 1, 2019  
To: Mammoth Times  
From: CD Ritter  
Re: Legal Notice for the **October 3** issue.  
Invoice: Cara Isaac, PO Box 347, Mammoth Lakes, CA 93546

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### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that Mono County Planning Commission will conduct a public hearing **Oct. 17, 2019**, at Board of Supervisors Chambers, Mono County Courthouse, Bridgeport, CA, to consider the following: **10:05 a.m. CONDITIONAL USE PERMIT 18-018/Colitas Farms**: Proposal for cultivation, processing, and manufacturing of cannabis on an Agriculture (AG-10) parcel located at 324 N River Lane in Walker (APN 002-460-015). The proposed project includes: two 10,000 square foot (sf) greenhouses with cannabis canopy area not to exceed 20,000 sf at full build-out; one immature plant greenhouse (1,500 sf); one diffused light clone greenhouse (1,500 sf); two oil extraction, drying, and processing sheds (720 sf each, approximately 180 sf for drying, 348 sf for processing, and 192 sf for oil extraction); one manufactured home (693 square feet); one apartment barn (2,592 sf total with 1,000 sf of living space); two lavender cultivation areas (43,560 sf and 4,560 sf) and lavender oil extraction at full build-out; landscaping trees around the perimeter of the property; 14 parking spaces; and a one-way road with two access points. A CEQA 15183 exemption is proposed. The project files are available for public review at the Community Development Department offices in Bridgeport and Mammoth Lakes. The project files can be viewed digitally here: <https://www.monocounty.ca.gov/planning/page/colitas-farms>. 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.

##

## ATTACHMENT 3-PUBLIC HEARING MAILER

**Mono County  
Community Development Department  
Planning Division**

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](http://www.monocounty.ca.gov)

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For additional questions, please contact the Mono County Planning Division: Hailey Lang, Planning Analyst, PO Box 8, Bridgeport, CA 93517 (760)932-5415, [hlang@mono.ca.gov](mailto:hlang@mono.ca.gov)



Project location highlighted in blue.  
324 North River Lane (APN 002-460-015)

# **CEQA Guidelines §15183 Environmental Analysis**

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*—for—*

**Colitas Farms Cannabis Cultivation  
Mono County, California**

October 2019

Prepared by:

Mono County Community Development Department  
Planning Division  
Post Office Box 347  
Mammoth Lakes, CA 93546

# CEQA Guidelines §15183 Environmental Analysis

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—for—

## Colitas Farms Cannabis Cultivation Mono County, California

October 2019

### LIST OF PREPARERS

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(760) 932-5415

#### **Project Sponsor**

Colitas Farms  
324 North River Lane  
Walker, CA 96107



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**Attachments**

- A. Location Maps
- B. Integrated Pest Management Plan
- C. Waste Management Plan
- D. Lahontan Regional Water Quality Control Board Letter
- E. Odor Mitigation Plan and Wind Rose Charts for Walker, California
- F. Cultural Resource Information

File Doc: 2019-08-19 Draft RPT CEQA 15183 Colitas LZ.docx

## I. INTRODUCTION

The California Environmental Quality Act (CEQA) requires public agencies to consider and analyze the potential environmental effects of certain activities and establishes a process for determining whether the activity is subject to CEQA requirements. Activities are subject to CEQA if they (a) involve the exercise of discretionary powers, (b) have potential to impact the environment, and (c) meet the definition of a 'project,' and (d) are not categorically or statutorily exempt from CEQA.

CEQA Guideline §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 Mono County General Plan, Final Environmental Impact Report (FEIR) certified in 2015 (SCH # 2014061029). This contains analysis of general plan policies for all required general plan elements and the zoning code governing land uses, which is integrated into Mono County's General Plan.

The Mono County Planning Division has prepared an Initial Study checklist to determine whether there are project-specific significant effects that are peculiar to the project or to the site. 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. 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;
4. 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 land use; or
5. Are there 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.

Further examination of environmental effects related to the project is limited to those items identified in the checklist as meeting one of the above criteria.

## II. PROJECT INFORMATION

<b>Project Title:</b>	Colitas Farms Cannabis Cultivation
<b>Lead Agency Name, Address with Contact Person and Phone #:</b>	Mono County Community Development Department Planning Analyst II P.O. Box 347 Mammoth Lakes, CA 93546 Hailey Lang (760) 932-5415
<b>Project Location:</b>	Colitas Farms is located at 324 North River Lane in Walker, California
<b>Plan Area:</b>	Antelope Valley
<b>Assessor Parcel Number (APN):</b>	002-460-015-000

### ***Description of Project***

Colitas Farms is proposing a 20,000 square-foot (SF) commercial greenhouse cannabis cultivation operation. The project is located within a 19.7-acre parcel at 324 North River Lane (APN 002-460-015-000) that is owned by the project proponent. The General Plan designation of the parcel is Agriculture (AG) with a 10-acre parcel size minimum. The Location Map and Site Plan are provided in Attachment A.

A Mono County Use Permit and Operations Permit for cultivation, processing, and Type 6 manufacturing will be submitted to conduct operations. Obtaining the required California State permits to cultivate cannabis will be conditions of both permits.

The proposed project utilizes greenhouses to grow, process, and manufacture cannabis. The project facilities and ancillary items are listed below (see Attachment A):

- Two 10,000 square-foot greenhouses
- One immature plant greenhouse (30'x50' or 1,500 SF)
- One diffused light clone greenhouse (30'x50' or 1,500 SF)
- Two oil extraction, drying and processing sheds (12'x60' or 720 SF each)
- One 800 SF compost area
- Three waste storage containers (10'x5' or 150 SF each)
- Two cannabis storage containers (8'x40' or 320 SF each)
- One barn (totaling 2,592 SF) with upstairs apartment (appx 1,000 SF) with adjacent parking area
- One accessory dwelling unit (13'x52' or 693 SF) with adjacent parking area
- Two diesel generators for backup and emergency supply
- One parking area for 10 vehicles (50'x58' or 2,908 SF)
- Four loading zone areas (800 SF each)
- Four 2,500-gallon water tanks
- One 10,000-gallon water tank
- Two propane tanks (250 GAL and 1,000 GAL)
- One well house (10'x10', or 100 SF)
- Front gate and fencing for security
- Underground utilities
- Trees around the property perimeter for visual aesthetics (Leyland Cypress and Sambuca Black Lace)
- One-way road with two access points

In addition to growing cannabis, the farm will grow lavender which includes the following items:

- Two lavender cultivation areas (4,356 SF and 4,560 SF) and lavender oil extraction
- One honey box

The main greenhouse will be a pipe frame structure with a durable polycarbonate cover. Ultimately, up to 20,000 SF of mature plant canopy will be grown in the main greenhouse and second green house (shown on site plan as items 6 and 9) and up to 10,000 square feet will be grown in the main greenhouse and up to an additional 10,000 square feet will be grown in the second greenhouse. Plants will be watered by hand and with drip irrigation.

The greenhouse, immature plant nursery, and the diffused light clone greenhouse will use a nonaqueous odor control chemical delivery system as means of primary odor control via NCM Environmental Solutions. In addition to primary odor control, misting fans will treat all exhaust vapors being released from greenhouse vents. The composting area will be covered and have an external misting system for odor control (see Attachment E).

The oil extraction, drying, and processing sheds will be separate from the main greenhouse (see Site Plan in Attachment A) and will be primarily used to process harvested plant material. Oil extraction will occur in approximately 192 square feet in each of the sheds. Both buildings will have charcoal filter systems to assist with odor mitigation.

An apartment barn (approximately 1,000 SF of living space with a total SF of 2,592) will be located on site for employee housing. The apartment barn will be placed east of the main greenhouse (see Attachment A). A manufactured home (693 square feet) for additional employee housing will also be placed on-site at a later date and will replace the dilapidated manufactured home currently on site. There will be a gravel parking area adjacent to the apartment barn with two parking spaces and a gravel parking area directly west of the manufactured home with two parking spaces.

The lower level of the apartment barn and two storage containers will be used to store cultivation equipment. No cultivation will take place in any of the storage containers or the apartment barn.



**Photo 1. An example of the proposed barn structure**

The fence and gates, including the main access wooden gate, will be maintained as a part of the site security. A security plan, which is confidential as provided by state law, will meet California Department of Food and Agriculture (CDFA) requirements and be approved by the Mono County Sherriff.



**Photo 2 and 3. Examples of wooden gate and fencing to be used on site.**

Up to four full-time employees will initially be employed on the property five days a week. During harvest there will be up to an additional six employees with a maximum of 10 at any one time. Harvest will occur four times per year and span two weeks each harvest. Employee vehicles will be accommodated by an on-site parking area with ten spaces.

Parking for the non-residential employees will be located near the front gate next to the lavender grow area in the southeast corner of the property and there are also four separate areas throughout the property designated for loading. Three turnouts on the one-way road would accommodate access and emergency vehicle turnaround. Turnarounds are required on driveways and dead-end roads. The minimum turning radius for a turnaround shall be 40 feet, not including parking. If a hammerhead "T" is used instead, the top of the "T" shall be a minimum of 60 feet in length. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum 25-foot taper on each end.

Colitas Farms will also produce lavender and honey to be marketed to the general public. Lavender will be cultivated outdoors along the property entrance and border with North River Lane. The lavender will be a secondary crop for the farm and will also provide aesthetic odor value. In addition to the lavender crop, the operation will be surrounded by trees (Leyland Cypress and Sambuca Black Lace) on the east, west, and south sides as a visual screen. The north side of the operation will abut current riparian vegetation along the irrigation ditch (see Attachment A).

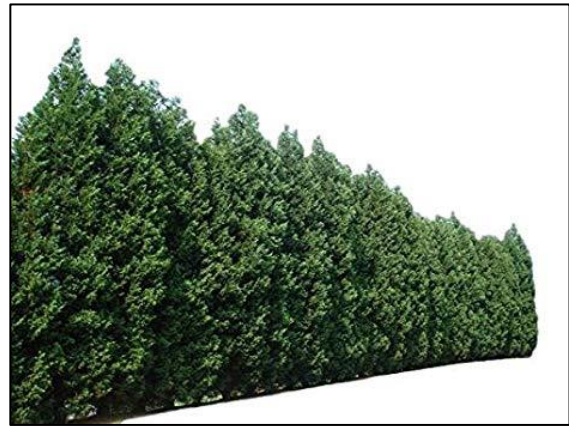


Photo 4 and 5. Examples of Sambuca Black Lace and Leyland Cypress.

Pesticides, fungicides, rodenticides, and other plant protectants that are intended to be used are outlined in the Integrated Pest Management Plan (Attachment B). These materials will be stored in the storage containers near the waste storage and composting area. Waste management operations are detailed in the Waste Management Plan (Attachment C).

Nothing will be sold on site. There will be no public access to the property.

### ***Physical Characteristics of the Property***

- The property is situated at about 5,430 feet in elevation near the West Walker River, is relatively flat with a gentle slope to the southeast.
- The project area is dominated by sagebrush, except for the three irrigation ditches that cross the property. These are dominated by riparian shrub species.
- Currently, a dilapidated mobile home and outbuildings and pump house are located on the parcel.
- Photos 5 and 6 provide general overview of the existing conditions at the project area.

### ***Surrounding Land Use Designations***

- Directly adjacent land use designations to the project area are agricultural, extending out to the north, east, and west, and Estate Residential to the south. The nearest residence is approximately 343 feet away from the cultivation area.
- The Land Use Designations (LUDs) adjacent to APN 002-460-015-000 are:

<b>East:</b>	Private Land – Agriculture (AG)
<b>West:</b>	Private Land – Agriculture (AG)
<b>South:</b>	Private Land – Estate Residential (ER)
<b>North:</b>	Private Land – Agriculture (AG)

### ***Access***

- Access to the existing premise is a paved road extending from North River Lane. A one-way road will be constructed to Chapter 22 standards and provide for traffic circulation on the parcel. There will be two lockable access gates along North River Lane at both access points. The gates will also add to the aesthetic value of the property with its decorative, wooden features.

### ***Utilities***

- The existing utilities for the project area are as follows:

<b>Water Supply:</b>	Private Well
<b>Sewer:</b>	Private Septic System
<b>Garbage:</b>	D&S Waste Removal Inc.
<b>Electricity:</b>	Liberty Energy

The electricity will be provided to the property using the existing overhead utility line and the underground lines will be extended from the overhead line.

The cannabis operation will be closed to the public.

One hanging sign is proposed and will be located at the front of the property over the main entry gate. The sign will be ranch style and will be made of wood and copper. The sign will read, "Colitas Farms" with the company logo of a fox. It will be no larger than 10 square feet in size and will have a total clearance of 8-10 feet. The example of the sign is shown in Photo 5 and the logo is shown in Photo 6.



Photo 5. Example of signage.



Photo 6. Company logo.



Photo 7. Looking to the northwest from the Project Area.



Photo 8. Looking to the south facing the closest residential homes.



### III. 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 to ensure public safety and environmental protection is the purview of the State of California. The state prepared a Programmatic 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 activities can occur in a combination of urban, rural, natural, and agricultural settings in the State. Individual projects, however, must be covered under a CEQA analysis by the local jurisdiction.

The Lahontan Regional Water Quality Control Board (LRWQCB) is responsible for protection of water resources and approval from this board is required. A letter from the LRWQCB has been obtained and is provided in Attachment D.

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 an area plan for Antelope Valley.

The AG Land Use Designation (LUD) permits cannabis cultivation subject to a use permit and in compliance with Chapter 13 of the General Plan, and a Cannabis Operation Permit pursuant to Mono County Code Chapter 5.60.

### IV. PROJECT COMPLIANCE WITH SECTION 15183

The project site is designated AG in the Mono County General Plan. The purpose of the AG designation is “*To preserve and encourage agricultural uses, to protect agricultural uses from encroachment from urban uses, and to provide for the orderly growth of activities related to agriculture*” and provides outright for non-cannabis crop cultivation and related processing activities. The proposed project is consistent with the development density of existing zoning and local planning policies for the Antelope Valley which are aimed at preserving agriculture over residential development. Therefore, cannabis cultivation, processing, and Type 6 manufacturing are consistent with the development density of existing zoning and consistent with General Plan and Area Plan policies.

### V. ANALYSIS

The following CEQA section 15183 is based on Public Resources Code Section 21083.3 and Section 15183 of the CEQA Guidelines. The checklist assesses potential environmental impacts to determine whether they meet requirements for assessment under Section 15183; i.e.,

1. Are potential impacts peculiar to the project or parcel?
2. Were the impacts addressed in a previously certified EIR?
3. If an impact is peculiar to the project and was not addressed in a prior EIR, are there uniformly applied development policies or standards that would mitigate the impact?
4. Are there potentially significant cumulative or off-site impacts that were not discussed in the prior EIR?
5. Is there substantial new information to show that a potential impact would be more significant than previously described?

	<b>Issues &amp; Supporting Information Sources</b>	Impact potentially peculiar to the project or parcel?	Was the impact addressed in the prior EIR?	If peculiar and not addressed, are there uniformly applied development policies or standards that would mitigate?	Potentially significant cumulative or off-site impacts not discussed in the prior EIR?	Substantial new information showing impact more significant than previously described?
<b>1) Land Use and Planning</b>						
a)	Conflict with general plan designation or zoning?	No	Yes	N/A	No	No
b)	Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?	No	Yes	N/A	No	No
c)	Be incompatible with existing land use in the vicinity?	No	Yes	N/A	No	No
d)	Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)?	No	Yes	N/A	No	No
e)	Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	No	Yes	N/A	No	No
<b>2) Population and Housing</b>						
a)	Cumulatively exceed official regional or local population projections?	No	Yes	N/A	No	No
b)	Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	No	Yes	N/A	No	No
c)	Displace existing housing, especially affordable housing?	No	Yes	N/A	No	No
<b>3) Geology and Soils</b>						
a)	Fault rupture?	No	Yes	N/A	No	No
b)	Seismic ground shaking?	No	Yes	N/A	No	No
c)	Seismic ground failure, including liquefaction?	No	Yes	N/A	No	No
d)	Seiche, tsunami, or volcanic hazard?	No	Yes	N/A	No	No
e)	Landslides or mudflows?	No	Yes	N/A	No	No
f)	Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill?	No	Yes	N/A	No	No
g)	Subsidence of the land?	No	Yes	N/A	No	No
h)	Expansive soils?	No	Yes	N/A	No	No
i)	Unique geologic or physical features?	No	Yes	N/A	No	No
<b>4) Water Resources</b>						
a)	Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	No	Yes	N/A	No	No
b)	Exposure of people or property to water related hazards such as flooding?	No	Yes	Yes	No	No

	<b>Issues &amp; Supporting Information Sources</b>	<b>Impact potentially peculiar to the project or parcel?</b>	<b>Was the impact addressed in the prior EIR?</b>	<b>If peculiar and not addressed, are there uniformly applied development policies or standards that would mitigate?</b>	<b>Potentially significant cumulative or off-site impacts not discussed in the prior EIR?</b>	<b>Substantial new information showing impact more significant than previously described?</b>
c)	Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen, or turbidity)?	No	Yes	N/A	No	No
d)	Changes in the amount of surface water in any water body?	No	Yes	N/A	No	No
e)	Changes in currents, or the course or direction of water movements?	No	Yes	N/A	No	No
f)	Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability?	No	Yes	N/A	No	No
g)	Altered direction or rate of flow of groundwater?	No	Yes	N/A	No	No
h)	Impacts to groundwater quality?	No	Yes	N/A	No	No
i)	Substantial reduction in the amount of groundwater otherwise available for public water supplies?	No	Yes	N/A	No	No
<b>5) Air Quality</b>						
a)	Violate any air quality standard or contribute to an existing or projected air quality violation?	No	Yes	N/A	No	No
b)	Expose sensitive receptors to pollutants?	No	Yes	N/A	No	No
c)	Alter air movement, moisture, or temperature, or cause any change in climate?	No	Yes	N/A	No	No
d)	Create objectionable odors?	Yes	Yes	N/A	No	No
<b>6) Transportation/Circulation</b>						
a)	Increased vehicle trips or traffic congestion?	No	Yes	N/A	No	No
b)	Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	No	Yes	N/A	No	No
c)	Inadequate emergency access or access to nearby uses?	No	Yes	N/A	No	No
d)	Insufficient parking capacity on-site or off-site?	No	Yes	N/A	No	No
e)	Hazards or barriers for pedestrians or bicyclists?	No	Yes	N/A	No	No
f)	Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	No	Yes	N/A	No	No
g)	Rail, waterborne or air traffic impacts?	No	Yes	N/A	No	No
<b>7) Biological Resources</b>						
a)	Endangered, threatened, or rare species or their habitats (including but not limited to: plants, fish, insects, animals, and birds)?	No	Yes	N/A	No	No

	<b>Issues &amp; Supporting Information Sources</b>	<b>Impact potentially peculiar to the project or parcel?</b>	<b>Was the impact addressed in the prior EIR?</b>	<b>If peculiar and not addressed, are there uniformly applied development policies or standards that would mitigate?</b>	<b>Potentially significant cumulative or off-site impacts not discussed in the prior EIR?</b>	<b>Substantial new information showing impact more significant than previously described?</b>
b)	Locally designated species (e.g., heritage trees)?	No	Yes	N/A	No	No
c)	Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?	No	Yes	N/A	No	No
d)	Wetland habitat (e.g., marsh, riparian and vernal pool)?	No	Yes	N/A	No	No
e)	Wildlife dispersal or migration corridors?	No	Yes	N/A	No	No
<b>8) Energy and Mineral Resources</b>						
a)	Conflict with adopted energy conservation plans?	No	Yes	N/A	No	No
b)	Use non-renewable resources in a wasteful and inefficient manner?	No	Yes	N/A	No	No
c)	Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the state?	No	Yes	N/A	No	No
<b>9) Hazards</b>						
a)	A risk or accidental explosion or release of hazardous substances (including but not limited to: oil, pesticides, chemicals, or radiation)?	No	Yes	N/A	No	No
b)	Possible interference with an emergency response plan or emergency evacuation plan?	No	Yes	N/A	No	No
c)	The creation of any health hazard or potential health hazard?	No	Yes	N/A	No	No
d)	Exposure of people to existing sources for potential health hazards?	No	Yes	N/A	No	No
e)	Increased fire hazard in areas with flammable brush, grass, or trees?	No	Yes	N/A	No	No
<b>10) Noise</b>						
a)	Increases in existing noise levels?	No	Yes	N/A	No	No
b)	Exposure of people to severe noise levels?	No	Yes	N/A	No	No
<b>11) Public Services</b>						
a)	Fire protection?	No	Yes	N/A	No	No
b)	Police protection?	No	Yes	N/A	No	No
c)	Schools?	No	Yes	N/A	No	No
d)	Parks or recreational facilities?	No	Yes	N/A	No	No
e)	Maintenance of public facilities, including roads?	No	Yes	N/A	No	No
f)	Other governmental services?	No	Yes	N/A	No	No
<b>12) Utilities and Service Systems</b>						
a)	Power or natural gas?	No	Yes	N/A	No	No
b)	Communications systems?	No	Yes	N/A	No	No

	Issues & Supporting Information Sources	Impact potentially peculiar to the project or parcel?	Was the impact addressed in the prior EIR?	If peculiar and not addressed, are there uniformly applied development policies or standards that would mitigate?	Potentially significant cumulative or off-site impacts not discussed in the prior EIR?	Substantial new information showing impact more significant than previously described?
c)	Local or regional water treatment or distribution facilities?	No	Yes	N/A	No	No
d)	Sewer or septic tanks?	No	Yes	N/A	No	No
e)	Storm water drainage?	No	Yes	N/A	No	No
f)	Solid waste disposal?	No	Yes	N/A	No	No
g)	Local or regional water supplies?	No	Yes	N/A	No	No
<b>13) Aesthetics</b>						
a)	Affect a scenic vista or scenic highway?	No	Yes	N/A	No	No
b)	Substantially degrade the existing visual character or quality of the site and its surroundings?	No	Yes	N/A	No	No
c)	Create light or glare?	No	Yes	N/A	No	No
<b>14) Cultural Resources</b>						
a)	Disturb paleontological, archaeological, or historical resources?	No	Yes	Yes	No	No
b)	Restrict existing religious or sacred uses within the potential impact area?	No	Yes	N/A	No	No
<b>15) Recreation</b>						
a)	Increase the demand for neighborhood or regional parks or other recreational facilities?	No	Yes	N/A	No	No
b)	Affect existing recreational opportunities?	No	Yes	N/A	No	No

## VI. DISCUSSION OF RESPONSES TO CHECKLIST ITEMS

### Introduction

Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 mandate that when a parcel has been zoned to accommodate a particular land use and density, and has an EIR that was certified for the zoning or planning action, then subsequent environmental review of a project consistent with that prior action shall be limited to those effects from the project that are peculiar to the parcel or the site unless substantial new information indicates that the effect will be more significant than previously described or there are potentially significant off-site or cumulative impacts not discussed in the prior EIR.

In determining whether an effect is peculiar to the project or the parcel, Public Resources Code Section 21083.3 and the CEQA Guidelines Section 15183 state that an effect *shall not be considered peculiar to the project if it can be substantially mitigated by uniformly applied development policies or standards that have previously been adopted by the County with a finding that the policies or standards will substantially mitigate that environmental effect when applied to future projects* (unless substantial new information shows that the policies or standards will not substantially mitigate the environmental effect).

Potential effects peculiar to this project will be limited since the project is being developed in an agricultural area. Most of the effects of the project associated with ground disturbance for agricultural structures and crops were identified in the EIR certified by the County in conjunction with the adoption and update of the Mono County General Plan and are not unique or peculiar to the proposed project.

The area is suitable for the proposed agricultural use, and utilities with enough capacity for the project are in place or can be extended. The potential environmental effects of the project are in conformance with the requirements of the CEQA Guidelines Section 15183.

## 1) Land Use and Planning

### ***Compliance with General Plan, Area Plan, and Land Use Designation***

The Land Use Element in the Mono County General Plan serves as a foundation for all land use decisions and contains policies, land use designations and “zoning,” and land development regulations to regulate development activities. The project site is in Antelope Valley on land that is designated as Agriculture-10 (AG-10).

Agricultural uses such as row crops, orchards, sheds and warehouses, processing, etc.; farm labor housing and accessory dwelling units; equipment; and related agricultural activities are permitted outright. The project is consistent with the development density of existing zoning. In addition, the project is consistent with policies contained in the General Plan and area plan, and the development standards in Chapter 13.

A conditional use permit is required for the commercial cannabis component of the project, which is permissible in AG land use designations in recognition that cannabis projects can have unique impacts peculiar to these projects. These impacts, such as odor and visuals, among others, are analyzed separately in this document and do not affect the determination of land use consistency.

The project is not located within 600’ of any of the facilities listed in Action 1.L.3.a., including schools, parks, playgrounds, libraries, or community centers. The nearest schools are Antelope Valley Elementary School and Coleville High School, both located four miles to the northwest in Coleville, CA.

The project is consistent with the General Plan, including the following goals and policies:

#### **Mono County General Plan, Land Use Element**

- Policy 1.G.1. Protect lands currently in agricultural production.
- Action 1.G.1.a. Designate large parcels in agricultural use as “Agriculture,” and streamline redesignations for agricultural purposes by processing a discretionary permit (when applicable) concurrently with the land use designation change.
- 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.
- GOAL 2. Develop a more diverse and sustainable year-round economy by strengthening select economic sectors and by pursuing business retention, expansion, and attraction in Mono County.
- Policy 2.A.1. Integrate the adopted Economic Development Strategic Plan into General Plan policies.

#### **Planning Area Land Use Policies: Antelope Valley**

- Policy 4.B.1. Maintain and enhance scenic resources in the Antelope Valley.
- Action 4.B.1.a. In order to protect and enhance important scenic resources and scenic highway corridors, designate such areas in the Antelope Valley for Open Space, Agriculture, or Resource Management.
- Action 4.B.1.d. Conserve scenic corridors by maintaining and expanding large-lot land uses.
- Policy 4.B.2. Preserve the agricultural lands and natural resource lands in the Antelope Valley.
- Policy 4.B.6. Preserve rural character of lands within the Antelope Valley.

- Action 4.B.6.a. Allow the storage of heavy equipment on parcels greater than five acres in the Antelope Valley for personal on-site use or community benefit.
- Objective 4.D. Maintain and enhance the local economy.
- Policy 4.D.1. Incubate home businesses.

### **Mono County General Plan, Conservation/Open Space Element**

#### *Agriculture, Grazing and Timber*

- GOAL 5. Preserve and protect agricultural and grazing lands in order to promote both the economic and open-space values of those lands.
- Policy 5.B.1. Limit land uses within viable agricultural areas to those that are compatible with agricultural uses.
- Action 5.B.1.a. Maintain, in those agricultural land use categories where small parcels may be permitted, the largest land area for agricultural use. Limit the number of clustered lots in any one area to avoid the potential conflicts associated with residential intrusion.
- Action 5.B.2.a. Facilitate agricultural production by permitting limited agricultural support service uses that support local agricultural activities and are not harmful to the long-term agricultural use in the area.

### **Determination**

The project is consistent with the surrounding land uses of the proposed project.

- The land use and planning impacts of the proposed agricultural cultivation were analyzed in the FEIRs certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other agricultural parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the land use and planning impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site land use and planning impacts from the proposed project that were not addressed in the prior FEIR.

## **2) Population and Housing**

The General Plan Land Use Element density for parcel APN 002-460-015-000, located in Antelope Valley, is one unit per lot plus an accessory building and farm labor housing. The proposed project would construct an apartment barn structure that will include farm labor housing for one full-time employee and replace the existing dilapidated mobile home with a manufactured home for additional farm labor housing at a later date. Farm labor housing is a permitted land use for agricultural LUDs. The apartment barn and manufactured home would use electricity provided via underground conduit from the overhead line along North River Lane. The existing on-site well and septic system is sufficient for the farm labor housing. The on-site employees are not expected to have demands for utilities exceeding those for a standard home plus an accessory dwelling unit.

There will be one full-time employee living on the property and up to three full-time employees working on the property about five days per week. During harvest there will be up to an additional 6 employees for a total of 10 at any one time. Harvest will occur four times per year and span two weeks each harvest. All but the one full-time employee living on site will commute to the property although eventually more employees may live on site in the manufactured home. All housing will comply with Mono County General Plan regulations, Mono County Building Division, and the California Building Code. Colitas Farms employees will not result in substantial population growth compared to the population of the valley and on-site housing meets or exceeds the currently suspended Housing Mitigation Ordinance (HMO).

The project is consistent with the General Plan in the following policies and actions:

**Mono County General Plan, Land Use Element**

- Policy 1.D.4. Require future development projects with the potential for significant housing impacts to provide a fair share of affordable and workforce housing units.
- Action 1.D.4.a. The County shall work with proponents during the specific plan or planning permit processes to ensure compliance.
- Action 1.D.4.b. The County shall monitor the employee housing programs to ensure compliance and adjust employee housing policies when necessary.

***Determination***

- The population and housing impacts of the proposed agriculture cultivation project were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- The project reduces impacts due to the voluntary provision of farm labor housing, which is not required of AG operations by the General Plan.
- There is no new substantial information indicating that the population and housing impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site population and housing impacts from the proposed project that were not addressed in the FEIR.

**3) Geology and Soils**

Mono County is designated as a Seismic Zone 4, the zone of greatest hazard defined in the Uniform Building Code. Consequently, new construction in the County must comply with stringent engineering and construction requirements (Government Code §8875). All buildings proposed for construction will be permitted and built to meet County Code.

The parcel property south of the irrigation drainages where the project is proposed overlies Mottsville loamy coarse sand, 4 to 15 percent slopes. This soil unit is farmland of statewide importance. The soil is excessively drained and is not hydric.

The Mono County General Plan and Land Development Regulations and the Mono County Regional Transportation Plan contain policies and standards concerning geology that have been applied to this project; as follows:

**Mono County General Plan, Land Use Element**

- OBJECTIVE 1.H. Prevent the exposure of people and property to unreasonable risks by limiting development on hazardous lands.

***Determination***

- The geologic impacts of the proposed agricultural cultivation project were analyzed in the FEIRs certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that geologic impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site geologic impacts from the proposed project that were not addressed in the FEIR.



#### 4) Water Resources

The existing water resources on the property are sufficient to serve the proposed use. The existing well will serve farm labor housing and the greenhouses for cultivation purposes. Water for domestic use and the irrigation system will be tested and plumbed in compliance with Mono County regulations.

The proposed 20,000 SF cannabis cultivation would draw approximately 3,200 gallons/day at full build out. This usage equates to 1,160,700 gallons or 3.56 acre-feet of water annually (Caulkins, 2010). Well water will be used for the cannabis production. Irrigation to the cannabis crop will be precise, using a computer automated drip system. The water usage would be in accordance with the groundwater rights owned by the property.

The tree shelterbelt will consist of about 200 plants of Sambuca Black Lace and Leyland Cypress. These plants use approximately two gallons of water per plant per week for the first five years of growth, or 20,000 gallons per year. After the fifth year the property line trees will require water twice per month in the spring and once per month in the summer, reducing the water usage to 7,500 gallons per year.

The lavender is a drought resistant plant and will require minimal water the first year and then may be watered once or twice a year, depending on rainfall. They thrive in environments with 12 inches of rain per year. Walker, California receives on average 11 inches of precipitation per year, mostly during the winter months ([www.usa.com/walker-ca-weather.htm](http://www.usa.com/walker-ca-weather.htm)). Worst case scenario, the lavender would require about one acre-foot of water (325,850 gallons) in the event of a drought.

The lavender crop and tree shelterbelt will be irrigated independently from cannabis with surface water from the Lone Company Ditch irrigation system running through the property. The total annual surface water usage will be about 1.1 acre-feet. Water from the canal will be pumped into four 2,500-gallon tanks in compliance with applicable California State water law and piped to irrigation lines. According to the property deed and The Walker River Water Decree, the property is allowed to pump 0.32 cubic feet of water per second (cfs) during the non-forbearance period from the irrigation ditches. This equates to 8,580 gallons per hour. This quantity, together with the storage tanks for use during the forbearance period, would provide enough water for the trees and lavender and would be in accordance with the surface water rights owned by the property.

The total combined water usage for the cannabis, trees and lavender will be about 4.6 acre-feet per year for an estimated 1.8 acres of crops. Typically, alfalfa or other hay crops in Antelope Valley require about four acre-feet of water per acre per year (1,303,000 gal), or 7.24 acre-feet/1.8 acres. The property is 19.7 acres, half of which is on a soil of statewide importance for farming and could support many acres of alfalfa. Therefore, water usage is less than a typical outright permitted agricultural use and the impacts are not peculiar to the project.

Water usage for agriculture was analyzed in the 2015 EIR and is not peculiar to the project. The groundwater basin is not subject to the State of California Sustainable Groundwater Management Act of 2014 because it is in a very low priority basin (<https://water.ca.gov/Programs/Groundwater-Management/Basin-Prioritization>). Groundwater withdrawal is not limited. The State Water Resources Control Board will monitor water usage for this proposed project. Regulations are set forth in the cannabis cultivation policy (Attachment A, Section 2, #99). Cannabis cultivators must maintain daily water use records for five years.

A letter from the LRWQCB states that the site plans comply with requirements of the General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities WQ 2017-0023-DWQ (Attachment D).

CDFA oversees licensee compliance of pesticides and fertilizers through the inspection and enforcement methods contained in the proposed regulations from reports from the County Agricultural Commissioner and other agencies. The Inyo and Mono Counties Agricultural Commissioner's Office conducts inspections roughly every year depending on the products being used (Nathan Reade, Agricultural Commissioner, Personal Comm. 11-29-2018). Pesticides,

fungicides, rodenticides, and other plant protectants that are intended to be used are outlined in the Integrated Pest Management Plan (Attachment B).

Lastly, the California Department of Water Resources has an adopted ordinance known as the Model Water Efficient Landscape Ordinance (MWELO). MWELO increases water efficiency standards for new and retrofitted landscapes through encouraging the use of more efficient irrigation systems, graywater usage, onsite storm water capture, and by limiting the portion of landscapes that can be covered in turf. This ordinance applies to all new landscape projects equal to or greater than 500 square feet requiring a building or landscape permit, plan check, or design review. Proposed landscaping for this project exceeds 500 square feet and therefore will need to comply with requirements of MWELO.

The Mono County General Plan and Land Development Regulations and the Mono County Regional Transportation Plan contain policies and standards concerning water resources that have been applied to this project as follows:

#### **Mono County General Plan, Conservation/Open Space Element**

##### *Biological Resources*

- Policy 2.A.9. Maintain water quality for fishery habitat by enforcing the policies contained in the Water Quality and Agriculture / Grazing / Timber sections of the Conservation/Open Space Element.

##### *Water Resources and Water Quality*

- Goal 4: Protect the quality of surface and groundwater resources to meet existing and future domestic, agricultural, recreational, and natural resource needs in Mono County.
- Policy 4.A.4. Establish buffer zones where recharge occurs, including adjacent to surface waters, wetlands, and riparian areas.
- Policy 4.B.5. Use of fertilizer, pesticide, and other chemicals on vegetation or soil in recharge zones should be minimized.
- Action 4.B.5.a. Work with the County Agricultural Commissioner and the Natural Resources Conservation Service to institute controls to protect water quality.
- Action 4.B.5.b. Work with the County Agricultural Commissioner and the Natural Resources Conservation Service to promote effective and minimal use of chemicals in landscaping and agriculture.
- General Plan 04.120.F.b. Any proposed structure, including associated impervious surfaces, shall be located a minimum of 30 feet from the top of the bank.

#### **Determination**

- The water resources impact of the proposed agricultural cultivation project was analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the impacts of the project on water resources will be more severe than described in the FEIR.
- There are no cumulative or off-site water resources impacts from the proposed project that were not addressed in the FEIR.

#### **5) Air Quality**

Proposed project operations will not violate any air quality standard or contribute substantially to an existing or projected air quality violation. All plants will be cultivated and processed inside greenhouses and processing buildings. Electrical power will be provided by Liberty Utility by using the existing overhead utility line and the underground lines will be extended from the overhead line.

As discussed in the General Plan EIR, Cal Recycle has conducted studies to identify odor sources associated with composting and has found that organic materials (used in composting) inherently generate a wide range and variety of odors resulting from the volatility of chemical compounds (whereby the compound is converted to a gas and enters the atmosphere). The character and strength of odors are highly subjective; sensitivity to an odor is greatly influenced by personal experience, gender, psychology, and social factors.

The cannabis odorous compounds are a family of terpenoids. The exact odor causing compounds vary by strain/species of the plant. Typically, moderate cannabis odors start to appear between week 4 to 6 and strong odors appear during weeks 7 to 9. The intensity of the odor to the receptor varies by the quantity of odors released, local wind speed and direction, atmospheric stability or inversion height, area topography and receptor's distance from the odor source.

Many rural counties in California have tended to analyze cannabis-related odor on a project-specific basis. Each project has a unique set of conditions. The nearest receptor to this proposed project is a residence (APN 002-310-032-000) that is 277 feet south of the proposed clone greenhouse and 321 feet south of the main greenhouse. The composting area is 474 feet from the nearest residence.

Because of this proximity to receptors, Colitas Farms is proposing several methods for odor control. A high-pressure mister/fogger by NCM Environmental Solutions will be installed on all ventilation systems at the mature plant greenhouses, the immature plant greenhouse, and the defused light greenhouse. The compost area will also be equipped with the same high-pressure fogging system as the greenhouses. The high-pressure mister/fogger system disperses an odor-neutralizing product that traps airborne odors and biodegrades unpleasant smells.

The NCM mister/fogger neutralizer has two active parts to neutralize odors, including fragrance and Metazene®. Metazene® is an odor neutralizing compound that directly interacts with odors. Metazene® reacts with the highly volatile aromatic compounds in cannabis to form a complex ion that acts like a net to surround and envelope the odor. This complex ion becomes 'heavy' and less volatile resulting in the neutralization of the odor. The fragrance is an odor masker. It is made up of various essential oils and aroma chemicals as well as some solvents to increase tenacity and longevity. The odor control will be programmed to include wind speed and directions. Attachment E in the CEQA document (Attachment E) provides additional details on the Odor Control Plan.

A charcoal filtration system will be installed on the two oil extraction, drying and processing buildings.

The Mono County General Plan allows composting activities in the AG LUD up to a maximum of 100 cubic yards of composted materials at a time and composting activities are required not to create a nuisance. No more than 100 cubic yards of compost will be present on the project site at a time consistent with the Mono County General Plan. Composted cannabis vegetation is a source of odors. The compost area will be covered when not in use to minimize odors. The NCM mister/fogger system described above will be installed over the compost area for odor control.

Lavender will be grown as an additional farm crop and a second scent barrier to any odors that could potentially occur outside of the greenhouses, storage/processing sheds, and composting areas. The lavender will cover 48,120 SF along North River Lane. With implementation of the odor control plan, it is not anticipated that any smell will occur outside of the buildings.

Two diesel generators will be on site in and event there is a power outage. Diesel emits air pollutants, which are regulated by the Great Basin Air Pollution Control District (GBUAPCD).

The Mono County General Plan and Land Development Regulations and the Mono County Regional Transportation Plan contain policies and standards concerning air quality that have been applied to this project; as follows:

**Mono County General Plan, Land Use Element***Commercial Cannabis*

- 13.070 E. Odor Control
  - 1. 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.

**Mono County General Plan, Land Use Element***Countywide Land Use Policies*

- Action 1L.3.e. Regulations shall provide for the limitation of odor nuisances for adjacent uses, which may include, but are not limited to, increased setbacks, minimum distances from existing structures under separate ownership, odor control filtration devices, and ventilation requirements.

**Mono County General Plan, Conservation/Open Space Element***Public Health and Safety & Air Quality*

- Policy 23.A.8. Encourage agricultural practices that reduce the amount of dust generated from tilling.
- Action 23.A.8.a. Work with local resource conservation districts, the US Natural Resources Conservation Service, agricultural officials, and the GBUAPCD to assist landowners in adjusting agricultural practices to reduce dust generation.

**Determination**

- The air quality impacts of the proposed agricultural cultivation project were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the impacts of the project on air quality will be more severe than described in the FEIR.
- There are no cumulative or off-site impacts on air quality from the proposed project that were not addressed in the FEIR.

**6) Transportation and Circulation**

At full-build out a maximum of 10 employees are expected to work on site. There will be one full-time employee living in the barn apartment on the property. Up to three additional full-time employees will work on the property. During the harvest seasons (maximum 8 weeks out of the year) an additional 6 employees would work on site.

There are 14 parking sites on the site plan, 10 near the gate, two next to the manufactured home which will suffice for the workers vehicles, and two next to the apartment barn, which will also suffice for the workers vehicles. There are also temporary loading and unloading areas throughout the project area.

During non-harvest times, employee traffic could be three round trips per day, five days a week, or about 60 round trips per month. During harvest seasons, employee traffic could increase to as much as 9 round trips per day, five days a week, for about 45 round trips per week for four two-week periods. Employees will be encouraged to carpool to the site. Deliveries and shipping of products would occur twice per week via a delivery van. No semi-trailers are anticipated for regular farm operations. The traffic for the proposed project is comparable to traffic typical for a farm with a family of 4 to 6 persons that commute to school or work and have the need for additional workers for harvest. Depending on the crop, a typical farm could also be expected to have larger transportation and shipping vehicles, such as semi-trailers, which are not part of the proposed project.

The project area is accessed from Hwy 395 to Eastside Lane and then to North River Lane. The proposed project would increase traffic on all three access roads. Highway 395 is a designated interstate truck route and is designed for heavy traffic. Eastside Lane is a standard County collector/commercial (Class I for snow removal) maintained roadway designed for general uses (Mono County, 1981, 2013, 2014b).

North River Lane is a partially paved and partially unpaved private road. Private roads often do not meet the County Roadway Standards and as a result have not been accepted into the County Roadway Systems (Mono County, 2013, 2014b). The existing road is adequate for the passenger vehicles and the types of delivery vans to be used to access the property. The project proponent is committed to maintaining the existing road in its current condition to access their driveway. Access to the proposed farm driveway is approximately 1,650 feet along the paved portion of North River Lane from Eastside Lane along which there are approximately six other driveways.

This traffic is not expected to impact the existing traffic load and capacity above and beyond that of a typical 20-acre traditional farming operation with family and workers living on site. The project will not create barriers for pedestrians or bicyclists, nor will it conflict with policies supporting alternative transportation.

### ***Determination***

- The traffic and circulation impact of the proposed agricultural cultivation project were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the traffic and circulation impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site traffic and circulation impacts from the proposed project that were not addressed in the FEIR.

## **7) Biological Resources**

The project site has been historically disturbed (e.g. grading, vegetation clearing) and used as a residence in the recent past. The southern edge of the parcel boundary is mapped as a 0.2 percent chance flood hazard area by the Federal Emergency Management Agency (see FEMA map in Attachment A). The remainder of the parcel is not mapped as being subject to flooding. Additionally, the parcel is not mapped as wetland or floodplain by the U.S. Fish and Wildlife wetland/floodplain mapping database (see NWI map in Attachment A). The project is also providing a 30-foot setback from the drainages on the property (see Site Plan in Attachment A).

The site does not provide unique habitat for sensitive wildlife or plant species. The vegetative community is dominated by sagebrush with a depleted understory and overlies an excessively drained Mottsville loamy coarse sand. There is no potential for wetlands to exist on site due to the droughty soils and the existing upland vegetation.

Habitat is not unique compared to the surrounding area. Near the area proposed for building and greenhouse construction there are three irrigation ditches with a narrow band of riparian vegetation. Riparian vegetation will not be disturbed during construction or operation of the proposed project. The United States Fish and Wildlife Service was consulted to determine the likelihood of federally threatened or endangered species (TES), and these species are not likely to occur because habitat is not present. There are no sage-grouse leks present within 4km of the project site, which comply with requirements of the Mono County General Plan, Conservation and Open Space Element.

The Mono County General Plan and Land Development Regulations and the Mono County Regional Transportation Plan contain policies and standards concerning biological resources that have been applied to this project; i.e.,

**Mono County General Plan, Land Use Element**

*Planning Area Land Use Policies: Antelope Valley*

- Action 4.A.1.c. Limit the type and intensity of development in flood plain areas.
- Action 4.A.1.d. Prior to accepting a development application in potential wetland areas, require that the applicant obtain necessary permits from the US Army Corps of Engineers.

**Mono County General Plan, Conservation/Open Space Element**

*Biological Resources*

- Policy 2.A.9. Maintain water quality for fishery habitat by enforcing the policies contained in the Water Quality and Agriculture / Grazing/ Timber sections of the Conservation/Open Space Element.
- Action 2.A.1.g. Projects outside community areas within identified deer and sage grouse habitat areas, (see the Biological Resources Section of the Master Environmental Assessment), which may have a significant effect on deer or sage grouse resources shall submit a site-specific study performed by a recognized and experienced biologist in accordance with Action 1.1.
- Action 11.A.3.b. Ensure (or for non-county public lands advocate) for no adverse project impacts to biological resources and wildlife habitat in Mono County, including sage grouse habitat and wind energy development impacts to migratory birds.

**Determination**

- The biological resources impact of the proposed density of development were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is not unique from other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the biological impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site biological impacts from the proposed project that were not addressed in the FEIR.

**8) Energy and Mineral Resources**

The proposed project does not require any additional uses of energy that exceed the current capability of the parcel. Note that the artificial lighting and other energy consumptive uses which are being used for the cultivation operation will be provided by Liberty Utility services via underground conduit. Initially, one backup generator will be installed as an emergency power source. Ultimately at full build-out, two diesel generators will be used as an emergency energy supply and have been evaluated per the requirements of 13.070. J.A maximum of 17,000 kilowatt (Kwh) per month is the estimated usage in electricity for the initial 5,000 square foot greenhouse. The full buildout of the 20,000 square feet of canopy can be estimated at about 58,000 Kwh per month in electricity. The proposed amount of electricity that will be consumed does not conflict with any adopted energy conservation plans and does not use non-renewable resources in a wasteful or inefficient manner compared to other uses that would be permitted in the AG LUD particularly those crops that are also grown in greenhouses. The use of electricity for the proposed project does not result in a loss of availability of a known mineral resource that would be of future value to the region or state.

**Determination**

- The energy and mineral resource impacts of the proposed agricultural cultivation project were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.

- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the energy and mineral resource impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site energy and mineral resource impacts from the proposed project that were not addressed in the FEIR.

## 9) Hazards

Standard chemicals (pesticides, fertilizers, fuels, and lubricants used for agricultural activities) would be stored in one of the storage containers near the waste and composting area according to CDFA and any Mono County regulations. Fuel and lubricants would be stored in American Society for Testing Materials (ASTM) rated containers. All pesticides and fertilizers would be stored in the original containers in a cool and dry place off the floor and on impermeable surfaces. CDFA oversees licensee compliance of pesticides and fertilizers through the inspection and enforcement methods contained in the proposed regulations from reports from the County Agricultural Commissioner and other agencies. The Inyo and Mono Counties Agricultural Commissioner's Office conducts inspections roughly every year depending on the products being used (Nathan Reade, Agricultural Commissioner, Personal Comm. 11-29-2018). Pesticides, fungicides, rodenticides, and other plant protectants that are intended to be used are outlined in the Integrated Pest Management Plan (Attachment B). Waste management operations are detailed in the Waste Management Plan (Attachment C).

The project area is near a Special Flood Hazard Area (see FEMA Map Attachment A) and in a Moderate Fire Hazard Severity Zone ([http://frap.fire.ca.gov/webdata/maps/mono/fhszlo6\\_1\\_map.26.pdf](http://frap.fire.ca.gov/webdata/maps/mono/fhszlo6_1_map.26.pdf)). The project is under the Antelope Valley Fire Protection District and the appropriate will-serve letter has been documented.

The proposed project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

### *Determination*

- The hazards impact of the proposed agricultural cultivation project was analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the hazards impact of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site hazards impacts from the proposed project that were not addressed in the FEIR.

## 10) Noise

Construction and/or cultivation activities may involve the temporary use of construction equipment that may emit noise at levels greater than 60 decibels. These activities are typical for construction on agricultural lands. Mono County General Plan Noise Element limits maximum exterior noise levels for agricultural operations to 65 dBA at all times when measured at or within the real property line of the receiving property.

In the event of electrical utility failure, backup diesel generators will be used (two at full build-out). Each proposed KD 110 generator emits 66 decibels at a distance of 22 feet, and both are placed at a minimum of 30 feet from the property line. In addition, the noise ordinance does not apply to the generation of sound in the performance of emergency work, including the use of generators, both fixed and mobile, during power outages.

The project will not increase the existing noise levels above that typical for an agricultural operation and will not expose people to severe noise levels. Noise levels for alternative power for cannabis production will comply with the requirements of 13.070.J. The project will follow all requirements of the County's Noise Ordinance (Mono County Code, Chapter 10.16) and will follow all requirements of 13.070. J.

The project is consistent with the surrounding agricultural uses of the proposed project, and consistent with the General Plan, including the following goals and policies:

**Mono County General Plan, Conservation/Open Space Element**

*Agriculture, Grazing and Timber*

- Policy 5.B.2. The primary use of any parcel within an agricultural land use category shall be agricultural production and related processing, support services and visitor-serving services. Residential uses in these areas shall recognize that the primary use of the land may create agricultural "nuisance" situations such as flies, noise, odors, and spraying of chemicals.

**Mono County General Plan, Noise Element**

- Policy 1.A.1. The County shall consider the compatibility of proposed land uses and the noise environment when preparing or revising General Plan and community plan documents and when reviewing development proposals. Noise levels for proposed land uses should be consistent with the Maximum Allowable Noise Exposure by Land Use (Table 1); the total noise level resulting from new sources and ambient noise shall not exceed the standards in this Element and in the Mono County Noise Ordinance (Mono County Code, Chapter 10.16; Mono County General Plan Amendment 18-01; Mono County Development Standards Chapter 13).

**Mono County General Plan, Land Use Element**

*Commercial Cannabis*

- 13.070 J. Noise
  - 1. Noise generation shall comply with the Mono County General Plan Noise Element and Mono County Code, Chapter 10.16
  - 2. The General Plan Noise Element shall apply to all commercial cannabis activities.
  - 3. The Planning Commission may approve the use of a "fixed noise source," as defined in the Mono County Code Chapter 10.16, or "generator" as defined in state law and regulation, provided certain criteria are considered, including but not limited too
    - i. Applicant has successfully demonstrated compliance with Mono County Code Chapter 10.16 and all applicable local and State law regulation;
    - ii. Appropriate sound-deadening features and infrastructure have been installed where applicable; and
    - iii. Impacts on adjacent properties and the neighborhoods have been evaluated and considered negligible; and
    - iv. The premise location has power constraints such that the prohibition of the use of such equipment would be overly burdensome on the operation.

**Determination**

- The noise impacts of the proposed agricultural cultivation project were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that noise impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site noise impacts from the proposed project that were not addressed in the FEIR.



- Noise impacts from the proposed project that were not addressed in the FEIR.

## 11) Public Services

The project is located within the Antelope Valley Fire District and will be required to comply with their regulations and the County's Fire Safe Regulations (Mono County Land Development Regulations, Chapter 22). As a part of these requirements, the permittee has prepared and submitted a Fire Prevention Plan for construction and ongoing operations and obtained a Will-Serve letter from the local fire protection district. The Fire Prevention Plan shall include, but not be limited to emergency vehicle access and turnaround at the facility site(s), vegetation management and firebreak maintenance around all structures.

Police protection is provided by the Mono County Sheriff's Department. The project will be circulated to the Sheriff as part of the Operation Permit approval.

The site meets all Calfire requirements of 4290 and 4291. The project area is within Calfire's Local Responsibility Area (LRA) authority. A site visit with the Antelope Valley Fire Protection District chief was conducted and there were site plan changes to access as a result of the site visit. Site plan changes included placement of a 10,000-gallon water tank for fire suppression at the front of the property and extension of the one-way road to a second access point on North River Lane

### *Determination*

- The public service impacts of the proposed agricultural cultivation project were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the public service impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site public service impacts from the proposed project that were not addressed in the FEIR.

## 12) Utilities and Service Systems

The proposed project will be served by existing utilities and service systems. Underground utilities include electricity, telephone, and residential water. Mono County landfill facilities are not expected to be impacted by the proposed project. Organic waste will be composted on site in compliance with the Mono County General Plan and the LRWQCB is responsible to for overseeing the operation to prevent impacts to water quality (Attachment D). Water service is provided by an existing well. Demand on the other utilities is not expected to increase appreciably above and beyond typical agricultural uses. Waste management operations are detailed in the Waste Management Plan (Attachment C).

### *Determination*

- The utilities and service systems impact of the proposed agricultural cultivation project were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the utilities and service systems impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site utilities and service systems impacts from the proposed project that were not addressed in the FEIR.

### 13) Aesthetics

The project site is not located adjacent to a county or state scenic highway. It is adjacent to parcels with agricultural LUDs to the north and is adjacent to estate residential parcels south of North River Lane. Due to the nature of proposed grow operations (greenhouses), crop cultivation will not substantially degrade the visual quality of the surrounding area. There is an existing overhead utility line on the property and any new utility lines will be undergrounded. All interior lighting on greenhouses are required to have blackout shade covers from dusk to dawn and ancillary structures will comply with the Mono County General Plan regulations for dark sky (Chapter 23). Buildings will be painted to match surrounding dark earth tones in coordination with Mono County. Perimeter fencing will be installed with a decorative, wooden main access gate, see Attachment A for design plans and color chips of proposed building color. All exterior lighting will be downward directed and shielded in order to comply with Chapter 23, Darky Sky Regulations.

There will be two lavender grows that cover 48,120 SF along North River Lane which will enhance views to the property. At a later date, the grown lavender will be extracted to produce lavender oil. Additionally, a shelterbelt of trees (Leyland Cypress and Sambuca Black Lace in photos 4 and 5 in the project description) will surround the operations to improve the view from the public right-of-way. The purpose of the aesthetic enhancements is to increase the appealing nature of the property to the landowners and viewers alike. With these proposed actions, the property will be enhanced to reflect the culture and character of the area. The proposed agricultural activities are compatible with the character of the lands in Antelope Valley and with the agricultural character that Antelope Valley policies intend to preserve.

One hanging sign is proposed and will be located at the front of the property over the main entry gate. Refer to Photo 5 to see an example of the proposed sign design and refer to Photo 6 to see the company logo design.

The Mono County General Plan and Land Development Regulations contain policies and standards concerning visual resources/aesthetics that have been applied to this project; as follows:

#### **Mono County General Plan Conservation/Open Space Element**

##### *Visual Resources*

- Policy 20.A.3. Preserve the visual identity of areas outside communities.
- Policy 20.C.2. Future development shall be sited and designed to be in scale and compatible with the surrounding community and/or natural environment.

#### **Planning Area Land Use Policies: Antelope Valley**

- Policy 4.B.1. Maintain and enhance scenic resources in the Antelope Valley.
- Policy 4.B.2. Preserve the agricultural lands and natural resource lands in the Antelope Valley.
- Policy 4.B.6. Preserve rural character of lands within the Antelope Valley.

#### **Mono County General Plan, Land Use Element**

##### *Commercial Cannabis*

- 13.070.G. *Visual Screening/Fencing.*
  - 1. *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.*
  - 2. *Fencing installed on or around the premises shall comply with all other applicable County and State laws and regulations regarding height and location restrictions.*
  - 3. *If linear features are proposed, a Visual Screening Plan is required to demonstrate visual compatibility with the surrounding landscape, views, and/or community character,*

including but not limited to fencing. A Visual Screening Plan shall be submitted with the application and be compatible with:

- i. General Plan Land Use Element, Conservation/Open Space Element 05-02 Issues/Opportunities/Constraints, Visual Resources and 05-03 Policies, Visual Resources;
- ii. General Plan Land Use element 02-06 Land Development Regulations, Chapter 4.160 Fences, Screening and Landscaping;
- iii. General Plan Appendices, 09-03 Mono County General Design Guidelines, Chapter 2, Site Planning & Landscape; and
- iv. Landscaping species shall be consistent with those identified in General Plan Appendices 09-03, Mono County General Design Guidelines, "Plants".
- Visual screening shall blend into the surrounding landscape as best as possible.
- 13.070.H. Lighting.
  - 1. A Lighting Plan demonstrating compliance with the following:
    - i. All commercial cannabis activities shall comply with General Plan Land Use Element Chapter 23-Dark Sky Regulations regardless of activity type or Premise location.
    - ii. Design specifications and/or cut sheets for all proposed exterior lighting shall be detailed in the Lighting Plan.
  - 2. Commercial cannabis activities located north of Mountain Gate Park shall comply with Land Use Element Chapter 23- Dark Sky Regulations.
- 13.080.B. Lighting. Interior light systems shall include window coverings to confine light and glare to the interior of the structure and be detailed within the Lighting Plan. Light mitigation measures shall be utilized from sunset to sunrise to avoid nighttime glare, as required in California Department of Food and Agriculture State Code 8304.

### Determination

- The aesthetic impacts of the proposed agricultural cultivation project were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the aesthetic impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site aesthetic impacts from the proposed project that were not addressed in the FEIR.

### 14) Cultural Resources

The project area lies within a previously disturbed area (e.g. grading, vegetation clearing) which was abandoned prior to Colitas Farms purchasing the property.

A record search covering a 0.5-mile radius surrounding the project area was requested of the Eastern Information Center (EIC). No archaeological sites near the project area have been determined to be eligible for The California Register of Historical Resources or the National Register of Historic Places. None are listed on the California Inventory of Historic Resources. A copy of correspondence from the California Historical Resources Information System is included as Attachment F.

California Health and Safety Code 7050.5 states in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the County inspects the site. Furthermore, California Public Resources code states upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity where the Native American human remains are located, is not

damaged or disturbed by further development activity until the landowner has been contacted. The conditions of approval for the use permit reflect these work stoppage requirements.

#### ***Determination***

- The cultural resource impacts of the proposed agricultural cultivation project were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan, and because the property was in agricultural production for many years no known archeological sites exist on the property.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- A standard mitigation measure is being applied in the event human remains are uncovered.
- There is no new substantial information indicating that the impacts of the project on cultural resources will be more severe than described in the FEIR.
- There are no cumulative or off-site impacts from the proposed project on cultural resources that were not addressed in the FEIR.

### **15) Recreation**

The project will not affect existing recreational opportunities since it is in an existing private agricultural area and most of the recreational opportunities in Mono County occur on public lands. The project also does not generate a significant number of new residents that would impact existing recreational facilities.

#### ***Determination***

- The recreation impacts of the proposed agricultural cultivation project were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the impacts of the project on recreation will be more severe than described in the FEIR.
- There are no cumulative or off-site impacts from the proposed project on recreation that were not addressed in the prior EIR.

### **16) Greenhouse Gases**

Mono County conducted a baseline GHG emission inventory, GHG emission forecast and reduction targets and policies and programs to achieve reduction targets. The inventory includes analysis of County government activities and emissions associated with energy use (residential and nonresidential), transportation, off road equipment, solid waste generation, water and wastewater transportation, residential/non-residential agriculture, and landfills (Mono County Resource Efficiency Plan, 2014a). The GHG inventory provided Mono County the information to assess the effectiveness of recommended policies and programs to reduce GHG and consumption of resources. The document details that 2010 emissions of 21,920 MTCO<sub>2e</sub> per year for known agriculture emissions, are generated by livestock gestation (99%) and fertilizer application (1%). Emissions are projected to remain stable from 2020 through 2035. Agriculture operations emissions comprise 16% of total baseline emissions in Mono County, making agriculture the fourth largest producer of GHG. While a large contributor of GHG, agriculture projections remain stable, and the promotion of optimal agriculture practices for fertilizer application will subtract 20 MTCO<sub>2e</sub> from total emissions, or 12,440 pounds of fertilizer.

The Mono County Sustainable Agricultural Strategy (2018) references Mono County's Resource Efficiency Plan as a baseline of emissions within the community and government operations. Based on the greenhouse gas emission

inventory and analysis of threats, the strategy includes a toolbox to provide initiatives, programs, and policies that support a sustainable agricultural industry in Mono County. Cannabis is a high-value crop that can be grown on a smaller land base in comparison to traditional crops, which would result in lower greenhouse gas emissions. In addition, fertilizer application is more targeted than traditional row and row cultivation, which reduces GHG emissions as noted above.

As detailed in the Transportation and Circulation section, at full-build out a maximum of 10 employees are expected to work on site. During non-harvest times, employee traffic could be three round trips per day, five days a week, or about 60 round trips per month. During harvest seasons, employee traffic could increase to as much as 9 round trips per day, five days a week, for about 45 round trips per week for four two-week periods. GHG emissions regarding workers at the site would be similar to that of a typical 19 acres traditional farming operation with family and workers living on site.

In the event of electrical utility failure, backup diesel generators will be used (two at full build-out). Each KD 110 generator would emit GHG, however the amount would depend on the length of the power outage. It is anticipated that GHG emissions due to emergency generator use would be de minimis.

### ***Determination***

- The greenhouse gas impacts of the proposed agricultural cultivation project were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the impacts of the project on greenhouse gases will be more severe than described in the FEIR.
- There are no cumulative or off-site impacts to greenhouse gases from the proposed project that were not addressed in the FEIR.

### VII. 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.

**Environmental Impact Report is required:**

I find that the proposed project MAY have a significant effect(s) on the environmental, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated."

**An Environmental Impact Report is required, but it must analyze only the effects that remain to be addressed.**

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

*Hailey Lang*

Signature

10-9-19

Date

Hailey Lang

Printed Name

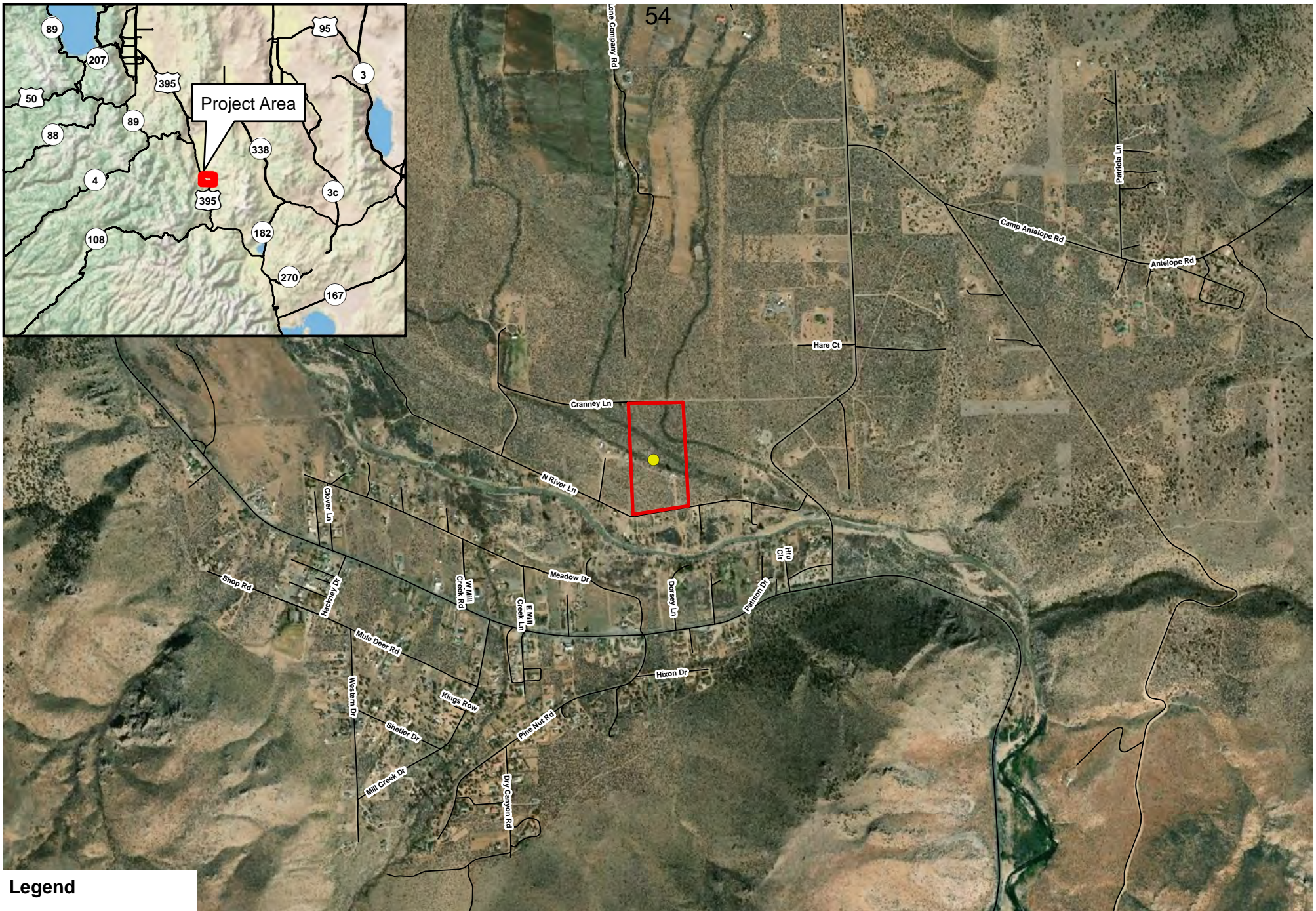
## VIII. REFERENCES

- Jonathan P. Caulkins, 2010. Estimated Cost of Production for Legalized Cannabis. RAND Drug Policy Research Center.  
[https://www.researchgate.net/profile/Jonathan\\_Caulkins/publication/265453640\\_Estimated\\_Cost\\_of\\_Production\\_for\\_Legal\\_Cannabis/links/550c11530cf2063799398419/Estimated-Cost-of-Production-for-Legal-Cannabis.pdf](https://www.researchgate.net/profile/Jonathan_Caulkins/publication/265453640_Estimated_Cost_of_Production_for_Legal_Cannabis/links/550c11530cf2063799398419/Estimated-Cost-of-Production-for-Legal-Cannabis.pdf)
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- Mono County, 2013. Regional Transportation Plan
- Mono County, 2014a. Resource Efficiency Plan.
- Mono County, 2014b. Snow Removal Priority Map 10-21-14
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- Mono County, 2015. General Plan Environmental Impact Report. <https://monocounty.ca.gov/planning/page/general-plan-eir>
- Mono County, 2018. Sustainable Agricultural Strategy.

# **Attachment A**

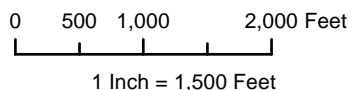
Site Plans and Maps





**Legend**

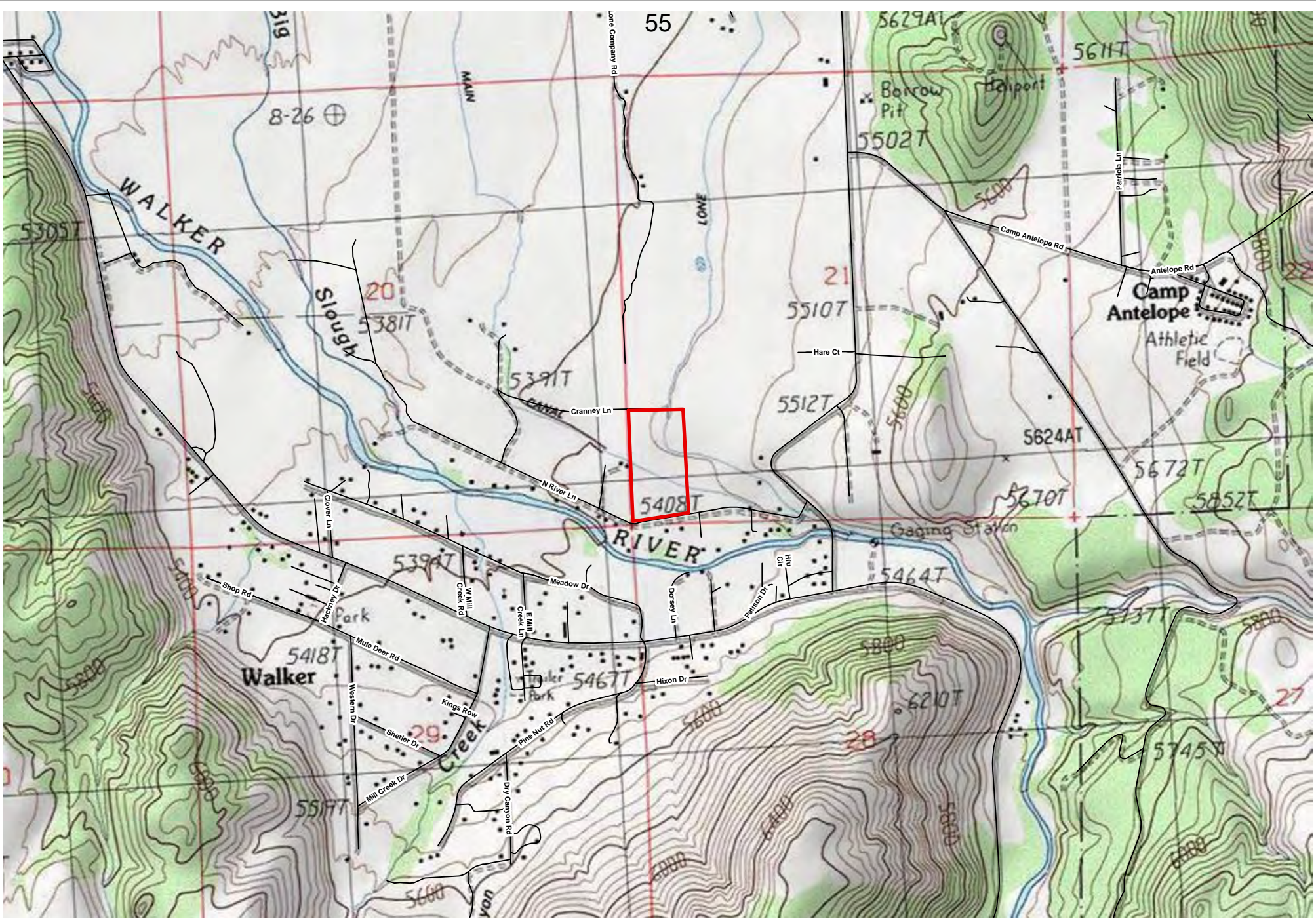
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- Parcel



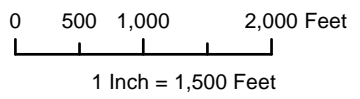
# Colitas Farms Location Map

6/3/2019

**RCI**  
Resource Concepts Inc



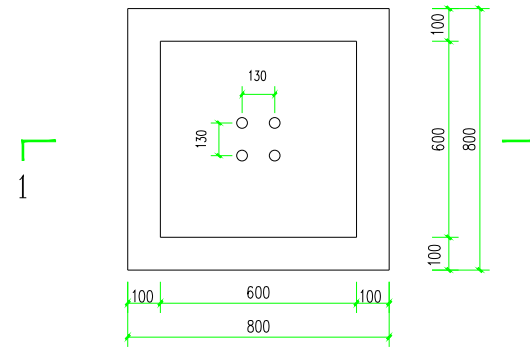
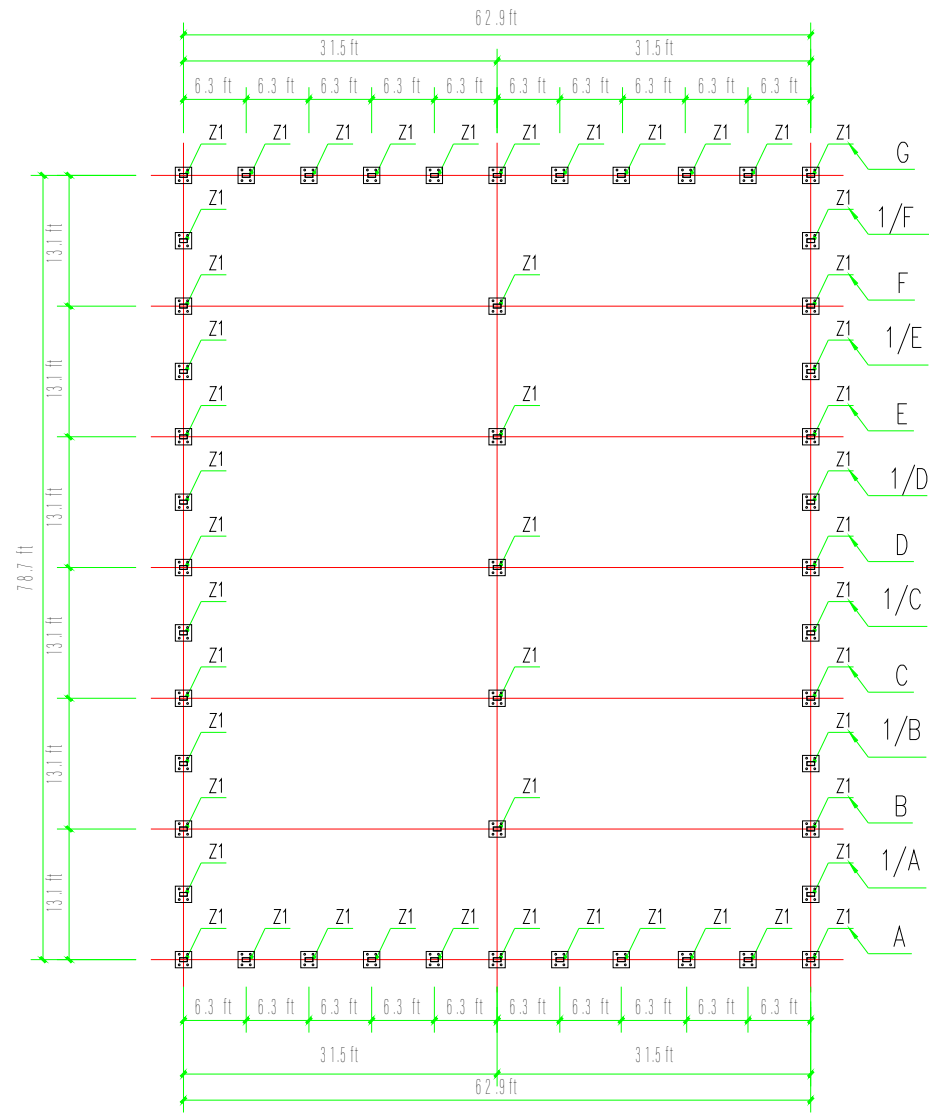
**Legend**  
 Parcel



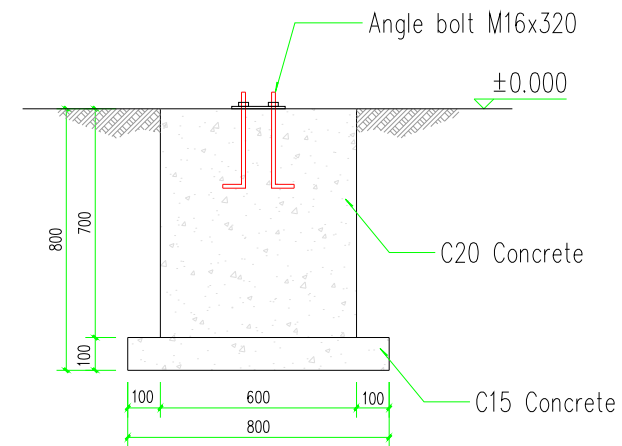
# Colitas Farms Topography Map

N 6/21/2019  
  
 Resource Concepts Inc





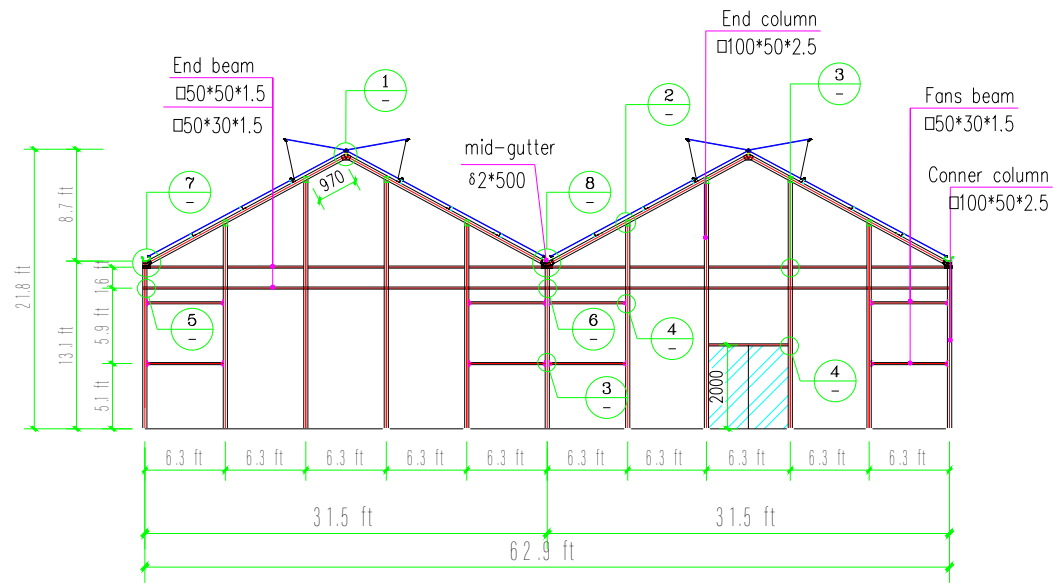
Z1 Foundation layout



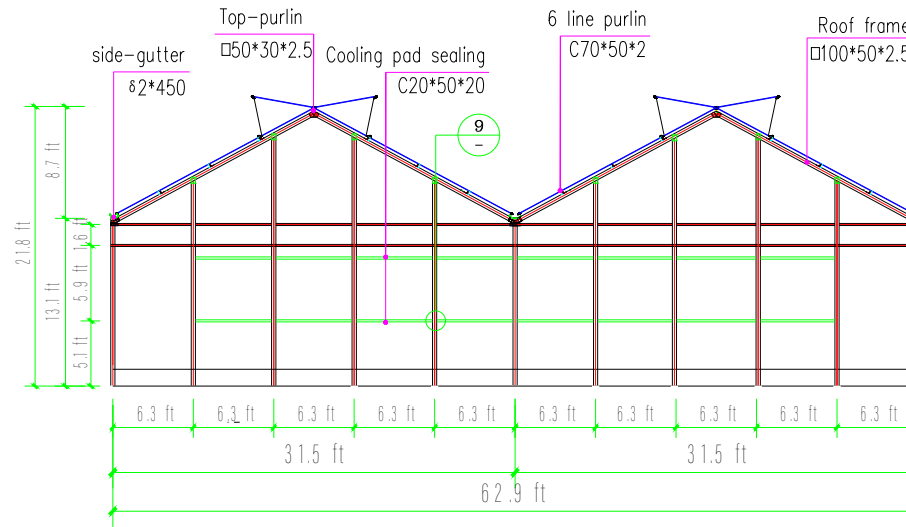
1-1 Section layout

- note:
1. Foundation excavation to the bearing layer;
  2. According to the local soil and geological structure, make corresponding adjustments to the point-based approach.

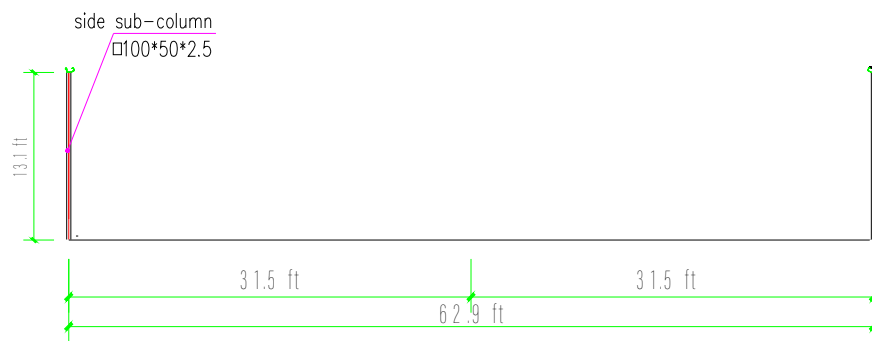
( CLIENT: )		
PROJECT NAME		
SUB PROJECT		
( DWG. NAME: )		
unit :		scale :
PROJECT LEADER		
DIVISION CHIEF		
DESIGNED BY		
PROCESSED BY		
CHECKED BY		
APPROVED BY		
PROJECT NO.		
DWG TYPE	DWG. NO.	
Ver.	DATE	



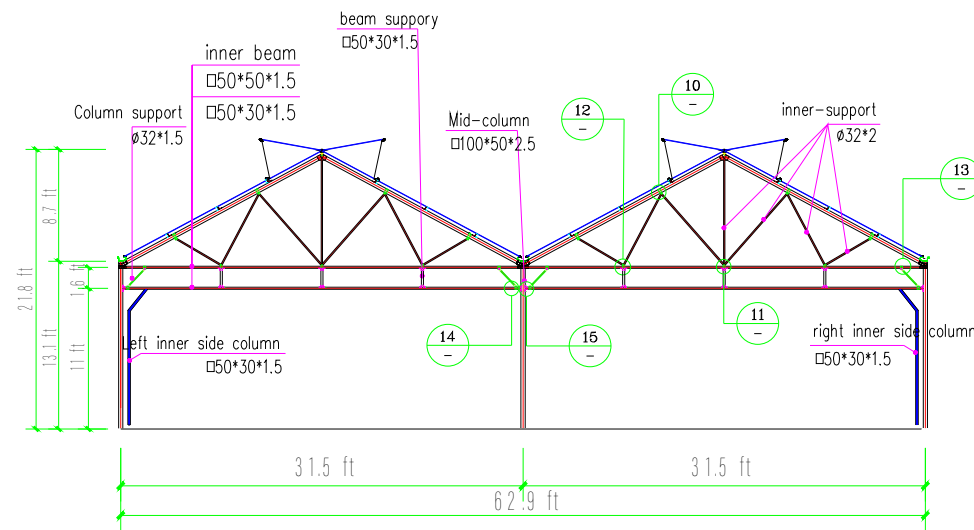
Ⓐ Front end frame diagram



Ⓒ Back end frame diagram

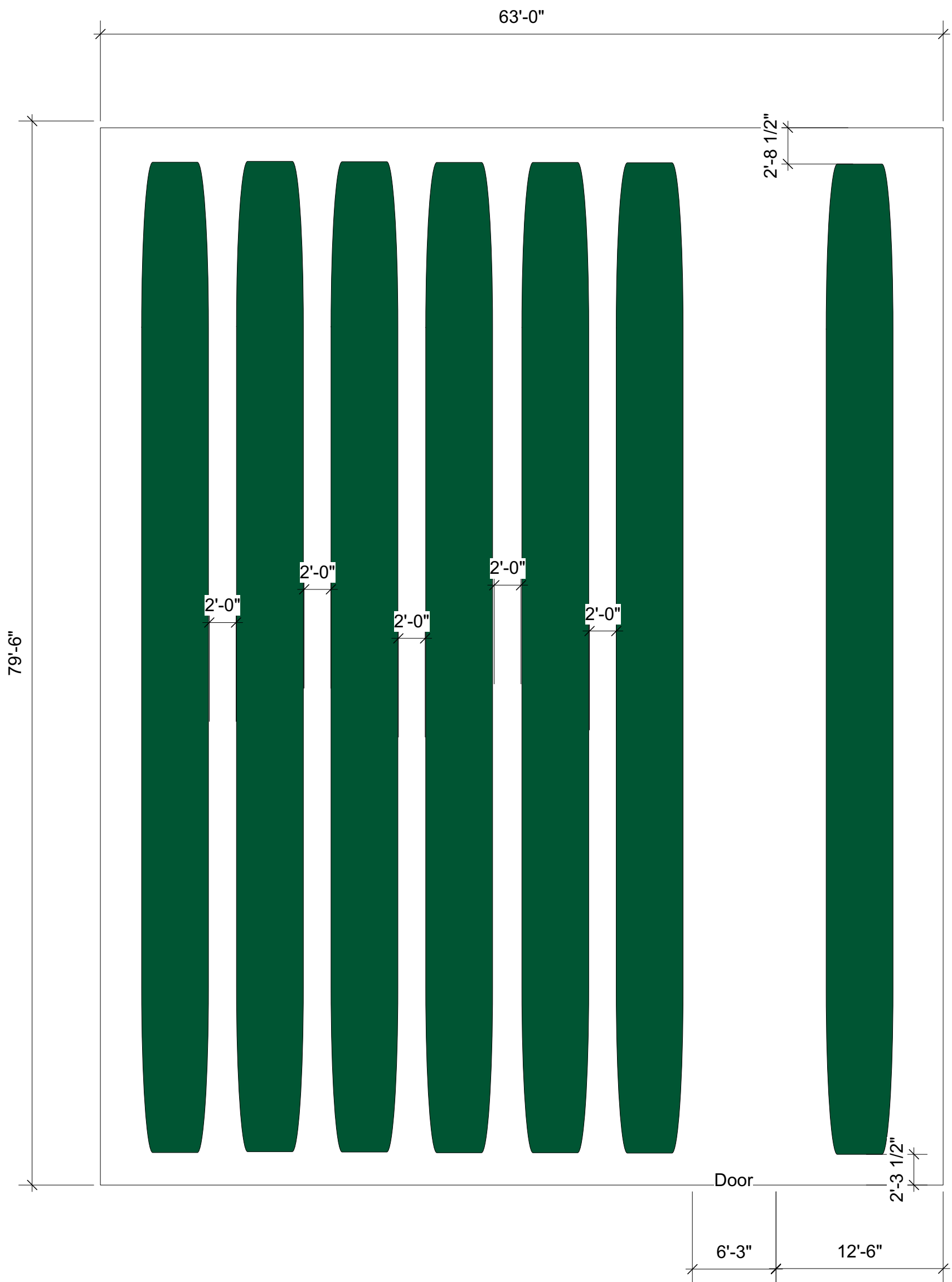


1/(A-F) Section frame diagram



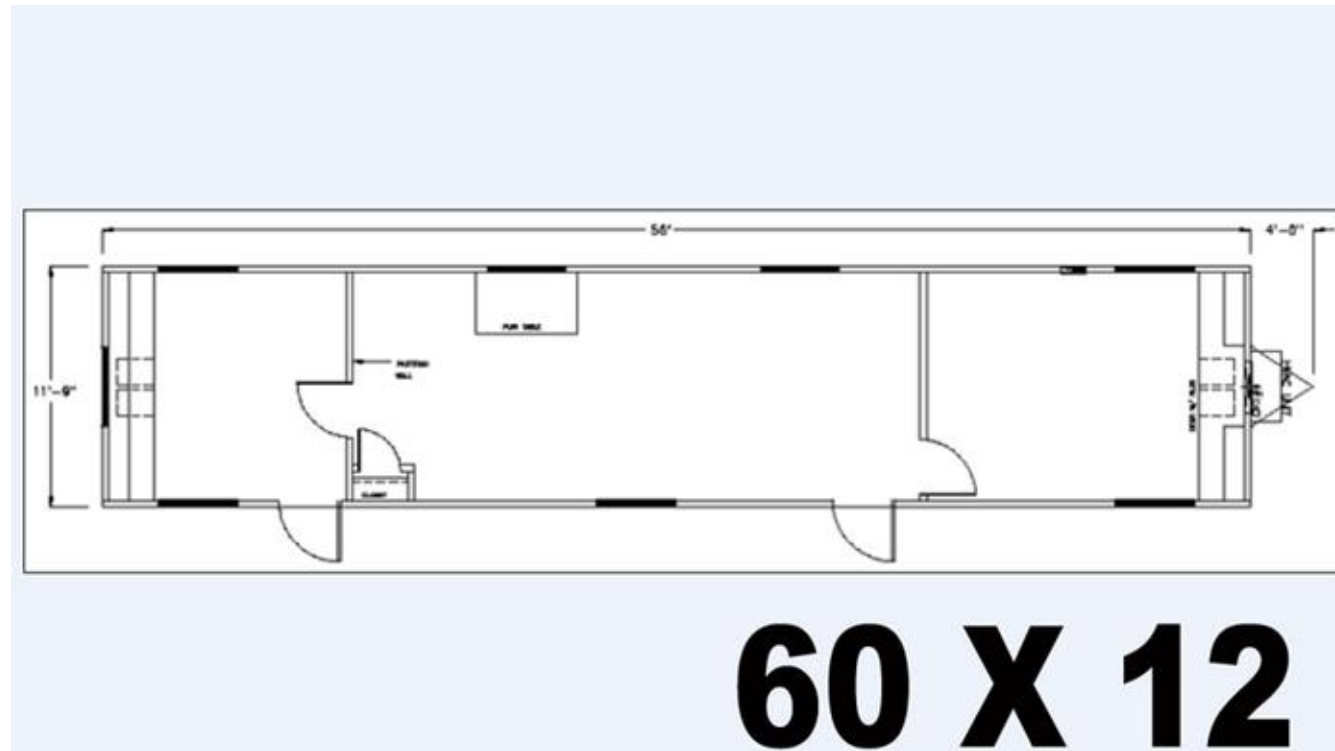
Ⓑ, Ⓒ, Ⓓ, Ⓔ, Ⓕ Section frame diagram

( CLIENT: )	
PROJECT NAME	
SUB PROJECT	
( DWG. NAME: )	
unit :	scale :
PROJECT LEADER	
DIVISION CHIEF	
DESIGNED BY	
PROCESSED BY	
CHECKED BY	
APPROVED BY	
PROJECT NO.	
DWG TYPE	DWG. NO.
Ver.	DATE



GREENHOUSE FLOORPLAN  
FOR ONE 63 X 79' STRUCTURE  
5' PLANTED ROWS SPACED 2' APART

## Oil extraction/Drying, processing and storage

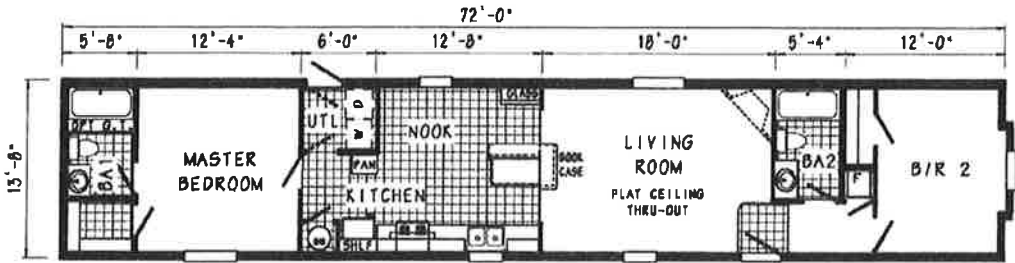


12' x 12' drying area, 12' x 15' processing area, 12' x 29' Oil extraction room





62  
MODULAR HOME



JB540-A 1472 Approx. 984 Sq. Ft.

PROVIDENCE  
Commodore Homes of Pennsylvania

<https://kelseybassranch.com/20-perfect-images-trailer-home-dimensions/manufactured-homes-mobile-single-wide-floor-plans-8/>



# BARN PROS<sup>®</sup>

NATIONWIDE

DENALI 36 BARN APARTMENT

Model A - front



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# BARN PROS<sup>®</sup>

NATIONWIDE

DENALI 36 BARN APARTMENT

Model A - rear

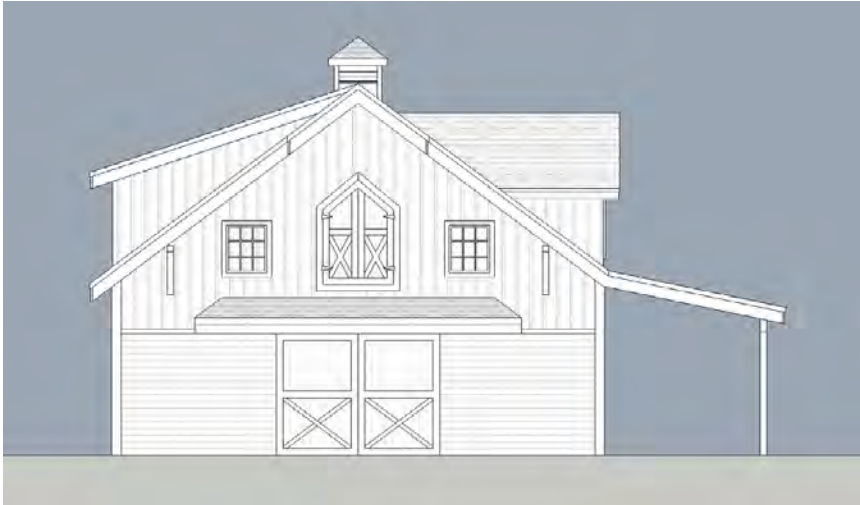


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### Barn Pros Denali 36 Apartment Barn Model A - Standard



*Front Elevation*



*Side Elevation, Left*



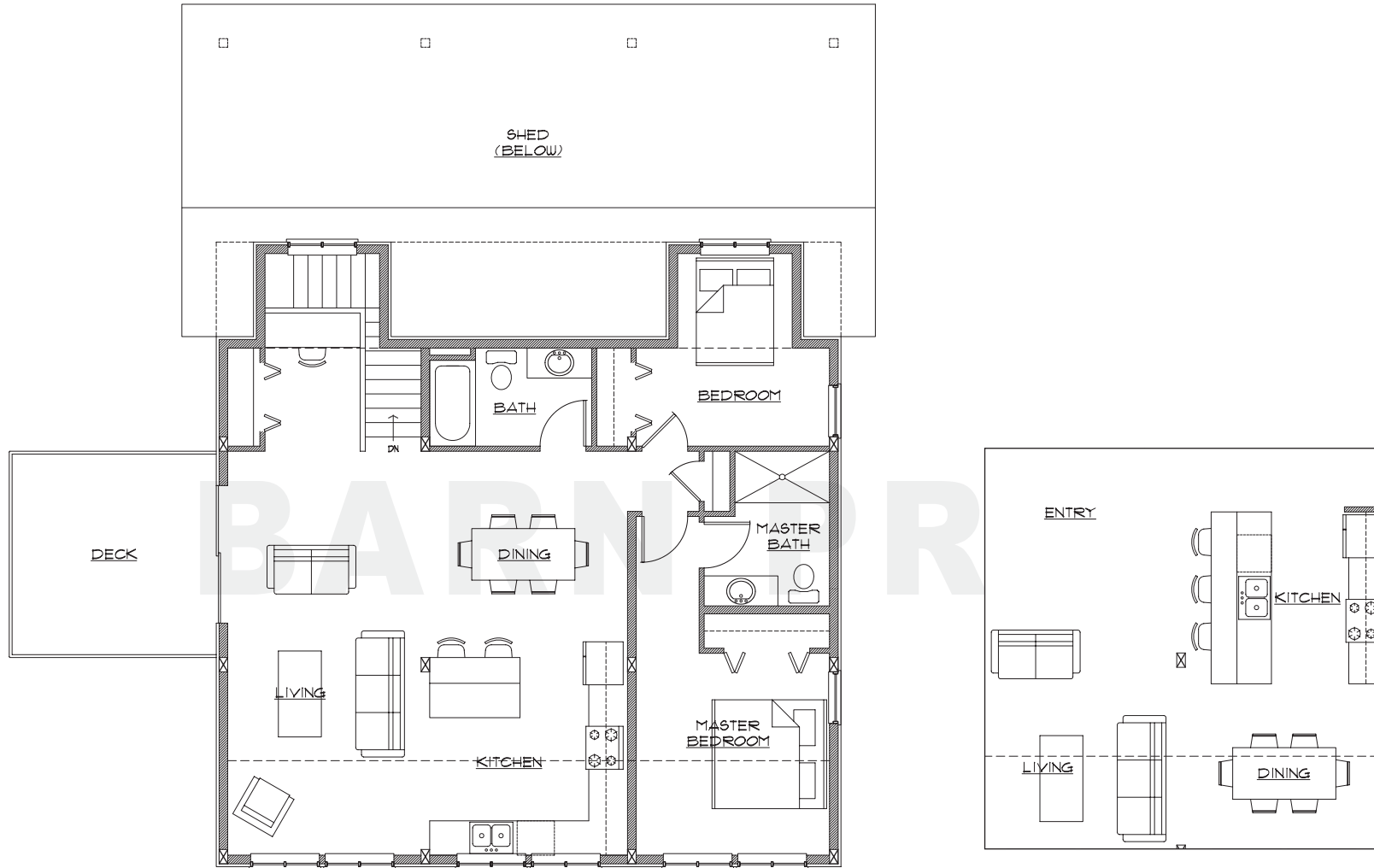
*Rear Elevation*



*Side Elevation, Right*

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**Barn Pros Denali 36 Apartment Barn**  
**Model A - Standard**



**PROPOSED FLOORPLAN - UPPER**  
*Model A Option 1 (left), Option 2 (right)*

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NATIONWIDE<sup>®</sup>

DENALI 36 BARN APARTMENT

Model B - front



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NATIONWIDE

DENALI 36 BARN APARTMENT

Model B - rear



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### Barn Pros Denali 36 Apartment Barn Model B - Standard



*Front Elevation*



*Side Elevation, Left*



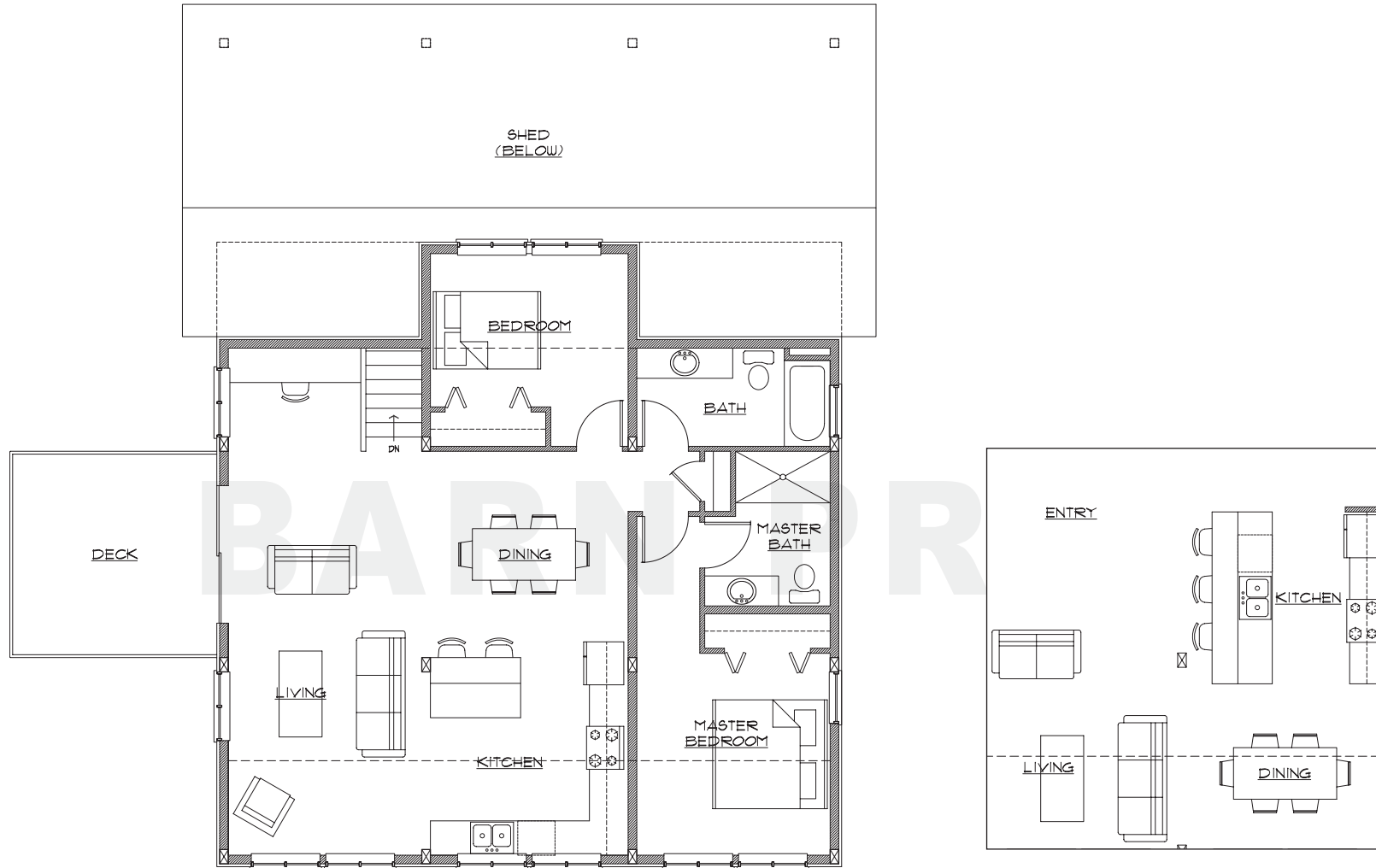
*Rear Elevation*



*Side Elevation, Right*

© 2016 BARN PROS INC

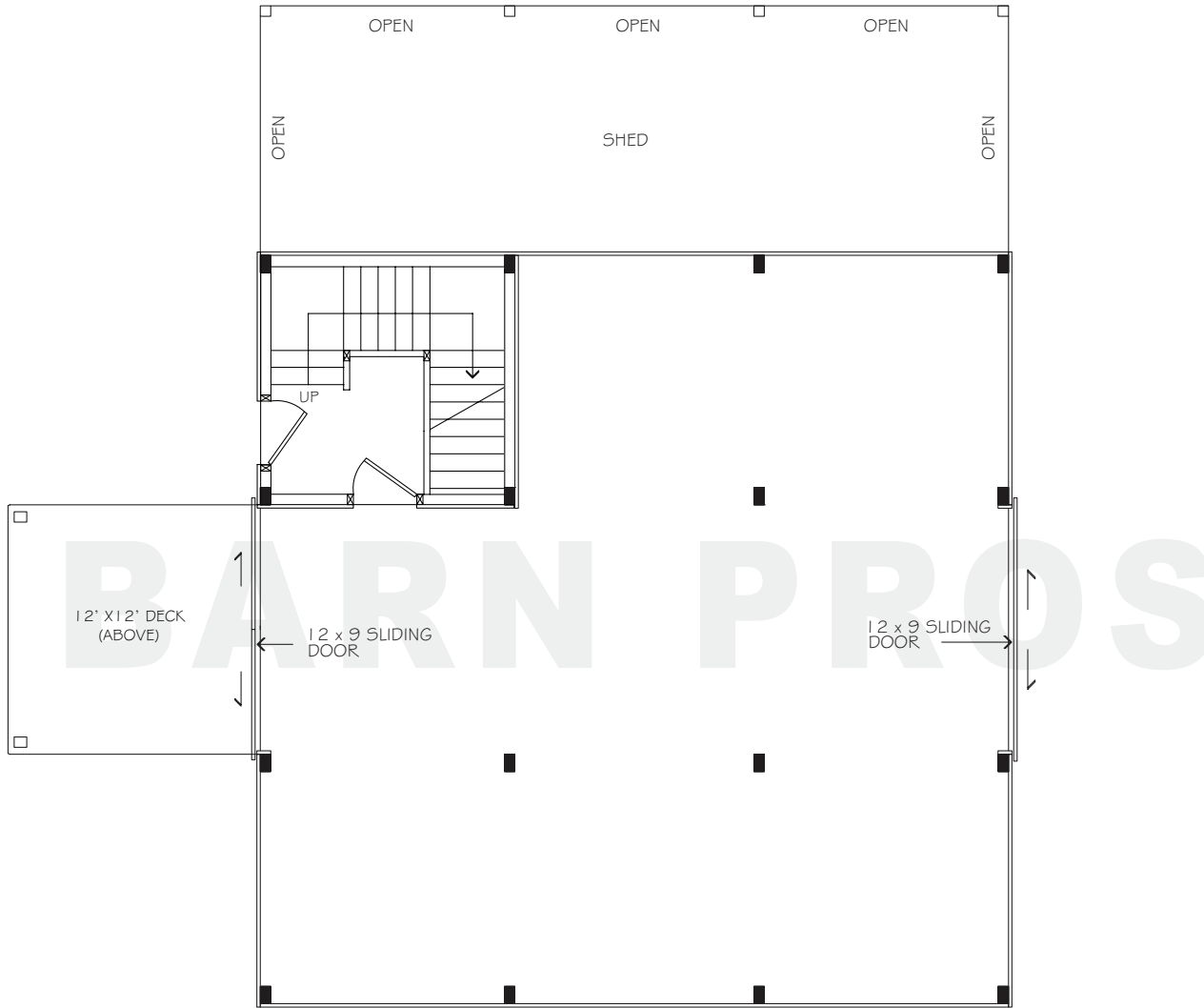
## Barn Pros Denali 36 Apartment Barn Model B - Standard



PROPOSED FLOORPLAN - UPPER  
Model B Option 1 (left), Option 2 (right)

© 2016 BARN PROS INC

### Barn Pros Denali 36 Apartment Barn Standard



FLOORPLAN - LOWER

© 2016 BARN PROS INC

# BARN PROS NATIONWIDE®

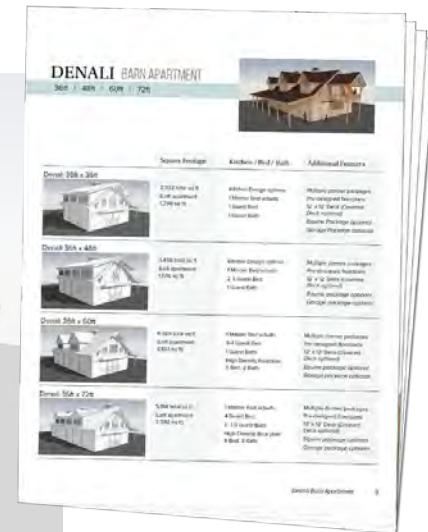
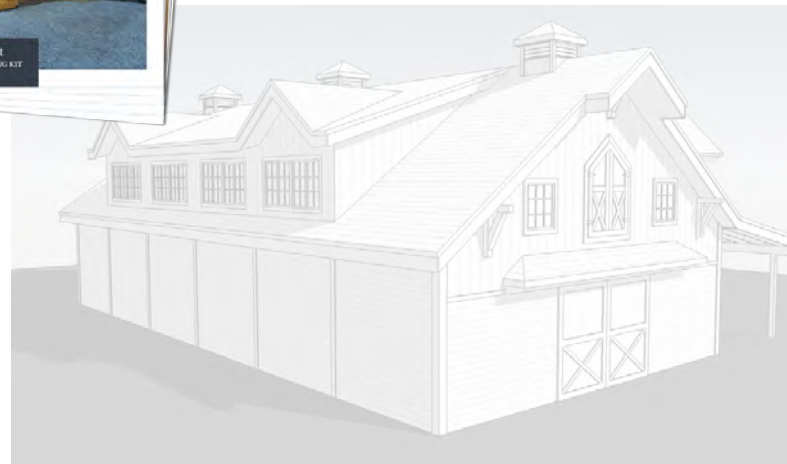


## Free Denali Apartment e-brochure

Receive a complimentary e-brochure with additional floor plan layouts, detailed model information including drawings and kit specifications, structural elevations, photos, pricing and more.

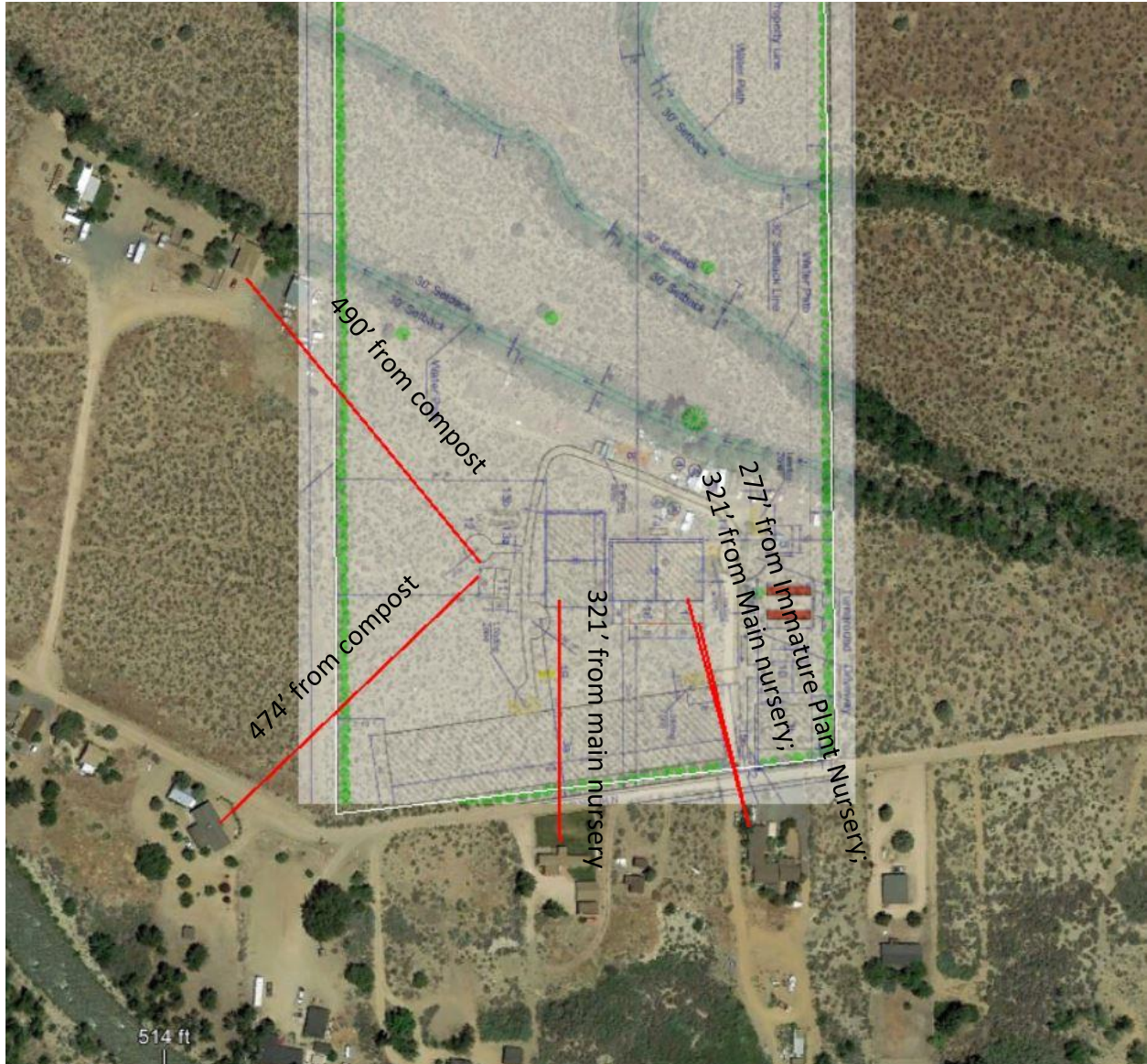
Call: **1(866)844-2276**

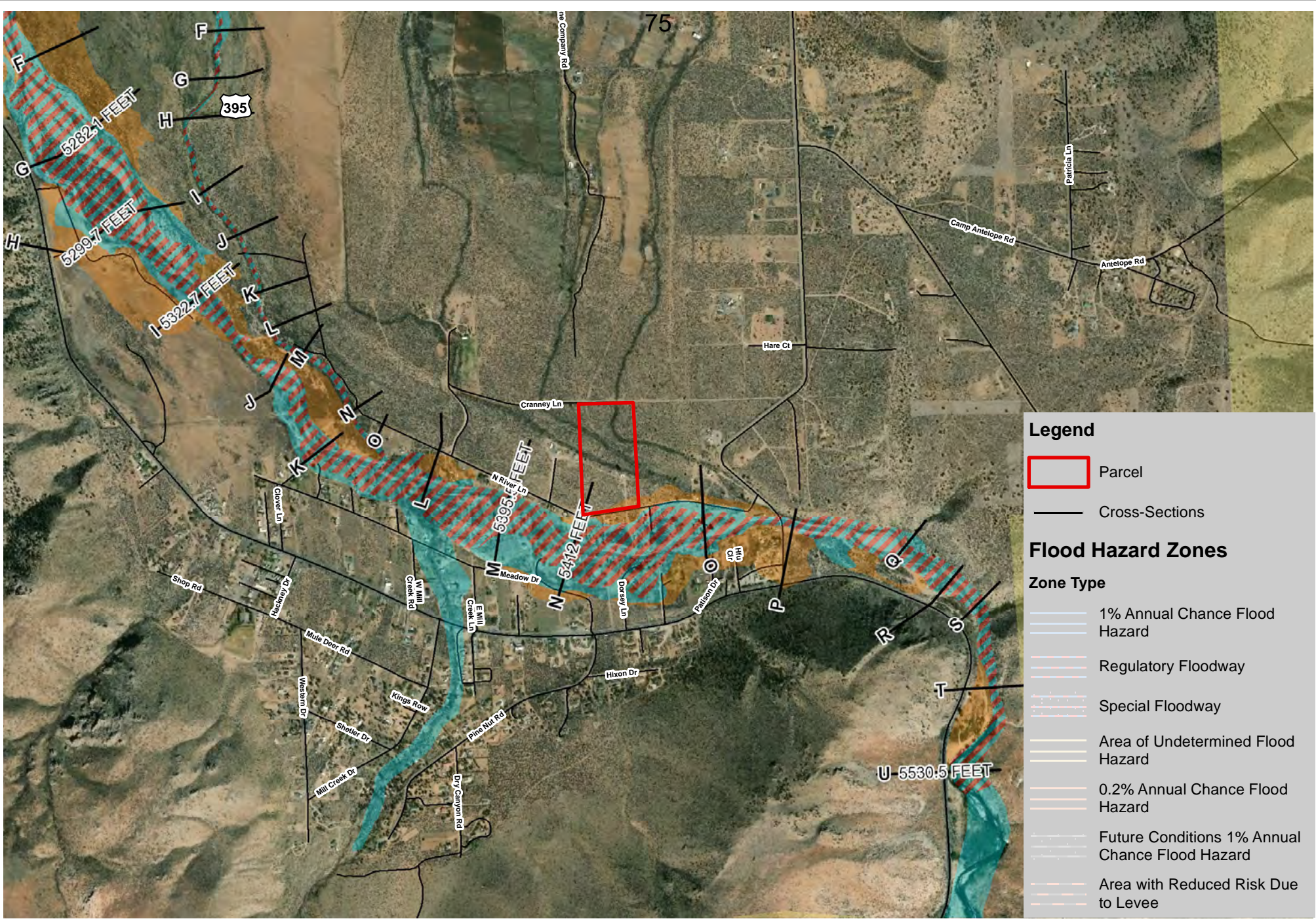
Request your copy of this free brochure today!



# Receptor Proximity

## Colitas Farms





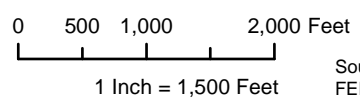
**Legend**

- Parcel
- Cross-Sections

**Flood Hazard Zones**

**Zone Type**

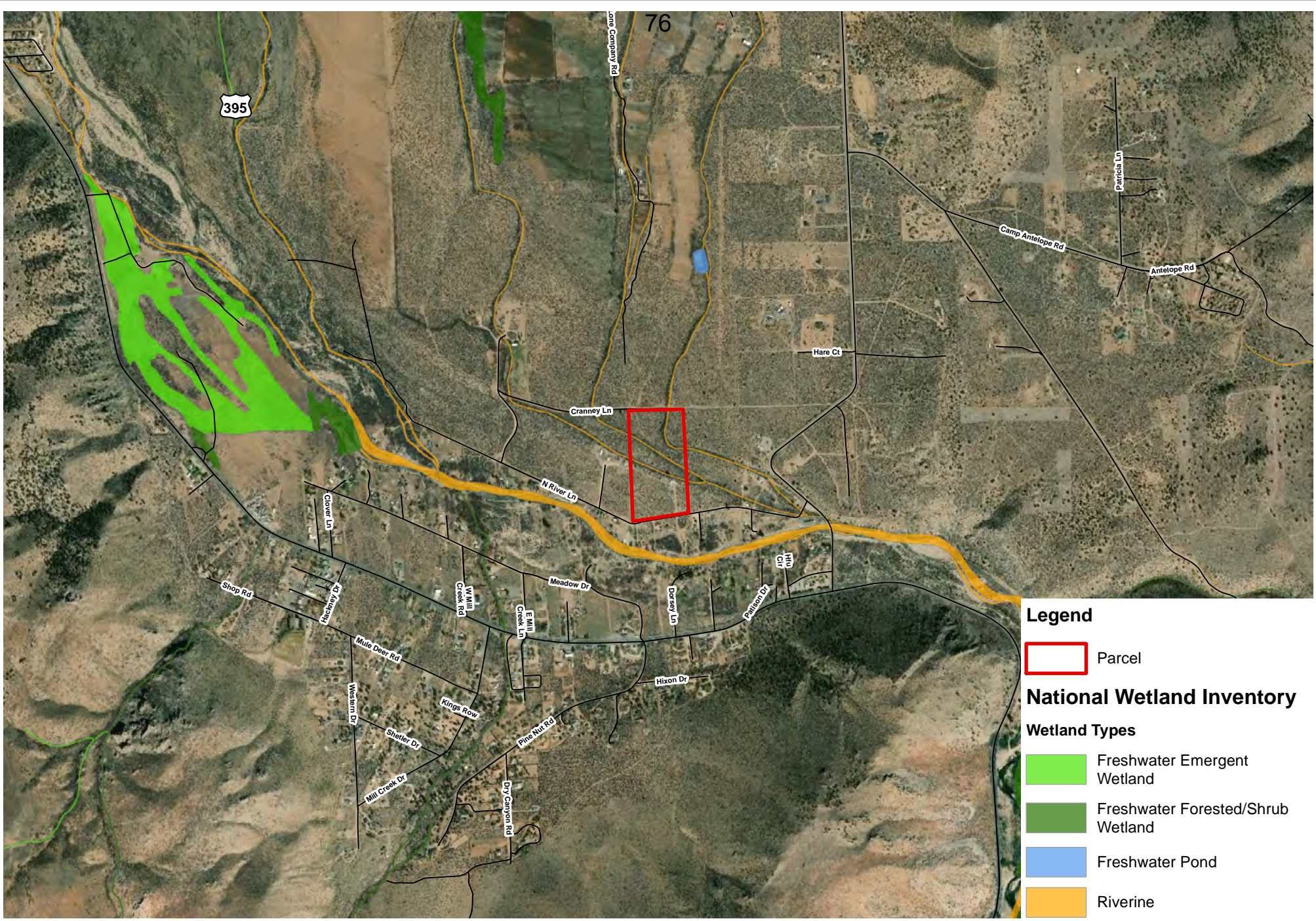
- 1% Annual Chance Flood Hazard
- Regulatory Floodway
- Special Floodway
- Area of Undetermined Flood Hazard
- 0.2% Annual Chance Flood Hazard
- Future Conditions 1% Annual Chance Flood Hazard
- Area with Reduced Risk Due to Levee




Source:  
FEMA's National Flood Hazard Layer (NFHL)

# Colitas Farms FEMA Flood Map

6/21/2019







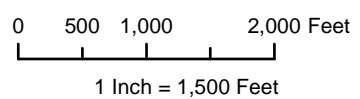
**Legend**

 Parcel

**National Wetland Inventory**

**Wetland Types**

-  Freshwater Emergent Wetland
-  Freshwater Forested/Shrub Wetland
-  Freshwater Pond
-  Riverine



# Colitas Farms National Wetland Inventory Map

6/21/2019




# **Attachment B**

Integrated Pest Management Plan



# PEST MANAGEMENT PLAN

## OUTDOOR/GREENHOUSE CANNABIS CULTIVATION

### FACILITY

#### PHYSICAL LOCATION

COLITAS FARMS  
324 NORTH RIVER LANE  
COLEVILLE, CA 96107

#### MAILING ADDRESS

COLITAS FARMS  
13900 NW PASSAGE #210  
MARINA DEL REY, CA 90292

### PEST MANAGEMENT PLAN

#### COLITAS FARMS PLANS ON TAKING A HOLISTIC APPROACH TO CANNABIS FARMING

Listed below are five plant treatment protocols that are examples of effective techniques used in a holistic integrative pest management plan:

- **Coconut water** contains cytokinins that aid in cell division, helping plants mend and grow due to healthy cell division.
- **Indigenous microbe inoculations** allow for more resilient plants that are better prepared to fend off pathogens.
- **Powdered potassium silicate** applied as a foliar feed helps stimulate the plant's natural defense methods against fungal attacks and other pathogens.
- **Neem cake** added to the soil mix acts to discourage egg-laying insects in the rhizosphere. It effectively ends problems like fungus gnats while allowing beneficial microbes to flourish.
- **Essential oils** help activate natural defense mechanisms while disrupting the offending pest and preventing it from taking advantage of chemical imbalances.
- **Aloe vera flakes** aid a plant's immune response and pathogen defense.

## PEST MANAGEMENT PRACTICES FOR CANNABIS GROWN OUTDOORS

PEST	DAMAGE	IPM PRACTICES (monitoring; cultural, physical, mechanical, biological)	PESTICIDES
<b>MITES &amp; INSECTS</b>			
<b>two-spotted spider mites</b> <i>Tetranychus urticae</i> (and other Tetranychidae)	Suck plant sap; stipple <b>leaves</b>	<ul style="list-style-type: none"> <li>▪ Keep dust down by hosing off plants (if dust is a problem)</li> <li>▪ Release predatory mites</li> </ul>	neem oil, horticultural oil
<b>broad mites</b> <i>Polyphagotarsonemus latus</i>	Distort <b>leaves</b> and <b>buds</b>	<ul style="list-style-type: none"> <li>▪ Inspect plants; disinfest or dispose of infested plants</li> <li>▪ Release predatory mites and sixspotted thrips</li> </ul>	—
<b>russet mites</b> <i>Aculops</i> spp.	Suck plant sap; kill <b>leaves</b> and <b>flowers</b>	<ul style="list-style-type: none"> <li>▪ Release predatory mites</li> </ul>	neem oil, horticultural oil, sulfur
<b>crickets</b> (field & house)	Eat <b>seedlings</b>	<ul style="list-style-type: none"> <li>▪ Use floating row covers or cones on individual plants</li> </ul>	—
<b>termites</b>	Eat <b>roots</b>	<ul style="list-style-type: none"> <li>▪ Flood nests</li> </ul>	—
<b>leafhoppers</b>	Suck plant sap; weaken plants	<ul style="list-style-type: none"> <li>▪ Encourage natural enemies by planting nectar sources</li> </ul>	horticultural oil or insecticidal soaps for nymphs
<b>whiteflies</b> <i>Trialeurodes vaporariorum</i> , <i>Bemisia tabaci</i> , <i>B. argentifolii</i>	Suck plant sap; weaken plants	<ul style="list-style-type: none"> <li>▪ Hang up yellow sticky cards</li> <li>▪ Use reflective plastic mulch</li> </ul>	azadirachtin, horticultural oil, insecticidal soaps, rosemary + peppermint oils, <i>Beauveria bassiana</i>
<b>thrips</b> <i>Heliethrips haemorrhoidalis</i> , <i>Frankliniella occidentalis</i> , <i>Thrips tabaci</i>	Stipple and scar <b>leaves</b> ; vector viruses	<ul style="list-style-type: none"> <li>▪ Hang up yellow or blue sticky cards</li> </ul>	horticultural oil, insecticidal soaps, rosemary + peppermint oils, <i>Beauveria bassiana</i>
<b>aphids</b> <i>Myzus persicae</i> , <i>Aphis fabae</i>	Suck plant sap; weaken plants	<ul style="list-style-type: none"> <li>▪ Hang up yellow sticky cards (alates)</li> <li>▪ Hose off plants</li> </ul>	azadirachtin, horticultural oil, insecticidal soaps, <i>Beauveria bassiana</i>
<b>leafminers</b> <i>Liriomyza</i> spp.	Bore into <b>roots</b> and <b>leaves</b>	<ul style="list-style-type: none"> <li>▪ Remove older infested leaves</li> <li>▪ Use biocontrol: release <i>Diglyphus parasitoids</i></li> </ul>	azadirachtin

PEST		DAMAGE	IPM PRACTICES (monitoring; cultural, physical, mechanical, biological)	PESTICIDES
LEPIDOPTERA	cutworms <i>Agrotis ipsilon</i> , <i>Spodoptera exigua</i> (Noctuidae)	Eat seedlings	<ul style="list-style-type: none"> <li>▪ Use pheromone traps to detect adults.</li> <li>▪ Remove weeds, which serve as a reservoir for cutworms and other noctuids</li> </ul>	Vegetative stage only: Use <i>Bacillus thuringiensis kurstaki</i> if egg-laying adults found, insecticidal soap; azadirachtin
	budworms <i>Helicoverpa zea</i> (Noctuidae)	Eat flowering buds	<ul style="list-style-type: none"> <li>▪ Shake plants to dislodge larvae</li> <li>▪ Remove infested buds</li> <li>▪ Plant corn as trap crop</li> </ul>	Vegetative stage only: Use <i>Bacillus thuringiensis kurstaki</i> , insecticidal soap
COLEOPTERA	flea beetles (Chrysomelidae)	Bore into stems (grubs); feed on seedlings and leaves of larger plants (adults)	<ul style="list-style-type: none"> <li>▪ Use reflective mulches</li> <li>▪ Plant trap crops (e.g., radish or Chinese mustard)</li> </ul>	sulfur
	scarab grubs (Scarabaeidae) possibly other beetles)	Bore into stems	<ul style="list-style-type: none"> <li>▪ Use parasitic nematodes</li> </ul>	—
<b>MAMMALS</b>				
mice (e.g., house mice)		Eat young sprouts and seeds	<ul style="list-style-type: none"> <li>▪ Double wrap a 3'-tall chicken wire fence around plants</li> <li>▪ Trap (minus rodenticides)</li> <li>▪ Mount barn owl boxes</li> </ul>	rodenticides*
roof rats, <i>Rattus rattus</i> wood rats, <i>Neotoma</i> spp.		Strip bark from stems to build nests		
pocket gophers, <i>Thomomys</i> spp.		Tunnel through planting areas; feed on plants; gnaw on irrigation lines		
Columbian black-tailed deer, <i>Odocoileus hemionus columbianus</i>		Knock over plants; leave dander, droppings, and ticks behind	<ul style="list-style-type: none"> <li>▪ Install deer fencing</li> </ul>	—
black bears, <i>Ursus americana</i>		Knock over plants	<ul style="list-style-type: none"> <li>▪ Install electric fencing</li> </ul>	—

\* If using a rodenticide always read and follow the label and check to make sure that the target rodent is listed. Second-generation anticoagulant products (contain the active ingredients brodifacoum, bromadiolone, difenacoum, and difethialone) are DPR-restricted materials not labeled for field use and should never be used in or around cannabis cultivation sites. Permits for the use of DPR-restricted materials will not be issued to cannabis cultivators. Any federally restricted use pesticide must be applied by a certified applicator consistent with the registered labeling.

## PEST MANAGEMENT PRACTICES FOR CANNABIS GROWN INDOORS

(e.g., greenhouses, sheds, and grow rooms)

PEST	DAMAGE	IPM PRACTICES (monitoring; cultural, physical, mechanical, biological)	PESTICIDES
<b>DISEASES</b>			
<b>powdery mildew</b> <i>Sphaerotheca macularis</i>	Grow on leaves as white and gray powdery patches	<ul style="list-style-type: none"> <li>Use fans to improve air circulation</li> </ul>	horticultural oil; neem oil; sodium bicarbonate, potassium bicarbonate; <i>Bacillus subtilis</i>
<b>pythium root rots</b> <i>Pythium</i> spp.	Attack root tips and worsens when plants grow in wet soil	<ul style="list-style-type: none"> <li>Avoid hydroponic production or wet soil conditions</li> </ul>	Incorporate biocontrol agents into root-growing media (e.g., <i>Gliricium virens</i> , <i>Trichoderma harzianum</i> , <i>Bacillus subtilis</i> )
<b>MITES &amp; INSECTS</b>			
<b>two-spotted spider mites</b> <i>Tetranychus urticae</i> (and other Tetranychidae)	Suck plant sap; stipple leaves	<ul style="list-style-type: none"> <li>Disinfest cuttings before introducing to growing area</li> <li>Release predatory mites (<i>Amblyseius</i> spp., <i>Phytoseiulus persimilis</i>), or lacewings (<i>Chrysoperia</i> spp.)</li> </ul>	neem oil, horticultural oil, sulfur
<b>broad mites</b>	Distort leaves and buds	<ul style="list-style-type: none"> <li>Inspect plants; disinfest or dispose of infested plants</li> <li>Release predatory mites (<i>Amblyseius</i> spp.) and six-spotted thrips</li> </ul>	
<b>leafhoppers</b>	Suck plant sap; weaken plants	<ul style="list-style-type: none"> <li>Encourage natural enemies by planting nectar sources</li> </ul>	horticultural oil or insecticidal soaps for nymphs
<b>whiteflies</b> <i>Trialeurodes vaporariorum</i> , <i>Bemisia tabaci</i> , <i>B. argentifolii</i>	Suck plant sap; weaken plants	<ul style="list-style-type: none"> <li>Hang up yellow sticky cards</li> <li>Use biocontrol: <i>Amblyseius swirskii</i>, <i>Encarsia formosa</i>, <i>Delphastus catalinae</i>, <i>Steirneria feltiae</i></li> </ul>	azadirachtin, <i>Beauveria bassiana</i> , cinnamon oil, horticultural oil
<b>thrips</b> <i>Heliethrips haemorrhoidalis</i> , <i>Frankliniella occidentalis</i> , <i>Thrips tabaci</i>	Stipple and scar leaves; vector viruses	<ul style="list-style-type: none"> <li>Sterilize soil and pots before growing</li> <li>Hang up yellow or blue sticky cards</li> <li>Use biocontrol <i>Stratiolaelaps scimitus</i>, <i>Amblyseius cucumeris</i>, <i>Amblyseius swirskii</i>, <i>Orius insidiosus</i></li> </ul>	azadirachtin, horticultural oil, insecticidal soaps, rosemary + peppermint oils, <i>Beauveria bassiana</i>

PEST	DAMAGE	IPM PRACTICES (monitoring; cultural, physical, mechanical, biological)	PESTICIDES
<b>rice root aphid</b> <i>Rhopalosiphum rufiabdominalis</i>	Feed on roots; stunt and weaken plants	<ul style="list-style-type: none"> <li>▪ Dispose of weakened infested plants</li> <li>▪ Mix in sharp soil amendments such as diatomaceous earth</li> <li>▪ Use biocontrol: <i>Stratiolaelaps scimitus</i>, <i>Dalotia coriaria</i>, <i>Steinernema feltiae</i></li> </ul>	<i>Beauveria bassiana</i>
<b>dark-winged fungus gnats</b> (Diptera: Sciaridae) <i>Bradysia</i> spp.	Damage <b>roots</b> and stunt plant growth	<ul style="list-style-type: none"> <li>▪ Avoid overwatering</li> <li>▪ Use growing media that deters gnat development</li> <li>▪ Hang up yellow sticky cards</li> <li>▪ Use biocontrol: <i>Stratiolaelaps scimitus</i>, <i>Dalotia coriaria</i>, <i>Steinernema feltiae</i></li> </ul>	<i>Bacillus thuringiensis israelensis</i> (BTI); predatory nematodes; azadirachtin soil drenches

# **Attachment C**

Waste Management Plan

# WASTE MANAGEMENT PLAN

## OUTDOOR/GREENHOUSE CANNABIS CULTIVATION

---

### FACILITY

PHYSICAL LOCATION

COLITAS FARMS  
324 NORTH RIVER LANE  
COLEVILLE, CA 96107

MAILING ADDRESS

COLITAS FARMS  
13900 NW PASSAGE #210  
MARINA DEL REY, CA 90292

### WASTE MANAGEMENT PLAN

COLITAS FARMS WILL TAKE A HOLISTIC, NATURAL APPROACH TO FARMING CANNABIS. THE MAJORITY OF ANY CANNABIS WASTE THAT WILL BE CREATED ON OUR FARM WILL BE RECONSTITUTED INTO THE GROWING PROCESS IN AN ON SITE COMPOST HEAP. IF THERE IS ANY ADDITIONAL WASTE THAT WE CANNOT USE IN OUR GROWING PROCESS WE WILL SELF HAUL TO A MANNED FULLY PERMITTED SOLID WASTE LANDFILL OR TRANSFORMING FACILITY.

OUR MASTER GROWER/FARM MANGER WILL BE IN CHARGE OF MAINTIANING AND PROCESSING THE WASTE INTO USABLE COMPOST AND SCHEDULING ANY SELF HAULING OF WASTE THAT MAY ON OCCATION NEED TO BE MOVED TO A PERMITTED WASTE SITE OFF OF OUR PROPERTY.

# **Attachment D**

Lahontan Regional Water Quality Control Board Letter





EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## Lahontan Regional Water Quality Control Board

December 18, 2018

WDID No. 6T26CC405729

Jennifer Pearsons  
Colitas Farms LLC  
13900 Northwest Passage Apt 210  
Marina Del Rey, CA 90292

Michael Storc  
13900 Northwest Passage Apt 210  
Marina del Rey, CA 90292

**SUBJECT: NOTICE OF APPLICABILITY - WASTE DISCHARGE REQUIREMENTS, WATER QUALITY ORDER NO. WQ-2017-0023-DWQ, COLITAS FARMS LLC, MONO COUNTY - APN 002460015000, WDID NO. 6T26CC405729**

**EXPIRATION DATE: NOVEMBER 30, 2019**

Dear Ms. Pearsons and Mr. Storc,

Colitas Farms LLC (hereafter Discharger) submitted information via the State Water Resources Control Board's (State Water Board's) online portal on October 29, 2018, for discharges of waste associated with outdoor cannabis cultivation related activities at 324 North River Lane, Coleville (38.518641°N, 119.464742°W). The State Water Board received the associated application fee on November 30, 2018, and subsequently transferred site information to us for processing.

The property is also owned by Jennifer Pearsons and Michael Storc. Each landowner is ultimately responsible for any water quality degradation that occurs on or originates from their property and for water diversions that are not in compliance with the State Water Board's *Cannabis Cultivation Policy- Principles and Guidelines for Cannabis Cultivation (Policy)* and *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities*, Order No. WQ-2017-0023-DWQ (General Order).

Based on the information provided, the Discharger self-certifies the cannabis cultivation activities are consistent with the Policy and General Order. This letter provides notice that the Policy and General Order are applicable to the site as described below. You are hereby assigned waste discharge identification (WDID) No. 6T26CC405729. The Discharger is responsible for all the applicable requirements in the Policy, General Order, this Notice of Applicability (NOA), and for acquiring additional certifications and permits as needed (see SITE-SPECIFIC REQUIREMENTS below for guidance).

Michael Storc  
Jennifer Pearsons, Colitas Farms LLC

## FACILITY AND DISCHARGE DESCRIPTION

The information submitted by the Discharger states the disturbed area is equal to or greater than 1 acre (43,560 square feet), no portion of the disturbed area is within the setback requirements, and no portion of the disturbed area is located on a slope greater than 30 percent. Based on the information submitted by the Discharger, the cannabis cultivation activities are classified as Tier 2, Low Risk outdoor cultivation.

## SITE-SPECIFIC REQUIREMENTS

1. The Policy and General Order are available on the Internet at: [https://www.waterboards.ca.gov/water\\_issues/programs/cannabis](https://www.waterboards.ca.gov/water_issues/programs/cannabis). The Discharger shall ensure that all site operating personnel know, understand, and comply with the requirements contained in the Policy, General Order, this NOA, and the Monitoring and Reporting Program (MRP, Attachment B of the General Order). Note that the General Order contains standard provisions, general requirements, and prohibitions that apply to all cannabis cultivation activities.
2. The Discharger shall notify Water Boards staff in writing of any proposed change in the method of wastewater disposal.
3. The application requires the Discharger to self-certify that all applicable Best Practicable Treatment or Control (BPTC) measures are being implemented, or will be implemented by the onset of the winter period (October 15-May 1 above 6,000 feet and November 15 – April 1, for cultivation sites at or below 6,000 feet), following the enrollment date. Dischargers that cannot implement all applicable BPTC measures by the onset of the winter period, following their enrollment date, shall submit to the appropriate Regional Water Board a *Site Management Plan* that includes a time schedule and scope of work for use by the Regional Water Board in developing a compliance schedule as described in Attachment A of the General Order.
4. The Discharger shall permit representatives of the Regional Water Board and/or the State Water Board, upon presentation of credentials, to:
  - i. Enter premises where cannabis is cultivated or processed, wastes are treated, stored, or disposed of, and facilities in which any records are kept.
  - ii. Copy any records required under terms and conditions of the General Order.
  - iii. Inspect at reasonable hours, monitoring equipment required by this General Order (as applicable).
  - iv. Sample, photograph, and/or video record any cultivation activity, discharge, waste material, waste treatment system, or monitoring device.
5. Water quality certification or waste discharge requirements may be required in accordance with either the Clean Water Act or the Porter Cologne Water Quality Control Act for any proposed excavation, fill, or dredging activities in surface waters. Examples include, but are not limited to, stream crossings, installation or replacement of culverts, and stream diversions. Additional information is located at:  
[https://www.waterboards.ca.gov/lahtontan/water\\_issues/programs/clean\\_water\\_act\\_401](https://www.waterboards.ca.gov/lahtontan/water_issues/programs/clean_water_act_401).

Michael Storc  
Jennifer Pearsons, Colitas Farms LLC

6. Land disturbance of one acre or more not directly related to cultivation (i.e., infrastructure-related) may require coverage under the General Board Order No. 2009-0009-DWQ. Example activities include, but are not limited to, road construction, stream diversion, and building installation. See:  
[https://www.waterboards.ca.gov/lahontan/water\\_issues/programs/storm\\_water](https://www.waterboards.ca.gov/lahontan/water_issues/programs/storm_water) for details.

## TECHNICAL REPORT REQUIREMENTS

The following technical report(s) shall be submitted by the Discharger as described below:

1. A *Site Management Plan* must be submitted by **January 26, 2019**, consistent with the requirements of General Order Provision C.1.a., and Attachment A, Section 5. Attachment D of the General Order provides guidance on the contents of the *Site Management Plan*.
2. A *Nitrogen Management Plan* must be submitted by **January 26, 2019**, consistent with the requirements of General Order Provision C.1.d., and Attachment A, Section 5. Attachment D of the General Order provides guidance on the contents of the *Nitrogen Management Plan*.
3. A *Site Closure Report* must be submitted 90 days prior to permanently ending cannabis cultivation activities and seeking to rescind coverage under the General Order. The *Site Closure Report* must be consistent with the requirements of General Order Provision C.1.e., and Attachment A, Section 5. Attachment D of the General Order provides guidance on the contents of the *Site Closure Report*.

## MONITORING AND REPORTING PROGRAM

The Discharger shall comply with the Monitoring and Reporting Program (MRP). Attachment B of the General Order provides guidance on the contents for the annual reporting requirement. Annual reports shall be submitted to the Regional Water Board by **March 1** following the year being monitored. The Discharger shall not implement any changes to this MRP unless and until a revised MRP is issued by the Regional Water Board Executive Officer or the State Water Board Division of Water Quality Deputy Director, or the State Water Board Chief Deputy Director.

## ANNUAL FEE

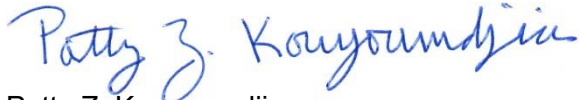
According to the information submitted, the discharge is classified as Tier 2, Low Risk, with the current annual fee assessed at \$1,000. The fee is due and payable on an annual basis until coverage under this General Order is formally rescinded. To rescind coverage, the Discharger must submit a Notice of Termination, including a *Site Closure Report* at least 90 days prior to termination of activities and include a final MRP report.

## TERMINATION OF COVERAGE UNDER THE GENERAL ORDER & REGIONAL WATER BOARD CONTACT INFORMATION

Cannabis Dischargers that propose to terminate coverage under the Conditional Waiver or General Order must submit a Notice of Termination (NOT). The NOT must include a *Site Closure Report* (see Technical Report Requirements above), and Dischargers enrolled under the General Order must also submit a final monitoring report. The Regional Water Board reserves the right to inspect the site before approving a NOT. Attachment C of the General Order includes the NOT form, and Attachment D of the General Order provides guidance on the contents of the *Site Closure Report*.

Michael Storc  
Jennifer Pearsons, Colitas Farms LLC

Please notify us 30 days prior to commencing cultivation. Please direct all submittals, discharge notifications, and questions regarding compliance and enforcement to our office. We can be emailed at [lahontan.cannabis@waterboards.ca.gov](mailto:lahontan.cannabis@waterboards.ca.gov). Phone calls may be directed to me at (530) 542-5414 ([patty.kouyoumdjian@waterboards.ca.gov](mailto:patty.kouyoumdjian@waterboards.ca.gov)) or Emily Cushman, Engineering Geologist, at (530) 542-5598 ([emily.cushman@waterboards.ca.gov](mailto:emily.cushman@waterboards.ca.gov)).



Patty Z. Kouyoumdjian  
Executive Officer  
Lahontan Regional Water Quality Control Board

cc: Louis Molina, Mono Environmental Health Department  
Michael Draper, Planning Analyst, Mono County Community Development Department  
Claire Ingel, Environmental Scientist, CA Department of Fish and Wildlife  
Kevin Porzio, Senior Water Resource Control Engineer, Department of Water Quality,  
State Water Resources Control Board  
Emily Cushman, Engineering Geologist, Lahontan Regional Water Quality Control Board

# **Attachment E**

Odor Mitigation Plan



**Table of Content**

Page 1:	Introduction of NCM services
Page 2-3:	Proposed odor control plan
Page 4:	Overhead Map
Page 5-8:	Cut sheet and photos of recommended vapor odor control system
Page 9-10:	Cut sheet and photo of Exhaust vent misting system
Page 11:	Cut sheet for HVAC odor control treatment



NCM Environmental Solutions goal is to provide the cannabis industry with company that will aid our clients from seed to sale and/or planning to operating phases by providing state of the art modeling and consulting services to evaluate the localized impacts of odors generated at cannabis operating facilities.

NCM specializes in odor control. Our parent company has over 25 years experience in designing and manufacturing odor control neutralizers at our manufacturing plant. Our neutralizer has two active parts of the product that play key roles in the neutralization of the malodors, fragrance and Metazene®. Metazene® is an odor neutralizing compound that directly interacts with malodors. Typical malodors, such as 'cannabis', 'fishy', 'putrid', or 'rancid', are made up of highly volatile aromatic compounds, meaning they tend to be the first aromas that you smell. Metazene® reacts with these compounds to form a complex ion that acts like a net to surround and envelopes the malodor. This complex ion becomes 'heavy' and less volatile resulting in the neutralization of the malodor. The fragrance is an odor masker. It is made up of various essential oils and nature identical aroma chemicals as well as some solvents to increase tenacity and longevity.

NCM also custom designs, installs and services odor control dispersion systems designed to disperse our neutralizer & neutralize odors before they become a nuisance. In addition to manufacturing neutralizers and delivery systems NCM offers modeling & consulting services to evaluate the localized impacts of odors generated at cannabis growing operations as well as dispensaries and facilities handling cannabis.

By implanting the proposed modeling services, odor control system and neutralizer our clients and municipalities will ensure that it is taking state of the art measures once only available in the waste industry to identify the dispersion of odors and implement the best practices to neutralize them.



To whom it May Concern.

The designed odor control plan is meant to ensure the proposed Marijuana Facility is following: Chapter 13 / Section 13.070 General Standards and Requirements section E. **Odor Control**.

Section E / 1 states:

“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.

Section E / 2 states: An odor mitigation plan shall ensure that cannabis odors are mitigated outside of the facility; on adjacent property or public right of way; on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or visiting public; or within any other unit located inside the same building as a commercial cannabis activity, and may include the following:

- i. Odor-control filtration and ventilation system(s) to control odors;
- ii. Devices and/or techniques incorporated into the facility or premise to mitigate the off-site detection of Cannabis odors.

[https://monocounty.ca.gov/sites/default/files/fileattachments/planning\\_division/page/9862/ch. 13.pdf](https://monocounty.ca.gov/sites/default/files/fileattachments/planning_division/page/9862/ch. 13.pdf)

The proposed cannabis facility will have 3 locations on site that have that could generate odors:

1. Main Greenhouse (Item # 9 on attached overhead view)
2. Second Greenhouse (item #6 on attached overhead view)
3. Drying, Processing & Storage Shed (item # 5 on attached overhead view)

NCM will work with the applicant to design a permanent system once all building layouts are complete. In regard to the outdoor grow area; NCM has designed a multi-zone odor control system. This unit will have 4 zones:

- North
- South
- East
- West

Each zone will be programmed to operate when the wind speed and wind direction variables that are programmed are met. This ensures no odor control product will get on the cannabis plants but more importantly it ensures that odors will be treated when the winds blow away from the plants potentially carrying the odors off site.

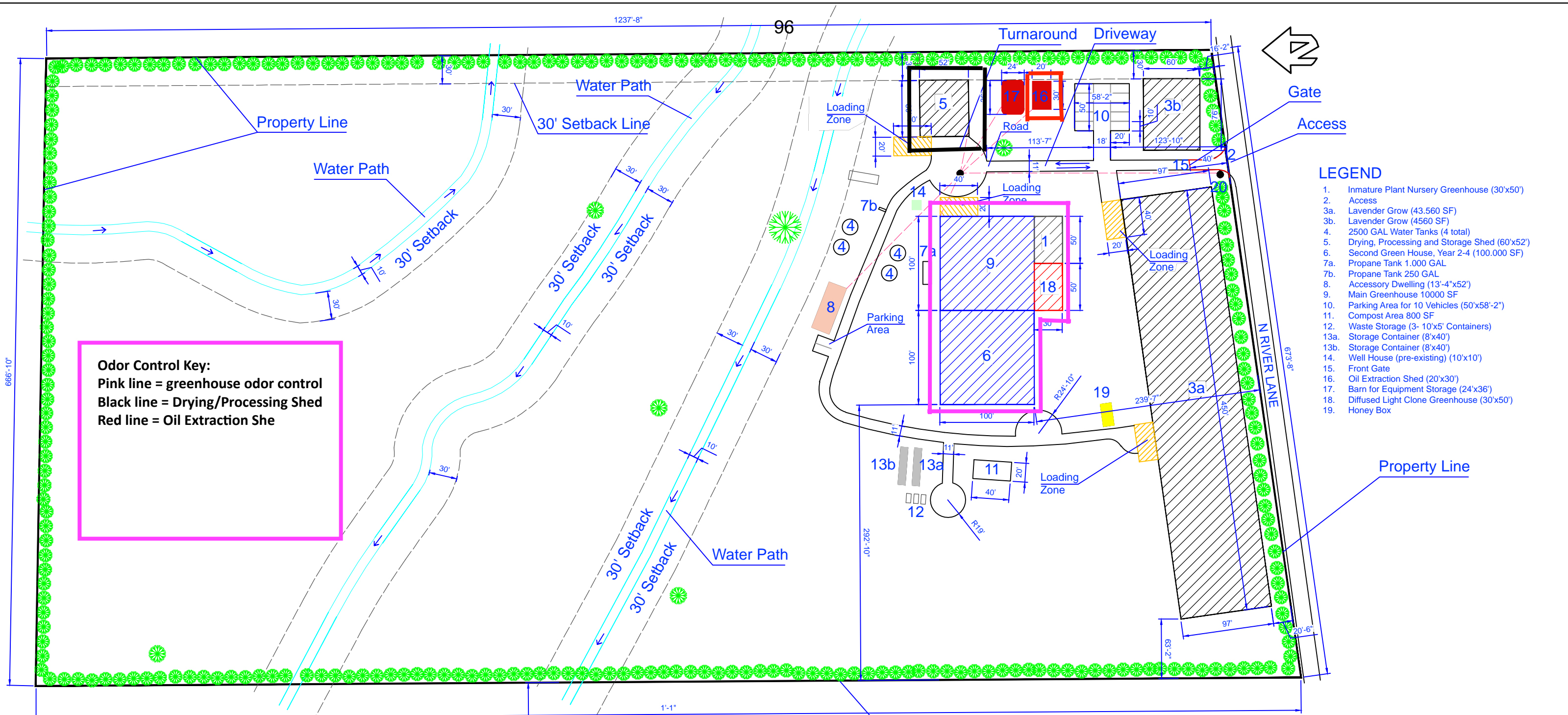
The proposed odor control neutralizer that will be dispersed from the selected odor control dispersion systems (once final site plans are chosen) will be used to ensure no fugitive odors escape the proposed location and potentially create a “nuisance” is manufactured in our chemical plant in Pittsburg, PA. Our products come with current SDS (MSDS) documentation.

The proposed odor control systems and products are being used throughout CA at Cannabis facilities as well as waste facilities where we treat odors associated with trash. Below are a few waste industry facilities in CA using our company’s technology and products:

- WM Palmdale Landfill
- City of Los Angeles Transfer Station and Lopez Cyn Landfill
- County of Santa Barbara Compost Yard
- Dublin San Ramon Waste Water Treatment Facility
- City of Los Angeles Hyperion Waste Water treatment plant

On the following pages you will see:

- Brief description of the services and capabilities that NCM offers the Cannabis Industry.
- Overhead layout of the proposed cannabis facility with notes showing where the proposed odor control system maybe located.
- Cut sheets of two recommended odor control systems for the greenhouse area (9, 1, 18 as marked on diagram) as well as processing / drying shed.
- Cut sheets of recommended odor control system for oil extraction shed.



**Odor Control Key:**  
 Pink line = greenhouse odor control  
 Black line = Drying/Processing Shed  
 Red line = Oil Extraction She

- LEGEND**
1. Inmature Plant Nursery Greenhouse (30'x50')
  2. Access
  - 3a. Lavender Grow (43,560 SF)
  - 3b. Lavender Grow (4560 SF)
  4. 2500 GAL Water Tanks (4 total)
  5. Drying, Processing and Storage Shed (60'x52')
  6. Second Green House, Year 2-4 (100,000 SF)
  - 7a. Propane Tank 1,000 GAL
  - 7b. Propane Tank 250 GAL
  8. Accessory Dwelling (13'-4"x52')
  9. Main Greenhouse 10000 SF
  10. Parking Area for 10 Vehicles (50'x58'-2")
  11. Compost Area 800 SF
  12. Waste Storage (3- 10'x5' Containers)
  - 13a. Storage Container (8'x40')
  - 13b. Storage Container (8'x40')
  14. Well House (pre-existing) (10'x10')
  15. Front Gate
  16. Oil Extraction Shed (20'x30')
  17. Barn for Equipment Storage (24'x36')
  18. Diffused Light Clone Greenhouse (30'x50')
  19. Honey Box



Parcel No. (APN) 002-460-015-000  
 Lot Area 816.239 SF  
 Total Lot Coverage 118.500 SF 14.5%

**324 N RIVER LN  
 COLEVILLE, CA 96107  
 Scale: 1"=100'**






## ***Nonaqueous Odor Control Chemicals Delivery System***

Nonaqueous Odor Control Chemicals Delivery System (patent pending) is designed by NCM.

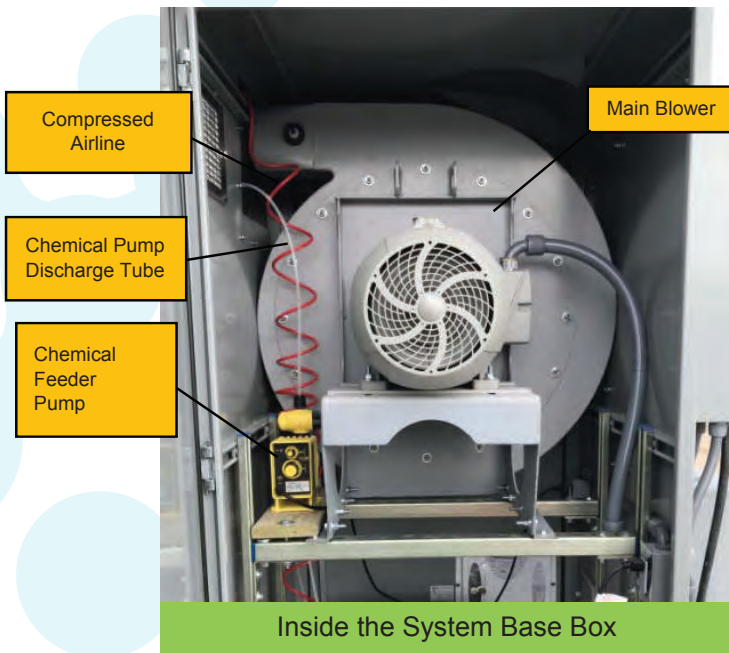
Vapor Odor Control System is designed for simplicity, dependability, and ease of operation. O&M requirements for the system are next to nothing comparing to water based systems. The system reliability system is ensured in any weather conditions from hot and humid to dry with freezing temperatures.

The system has been installed and successfully operating to keep our clients in compliance with regulatory odor control requirements throughout the United States.

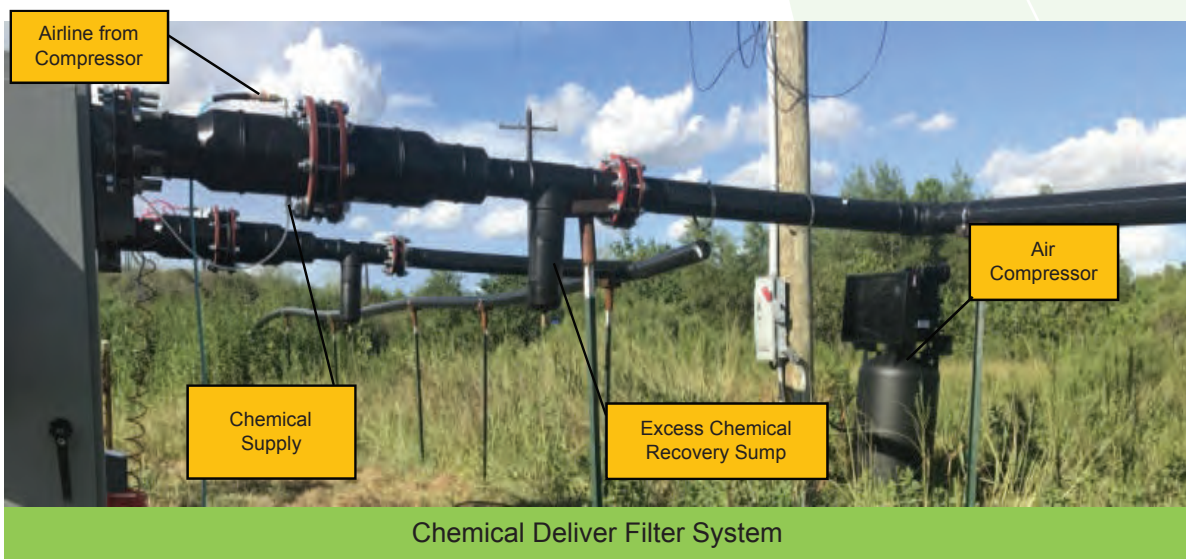


 NCM Environmental Solutions designs each system to meet clients' site specific needs. Each base station is manufactured based on the site specific design. The site specific design is developed based on the geographic location and climatological conditions, the odor causing area that requires odor control coverage, and facility specific conditions. The system can be developed for enclosed structures, structure ventilation systems, and for large open areas such as a landfill. The service area of the system can vary from a few 100 feet long coverage to 4,000 feet using a single base station.

## Odor Control System Description



The machine box of the system base station includes a main air blower that supplies up to 1,200 cfm of pressured air. A chemical feeder pump supplies nonaqueous odor control chemical to the main airline using a high pressure (over 100 psi) air through the filter system. The filter system safely mixes the chemical into the main airflow generated by the blower. The amount of chemical supplied depends on the characteristics of the odor control chemical supplied by third parties. An excess chemical recovery sump is incorporated into the design to verify the ability of the odor control chemicals to vaporise. Ambient air pulled by the main blower is filtered to prevent particle build up in the system.



Vapor odor control system on ridge vent when vent is in open position



**Vapor Odor Control System on ridge vent in closed position**



## Product: Odor Control System

**Description:** Trying to control odors being exhausted out of your greenhouse. This high pressure atomizing odor control system is a cost effective way to control odors. With two decades of experience treating odors in the garbage industry NCM is bringing our technology to the cannabis industry. System is water based and allow end user to mount nozzles to any size exhaust fan and comes with odor control injection pump allowing user to increase or decrease odor control solution as needed.

### Standard Equipment:

- Min. 3 high pressure atomizing nozzles
- 110v/115v plug
- High pressure water pump
- Electric motor
- 50 micron bag filter
- Pressure unloaded
- Pressure switch  
(protects system if water supply is interrupted)
- 7 day digital programmable timer
- Nema 4 control box

### Optional Equipment:

- Solar operation  
(includes solar panel and storage batteries)
- Motor start control switch.  
Allows user to have odor control system turn on and off automatically as exhaust fan turns on / off.
- Additional nozzles to increase coverage from one exhaust fan to two.
- Additional high pressure hydraulic hose to extend coverage (required if additional nozzles are ordered).





### Exhaust Fan Odor Control System



PROFESSIONAL DIFFUSERS FOR  
ODOR NEUTRALIZATION AND  
AMBIENT SCENTING

**ROMASTYLER™**  
DIFFUSERS

Neutralize Odors ◊ Enhance Indoor Environments

Recommended option for storage / drying area



Controls odors and enhances indoor environments.

### GAMMA

- Covers up to 63,000 cubic feet
- Stand alone or connect to HVAC
- Cold ultra-vapor mist
- Fully controllable output settings
- 3 programmable phases per day
- Easy-mount wall bracket
- Connection hardware included
- 12 volt DC / Electric

### BETA

- Covers up to 21,000 cubic feet

### ALPHA

- Covers up to 10,500 cubic feet

Selecting the right product for your application is an important process to ensuring your being a good neighbor. NCM and our team of chemists have designed a variety of odor control products for the different types of cannabis operations that our clients deal with. Our different lines neutralize odors associated with the extraction process, dispensaries as well as reception areas for indoor grow operations.



29350 PCH #6B  
Malibu, CA 90265  
[www.ncmenvironmentalsolutions.com](http://www.ncmenvironmentalsolutions.com)

# **Attachment F**

Cultural Resource Information

A Class I Archival Review for the Proposed Colitas Parcel Project, Walker,  
California

Prepared by

Michael Drews

Great Basin Consulting Group, LLC

Prepared For

Resource Concepts

340 N. Minnesota Street

Carson City, Nevada 89703

June 5, 2019



Great Basin Consulting Group, LLC  
Cultural Resource Management - Investigation - Monitoring  
Carson City, Nevada 775.560.5074

## Introduction

Resource Concepts. contacted with Great Basin Consulting Group, LLC (GBCG) to provide a Class I archival review to identify known cultural resources in the vicinity of the Colitas Parcel project in Walker, California in compliance with the California Environmental Quality Act (CEQA). The proposed parcel covers approximately 20 acres 324 N. River Lane in Antelope Valley just north of the Walker River (Figure 1)

On April 30, 2019, GBCG submitted a data request to the Eastern Information Center, California State University, Sacramento under Permit #281. The record search extent covered a ½ mile radius surrounding the ¼ acre well parcel. The data request included:

- Mapped archaeological resource locations;
- Mapped report locations;
- Resource database printout;
- Report database printout;
- Copies of archaeological resource records;
- OHP historic properties directory;
- OHP determinations of eligibility;
- California Inventory of Historical Resources;
- Historic Maps;
- GLO and/or Rancho Plat maps.

## Record Search Results

On May 3, 2019 EIC sent results of the record search via the postal service (ST-MNO-5178). Ten cultural resource studies have been conducted within a one-half mile radius of the project area (Table 1). None within the project Area. Four cultural resource overviews have been compiled for the vicinity. Six previous Class III cultural resource inventories have been conducted within a ½ mile radius of the project parcel.

Two cultural resources have been recorded within the one-half mile record search boundary, none within the project area (Table 2). Most of the resources are located on the alluvial fan well east of the project area. They consist of isolated artifacts. No properties are listed on the National Register of

Historic Places, Office of Historic Preservation Historic Property Directory, or the OHP Archaeological Determinations of Eligibility, or OHP Historic Properties Directory occur in the project area. There are no historic maps on file at the EIC for this area.

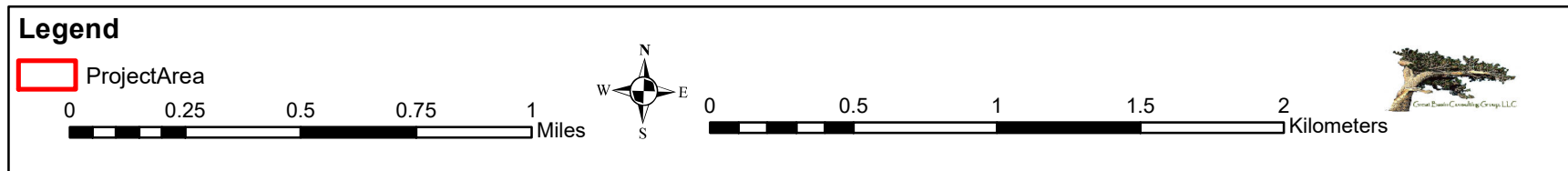
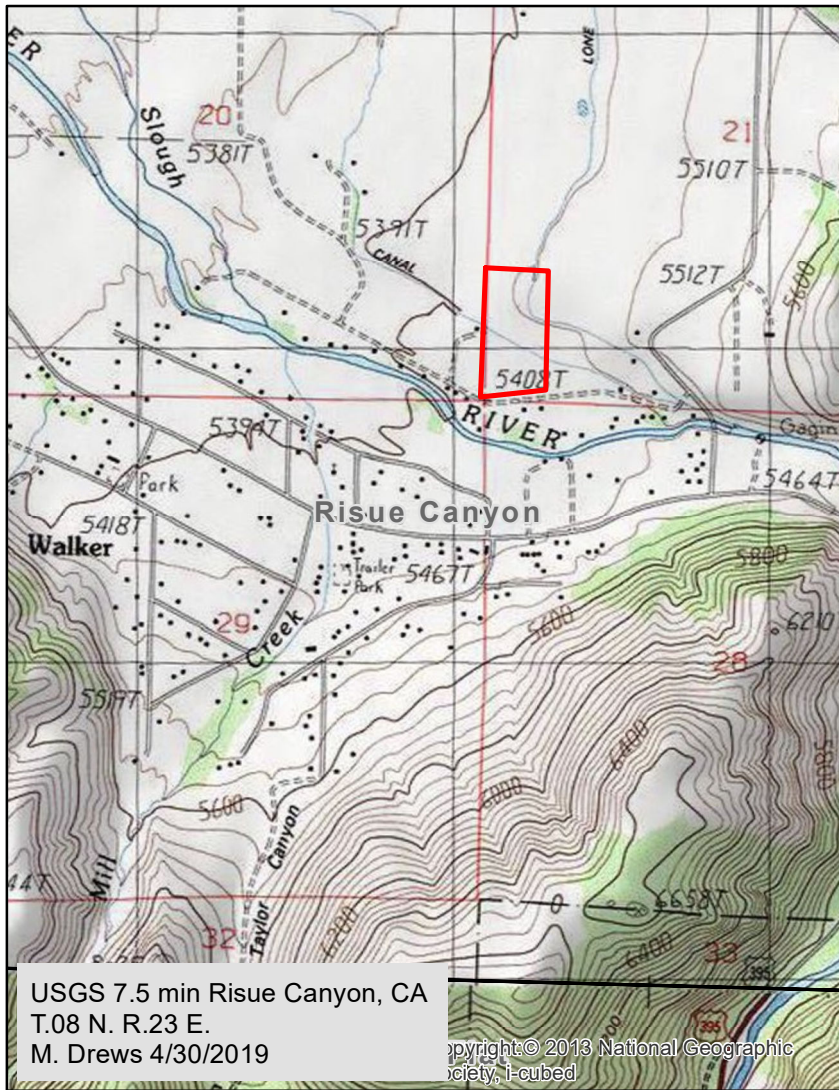


Figure 1. Project Location

Table 1. Cultural Resource Inventories within one-half mile of project area

Report Number	Other Number	Authors	Year	Title	Publisher	Type	Size	Resources
MN-00031	NADB-R - 1080621; Voided - MF-0507	BUSBY, COLIN, J.M. FINDLAY, and J.C. BARD	1979	A CULTURE RESOURCE OVERVIEW OF THE BUREAU OF LAND MANAGEMENT COLEVILLE, BODIE, BENTON, AND OWENS VALLEY PLANNING UNITS, CALIFORNIA PLUS AN ANNOTATED ANTHROPOLOGICAL AND HISTORIC BIBLIOGRAPHY	GREAT BASIN ASSOCIATES	Other research		
MN-00044	NADB-R - 1081068; Other - 072001 (E.A. #); Voided - MF-0926	YOUNG, DANIEL L.	1978	ARCHAEOLOGICAL RECONNAISSANCE SURVEY FROM VIRGINIA LAKES ROAD TO NEVADA STATE LINE	AUTHOR(S)	Archaeological, Field study	2270 Acres surveyed	26-000030, 26-000031, 26-000032
MN-00167	NADB-R - 1083854; Voided - MF-3495	BARKER, LEO R. and ANN E. HUSTON, EDITORS	1990	DEATH VALLEY TO DEADWOOD; KENNECOTT TO CRIPPLE CREEK. PROCEEDINGS OF THE HISTORIC MINING CONFERENCE, JANUARY 23-27, 1989, DEATH VALLEY NATIONAL MONUMENT	Division of National Register Programs National Park Service	Management/planning		
MN-00566	NADB-R - 1084158; Voided - MF-3745	HANEY, JEFFERSON W.	1992	WRITTEN IN BEDROCK: PREHISTORIC ACORN USE IN THE EASTERN SIERRA NEVADA				
MN-00833	BLM - CA-170-05-14	Whiteman, Erik, Robert Jackson, Jennifer Burns, Doug Edwards, Michael Taggart, and Steven Hilton	2005	Cultural Resources Inventory: Antelope Valley Fuels Reduction Project Mono County, California	Pacific Legacy, Inc.	Archaeological, Field study	620 Acres surveyed	26-000372, 26-004368, 26-004369, 26-004370, 26-004371, 26-004372, 26-004373, 26-004374, 26-004375, 26-004376, 26-004377, 26-004378, 26-
MN-00886		Holmes, Amy M.	2003	Intensive Cultural Resource Inventory of Two Drill Seeding Localities Within the Cannon Fire Area, Mono County, California	Pacific Legacy, Inc.	Archaeological, Field study	300 Acres surveyed	26-003861, 26-003862, 26-003863, 26-003864, 26-003865
MN-00890		de Barros, Philip	2000	Cultural Resources Survey and Assessment of a Cellular Phone Tower Emplacement and Associated Access Road Off Eastside Lane in Walker, Mono County, California	Professional Archaeological Services	Archaeological, Field study	0.3 Acres surveyed	26-003579
MN-00899	Other - Contract No. 53-0261-1-08, Task Order 12	Drews, Michael and Ingbar, Eric	2004	In-The-Black Archaeological Studies Volume I: GIS Data and Prehistoric Probability Models	Gnomon, Inc.	Other research		
MN-01053	Other - Contract No. 06A1106/Expenditure Authorization No. 06-0A7408	Laura Leach (Far Western), Paul Brady (Far Western), Jay King (Far Western), Pat Mikkelsen (Far Western), Libby Seil (Far Western), Lindsay Hartman	2010	Cultural Resources Inventory of Caltrans District 9 Rural Conventional Highways in Inyo, Eastern Kern, Mono and Northern San Bernardino Counties, Summary of Methods and Findings	Far Western Anthropological Research Group, Inc., Davis, CA and JRP Historical Consulting, LLC	Archaeological, Architectural/historical, Field study	263.89 Miles x 0.02 Miles surveyed	
MN-01092		Jeremy Hall	2010	Archaeological Survey for Three Mono County Transportation Enhancement Projects	Gnomon, Inc.	Archaeological, Field study	2.5 Acres surveyed	



Table 2. Cultural Resources identified within one-half mile of the project area

Primary Number	Other ID	Age	Description	RecordingEvents	Reports
P-26-003579	Other - W-Iso-1	Prehistoric	Isolated Flake	2000 (Philip de Barros, Professional Archaeological Services)	MN-00890
P-26-005897	Other - IFM-01	Prehistoric	Millingstone Fragment	2009 (M. Darcangelo, Far Western)	

111  
**Mono County**  
**Community Development Department**

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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](http://www.monocounty.ca.gov)

October 17, 2019

To: Mono County Planning Commission

From: Bentley Regehr, Planning Analyst

Re: Use Permit 19-008/Shanti Co. Commercial Cannabis Cultivation

**Recommendation**

It is recommended the Planning Commission take the following actions:

1. Find that the project qualifies as an Exemption under CEQA guideline 15301 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 19-008 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.<sup>1</sup> 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 was 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

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<sup>1</sup> For clarification, the margin represents the amount over and above the 50% +1 required for passage of the proposition.

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 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 19-008/Shanti Co. is a proposal for commercial cannabis cultivation on a 20-acre parcel located at 100 N. Bodie Hills Drive in the Mono Basin planning area (APN 013-210-024). The property is designated Agriculture (AG), which allows for commercial cannabis cultivation subject to Use Permit and Operation Permit (Mono County Code 5.60).

The proposal is for up to 50 commercial cannabis plants located on a 5,000-square foot disturbance area. The disturbance area is currently occupied by up to 99 medical cannabis plants, permitted through Proposition 215. The existing cannabis plants will be replaced by the proposed commercial grow and the disturbance area will not expand beyond its current footprint. The total canopy area for each cannabis plant will be approximately 10 square feet, for a total canopy area of up to 500 square feet. Ground not planted with cannabis will have a cover crop.

The existing building proposed for processing will not have structural modifications. The building will be used for drying, trimming, packaging, labeling, and storage. A carbon filtration unit will be added to the building to reduce the emission of odor.

The property has several other existing and proposed uses:

<b>Table 1: Existing and Proposed Uses, Other Than Cannabis</b>		
<b>Use</b>	<b>Existing?</b>	<b>Approval</b>
Single-Family Residence (2,000 s.f.)	Yes	Permitted by right*
Accessory Dwelling Unit (1,129 s.f.)	No	Director Review 17-015
Farm-stay yurts (4)	No	Use Permit 18-002
Kitchen to serve yurt guests (900 s.f.)	Yes	Permitted by right (AB 626)
Massage room for guests (200 s.f.)	Yes	Permitted by right (Home Occupation)
Hoop houses for produce (4)	Yes	Permitted by right*
Greenhouse for produce	Yes	Permitted by right*
Farm stand (200 s.f.)	No	Permitted by right*
Market garden for mixed vegetables (2 x 10,000 s.f.)	Yes	Use Permit 18-002
Livestock barn	No	Permitted by right*

\*Through Agriculture (AG) Land Use Designation

All applications for commercial cannabis activity must be approved through a Conditional Use Permit (CUP) process. A CUP for cannabis cultivation 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 15301 CEQA exemption. The project does not propose expansion of current disturbance areas and does not have any significant environmental effects, including those peculiar to cannabis operations.

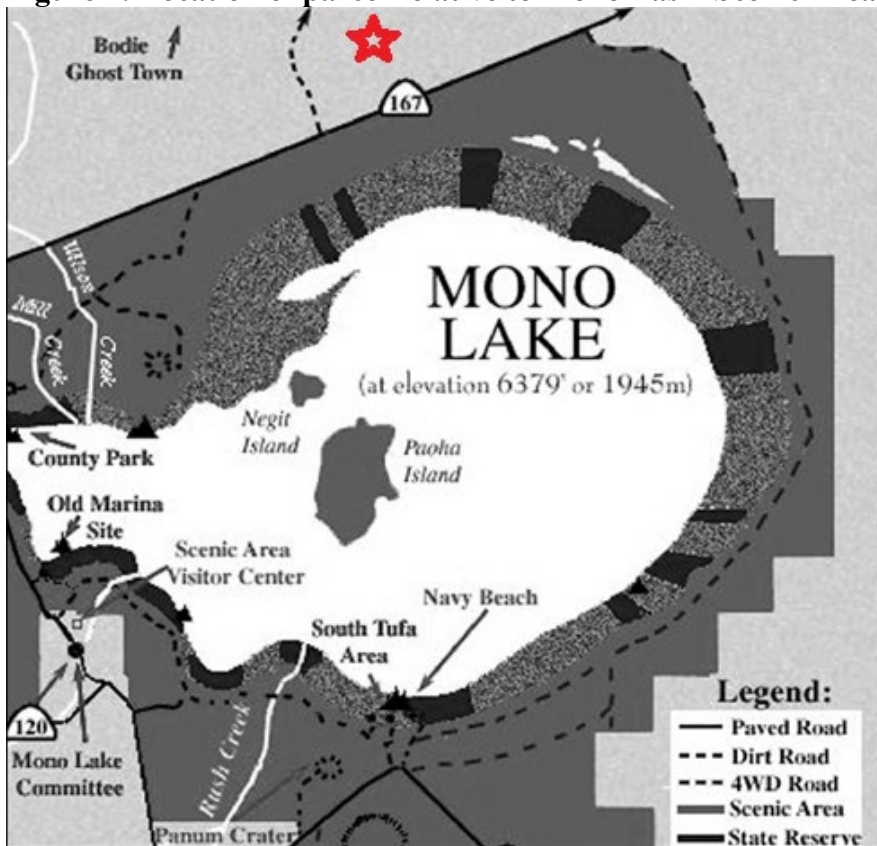
### **Project Setting**

The project is located in the Mono Basin north of Highway 167, gaining access from Cottonwood Canyon Road. Rural Residential (RR) parcels surround the property on the south, west, and north boundaries. To the east of the property is a 300-acre Resource Management (RM) parcel. The nearest residence is approximately 700 feet to the south from the proposed grow area. Other nearby residences include single-family homes 1,300 feet to the north and 1,800 feet to the west, respectively. The property is located outside the Mono Basin Scenic Area.

Figure 1: Location of parcel, 100 N Bodie Hills Dr, APN 013-210-024



Figure 2: Location of parcel relative to Mono Basin Scenic Area



**Figure 3: Grow site, looking southwest**



**Figure 4: Hedge row visual screening, looking southeast**



## **Land Development Technical Advisory Committee (LDTAC)**

The LDTAC reviewed the application on Sept. 3, 2019 and recommended application acceptance. The LDTAC reviewed draft Conditions of Approval on Oct. 7, 2019.

## **CEQA Compliance**

The project qualifies for a Class 1 categorical exemption. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The proposal does not include an expansion of use, as the disturbance area will remain the same and the maximum number of cannabis plants will be reduced from 99 to 50. Commercial cannabis plants do not represent a significant change over the existing plants used for medical purposes. The total canopy area will not be expanded and will not exceed 5,000 square feet. The processing building will not be expanded, and no structural modifications will occur. A cover crop will reduce bare ground to prevent dust impacts. The addition of a carbon filtration system will not require modifications to the building.

Elements related to Use Permit 18-002 were permitted through an addendum to the 2015 General Plan EIR.

## **General Plan Consistency**

The project is consistent with General Plan Land Use Designation policies, Countywide Land Use policies, and Mono Basin Area Plan policies contained in the Mono County General Plan Land Use Element. Use Permit approval for commercial cannabis also requires compliance with Chapter 13, Mono County Cannabis Regulations.

The General Plan land use designation for this property is Agriculture (AG), which allows for commercial cannabis cultivation subject to Use Permit and Operation Permit. The “AG” designation is intended to preserve and encourage agricultural uses, to protect agricultural uses from encroachment from urban uses, and to provide for the orderly growth of activities related to agriculture.

## **Mono County Land Use Element, Countywide Land Use Policies**

### **Objective 1.G.**

*Protect open space and agricultural lands from conversion to and encroachment of developed community uses.*

#### **Policy 1.G.1.** *Protect lands currently in agricultural production.*

The project maintains and enhances the parcel’s agricultural use and does not encroach on the communities on Mono City and Lee Vining.

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

The project is subject to Chapter 13, Cannabis Regulations and requires a Conditional Use Permit aimed at ensuring no significant impacts to the community are incurred, including those related to odor control, visuals, lighting, and noise. See analysis of compliance with Chapter 13 below.

**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.*

The project has potential benefits to Mono County's economy, including contribution to the County's tax base.

## **Mono County Land Use Element, Mono Basin Community Plan Policies**

GOAL 11. Grow a sustainable local economy with diverse job opportunities that offers year-round employment and wages that reflect the cost of living in the area.

### **Objective 11.A.**

Plan for a diversified, sustainable economy.

**Policy 11.A.1.** *Achieve a more-diversified economy and employment base consistent with the small-town, rural nature of the Mono Basin.*

### **Objective 11.C.**

Diversify the existing economic base and employment opportunities to achieve a more-sustainable economy.

**Policy 11.C.2.** *Encourage and support new business development and entrepreneurial efforts that contribute to a mix of uses and services, and a wider range of employment opportunities.*

**Policy 11.C.6.** *Encourage locally produced goods and services, including food production for local consumption of locally produced food.*

The project diversifies the Mono Basin's economy and provides locally produced goods, while maintaining the rural character of local businesses. There are no other existing commercial cannabis cultivation sites in the Mono Basin.



## Compliance with Mono County General Plan Chapter 13, Cannabis Regulations

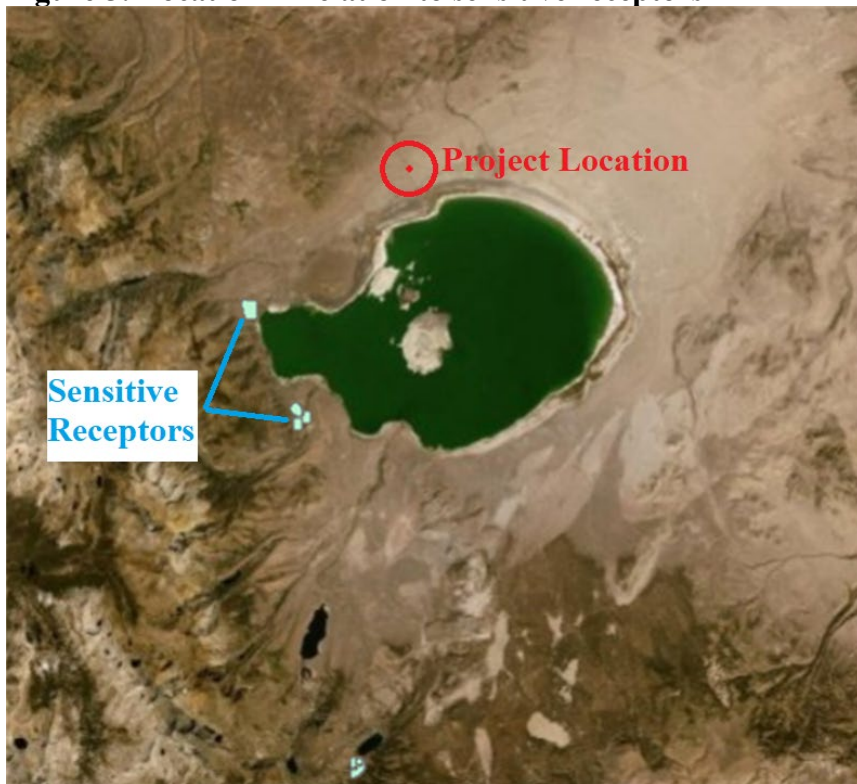
In addition to General Plan policies and regulations, commercial cannabis activities shall comply with Chapter 13. The following general standards and requirements apply to all commercial cannabis activities permitted in the county:

### 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 project site is over six miles from Mono City and 14 miles from Lee Vining.

**Figure 5: Location in relation to sensitive receptors**



### 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 project meets all setbacks for the Agriculture (AG) Land Use Designation, which are set at 50' front, 50' side, 50' rear for primary structures and 50' front, 30' side, 30' rear for accessory structures. See Attachment 2: Site Plan for illustration of setbacks.

**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.*

Cannabis-related odor generation will be mitigated through multiple avenues. The project site is located in a rural area and surrounded by large parcels a minimum of 20 acres. The site is at least 700 feet from the nearest residence.

Odors may vary substantially based on the type of crop, peak concentrations, atmospheric conditions, and topography. The project will utilize a feminized auto pollinator to reduce drift and stature. The outdoor crop will also limit the creation of sulfur compounds through the use of natural lighting and will not induce artificial stress through light and temperature. A 4-6' hedge of raspberry and goji berry bushes, among other plants, and surrounding mixed crops will further mask cannabis-generated odors. A misting system will be used on the outdoor crop to reduce the drift of odor.

The processing building will contain a 30 cfs (cubic feet/second) carbon filtration system. The system will be replaced each season or at saturation.

**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.*

Visual screening will occur primarily through vegetative screening. The proposal includes the addition of a hedgerow along the perimeter of the grow site consisting of annual sunflowers, amaranth, and cover-crop (clover, vetch, summer alfalfa), and perennial plantings of goji berry, currant, apple, and grapes. Existing vegetation aiding in screening includes lilacs, an apple orchard, grape vines, and pinyon-juniper stands surrounding the grow area. The use of auto pollinator hybrid strains will limit the stature of the cannabis plants and further reduce visual impact.

The project is located outside the Mono Basin Scenic Area and is more than 2,500 feet from Highway 167.

**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.*

The outdoor grow site will use natural lighting only. Exterior lighting on the property will comply with Chapter 23, Dark Sky Regulations.

**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 proposal does not include additional employees or visitation from off-site services and therefore will not require parking spaces beyond the spaces needed for existing uses. The property contains 12 parking spaces, as shown on the site plan (Attachment 2). Parking requirements for existing uses are as follows:

<b>Table 2: Required Parking for Existing Uses</b>		
<b>Use</b>	<b>Standard</b>	<b>Provided Spaces</b>
Yurts (4)	One space per sleeping room plus one space for each two employees on largest shift	6
Farm stand (200 s.f.)	One space for each 200 s.f. of gross leasable floor area	1
Massage room (200 s.f.)	One space for each 200 s.f. of gross leasable floor area	1
Primary residence	2 spaces	2
Accessory Dwelling Unit	2 spaces	2
<b>Total</b>	<b>12 required</b>	<b>12</b>

The site has sufficient space for loading and unloading at the cultivation site and processing building.

**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 existing agriculture operations on the property and surrounding properties.

**Notice of Public Hearing**

A public hearing notice was published in the Oct. 3, 2019, issue of the Mammoth Times and the Oct. 5, 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:*

The project complies with all applicable provisions of the Mono County General Plan. The site is adequate in size to accommodate parking, loading, visual screening, and all setbacks and requirements for the Agriculture (AG) Land Use Designation (LUD), as shown in the site plan (Attachment 2).

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:*

The parcel is accessed by Bodie Hills Drive via Cottonwood Canyon Road and Highway 167. The proposal does not include an increase in employees or off-site services. The proposal is not expected to generate significant additional vehicle trips.

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:*

The project is consistent with the rural character of the Mono Basin. Setbacks, visual screening, and odor mitigation proposed for the project will reduce impacts to surrounding property owners. The proposed 50 cannabis plants and 250 square feet of canopy area are a reduction from the 99 medical plant grow currently allowed on the site and will not produce any significant impacts beyond those created by existing conditions. The project is located over 14 miles from sensitive receptors in the community of Lee Vining, including schools and the community center.

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 and the Mono Basin Community Plan (see discussion in the General Plan Consistency section above).
- b. Outdoor commercial cannabis cultivation is permitted in agriculture 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 Mono Basin Planning Area. The Mono Basin Community Plan encourages businesses that create diversity, while being consistent with the rural character of the area.

**ATTACHMENTS**

- Attachment 1: Notice of Decision
- Attachment 2: Site Plan
- Attachment 3: Public Hearing Notice

**MONO COUNTY**  
**Planning Division**

**DRAFT NOTICE OF DECISION & USE PERMIT**

**USE PERMIT:** 19-008

**APPLICANT:** Shanti, Co.

**ASSESSOR PARCEL NUMBER:**

**PROJECT TITLE:** Shanti, Co. Cannabis Cultivation

**PROJECT LOCATION:** 100 N Bodie Hills Drive, Mono Basin

**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 ACCOMPANIED BY THE APPROPRIATE FILING FEE.

**DATE OF DECISION/USE PERMIT APPROVAL:** October 17, 2019

**EFFECTIVE DATE USE PERMIT:** November 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:** October 17, 2019

- cc:   X   Applicant
- X   Public Works
- X   Building
- X   Compliance

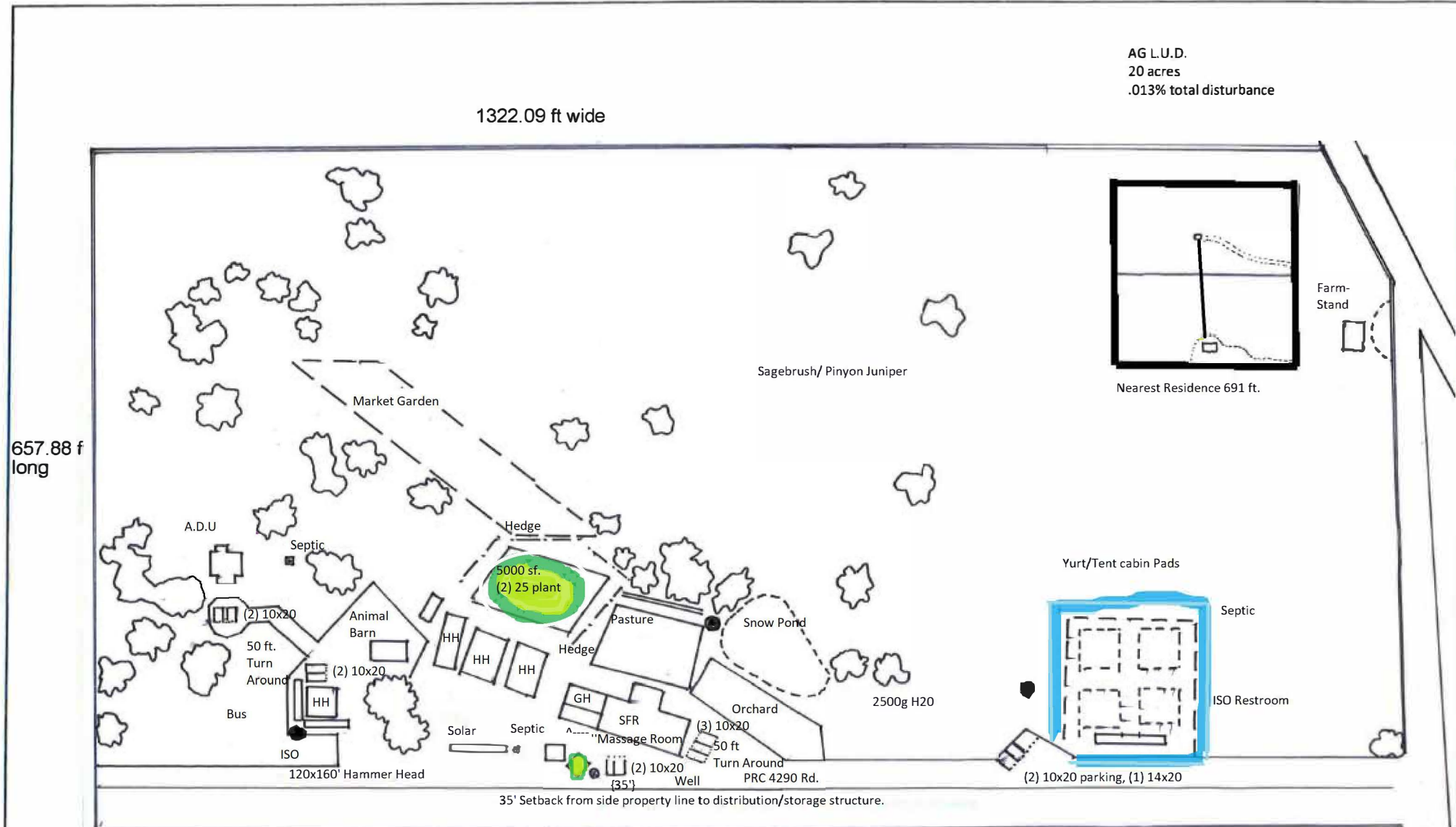
**CONDITIONS OF APPROVAL**

## Use Permit 19-008/Shanti, Co. 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 Operation 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 2) of the staff report.
5. There shall be no expansion of cannabis uses, and the disturbance area shall not exceed 5,000 square feet, without approval from the Mono County Planning Commission.
6. Applicant must maintain active business license and tax certificate requirements.
7. Project shall comply with all Mono County Building Division, Public Works, and Environmental Health requirements.
8. 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.

# Attachment 2: Site Plan

Shanti Co.  
 PO Box 13  
 Lee Vining, CA 93541  
 shantico13@gmail.com



CEQA 15301, via existing Prop 215 circa 2006.

Existing: SFR, Green house, Hoop houses (HH), compost, animal barn, market garden, prop 215, ISO, bus, distribution & processing, massage room, parking spaces, septic well, solar. 11 parking spaces minimum 10x20, 1 access space 14x20 min

Proposed: Yurt pad, ISO, commercial (2) 25 plant cannabis grows.

Circulation provides (2) 50ft. turn arounds near residence, and hammer head turn around near distribution. 120'x160' hammer head

LEGEND:

● 2500g tank.

5000 s.f. disturbed prop 215 area change of use to (2) 25 plant grows, or (1) 50 plant grow, A/M. Self Distribution.

Yurt/Tent cabin site and ISO storage container rest-room/storage.

Scale: 50'

SHANTI CO		
SCALE:	APPROVED BY:	DRAWN BY:
DATE: 8.14.19		REVISED
SITE PLAN		
APN 13-210-24		DRAWING NUMBER: 2



# 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](http://www.monocounty.ca.gov)

Date: October 1, 2019  
To: The Sheet  
From: CD Ritter  
Re: Legal Notice for the **October 5** 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 **Oct. 17, 2019**, at Board of Supervisors Chambers, Mono County Courthouse, Bridgeport, CA, to consider the following: **10:05 a.m. CONDITIONAL USE PERMIT 18-018/Colitas Farms:** Proposal for cultivation, processing, and manufacturing of cannabis on an Agriculture (AG-10) parcel located at 324 North River Lane in Walker (APN 002-460-015). The proposed project includes: two 10,000 square foot (sf) greenhouses with cannabis canopy area not to exceed 20,000 sf at full build-out; one immature plant greenhouse (1,500 sf); one diffused light clone greenhouse (1,500 sf); two oil extraction, drying, and processing sheds (720 sf each, approximately 180 sf for drying, 348 sf for processing, and 192 sf for oil extraction); one manufactured home (693 square feet); one apartment barn (2,592 sf total with 1,000 sf of living space); two lavender cultivation areas (43,560 sf and 4,560 sf) and lavender oil extraction at full build-out; landscaping trees around the perimeter of the property; 14 parking spaces; and a one-way road with two access points. A CEQA 15183 exemption is proposed. Project files are available for public review at the Community Development Department offices in Bridgeport and Mammoth Lakes. The project files can be viewed digitally here: <https://www.monocounty.ca.gov/planning/page/colitas-farms>. **11:05 a.m. CONDITIONAL USE PERMIT 19-008/Shanti, Co.:** Proposal for commercial cannabis cultivation on a 20-acre Agriculture (AG) parcel located at 100 N Bodie Hills Drive in the Mono Basin (APN 013-210-024). The proposal is for up to 50 commercial cannabis plants located on a 5,000-sf disturbance area that will replace an existing medical cannabis grow in the same location. A CEQA 15301 exemption is proposed. The 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.

###

127  
**Mono County**  
**Community Development Department**

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](http://www.monocounty.ca.gov)

October 17, 2019

**To:** Planning Commission  
**From:** Bentley Regehr, Planning Analyst  
**Subject:** General Plan Amendment 19-03: Housing Element

**RECOMMENDED ACTIONS**

1. Conduct a public hearing on GPA 19-03 and receive any additional public comments;
2. Deliberate the project and additional public comments, and make any desired modifications;
3. Following the public hearing and project deliberations, adopt Resolution R19-03 (Attachment 1) making the required findings and recommending that the Board of Supervisors certify the Addendum (Attachment 2) and adopt GPA 19-03.

**BACKGROUND**

The updated Housing Element was recommended for approval at the July 30, 2019, Planning Commission and was approved by the Board on Aug. 13, 2019. The Housing Element was then submitted to the state Housing and Community Development (HCD) Department for a compliance review. HCD required additional modifications, and therefore a revised Housing Element is being brought back for subsequent approval. Mono County must be deemed in compliance by Dec. 13, 2019, in order to retain the eight-year cycle.

The Housing Element is a required element of the General Plan and provides an analysis of the county's housing needs for all income levels and strategies to meet those needs. Unlike the other mandatory elements of the General Plan, the Housing Element is subject to detailed statutory requirements regarding its content and must be updated on a scheduled basis. The most recent cycle was five years, with the last update occurring in 2014. Mono County is now on an eight-year cycle that corresponds with the Regional Transportation Plan updates, meaning the newest iteration applies until 2027.

The Housing Element was created through extensive outreach, including 22 meetings with the various Regional Planning Advisory Committees (RPACs) across the county, four workshops with the Planning Commission, and three workshops with the Board. The California Department of Housing and Community Development (HCD) has also reviewed and approved provided version. A timeline of key events is provided below:

Oct. 27, 2017	Needs Assessment completed by BBC
Spring 2018	Creation of programs toolbox at RPACs
Sept. 17, 2018	Workshop with Board of Supervisors to prioritize programs
February 2019	First draft presented to RPACs
Feb. 21, 2019	First draft presented to Planning Commission for feedback Public comment period initiated (30 days)
March 12, 2019	First draft presented to Board of Supervisors for feedback
March 20, 2019	First draft submitted to HCD
May 30, 2019	Feedback received from HCD
June 12, 2019	Second submittal to HCD
July 1, 2019	Feedback on second submittal from HCD
July 30, 2019	Final draft recommended by Planning Commission
Aug. 13, 2019	Final draft presented for adoption by Board of Supervisors

Oct. 17, 2019	Final draft with HCD edits recommended for re-adoption by Planning Commission
Nov. 5, 2019	Final draft with HCD edits presented for re-adoption by Board of Supervisors

## ENVIRONMENTAL ANALYSIS

An addendum (Attachment 2) to the Mono County 2015 General Plan Final Environmental Impact Report (EIR) was prepared for this project under CEQA §15164(a), which states an addendum to a previously certified EIR may be prepared if some changes or additions are necessary but none of the conditions described in §155162 calling for the preparation of a subsequent EIR have occurred. The addendum analyzes whether any of the conditions calling for a subsequent EIR have occurred and concludes they have not.

## NOTICING

The item was noticed in the Oct. 3, 2019, issue of the Mammoth Times and the Oct. 5, 2019, issue of The Sheet (Attachment 3). Tribal noticing providing updates on the proposed edits was sent Sept. 30, 2019, via mail (Attachment 4). We originally noticed tribes upon release of the Housing Element draft on Feb. 4, 2019, and provided a 90-day period to provide comment. No comments were received.

## DISCUSSION

HCD approved the adopted Housing Element with a minor modification to Program 1.8 and the addition of Program 4.9 (Attachment 5):

- 1.6 Monitor the requirement for complexes with ~~more than~~ four units to be approved through a conditional use permit and if it is a constraint on development. Complexes with up to three units are currently a permitted use by-right in multi-family land use designations.**

Related Programs from 2014 Housing Element Update: None

Objective: Address constraints to meeting the County's housing needs.

Resources Needed: Accomplished through current staffing.

Responsible Agencies: CDD

Timeframe: Evaluate by 2023. mitigate constraints within 24 months of evaluation.

- 4.9 Adopt a reasonable accommodation procedure that provides persons with disabilities exception in land use and zoning laws. The process will not require a CUP or variance and will not be limited to accessibility improvements. The process and procedures will be posted on the County's website and materials made available at all public counters.**

Related Programs from 2014 Housing Element Update: None

Objective: Promote housing opportunities for all persons.

Resources Needed: Accomplished through current staffing.

Responsible Agencies: CDD

Timeframe: Adopt a procedure by December 31, 2020; Post materials on website by April 1, 2021

A copy of the complete revised Housing Element may be viewed at:  
<https://monocounty.ca.gov/planning/page/2019-housing-element-update>

This staff report has been reviewed by the Community Development Director.

**ATTACHMENTS**

1. Resolution R19-03 recommending the Mono County Board of Supervisors adopt the General Plan Amendment 19-03
2. Addendum for GPA 19-03
3. Public Hearing Notice
4. Tribal Notice
5. HCD approval letter



**RESOLUTION NO. R19-03**

**A RESOLUTION OF THE MONO COUNTY PLANNING COMMISSION  
RECOMMENDING THE MONO COUNTY BOARD OF SUPERVISORS  
ADOPT GENERAL PLAN AMENDMENT 19-03: 2019 HOUSING ELEMENT**

**WHEREAS**, Mono County completed a Housing Needs Assessment in the fall of 2017; and

**WHEREAS**, Mono County conducted 22 meetings with Regional Planning Advisory Committees to review the housing needs assessment, develop a housing program toolbox, and review the Housing Element update; and

**WHEREAS**, Mono County conducted eight meetings with the Planning Commission and Board of Supervisors to review the housing needs assessment, develop a housing program toolbox, and review the Housing Element update; and

**WHEREAS**, in accordance with State law, an update to the Housing Element has been prepared in consultation with the State Department of Housing and Community Development (HCD) with the required corrections; and

**WHEREAS**, Mono County adopted an update to the Housing Element on August 13, 2019, and HCD subsequently required additional corrections; and

**WHEREAS**, in accordance with State law and the Mono County General Plan, the update has been reviewed by the Mono County Planning Commission at a duly noticed and advertised public hearing October 17, 2019; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mono County Planning Commission hereby finds, resolves, and recommends as follows:

**SECTION ONE:** The Planning Commission initiates General Plan Amendment 19-03.

**SECTION TWO:** The Planning Commission finds that the General Plan Amendment, including all text changes to the Land Use Element and Housing Element of the Mono County General Plan, which are attached hereto as Exhibit A and incorporated herein by reference, is consistent with the General Plan and any applicable area plans, is reasonable and beneficial at this time, and will not have a substantial adverse effect on surrounding properties.

1           **SECTION THREE:** The Planning Commission recommends that the Board of Supervisors  
2 adopt GPA 19-03.

3 **APPROVED AND ADOPTED** this 17<sup>th</sup> day of October 2019, by the following vote of the  
4 Planning Commission, County of Mono:

5           **AYES       :**

6           **NOES       :**

7           **ABSENT    :**

8           **ABSTAIN   :**

10 \_\_\_\_\_  
11 Scott Bush, Chair  
12 Mono County Planning Commission  
13

14 **ATTEST:**

15 **APPROVED AS TO FORM:**

16 \_\_\_\_\_  
17 CD Ritter, Secretary  
18

19 \_\_\_\_\_  
20 Christy Milovich, Assistant County Counsel  
21

22 Attached: Exhibit A: 2019 Mono County General Plan Housing Element Update  
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## **Exhibit A: 2019 Mono County General Plan Housing Element Update**

A copy of the complete revised Housing Element may be viewed at:

<https://monocounty.ca.gov/planning/page/2019-housing-element-update>

The revised Housing Element shall also be attached to the final file copy of Resolution R19-03.

# **2019 Mono County Housing Element Update**

## **Environmental Impact Report (EIR) Addendum**

**October 2019**

**Mono County Community Development Department**





## I. INTRODUCTION

The proposed project is General Plan Amendment (GPA) 19-03, adoption of an update for the Mono County Housing Element. An addendum to the Mono County General Plan Final Environmental Impact Report (SCH# 2014061029) is proposed for this project as allowed by Section 15164 (a) of the CEQA Guidelines:

- "(a) The Lead Agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred."

Section 15164 (a) of the CEQA Guidelines allows a lead agency to prepare an addendum to an EIR if only minor technical changes or additions are necessary or none of the conditions in Section 15162 calling for the preparation of a subsequent EIR have occurred. Section 15162 of the CEQA Guidelines require the preparation of a subsequent EIR for a project when an EIR has been certified for that project when the lead agency determines, on the basis of substantial evidence in the record, that one or more of the following has occurred:

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

## II. PROJECT DESCRIPTION

GPA 19-03 is the required update of the Mono County Housing Element. California State Housing Element law requires local governments to adequately plan to meet their existing and projected housing needs including their share of the regional housing need and requires the Housing Element to be updated on a scheduled basis. The most recent cycle was five years, with the last update occurring in 2014. Mono County is now on an eight-year cycle that corresponds with the Regional Transportation Plan updates, meaning the updated document applies until 2027. The Housing Element contains policies and programs to provide opportunities for housing development for all income groups, without unreasonable constraints on that development.

The current update involves a comprehensive menu of policies targeted at improving housing, a revision of demographic and economic information, an analysis of current housing needs for various special populations, an update of resources and constraints to the development of housing in Mono County, and a discussion of the progress made in implementing programs in the element since the last update in 2014. The update reflects approved edits from the California Department of Housing and Community Development (HCD).

## III. DECISION NOT TO PREPARE A SUBSEQUENT EIR

The CEQA Guidelines require the preparation of a subsequent EIR if one or more of several conditions are met; an addendum is required if none of the conditions requiring a subsequent EIR has occurred but minor changes are necessary to the original EIR. The decision not to prepare a subsequent EIR for the adoption of the Mono County Housing Element Update was based on an analysis of the conditions requiring a subsequent EIR and the determination that none of those conditions applied to this project, i.e.:

- (1) There are no substantial changes to the programs in the Housing Element that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

*The policies and programs in the 2019 Update of the Mono County Housing Element do not impose any new significant environmental effects or increase the severity of identified effects. In addition, individual projects identified within the Housing Element will be covered by a project-level CEQA document at the time commitment is made to implement the project.*

- (2) There are no substantial changes with respect to the circumstances under which the project is undertaken that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

*No revisions to the EIR are required, since the updated policies and programs and changes to the land use designations do not create or increase any environmental effects.*

(3) There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified, that shows any of the following:

- (A) The project will have one or more significant effects not discussed in the previous EIR; or
- (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR; or

*As discussed previously, the proposed update does not involve changes in the housing policies or programs that would create any new environmental impacts or increase severity. Updated information and analysis related to available sites and development practices did not uncover any new significant impacts.*

- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

*The update does not involve changes for many of the Housing Element's policies and programs and, for those that do involve change, the proposed changes are minor. None of the mitigation measures or alternatives previously found to not be feasible have been found to be feasible now.*

- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

*There are no mitigation measures or alternatives associated with the updated policies and programs beyond those analyzed in the EIR that would substantially reduce impacts and, as discussed previously, no new impacts have been identified.*

#### **IV. CONCLUSION**

Based on the considerations and analyses presented above, and based on the provisions contained in CEQA §15164[a]) as presented in its entirety in this Addendum, it is concluded that none of the conditions calling for preparation of a subsequent EIR have occurred. The County of Mono, acting as Lead Agency, has therefore determined that an Addendum to the adopted 2015 Mono County General Plan EIR is the appropriate CEQA document for the proposed General Plan Amendment 19-02.

CEQA §15164(c-e) states that “an Addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration. The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project. A brief explanation of the decision not to prepare a subsequent EIR pursuant to §15162 shall be included in an addendum to an EIR, the lead agency's findings

*on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.”*

# MONO COUNTY PLANNING COMMISSION

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

PO Box 8  
Bridgeport, CA 93517  
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[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

Date: October 1, 2019

To: The Sheet

From: CD Ritter

Re: Legal Notice for the **October 5** issue.

Format: **Please publish this General Plan Amendment as a quarter-page legal notice as required**

Invoice: Cara Isaac, PO Box 347, Mammoth Lakes, CA 93546

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## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Mono County Planning Commission will conduct a public hearing on **October 17, 2019**, in the Board of Supervisors Chambers, Mono County Courthouse, Bridgeport, CA, to consider the following: **11:25 a.m. GENERAL PLAN AMENDMENT 19-03/Housing Element Update**. The Housing Element is a required element of the General Plan and provides an analysis of the county's housing needs for all income levels and strategies to meet those needs. It is subject to detailed statutory requirements regarding content and must be updated on an eight-year cycle, meaning the proposed element would apply until 2027. The Housing Element contains three sections: 1) Goals and Policies, which identifies programs that promote the production of housing; 2) Technical Appendix, which provides background information, including demographics and a detailed site inventory; and 3) Progress Report providing updates on programs from the prior Housing Element. The Housing Element Update was originally recommended for approval by the Planning Commission as part of GPA 19-02 at the July 30 meeting. The California Department of Housing and Community Development (HCD) has since provided feedback that required corrections and a re-adoption of the Housing Element. These corrections include the monitoring of four unit complexes to determine if permitting procedures are a constraint on housing production and the addition of a program aimed at creating written procedures for providing reasonable accommodation for persons with disabilities. Project materials are available for public review at the Community Development Department offices in Bridgeport and Mammoth Lakes. For more information call 760.924.1800. 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.

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**Mono County**  
**Community Development Department**

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September 30, 2019

Mono Lake Indian Community  
Charlotte Lange  
PO Box 237  
Lee Vining, CA 93541

**RE: NATIVE AMERICAN TRIBAL CONSULTATION FOR MONO COUNTY MINOR ANNUAL GENERAL PLAN UPDATE**

Dear Ms. Lange:

On February 4, 2019, Mono County sent a notice under Senate Bill 18 (SB 18) regarding the adoption of the Housing Element as an amendment to the General Plan. State planning law and Senate Bill 18 (SB 18) requires cities and counties to provide a 90-day consultation notice to California Native American tribes prior to amending or adopting any general plan or specific plan or designating land as open space. No requests for consultation were received, and the Housing Element was adopted by the Mono County Board of Supervisors on August 13, 2019.

The California Department of Housing and Community Development (HCD) subsequently required two minor changes to the Housing Element, which requires re-adoption by the Mono County Board of Supervisors. The project is substantially the same as the previously noticed project, and is being considered for re-adoption at the November 5, 2019, Board of Supervisors meeting.

Changes required by HCD include a minor modification to Program 1.8 and the addition of Program 4.9:

**1.6 Monitor the requirement for complexes with ~~more than~~ four units to be approved through a conditional use permit and if it is a constraint on development. Complexes with up to three units are currently a permitted use by-right in multi-family land use designations.**

Related Programs from 2014 Housing Element Update: None

Objective: Address constraints to meeting the County's housing needs.

Resources Needed: Accomplished through current staffing.

Responsible Agencies: CDD

Timeframe: Evaluate by 2023. mitigate constraints within 24 months of evaluation.

**4.9 Adopt a reasonable accommodation procedure that provides persons with disabilities exception in land use and zoning laws. The process will not require a CUP or variance and will not be limited to accessibility improvements. The process and procedures will be posted on the County's website and materials made available at all public counters.**

Related Programs from 2014 Housing Element Update: None

Objective: Promote housing opportunities for all persons.

Resources Needed: Accomplished through current staffing.

Responsible Agencies: CDD

Timeframe: Adopt a procedure by December 31, 2020; Post materials on website by April 1, 2021

To respond or provide comment, please contact Bentley Regehr, Mono County Community Development Department, at 760.924.4602 or bregehr@mono.ca.gov. A full copy of the approved Housing Element can be provided upon request.

Sincerely,

Bentley Regehr  
Planning Analyst



**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500  
Sacramento, CA 95833  
(916) 263-2911 / FAX (916) 263-7453  
[www.hcd.ca.gov](http://www.hcd.ca.gov)



September 20, 2019

Steve Barwick, County Administrator  
County of Mono  
P.O Box 696  
Bridgeport, CA 93517

Dear Steve Barwick:

**RE: Mono County's 6<sup>th</sup> Cycle (2019-2027) Adopted with Draft Revisions Housing Element**

Thank you for submitting Mono County's Housing Element adopted August 13, 2019 and received for review on August 29, 2019 along with draft element revisions on September 20, 2019. In addition, the California Department of Housing and Community Development (HCD) received Resolution No. R-19-58 documenting emergency shelters are allowed without discretionary action in the Public and Quasi-Public Facilities (PF) zoning district. Pursuant to Government Code section 65585, subdivision (h), HCD is reporting the results of its review.

HCD is pleased to find the adopted Housing Element with draft revisions meets the statutory requirements of state Housing Element law (Article 10.6 of the Government Code). The adopted element and revisions address the statutory requirements described in HCD's June 25, 2019 review. The Housing Element will comply with state Housing Element law (Article 10.6 of the Government Code) when the draft revisions are adopted into the existing adopted element and submitted to and approved by HCD, in accordance with Gov. Code section 65585.

Public participation in the development, adoption and implementation of the Housing Element is essential to effective housing planning. Throughout the Housing Element process, the county must continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available while considering and incorporating comments where appropriate.

Several federal, state, and regional funding programs consider Housing Element compliance as an eligibility or ranking criteria. For example, CalTrans Senate Bill (SB) 1 Sustainable Communities grants; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities program; and the SB 2 Planning grant as well as ongoing SB 2 funding consider Housing Element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With Housing

Steve Barwick, County Administrator  
Page 2

Element compliance, Mono County will meet the Housing Element requirements for these funding sources.

For your information, some general plan element updates are triggered by Housing Element adoption. For example, a jurisdiction must address environmental justice in its general plan by the adoption of an environmental justice element, or by the integration of environmental justice goals, policies, and objectives into other general plan elements upon the adoption or next revision of two or more elements concurrently on or after January 1, 2018. (Gov. Code, § 65302, subd. (h).) In addition, the safety and conservation elements of the general plan must include analysis and policies regarding fire and flood hazard management and be revised upon each Housing Element revision. (Gov. Code, § 65302, subd. (g).) Also, the land-use element must identify and analyze disadvantaged communities (unincorporated island or fringe communities within spheres of influence areas or isolated long-established legacy communities) on, or before, the Housing Element's adoption due date. (Gov. Code, § 65302.10, subd. (b).) HCD reminds the County of Mono to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: [http://opr.ca.gov/docs/OPR\\_Appendix\\_C\\_final.pdf](http://opr.ca.gov/docs/OPR_Appendix_C_final.pdf) and [http://opr.ca.gov/docs/Final\\_6.26.15.pdf](http://opr.ca.gov/docs/Final_6.26.15.pdf).

HCD appreciates the dedication and cooperation Wendy Sugimura, Community Development Director and Bentley Regehr, Planning Analyst, provided throughout the course of the Housing Element review. If HCD can provide assistance in implementing the Housing Element, please contact John Buettner, of our staff, at (916) 263-1500.

Sincerely,

A handwritten signature in black ink that reads "Shannan West". The signature is written in a cursive, flowing style.

Shannan West  
Land Use & Planning Manager

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**Mono County**  
**Community Development Department**

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October 17, 2019

**To:** Planning Commission

**From:** Hailey Lang, Planning Analyst  
Gerry LeFrancois, Principal Planner

**Subject:** 2019 Regional Transportation Plan (RTP) workshop

**RECOMMENDED ACTION**

Conduct workshop and provide any direction to staff.

**BACKGROUND**

The Regional Transportation Plan (RTP) is 20-year planning horizon transportation planning policy document. The RTP provides a clear vision of the region's transportation goals, policies, needs, and assessments. The RTP also serves as the Circulation Element of the General Plan.

The purpose of the Regional Plan is to:

- Provide a clear vision of the regional transportation goals, policies, objectives and strategies – this vision must be realistic and within fiscal constraints;
- Provide an assessment of the current modes of transportation and the potential of new travel options within the region;
- Project/estimate the future needs for travel and goods movement;
  - Identify and document specific actions necessary to address the region's mobility and accessibility needs;
  - Identify guidance and document public policy decisions by local, regional, state and federal officials regarding transportation expenditures and financing;
  - Identify needed transportation improvements, in sufficient detail, to serve as a foundation for the development of the Federal Transportation Improvement Program (FTIP), and the Interregional Transportation Improvement Program (ITIP);
- Facilitation of the National Environmental Protection Act (NEPA)/404 integration process decisions;
- Identification of project purposes and need;
- Employ performance measures that demonstrate the effectiveness of the transportation improvement projects in meeting the intended goals of MAP-21 (Moving Ahead for Progress in the 21st Century Act);
- Promote consistency between the California Transportation Plan, the regional transportation plan, and other transportation plans developed by cities, counties, districts, private organizations, tribal governments, and state and federal agencies responding to statewide and interregional transportation issues and needs;

- Provide a forum for: 1) participation and cooperation; and 2) to facilitate partnerships that reconcile transportation issues that transcend regional boundaries; and
- Involve the public, federal, state, and local agencies, as well as local elected officials, early in the transportation planning process so as to include them in discussions and decisions on the social, economic, air quality, and environmental issues related to transportation.

Staff is working to update the document in order for the Local Transportation Commission (LTC) to approve by December 2019. CEQA compliance will be met through an Addendum, which is applicable when proposed changes to a project do not create any new or substantially more-severe significant environmental impacts than were analyzed in the original environmental document, in this case the 2015 RTP/General Plan Update Environmental Impact Report. An addendum does not require public circulation.

The following revisions are slated to be integrated into the 2019 update:

- Language describing the LTC's public involvement process as it relates transportation planning (Title 23 CFR part 450.210);
- A comparison with the California State Wildlife Action Plan (Title 23 CFR part 420.2(j));
- Quantifiable performance measures to better align with State and federal goals (Title 23 CFR 450.306; 23 CFR 450.324(f)(3) & (4) 23 CFR 450.340(e) & (f))
- Updated demographic data;
- Updated mileage data;
- Updated average daily traffic (ADT) data;
- Language pertaining to measuring and analyzing vehicle miles traveled (VMT) rather than levels of service (LOS) (SB 743); and
- Updated Financial Element (Title 23 CFR 450.322 and Government Code 65080).

The RTP also serves as the majority of the Circulation Element in Mono County's General Plan. Therefore, after the LTC approves the RTP, a General Plan Amendment will be brought before the Planning Commission to make a recommendation to adopt the updated RTP as the Circulation Element of the General Plan. The RTP adoption will likely be packaged with other amendments since General Plan Amendments are limited to four per year.

This staff report was reviewed by the Community Development director.

#### **ATTACHMENT**

- RTP Update PowerPoint

# 2019 REGIONAL TRANSPORTATION PLAN UPDATE

Mono County Planning Commission

October 17, 2019

# Public Involvement Process

1. Establish early and continuous public involvement opportunities.
2. Provide reasonable public access to technical and policy information.
3. Provide adequate public notice of public involvement activities and time for public review.
4. Ensure that public meetings are held at convenient and accessible locations and times.
5. Use visualization techniques.
6. Make public information available in electronic format.
7. Demonstrate explicit consideration and response to public input.
8. Include a process for seeking out and considering the needs of those traditionally underserved by existing transportation systems.
9. Provide for a periodic review of the effectiveness of the public involvement process.

# State Wildlife Action Plan (SWAP)

- RTP must include a comparison with the California State Wildlife Action Plan and (if available) inventories of natural and historic resources.
  - SWAP mentions that the eastern Sierra has a wildfire risk of four to six times above current conditions. Transportation infrastructure that relates to wildfire include access roads. The LTC is committed to fire-safe communities and will continue to look into the feasibility of additional access roads when necessary.

# Performance Measures from 2015 Update

1. Maintain farebox recovery ratios at or above 10%.
2. Maintain high levels of public participation in transportation planning process.
3. Reduce auto emissions in Mammoth Lakes.
4. Fully analyze environmental impacts, short-term and long-term, of transportation decisions.
5. Expand accessibility to the airports in the county and increase usage at those airports.
6. Expand ridership on all transit systems (interregional, regional, community, Dial-A-Ride).
7. By 2025, the mileage of non-motorized facilities in the county should increase by 10%.
7. Roadways that fall below a PASER 5 should be scheduled for Preventative Maintenance System programming.
8. Integrate livable community design standards into the transportation planning process.
9. Integrate resource-efficient design standards into the transportation planning process.
10. Continue to research methods for reducing Deer-Vehicle Collisions (DVC).
11. Continue to review and catalog the number of calendar days mountain passes and seasonal roads are open to the public.



# Performance Measures

- RTPAs are encouraged to integrate a performance-based planning approached into their goals, objectives, and targets.

Goal	Measure	Frequency	Metric	Type
Infrastructure	% of County Roads Above 70 PCI	Ongoing	PCI	Quantitative
Infrastructure	% of Bridges in Good Condition	Ongoing	NBI	Quantitative
Infrastructure	County data collection program	Ongoing	Numeric	Quantitative
Mobility/Accessibility	% of facilities ADA compliant	Ongoing	Numeric	Quantitative
Mobility/Accessibility	Added miles of sidewalk	Ongoing	Miles	Quantitative
Mobility/Accessibility	Added miles of trails	Ongoing	Miles	Quantitative
Mobility/Accessibility	Added miles of bike paths	Ongoing	Miles	Quantitative
GHG	GHG Checklist	2020	Numeric	Qualitative
Healthy Communities	Number of Complete Streets projects	Ongoing	Numeric	Quantitative
Healthy Communities	Number of recreational projects completed near multi-family developments	Ongoing	Numeric	Quantitative
Housing Linkage	Number of units allocated towards RHNA	Ongoing	Numeric	Quantitative
Disadvantaged Communities	Number of planning and/or public works projects located in DC areas	Ongoing	Numeric	Quantitative
Safety	Number of Retroreflective Signs Added	Ongoing	Numeric	Quantitative
Safety	Miles of Striping added	Ongoing	Miles	Quantitative

# Levels of Service (LOS) to Vehicle Miles Traveled (VMT)

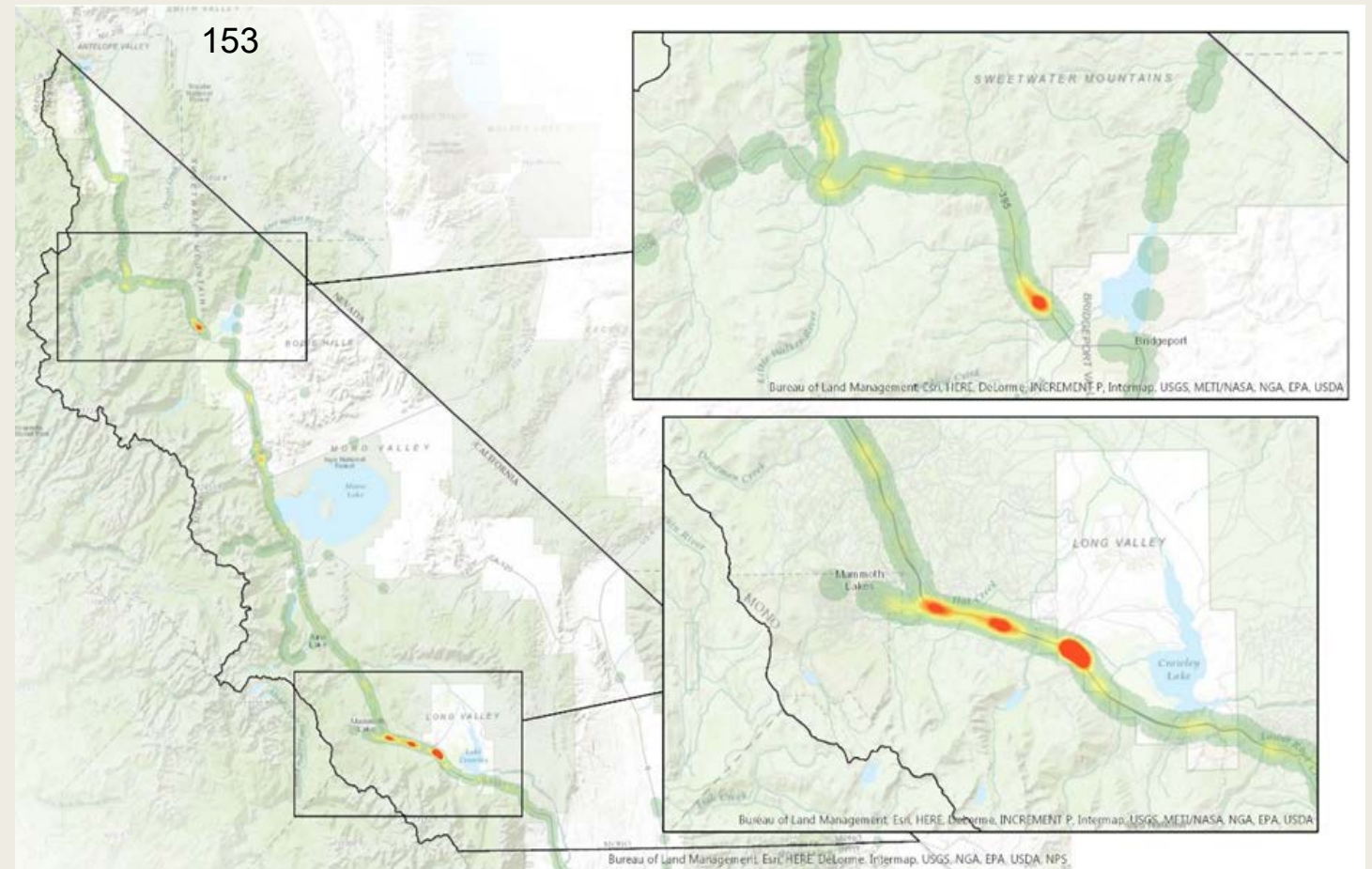
- CA passed 743, which mandates jurisdictions to no longer use LOS in transportation analysis and modeling. The intent is to promote the reduction of GHGs and the development of multimodal networks.
- VMT can be used to:
  - Assess the differences in travel demand and impact between regions and other states.
  - Project future revenue streams from fuel taxes and proposed VMT fees.
  - Compare personal travel and freight/commercial vehicle travel.
  - Project future congestion levels.
  - Estimate the amount of travel resulting from local residence and freight activity versus external travel.
  - Assess the impact of various population forecasts.
  - Support many more measures of interest for transportation planning.
  - VMT can be coupled with other measures such as capacity, speeds, vehicle type, and trip purpose in order to have a comprehensive traffic analysis.

# Financial Element

- Updates to include:
  - Funding sources and amounts
  - Financially constrained projects
  - Financially unconstrained projects
  - Funding challenges
  - LTC projects (Mono County)
  - LTC projects (Mammoth Lakes)
  - Current programming and financing
  - Highway Improvement Program projects (SHOPP, STIP, HSIP, ATP)
  - Short-term and long-term projects

# Map Updates

2002-2015  
Animal Mortality  
Locations



Hot Spot Ranking	Name	Length (miles)	Deer Mortality per year	Total Deer Mortality (14 years)	Deer Mortality per year per mile
1	Mt Morrison Rd to Benton Crossing Rd	0.47	6.1	80	12.93
2	McGee	0.43	4.2	56	9.84
3	Hot Creek Hatchery Rd.	0.41	2.6	34	6.38
4	Buckeye Rd.	0.74	4.5	60	6.03
5	Jct 395 / SR 203	0.4	2.0	29	5
6	Bodie Rd.	0.44	2.0	31	4.5