December 1, 2022 - Final

Initial Study & Mitigated Negative Declaration

for –

Sierra High Farms Cannabis Cultivation

Project Name	Sierra High Farms Cannabis Cultivation
Lead Agency Name and Address	Mono County Community Development Department PO Box 347 Mammoth Lakes, California 93546 760-924-1800
Contract Person and Phone Numbers	Michael Draper, Planning Analyst II 760-924-1805 mdraper@mono.ca.gov
Project Location	7712 Eastside Lane Topaz, California 96107 Mono County APN 001-150-004-000
Project Applicant / Operator	Jeff Hinds, Walter Hinds
Prepared By	Resource Concepts, Inc. Contact: Zach Wood & JoAnne Michael 775-883-1600
General Plan Land Use Designation	Agriculture (AG-10)

Environmental Factors Potentially Affected

This Initial Study has determined that in the absence of mitigation the proposed project could have the potential to result in significant impacts associated with the factors checked below. Mitigation measures are identified in this Initial Study that would reduce all potentially significant impacts to less than significant levels.

☑ Aesthetics	☐ Agriculture/Forestry Resources	☑ Air Quality
☑ Biological Resources	☑ Cultural Resources	☐ Energy
☐ Geology/Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☑ Hydrology/Water Quality	☐ Land Use/Planning	☐ Mineral Resources
☐ Noise	☐ Population/Housings	☐ Public Services
☐ Recreations	☐ Transportations	☑ Tribal Cultural Resources
☐ Utilities/Service Systems	☑ Wildfires	☐ Mandatory Findings of Significance

On the basis of this initial evaluation:

☐ I find that the project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.

☐ 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 revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, 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. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier BIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier BIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

_____ _____

Signature *Date*

_____

Title

Table of Contents

List of Tables

List of Photos

List of Figures

Appendices

List of Acronyms

AG	Agriculture
AVFPD	Antelope Valley Fire Protection District
BLM	Bureau of Land Management
CEQA	California Environmental Quality Act
CNDDB	California Natural Diversity Database
CO_2E	Carbon dioxide equivalent
CUPA	Certified Unified Program Agencies
CWA	Clean Water Act
CWPP	Community Wildfire Protection Plan
DCC	Department of Cannabis Control
EIC	California Historic Resource Information System Eastern Information Center
EIR	Environmental Impact Report
EOP	Emergency Operations Plan
ESA	Endangered Species Act
FHSZ	Fire Hazard Severity Zone
GBUAPCD	Great Basin Unified Air Pollution Control District
GHG	Greenhouse Gases
IPaC	US Fish and Wildlife Service Information for Planning and Consultation
LRWQCB	Lahontan Regional Water Quality Control Board
NAHC	Native American Heritage Commission
NDOW	Nevada Division of Wildlife
NOV	Notice of Violation
NPDES	National Pollution Discharge Elimination System
NVCRIS	Nevada Cultural Resource Information System
NWI	National Wetland Inventory
RTP	Regional Transportation Plan
SRA	State Responsibility Area
SWPPP	Storm Water Pollution Prevention Plan

Section 1. Introduction

1.1 Introduction

The Sierra High Farms cannabis microbusiness project (project) is requesting approval of a use permit under Mono County's Cannabis Operations ordinance (County Code 5.60) and to install overhead utility lines, consistent with the Mono County General Plan Land Use Element Section 1.L and Development Standards Chapter 13 – Commercial Cannabis Activities.

The purpose of this draft Initial Study and Mitigated Negative Declaration (Draft IS/MND) is for evaluation by Mono County of potential environmental effects resulting from the project. Section 2, "Project Description" includes detailed project information.

This document has been prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations [CCR] Section 15000 et seq.). Under CEQA, an IS can be prepared by a lead agency to determine whether a project may have a significant effect on the environment (CEQA Guidelines Section 15063[a]) and thus to determine whether an environmental impact report must be prepared. Mono County as lead agency has prepared the following analysis, which identifies the potential physical environmental impacts of the project and the mitigation measures that would reduce significant and potentially significant impacts to a less-than-significant level.

In accordance with the provisions of CEQA, Mono County is distributing a notice of intent (NOI) to adopt an MND to solicit comments on the analysis and mitigation measures presented in this Draft IS/MND. The NOI will be filed with the State Clearinghouse/Governor's Office of Planning and Research and each responsible and trustee agency. This Draft IS/MND will be available for review and comment from September 30, 2022 through ~~October~~ 31 November 3, 2022.

Written comments (including those submitted via e-mail) must be received by close of business on October 31, 2022. Letters should be addressed to:

Mono County Community Development Department
P.O. Box 347
Mammoth Lakes, California 93546
Attn: Michael Draper

E-mail comments should be addressed to: mdraper@mono.ca.gov

Anyone with questions regarding the NOI or Draft IS/MND may call Michael Draper at 760-924-1805. Digital copies of the NOI and Draft IS/MND are available at https://monocounty.ca.gov/community-development/page/cdd-public-hearing-ceqa-notices. Hard copies of the NOI and Draft IS/MND are available for public review at the following location:

1290 Tavern Road.
Mammoth Lakes, California 93546

The following checklist is to be completed for all projects that are not exempt from environmental review under the CEQA. The information, analysis, and conclusions contained in the checklist are the basis for deciding whether an Environmental Impact Report (EIR) or Negative Declaration is to be prepared. Additionally, if an EIR is prepared, the checklist shall be used to focus the EIR on the effects determined to be potentially significant.

1.2 Lead, Responsible & Trustee Agencies

Lead Agency

- Mono County
  - Conditional Use Permit (cannabis activities)
  - Cannabis Operation Permit
  - Building Permit
  - Grading Permit
  - Encroachment Permit
  - Septic and Well Permits
  - Hazardous material storage business plan

Responsible Agencies

- State of California Department of Cannabis Control:
  - Issuance of state cannabis microbusiness license
- State Water Resources Control Board:
  - General Construction Permit
- Lahontan Regional Water Quality Control Board:
  - Water Quality Certification
- Great Basin Unified Air Pollution Control District
  - Construction-Secondary Source Permits
  - Stationary Source Permits

Trustee Agencies

- California Department of Fish and Wildlife
- Office of Historic Preservation
- Native American Heritage Commission

Section 2. Project Description

2.1 Project Description

Sierra High Farms is proposing a ten-acre outdoor and ~~24,000 square-foot (SF)~~10,500 sq ft canopy indoor commercial ~~greenhouse~~ cannabis cultivation operation (for year-round operation), with onsite cannabis processing (trimming, packaging, and labeling), and wholesale distribution. The applicant will also seek approval to conduct non-storefront retail sales, to conduct business at state-wide cannabis events and retail delivery. The total area of indoor cultivation buildings is 49,248 sq ft. The operation will employ eight fulltime and up to seven part time employees for indoor cultivation upon completion of Phases 1 and 2. There will be 4-7 seasonal employees for outdoor cultivation with implementation of Phase 3. The project is located within a 124-acre parcel (APN 001-150-004-000) that is owned by the project proponent. The General Plan land use designation of the parcel is Agriculture (AG) with a 10-acre parcel size minimum. The Location Map (Figure 1) and Site Plan (Figure 2) are provided in Appendix A.

A Mono County Use Permit and Operations Permit for cultivation 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~~ indoor and outdoor cultivation to grow cannabis. The proposed project facilities and ancillary items are described below.

The site was historically used for cattle ranching; however, new wire fences have been installed along parcel boundary and Highland Ditch to keep cattle off the project area. The site contains no structures. The construction of a septic system was initiated in the summer of 2022. There are three temporary water storage tanks that will remain on-site until the new well is operational.

2.1.1 Proposed Buildings and Ancillary Structures

The project proposes to construct an adult recreation/medical cannabis production facility that includes both indoor and outdoor cannabis cultivation. The project includes construction and operation of the following project components:

Indoor Cultivation

- Four 12,312 square-foot indoor cultivation buildings ~~greenhouses~~ (108’ by 114’) \ (up to 10,500 sq ft indoor mature plant canopy)
- One cultivation lab (4,200 sq ft, 60’ by 70’)
- One maintenance shop (2,400 sq ft, 40’ by 60’)
- Stormwater detention basin

Outdoor cultivation

- Ten acres of outdoor cannabis cultivation area including hoop house structures; cultivation area to be prepared by grubbing existing vegetation and grading for drainage; installation of drip irrigation systems connected to a new groundwater well
- One nursery and processing building (5,000 sq ft, 50’ by 100’)
- One drying shed building (2,100 sq ft, 35’ by 60’)
- Four storage containers of approximately 8’ by 40’ for outdoor cultivation tools and storage use

Supporting facilities and utilities

- One well pump building (169 sq ft, 13’ by 13’)
- One water tank building containing three 5,000-gallon tanks (700 sq ft, 17’ by 35’)
- One septic system (1,500 gallon holding tank, 190’ leach line)
- Two 70 kwh (100 hp) propane generators for primary power supply, backup (located within enclosure attached to an indoor cultivation building)
- Central propane tank (30,000 gallon)
- Access road improvements from project site to Eastside Lane. – Addition of approximately five vehicle turnouts of 10’ by 75’
- Parking and loading areas
  - Indoor cultivation area – Parking for 12 vehicles
  - Nursery parking area- Parking for three vehicles
- Above ground electrical power service connection to Liberty Utilities (1.6 miles), including installation of approximately thirty (30) new 20’ height utility poles along Eastside Lane and on the project property.

2.1.2 Project Phasing

The project is proposed to be implemented incrementally with the following phased improvements based on market conditions.

Table 2-1. Project Phasing

Phase 1
One (1) indoor cultivation building, maintenance shop, cultivation lab, access improvements, water tank, parking for indoor cultivation. 4 full time employees
Phase 2
Three (3) indoor cultivation buildings, central propane tank. 4 full time employees; 4-7 part time
Phase 3
Outdoor cultivation, drying shed, nursery, electrical service connection. 4-8 seasonal employees

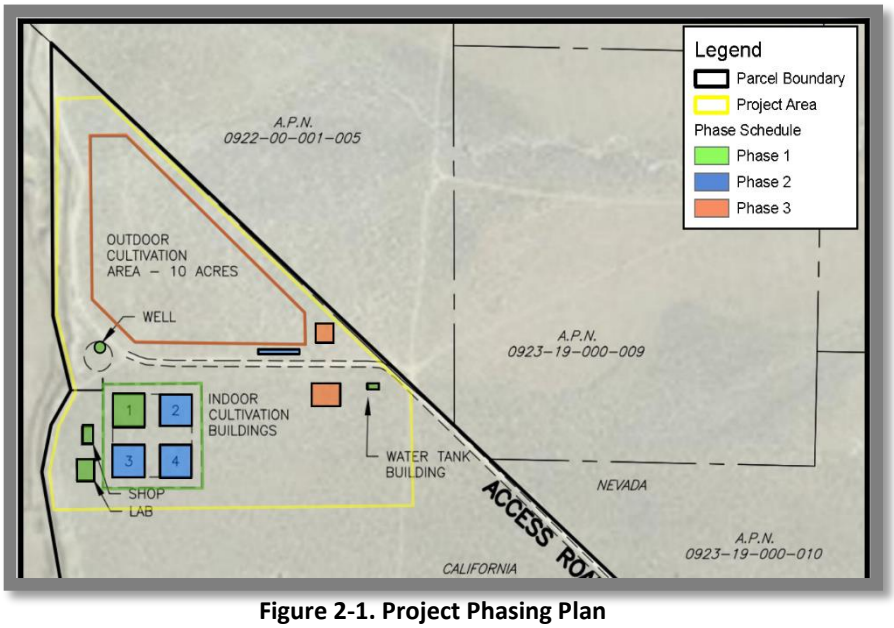

Figure 2-1. Project Phasing Plan

2.1.3 Construction

Project construction is anticipated to take place for approximately three years (two years for Phases 1 & 2, one year for Phase 3). The project may not be constructed continuously. Construction timing of successive Phases 2 and 3 would ultimately be determined by market conditions and implementation may occur over a longer period. Minor alterations involving no expansion of square footage or intensification of uses and exempt from CEQA may be approved by a Director Review Permit. Construction equipment would be variable based on activity and would include graders, backhoes, compactors, bulldozers, trenchers, water trucks, excavators, scrapers, tractors, forklifts generators, rollers, welders, and air compressors.

Table 2-2. Construction Phasing and Duration

Construction Phase	Duration
Site grading – Phases 1 &2	60 days
Phase 1 – Indoor cultivation building #1, shop, and lab	6 months
Phase 2 – Three Indoor cultivation buildings, propane tank	12 months
Phase 3 – Outdoor cultivation, drying shed, nursery, electrical service connection	12 months

Initial construction of minor site improvements occurred in 2022, including the installation of a septic system and vegetation removal. Additional site work to prepare for building construction includes excavation for utility services and grading of a three (3) acre building pad for the indoor cultivation buildings. The building pad would require 13,000 cubic yards of grading, which will be balanced on-site and not require the import or export of additional material. At the completion of site grading, development of the first cannabis cultivation building would start. Indoor cultivation buildings and ancillary buildings are expected to be concrete slab and prefabricated metal buildings with grouted masonry walls. Installation of approximately 1.6 miles of above ground electricity and telecommunications would occur during Phase 3.

2.1.4 Unpermitted work and code enforcement activities

On March 24, 2022, Mono County Community Development Department issued a Notice of Violation (NOV) for work without a permit on the subject property. The work consisted of approximately 13 acres of land clearing and vegetation grubbing. The NOV required that the property owner obtain a grading permit for work performed and to stabilize the disturbed area to prevent dust generation and soil erosion. The compliance actions of the NOV were completed July 2022 and the project is no longer in violation. Due to the unauthorized work, the existing site conditions were changed; however, for the purposes of the environmental analysis the unpermitted activity does not create a significant change to the baseline environmental conditions. The project site was vegetated with upland brush prior to grading. Both the NOV and the project mitigation measures require re-seeding areas of disturbance.

Table 2-3. Timeline of site activity, environmental analysis, and code enforcement events.

Date	Activity\Action
June 2021	Land clearing, grubbing activities for approximately 13 acres
November 2021	Well permit (#26-21-19) issued; Well-constructed November 2021. Placement of water tanks
December 2021	CEQA environmental analysis began. Septic permit (#S21-39) issued December 2021
February 2022	Septic system constructed February 2022
March 2022	Cultural resources field work conducted by Great Basin Group
March 2022	Notice of Violation issued by Mono County Community Development
April 2022	Grading plan and permit application submitted to Mono County
July 2022	Abatement of NOV completed.

2.1.5 State and local regulation of cannabis uses

As a microbusiness the Department of Cannabis Control (DCC) allows multiple commercial cannabis activities under a single license. The proposed project activities are non-storefront retail, indoor cultivation, and distribution. Cannabis cultivation will occur all year for the indoor cultivation portion of the project and seasonally for the outdoor cultivation. The outdoor cultivation use requires a separate license as a Large Outdoor Cultivation of greater than one acre. Per DCC large cultivation permits shall not be issued until January 1, 2023.

Table 2-4. Required cannabis license by store type.

	Indoor cultivation up to 10,000 sq ft	Distribution	Non-storefront retail	Outdoor cultivation (greater than 1 acre)
Mono County Use permit	Use permit issued prior to County Operations Permit and DCC license			
Mono County Operations Permit	Operations permit issued after Use permit and prior to DCC license	Operations permit issued after Use permit and prior to DCC license	Operations permit issued after Use permit and prior to DCC license	Operations permit issued after Use permit and prior to DCC license
California Department of Cannabis Control	Type 12 – Microbusiness license			Large outdoor cultivation license

California Department of Cannabis Control is responsible for licensing, regulation, and enforcement of commercial cannabis cultivation activities as defined in the Medicinal and Adult Use Cannabis Regulatory and Safety Act (MAUCRSA) and DCC regulations related to cannabis cultivation (Bus. Prof. Code, § 26102(a).

DCC regulations include the following requirements related to addressing environmental impacts of cannabis cultivation. The requirements below may be discussed in more detail for a particular environmental factor.

Table 2-5. DCC Environmental Regulations

DCC Regulation	Mono County Code	Requirement
15416		**No transport outside State of California** A delivery employee shall not leave the State of California while possessing cannabis goods.
16202 b		**Prohibition of lighting for outdoor cultivation** Outdoor cultivation licensees are prohibited from using light deprivation. Artificial lighting is permissible only to maintain immature plants outside the canopy area.
16304		**General Environmental Protection Measures** Water quality requirement of State Water Resources Control Board, Regional Water Quality Control Board, or California Department of Fish and Wildlife
16305		**Renewable Energy Requirements** Beginning January 1, 2023, all holders of indoor, tier 2 mixed-light license types of any size, and all holders of nursery licenses using indoor or tier 2 mixed-light techniques shall ensure that electrical power used for commercial cannabis activity meets the average electricity greenhouse gas emissions intensity required by their local utility provider
16306		**Generator Requirements** Licensed cultivators using generators rated at fifty (50) horsepower and greater shall demonstrate compliance with the Airborne Toxic Control Measure for stationary or portable engines, as applicable, established in title 17, California Code of Regulations, sections 93115-93116.5
16307	5.60.130 C	**Pesticide Use Requirements** Licensed cultivators shall comply with all applicable pesticide statutes and regulations enforced by the Department of Pesticide Regulation
16310		**Pest Management Plan** The licensed cultivator shall develop a pest management plan
16311		**Supplemental Water Source** A copy of the well completion report filed with the Department of Water Resources pursuant to section 13751 of the Water Code.
17223	5.60.130	**Waste management** A licensee shall dispose of all waste in accordance with the Public Resources Code and any other applicable state and local laws.
17800	5.60.220	**Enforcement**

2.1.6 Project operations

The project would operate between 8:00 am and 5:00 pm and would generate eight (8) full time employees and up to seven (7) part time employees for the indoor cultivation operation. The outdoor cultivation is expected to create up to eight (8) seasonal employees at build-out. Non-storefront retail activity would include use of passenger vehicles for the transport of cannabis to licensed events within the State. Retail delivery is temporarily allowed in Mono County and staff are currently working to amend county code to permanently allow delivery sales. The operation is expected to perform deliveries infrequently. In addition to employee commutes and limited cannabis transportation, the project would require regular whole-sale shipping deliveries. Based on cultivation cycles the project would generate approximately one vehicle trip per week for distribution of cultivated cannabis within the State. No public sales will take place at the premises and the premise will be closed to the public.

Section 3. Project Location and Setting

3.1 Existing and Surrounding Land Uses

The 15-acre proposed project site is located within a 124-acre parcel adjacent to the Nevada state line and approximately three miles east of Coleville, Mono County, California. The property's General Plan land use designation is Agriculture (AG 10). The project property outside of the 15-acre project site is undeveloped with the exception of access roads, irrigation ditches, and cattle fencing. The neighboring development around the site includes annual cropping systems and irrigated pastures to the west. East of the project site there are four (4) large lot residences, the nearest is 1,700 ft from the project site located in the state of Nevada. Access to the site is via a private, two-lane dirt road from Eastside Lane (a county-maintained road). Access to the site crosses a private property (APN 011-150-005) owned by the same family as the project parcel.

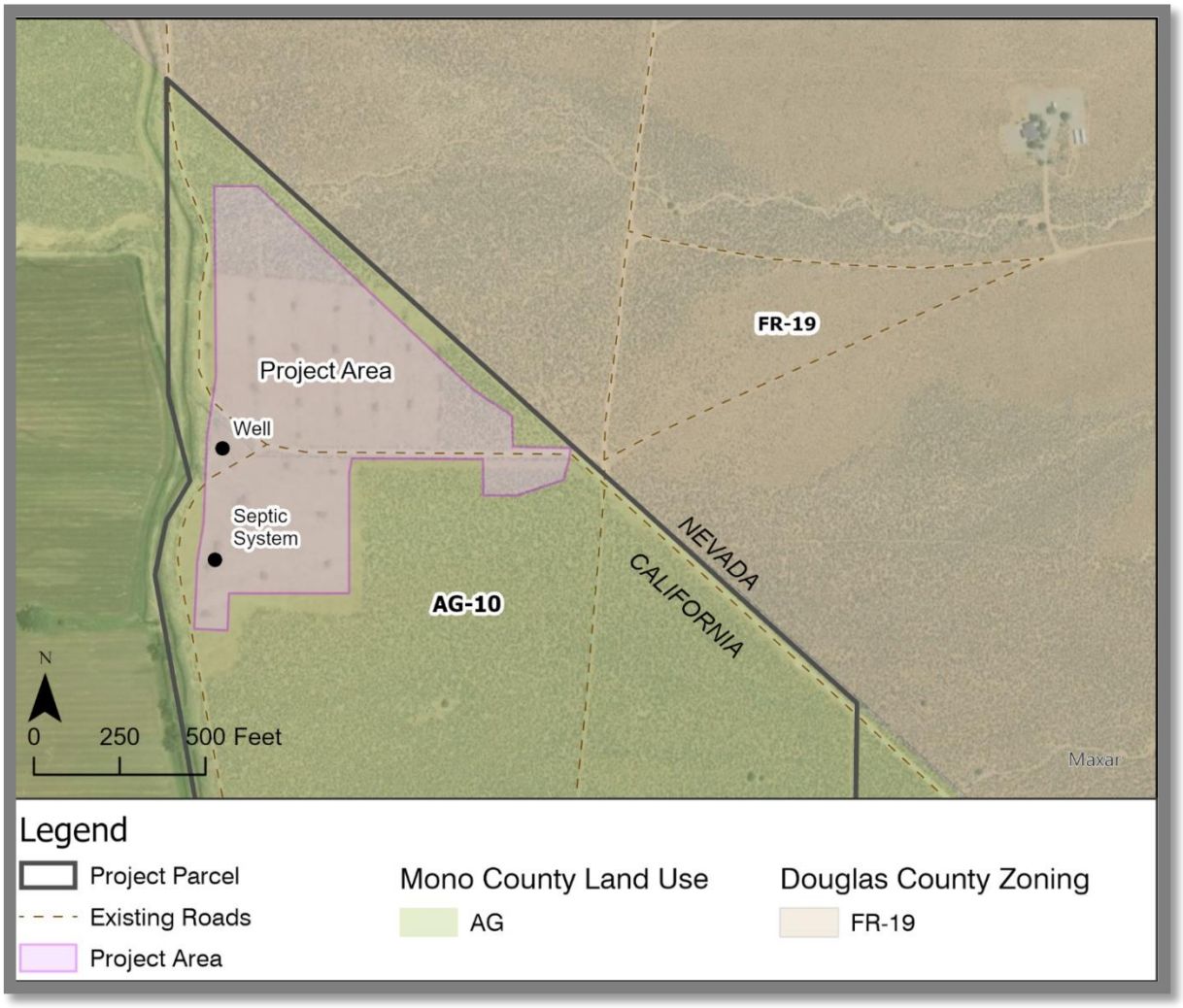

Figure 3-1. Existing and Surrounding Land Use Map

The project site has limited development of agricultural access roads, ditches, and fences. With the exception of three temporary water tanks located at the west end of the private driveway, there are no buildings or structures on-site. There is one existing well located outside the project area in the southern portion of the parcel adjacent to Highline Ditch. A septic system was constructed in the summer of 2021 and is located to the west and downslope of the proposed building pad. Land clearing and vegetation removal occurred in 2021 and was subject to code enforcement activities as described in Section 2.1.2.

Photo 1. Overview of project area.

3.2 Topography, Soils, and Drainage

The site is relatively flat (2-4% slope) ranging in elevation from 5,290 feet at the western most edge to approximately 5,185 feet along Highline Ditch.

The west side of the property borders Highline Ditch, which is used to irrigate the pastures to the west. The Highline Ditch is a diversion of the Big Slough ditch which originates as diversion of surface water from the West Walker River. There is one ephemeral stream channel that originates in the mountains to the east that flows west through the proposed outdoor cultivation area. The channel dissipates within the field and has no direct flow to Highland Ditch. Based on site reconnaissance completed on September 1, 2022, by Resource Concepts Inc.'s Sr. Biologist, there are no wetlands, riparian habitat, or other sensitive natural communities on-site.

3.3 Vegetation

Site vegetation was surveyed on September 1, 2022. The site is uniformly dominated by upland shrubs consisting primarily of big sagebrush (*Artemisia tridentata* var. *wyomingensis*) with occasional four-winged (*Atriplex canescens),* antelope bitterbrush (*Purshia tridentata*), and Mormon tea (*Ephedra nevadensis*). There is one small juniper tree within the project site and no other tree species. The ~~six~~ thirteen (13) acres of native vegetation that was previously cleared from the project area has become

revegetated with native grasses intermixed with a non-native, invasive tumble mustard (*Sisymbrium altissimum*).

Existing developments surrounding the project area include annual cropping systems and irrigated pastures in the areas between generally scattered housing. Long-standing pastures and agricultural fields in rotation have lost much of their former habitat value for native vegetation and wildlife in Mono County (2015 RTP/GPU).

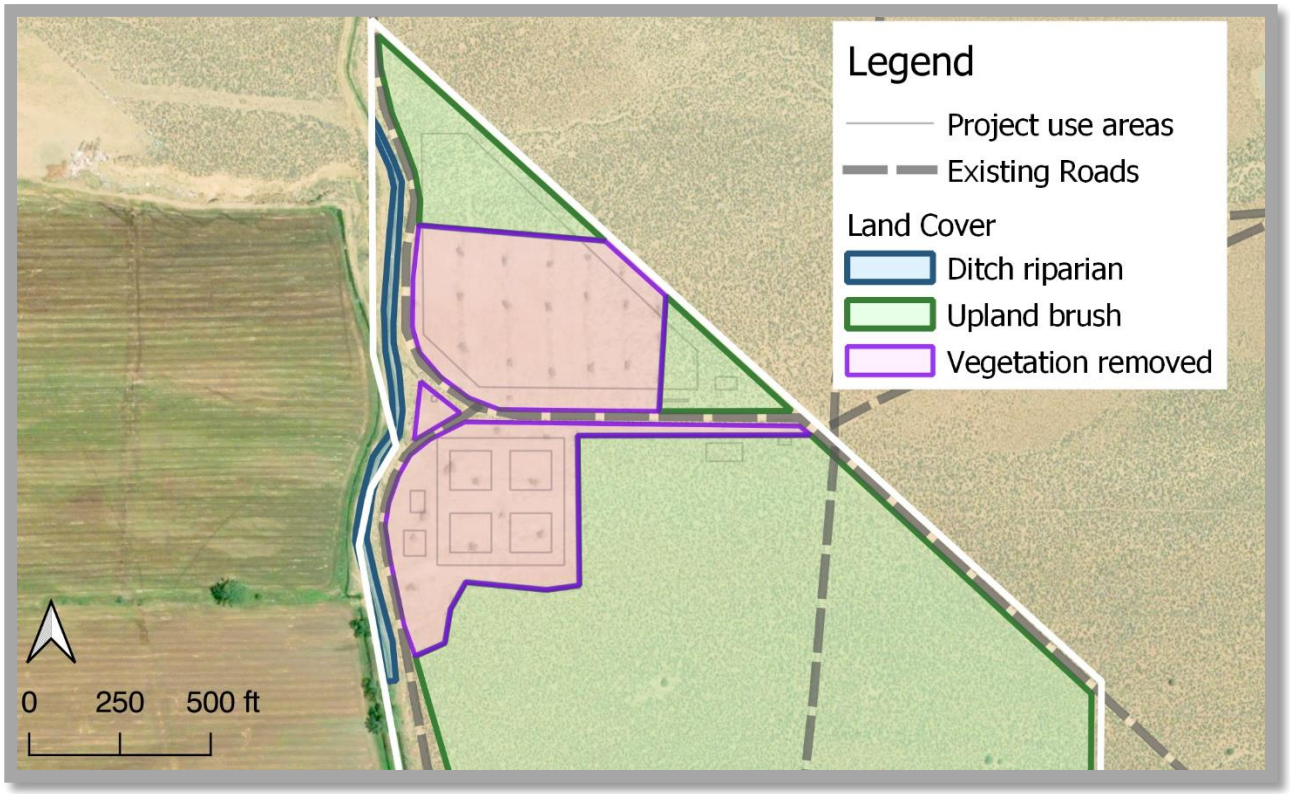

Figure 3-2. Project existing vegetation conditions map

Section 4. Environmental Impacts

Section 4 analyzes the potential for environmental impacts of the proposed project based on criteria set forth in the State CEQA Guidelines and the County's implementing ordinances and guidelines.

4.1 Aesthetics

Would the project:

a) Have a substantial adverse effect on a scenic vista?

Less than significant. There are no designated scenic vistas within proximity of the project area. The project would have no impact on a scenic vista.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Less than significant. The Eastern Sierra Scenic Byway (i.e., Highway 395) and State Route 89 (Monitor Pass) are the nearest designated scenic highways located approximately eight (8) miles south of the project area. The project site is not visible from the terminus of the Byway in the West Walker River canyon. From Monitor Pass on eastbound State Route 89 Monitor Pass there would be distant views of the project site including building outlines and the outdoor cannabis cultivation The portion of Highway 395 within Antelope Valley is not a State Scenic Highway but is eligible for designation. The proposed project is located within view of a State Scenic Highway corridor. The view of the project site is at a distance of greater than 7 miles and project components will not damage scenic resources such as trees, rock outcroppings, or historic buildings within a scenic highway. The project would have no impact on scenic resources.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Less than significant. The proposed project area is located within land use designation (AG-10), and existing development around the site includes annual cropping systems and irrigated pastures in the areas between generally scattered housing. The project indoor cultivation buildings are proposed to be up to 30 feet high at the ridgeline. The proposed heights of the nursery, lab, shop, and drying shed buildings are 25 feet. Project buildings have been designed to replicate the architectural structure of a "raised center aisle" barn. The project includes a new 1.6 mile above-ground power line to connect to Liberty Utilities distribution at Topaz Lane and Eastside Lane. There are no above ground utilities along Eastside Lane as neighboring uses are off grid. Extension of the utilities to the project site would increase potential for new above ground utilities along the 1.6 miles of new utilities from the site to Topaz Lane. The visual quality of the project with utilities is compatible with neighboring agricultural land uses along Topaz Lane and Eastside Lane where above ground utilities along roads are visible. The project including installation of above ground utilities would have a less than significant impact on existing visual character or quality of public views.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less than significant with mitigation. The prosed project would have security/emergency lighting as described in the Lighting Plan. No other outdoor lighting is proposed. Proper light shields and lighting design will be incorporated into the indoor cultivation buildings.

Commercial cannabis operations are required to comply with Dark Sky Regulations. Lighting specifications and designs shall be described in a Lighting Plan (Mono County General Plan – Land Use Element, 13.070 H and 13.080 B). Additionally, all DCC lighting requirements shall be met, these include shielded downward facing outdoor lights at all times and shielding for indoor lights from sunset to sunrise (DCC Code Regulations, title 4 §§ 16304(a)(6), 16304(a)(7)).

4.1.1 Mitigation Measures

AES-1: Require Lighting Plan. Project is subject to Chapter 23, Dark Sky Regulations. The Mono County Community Development Department shall confirm that project lighting meets the requirements of County Code Chapter 23 – Dark Sky Regulations. The applicant shall submit plans for lighting describing the location and details of proposed fixtures with building permit application or prior to installation of outdoor lighting.

4.2 Agriculture/Forest Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project, and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No impact. The project area is not located within areas defined by the California Resources Agency as Prime Farmland or Farmland of Statewide Importance. There would be no impact to Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No impact. The project area has historic use of livestock grazing and is located within the agriculture land use designation (AG-10). Cannabis cultivation is an allowable use in the agriculture designation, subject to a Use Permit and Operation Permit. The project is not located on land that is part of a

Williamson Act contract. The project would have no impact on agricultural use or land that is part of a Williamson Act contract.

c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 1 2220(g)) or timberland (as defined by Public Resources Code section 4526)?*

No impact. The proposed project location is currently used for grazing and is within the Agriculture (AG 10) land use designation. Cannabis cultivation is an allowable use, per Use Permit, in AG 10 land use designation. The proposed project does not conflict with existing zoning or land use designation regulations.

d) *Result in the loss of forest land or conversion of forest land to non-forest use?*

No impact. The project is not located on forestland. The project would have no impact on forest land or convert forest land to non-forest uses.

e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland, to non-agricultural use or conversion of forest land to non-forest use?*

No impact. The project is within the Mono County General Plan land use designation of Agriculture, which allows cannabis cultivation with the issuance of a use permit. The proposed project uses are consistent with surrounding agricultural uses of irrigated alfalfa pastures and upland livestock grazing. The proposed project would not change the existing environment.

4.2.1 Mitigation Measures

No mitigation measures are proposed.

4.3 Air Quality

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

Would the project:

a) *Conflict with or obstruct implementation of the applicable air quality plan?*

No impact. The project area is located in unincorporated Mono County and air quality is regulated by the Great Basin Unified Air Pollution Control District (GBUAPCD). With exception of the Mono Basin area and Mammoth Lakes, rural Mono County generally has very good air quality and meets state air quality standards. There are no local air quality plans relevant to the site. The proposed project would not conflict or obstruct implementation of any air quality plans.

b) *Result* in a *cumulative considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard*?

Less than significant with mitigation. Mono County, in general, meets all state air quality standards with the exception of state PM10 in the Mono Basin and Ozone near Mammoth Lakes (Mono County 2015). The proposed project site is located in an attainment area, and federal and state air attainment levels would not be exceeded.

GBUAPCD Rules 401 and 402 require use of control measures to minimize fugitive dust and particulate matter emissions. Initial site clearing for construction of indoor grow facilities could temporarily generate fugitive dust during vegetation clearing and grading activity. To ~~Due~~ prevent visible particulate matter from being airborne, standard BMPs will be implemented in accordance with an erosion control plan and Stormwater Pollution Prevention Plan and will include use of water for dust control, covering of soil stockpiles when not actively in use, and minimizing areas of disturbance under construction at one time (MM AQ-2). Areas that are temporarily disturbed will be reseeded with native seed mixes for long term soil stabilization (MM WQ-1).

Dust control measures shall be utilized on access roads and must be in compliance with Great Basin Unified Air Protection Control District regulations (Mono County General Plan – Land Use Element 13.080 C). To minimize fugitive dust generated from discing and tilling practices associated with outdoor cultivation, farming practices will be modified to avoid discing and tilling when wind speed are in excess of 15 miles per hour.

On-site generator use for energy production would comply with California Air Resources Board and GBUAPCD regulations including acquiring a permit if the generator exceeds 900 horsepower and airborne toxic control measures for generators (CCR Title 17 §93115 and CCR Title 4 §16306). For operation of the 100 hp propane co-gen generator a Stationary Source permit is likely not required.

Based on CalEEMod emission modelling the project would have the following emission rates.

Table 4-1 Estimated Annual Construction Emissions

	ROG	NOx	CO	SO2	PM10 Total	PM 2.5 Total
	Maximum Tons\yr					
Total	0.8264	0.7083	0.7355	1.4300e-003	0.0733	0.0462

Table 4-2 Estimated Annual Operational Emissions

	ROG	NOx	CO	SO2	PM10 Total	PM 2.5 Total
	Tons\yr					
Total	0.5531	0.3624	2.3950	4.3100e-003	0.4123	0.1135

c) Expose sensitive receptors to substantial pollutant concentrations?

No impact. There are no sensitive receptors within proximity to the project area. Sensitive receptors include, but are not limited to, children, elderly, asthmatics, and others who are at a heightened risk or negative health outcomes to exposure to air pollution. Sensitive locations may include hospitals, schools, and day care centers (CARB 2022). The nearest occupied dwelling is approximately 1,700 feet

(0.3 miles) to the east located at 4400 Risue Canyon Road in Douglas County, Nevada. Sensitive receptors will not be exposed to substantial pollutant concentrations.

d) Result in *other emissions (such as those leading to odors adversely affecting a substantial number of people)?*

Less than significant with mitigation. Cannabis cultivation can produce odorous compounds due to the presence of terpenoid within the vegetative material. The exact odor causing compounds vary by strain/specie of the plant. Typically, moderate cannabis odors start to appear between the first 4 to 6 weeks of growth 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.

Cannabis cultivation and processing can create strong odors caused by chemicals called terpenes. The odor of terpene compounds is most commonly associated with cannabis and is produced by flowering plants. Cannabis odors can spread through the air and be sensed by surrounding receptors. Outdoor cultivation has the most potential to cause cannabis odors which are sensed by nearby receptors. Indoor cultivation can more effectively contain and\or filter cannabis odors, reducing strong odors. The project's indoor and outdoor cannabis cultivation uses would generate odors. Indoor cultivation and processing completely enclosed within buildings would be the only source of cannabis odor during Phases 1 and 2. However, as measured at the Walker RAWS, 4.2 miles south of the project site, prevailing winds in the area are predominately from the south and northwest and aren't directly aligned with neighboring residences or Eastside Lane.

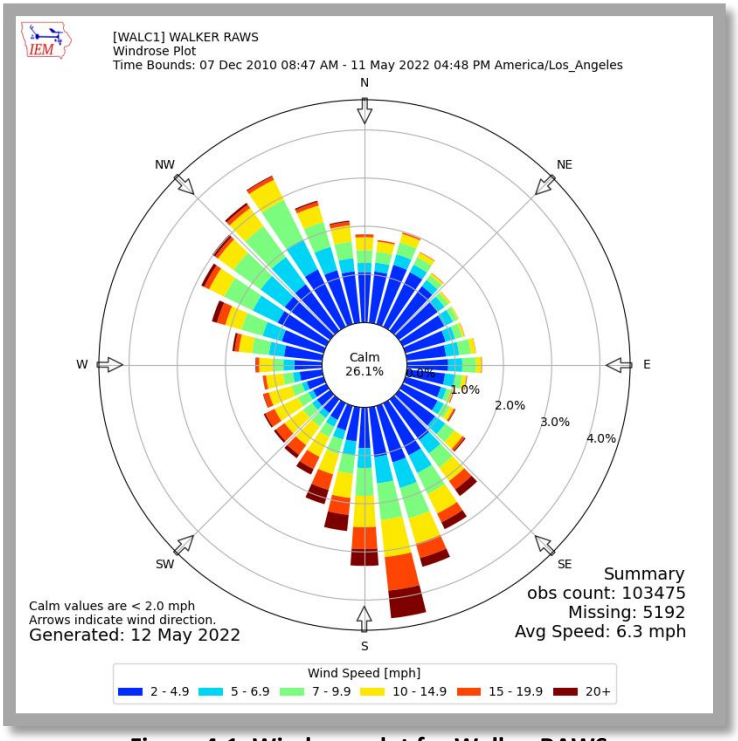

Figure 4-1. Windrose plot for Walker RAWS

There are no numerical thresholds for cannabis odor established by the county or state. Mono County policies address potential impacts of off-site cannabis odors to sensitive receptors by requiring additional setbacks for cannabis uses from sensitive receptors and odor control measures. General Plan Land Use Element Section 4.120 requires that cannabis cultivation uses be setback a minimum of 50 feet from property boundaries and 300 feet from habitable space under separate ownership and public roads.

Land Use Element

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

Action 1.L.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.

Land Use Element Development Standards Chapter 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.

2. 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 the 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 offsite detection of Cannabis odors.

3. An audit of the Odor Mitigation Plan and its effectiveness shall be conducted upon the issuance, and during annual inspections, of a Commercial Cannabis Operation Permit.

The project site is located away from existing habitable space under separate ownership and public roads. The distance between the project cultivation area and the nearest neighboring dwelling is 1,700 feet to the east-northeast and 0.4 miles southeast to the nearest road, Eastside Lane. There are five residences within one mile of the project area. In the vicinity of the project there are 19 residences within the Topaz Heights area of Douglas County. The distance between the project area and Topaz Heights residences is between 1,700 feet and 3.2 miles. There are six residences near Topaz Lane and Eastside Lane in Mono County between 1.0 and 1.5 miles from the project area. The project would not affect a substantial population due to the low density of residences in the vicinity. Prevailing winds are not directly aligned with neighboring residences or Eastside Lane. The project does not propose odor filtration or ventilation systems for indoor or outdoor cultivation; instead, the location of the project in relationship to receptors would not cause unreasonable impacts to receptors based on the siting of the cultivation areas. The cultivation use would generate cannabis odors detectible beyond the project

property. Sensitivity to cannabis odor varies and adjacent uses may detect and find odors to be offensive which is a significant impact requiring mitigation. Mitigation Measure AQ-1 requires odor mitigation measures including posting notice, ambient odor monitoring, and reduction of outdoor cultivation area if odor is determined to be unreasonable.

4.3.1 Mitigation Measures

AQ 1: Odor Mitigation

- The applicant shall post signs at the property line that provide a 24-hour project contact phone number and County code enforcement phone number in the case of nuisance odors.
- The applicant shall report any complaints of nuisance odors to the County within 72 hours of the complaint.
- The County shall conduct ambient odor survey at the property boundary and ambient monitoring during annual inspections. Monitoring would include odor surveys using a Nasal Ranger field olfactometer within the Project area and at the property boundary to quantify odor strength at each monitoring location.
- Cannabis odor exceeding a seven dilution threshold ("DT") when measured by the County with a field olfactometer at the property line for a minimum of two observations not less than 15 minutes apart within a one hour period shall be considered an unreasonable impact.
- For indoor cultivation, if the County determines an unreasonable impact, it may require implementation of odor-control filtration and ventilation systems to control odors; Devices and/or techniques incorporated in the building for all indoor cultivation and processing buildings.
- For outdoor cultivation, if the County determines an unreasonable impact the County shall require reduction of outdoor cannabis cultivation area to meet 300' buffer to easterly property boundaries.

AQ-2: Dust Control Mitigation Measures

- During construction, dust will be minimized through implementation standard BMPs consistent with CA Stormwater General Construction Permit and will include, but not limited to,
  - minimize the exposed working areas at one time,
  - covering soil stockpiles when not in actively in use or left overnight, and
  - use of on-site water for dust control during clearing and grading.
- Avoid discing and tilling when wind speeds are in excess of 15 miles per hour.
- Driving speeds will be reduced to slower than 15 mph when on dirt roads within ¼ mile of public highways and residences.

4.4 Biological Resources

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Less than significant with mitigation. A Biological Technical Report (BTR) was prepared for the proposed Sierra High Project (Appendix B) to evaluate the potential impacts from the project to special status wildlife, vegetation, sensitive communities, and regulated waters. Due to the project's location on the California / Nevada state border, both California and Nevada state agencies were consulted and queried for available biological resource data.

A literature search was conducted for the BA which included queries of the following databases:

- USFWS's Information Planning and Conservation (IPaC) System (2022a);
- USFWS's Critical Habitat Portal (2022b);
- California Natural Diversity Database (CNDDB) search (CDFW 2022);
- Nevada Department of Wildlife (NDOW 2022); and
- Nevada Natural Heritage Program (NNHP 2022).

The BA evaluated potential impacts to the special status species. For the purposes of the evaluation, a special status species was considered to be:

- Species listed or proposed for listing as threatened or endangered under the ESA;
- Species that are candidates for possible future listing as threatened or endangered under the ESA;
- Species that are listed or proposed for listing by the State of California as threatened or endangered under the CESA;
- Plants considered by CDFW and CNPS to be "rare, threatened, or endangered in California" (Rare Plants Ranks as 1B and 2; California Department of Fish and Game, 2015a), and California Native Plant Society, (2015);
- Species that meet the definition of rare or endangered under the State CEQA Guidelines, Section 15380; and
- Animals fully protected in California (Fish and Game Code, §3511 for birds, §4700 for mammals, and §5050 for reptiles) and amphibians, or animal species of special concern to the CDFG (California Department of Fish and Game, 2011).

Additional species of concern that were analyzed within the BA included the Bi-State Distinct Population Segment (DPS) of Greater Sage-Grouse (*Centrocercus urophasianus*) and mule deer (*Odocoileus hemoinus*).

Additionally, protection of migratory birds and their nests is regulated by the Migratory Bird Treaty Act (MBTA). Birds may forage and nest in multiple habitats and have potential to pass through the site in route to either. Therefore, potential impacts to migratory birds were also evaluated.

<u>Special Status Plants</u>

Based on review of the CNDDB and USFWS IpaC list, two special status plant species were determined to have potential to occur within the project area. These species are beautiful cholla (*Grusonia pulchella,* state protected cactus/CNPS 2B.2) and Masonic rockcress (*Boechera cobrensis,* CNPS 2B.3). Both species are considered rare, threatened or endangered in CA by the California Native Plant Society (CNPS) and are associated with sandy soils within sagebrush communities. A field survey for special status plant species was completed on September 1, 2022, by RCI Sr. Biologist. All plant species encountered were identified to determine if it was a species of concern. Neither beautiful cholla or Masonic rockcress were observed during the survey. Based on the survey results and assessment of the site, the BTR

determined that neither beautiful cholla or Masonic rockcress are likely to occur within the project site. Reference the BTR in Appendix B.

Based on the current site plan (Figure 2 in Appendix A), implementation of the proposed project would impact up to five acres of upland sagebrush shrub habitat from grading and construction of the four indoor cultivation buildings and associated support buildings (e.g., water tank, shop, and lab), and access road improvements. Additionally, approximately ten acres of upland shrub habitat will be impacted during Phase 3 of the project through removal of vegetation for outdoor cultivation. If present, direct effects to special status plant species or their potential habitat could occur when plants or habitat are physically impacted by activities associated with the proposed project. Direct impacts may include physically breaking, crushing, or uprooting sensitive plants by driving over them with construction equipment, trenching, filling, or other grading activities during site development. However, based on the results of the botanical survey, evaluation of on-site soils, and findings of the BTR, it was determined that it is unlikely for any special status plant species to occur within the project site. Impacts to special status plant species is determined to be less than significant.

Vegetation removal and soil disturbance construction of the indoor cultivation facility, improvements to the access road, and disturbance associated with power line construction could create conditions for the establishment of undesirable weed species. Once established, invasive and noxious weeds could negatively and indirectly affect native species by competing for resources such as water and light, production, and release of chemical compounds that inhibit the growth of other plants. In turn, this effect can change the community composition through elimination or reduction of native plant species, or by changing the vegetation structure. The changes in community composition or vegetation structure could affect fire regimes and can also negatively affect habitat for wildlife. These impacts would be reduced to less than significant with incorporation of Mitigation Measures BIO-2 and BIO-3.

Special Status Wildlife

The on-site sagebrush shrub community provides habitat for 12 special status wildlife species. These include seven state protected bat species and five special status bird species (reference the BTR in Appendix B).

There is suitable foraging habitat for bats on-site but no suitable roosting habitat present. Because of the abundance of similar foraging habitat surrounding the project area, it is determined there will be less than significant impacts to the seven bat species.

There is potential for five species of special status birds. Four of these species (Golden Eagle, Swainson's Hawk, Northern Harrier, and Prairie Falcon) may utilize the site for foraging, but there is no suitable nesting habitat for these species within the project area. Similar to the bat species, the proposed project will have less than significant impact on these four species.

The Brewer's sparrow is identified as having potential to nest on-site. The Brewer's sparrow is listed as a USFWS Bird of Conservation Concern and given a S3 ranking by the State due to its declining population. Brewer's sparrow tend to nest in low sagebrush and other shrubs. Therefore, Brewer's sparrow, along with other nesting birds, have the potential to be impacted by clearing and grading activities that remove potential nesting habitat. If clearing occurs during the nesting season, the project could result in direct impacts to the Brewer's sparrow and other nesting birds should they be present. Indirect effects from elevated noise and increased human activity may result in nest abandonment if

nesting birds are present within 200 feet. These potential significant impacts are reduced to less than significant when Mitigation Measure BIO-3 is implemented.

The Bi-State Distinct Population Segment (DPS) of Greater Sage-Grouse (*Centrocercus urophasianus*) is another species of concern to Mono County but is not listed at the state or federal level. Potential impacts to Greater Sage-Grouse, if present, from the proposed project could include loss of habitat, increased vehicular traffic and potential for roadkill, trampling of nests or activities that cause nest abandonment, and introduction/expansion of invasive species that modifies habitat quality. Additionally, the construction of aboveground transmission pole lines contributes to the fragmentation of sage-grouse habitat and increases the risk of predation by providing predator perches in sagebrush habitat. However, the likelihood of sage-grouse being present on site is considered to be very low based on the presence of low-quality sagebrush habitat that surrounds the Coleville area (2015 RTP/GPU) and lack of known Greater Sage-Grouse leks or radio-marked sage-grouse tracking locations in the vicinity of the project area (NDOW 2022). Further, no sage grouse were observed during the initial site reconnaissance in February 11, 2021 or during site survey on September 1, 2022. Potential impacts to sage-grouse from the proposed project is determined to be less than significant.

There are no known mule deer migration corridors through the project area (NDOW 2022, BIOS 2022), but mule deer may potentially use the on-site shrub habitat for overwintering. Site development and increase in human activities have the potential to impact survivorship of mule deer due to the reduction of critical browse and vehicle collisions (2015 RTP/GPU). However, based on the minimal size of impact to potential habitat (15 acres) relative to the surrounding availability of suitable wintering habitat and the minimal increase in traffic from the proposed project, potential impacts to mule deer are determined to be less than significant.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?

No impact. The site is uniformly dominated by upland shrubs consisting of big sagebrush and four-winged saltbrush, rabbitbrush and Mormon tea. There one juniper tree on-site. There are no wetlands, riparian habitat, or other sensitive natural communities on-site. The proposed project will have no impact on any riparian habitat or other sensitive natural communities.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling hydrological interruption, or other means?

No impact. Based on review of the National Wetland Inventory Mapper (February 18, 2022) and field reconnaissance, there are no wetlands within the project area. The proposed project will have no impact on state or federally protected wetlands.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less than significant. Occupied mule deer habitat is known to occur throughout the site (NDOW 2022). The West Walker Herd of mule deer in Antelope Valley use available habitat in Walker, Coleville, and

Topaz as winter range during the November 1 to April 30 period; however, there are no known migration corridors through the project area. Based on review of the California Department of Fish and Wildlife Biological information System, there are no mapped deer migratory corridors (CDFW BIOS 2022), and the proposed project is not anticipated to have any impact on mule deer migration corridors. Additionally, there are no aquatic resources sufficient to support the movement of migratory fish. The proposed project will have no impact on migratory fish or wildlife species or migration corridors.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Impact. Based on review of the Mono County General Plan, the proposed project will have no conflict with any local policies or ordinances protecting biological resources.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. There are no adopted habitat or conservation plans that affect the project site. The proposed project will not conflict with any provisions of an adopted habitat or conservation plans.

4.4.1 Mitigation Measures

BIO-1: Nesting Birds Surveys

Regardless of the time of year, a pre- construction sweep shall be performed to verify absence of nesting birds. A qualified biologist shall conduct the pre-activity sweep within the Project areas (including access routes) and a 500-foot buffer surrounding the Project areas, within 2 hours prior to initiating Project activities. Additionally, a nesting bird survey shall be conducted by a qualified biologist no more than three (3) days prior to the initiation of project activities, including, but not limited to clearing, grubbing, and/or rough grading to prevent impacts to birds and their nests. The survey will be conducted by a qualified biologist. Surveys shall include any potential habitat (including trees, shrubs, the ground, or nearby structures) that may be impacted by activities resulting in nest destruction or abandonment. If nesting bird activity is present, a no disturbance buffer zone shall be established by the qualified biologist around each nest to prevent nest destruction and disruption of breeding or rearing behavior. The buffer shall be a minimum of 500 feet for raptors and 300 feet for songbirds, unless a smaller buffer is specifically determined by a qualified biologist familiar with the nesting phenology of the nesting species. The buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests, as confirmed by a qualified biologist. A qualified biologist shall inspect the active nest to determine whether construction activities are disturbing the nesting birds or nestlings. If the qualified biologist determines that construction activities pose a disturbance to nesting, construction work shall be stopped in the area of the nest and the 'no disturbance buffer' shall be expanded. If there is no nesting activity, then no further action is need for this measure.

- ~~Pre-project surveys for nesting birds and raptors will be conducted in suitable nesting habitat within 500 feet of vegetation removal, construction, and development activities, and will be reviewed and accepted by the Mono County Community Development Department prior to site disturbance or construction activity. Determination of habitat suitability, and whether a pre-project survey is required should be based on a reconnaissance field assessment of habitat conditions before initiating projects in these areas.~~

~~Survey Timing: March 1 to August 31~~

- ~~If an active bird nest is located during the pre-project surveys, the project proponent will notify Mono County and the CDFW. To avoid disturbances to or loss of active nest sites, between March 1 and August 31, project activities would be delayed within 0.25 mile of (or at a distance directed by the appropriate regulatory agency) the nest to avoid disturbance until the nest is no longer active. Project activities include vegetation removal, earth moving, and construction. The 0.25-mile buffer may be reduced through consultation with Mono County and/or the CDFW Biologist.~~

BIO-2: Weed Surveys
Prior to construction, the entire project area shall be surveyed for noxious weeds. All occurrences of noxious weeds would be flagged and avoided.

BIO-3: Weed Free Certification
Straw, mulch, or gravels used for erosion control shall be certified weed-free.

BIO-4: Special Status Fish
For all Project activities taking place adjacent to Highland Ditch, where adjacent is defined as being within 50 feet from the top of bank, Best Management Practices (BMPs) shall be employed to avoid impacts to water quality and aquatic habitat of the Highland Ditch. Impacts may include, but are not limited to, delivery of excess sediment through grading, disking, or grubbing activities; delivery of excess nutrients through runoff from cultivation areas; delivery of toxins from pesticide application; or any other Project activities that have the potential to substantially alter or degrade the water quality or aquatic habitat of the Highline Ditch. BMPs may include avoiding pesticide application during periods of increased wind, limiting water usage to avoid runoff, and/or keeping exposed soil damp to limit movement during ground disturbing activities.

Mitigation Measure BIO-5: American Badger
A qualified biologist shall visually survey the Project area prior to construction to identify any feature/habitats suitable to support American badger (i.e., burrows, dens). Where an identifiable feature is present, the qualified biologist shall mark the potentially occupied feature for avoidance. If avoidance is infeasible, the qualified biologist shall determine whether the burrow or den is inactive or active. If the burrow or den is inactive, the qualified biologist shall excavate the burrow or den by hand and backfill to prevent reuse by American badger. If American badger is present, applicant shall notify California Department of Fish and Wildlife (CDFW) and applicant should develop an American badger-specific avoidance and relocation plan detailing the protective avoidance and relocation measures to be implemented prior to the commencement of Project activities for CDFW review. The use of rodenticides and herbicides shall be restricted to avoid primary and secondary poisoning of badger.

Mitigation Measure BIO-6: Special Status Plants
Prior to Project implementation, and during the appropriate season, a qualified biologist shall conduct botanical field surveys within the Project area following protocols set forth in the California Department of Fish and Wildlife's (CDFW) 2018 Protocols for Surveying and Evaluating Impacts to

Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018). The surveys shall be conducted by a CDFW approved botanist(s) experienced in conducting floristic botanical field surveys, knowledgeable of plant taxonomy and plant community ecology and classification, familiar with the plants of the area, including special-status and locally significant plants, and familiar with the appropriate state and federal statutes related to plants and plant collecting. The botanical field surveys shall be conducted at the appropriate time of year when plants will both be evident and identifiable (usually, during flowering or fruiting) and, in a manner, which maximizes the likelihood of locating special-status plants and sensitive natural communities that may be present. Botanical field surveys shall be conducted floristic in nature, meaning that every plant taxon that occurs in the project area is identified to the taxonomic level necessary to determine rarity and listing status. If any special-status plants are identified, the County shall avoid the plant(s), with an appropriate buffer (i.e., fencing or flagging). If complete avoidance is not feasible, the County shall mitigate the loss of the plant(s) through the purchase of mitigation credits from a CDFW-approved bank or land acquisition and conservation at a mitigation ratio determined by CDFW after Project analysis. If the Project has the potential to impact a state listed species, the Project Applicant should apply for a California Endangered Species Act (CESA) Incidental Take Permit (ITP) with CDFW.

Mitigation Measure BIO-7: Pesticides, Including Fungicides, Herbicides, Insecticides, and Rodenticides
Prior to construction and issuance of any grading permit, Sierra High Farms shall develop a plan, to be approved by Mono County, with measures to avoid, minimize, or mitigate the impacts of pesticides used in cannabis cultivation, including fungicides, herbicides, insecticides, and rodenticides. The plan should include, but is not limited to, the following elements: (1) Proper use, storage, and disposal of pesticides, in accordance with manufacturer's directions and warnings, (2) Avoidance of pesticide use where toxic runoff may pass into Fish and Game section 1602 resources, including ephemeral streams, (3) Avoidance of pesticides that cannot be used on cannabis in the state of California, as set forth by the Department of Pesticide Regulation, (4) Avoidance of anticoagulant rodenticides and rodenticides with "flavorizers", (5) Avoidance of sticky/glue traps, and (6) Inclusion of measures that serve as alternatives to the use of toxic rodenticides, such as sanitation (removing food sources such as pet food, cleaning up refuse, and securing garbage in sealed containers), and physical barriers.

Mitigation Measure BIO-8: Artificial Light
Light shall not be visible outside of any structure used for cannabis cultivation. This shall be accomplished by: employing blackout curtains where artificial light is used to prevent light escapement, eliminating all nonessential lighting from cannabis sites and avoiding or limiting the use of artificial light during the hours of dawn and dusk when many wildlife species are most active, ensuring that lighting for cultivation activities and security purposes is shielded, cast downward, and does not spill over onto other properties or upward into the night sky (see the International Dark-Sky Association standards at http://darksky.org/), and using LED lighting with a correlated color temperature of 3,000 Kelvins or less. All hazardous waste associated with lighting shall be disposed of properly and lighting that contains toxic compounds shall be recycled with a qualified recycler.

Mitigation Measure BIO-9: Employee Awareness of Wildlife Resources
A qualified biologist shall conduct an education program for all persons employed or otherwise working on the Project site prior to performing any work on-site (Workers Environmental Awareness Program; WEAP). The WEAP shall consist of a presentation that includes a discussion of the biology of the habitats and species that may be present at the site. The qualified biologist shall also include as part of the WEAP information on the distribution and habitat needs of any special-status species that may be present, legal protections for those species, penalties for violations, and mitigation measures. The WEAP should include, but not be limited to: (1) best practices for managing waste and reducing activities that can lead to increased occurrences of opportunistic species and the impacts these species can have on wildlife in the area and (2) protected species that have the potential to occur on the Project site.

Mitigation Measure BIO-10: LSA Notification
Prior to construction and issuance of any grading permit, the Project proponent should obtain written correspondence from the California Department of Fish and Wildlife (CDFW) stating that notification under section 1602 of the Fish and Game Code is not required for the Project, or the Project proponent should obtain a CDFW-executed Lake and Streambed Alteration Agreement, authorizing impacts to Fish and Game Code section 1602 resources associated with the Project.

4.5 Cultural Resources

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?

No impact. On March 30, 2022, a Class III Archaeological Inventory of the proposed project area was completed. The inventory covered approximately 18 acres within the northern portion of the parcel where all development is proposed. Prior to the site visit, pertinent site records and documentation was requested of the California Historic Resource Information System, Eastern Information Center (EIC) and available in the Nevada Cultural Resources Information System were consulted. The request included documentation of existing resources, reports, historic properties, determinations of eligibility, properties listed on the California Inventory of Historical Resources (1976), and any historic maps and local inventories within a 0.5- mile buffer of the project area.

Based on the findings of the data request, no cultural resource inventories or cultural resources have been recorded within 0.5 mile of the project parcel. The record search by the EIC indicates that no site listed on the National Register of Historic Places, the California Register of Historical Resources, California Historical Landmarks or California Points of Historical Interest lie within the project area. The findings of the field survey resulted in the location of a single isolated horseshoe. No other cultural materials or archaeological sites were encountered (reference Appendix C). The proposed project will have no impact on the significance of historical resources.

b) Cause a substantial adverse change in the significance of an archaeological resource as defined in 15064.5?

Less than significant with mitigation incorporated. As described above, no archaeological sites were identified through the records search or site reconnaissance. It is possible that unidentified historical or archaeological resources could be discovered during construction. Damage to an unknown unique archaeological resource or historical resource would be a potentially significant impact. Implementation of Mitigation Measure CR-1 would reduce the potential for impacts to archaeological sites to less than significant.

c) Disturb any human remains, including those interred outside of formal cemeteries?

Less than significant with mitigation incorporated. No evidence obtained during documented research suggests that any prehistoric or historic-period human interments are present within or in the immediate vicinity of the project site. However, there is a possibility that unmarked, previously unknown Native American or other graves could be present within the project site and could be uncovered by project-related construction activities.

California Health and Safety Code Section 7050.5 and Public Resource Section 5097 require that, if human remains are discovered during any construction activities, potentially damaging ground-disturbing activities in the area of the remains shall be halted immediately, and the Mono County coroner and the Native American Heritage Commission (NAHC) shall be notified immediately. If the remains are determined by NAHC to be Native American, the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. Following the coroner's findings, the archaeologist, the NAHC-designated Most Likely Descendant, and the landowner shall determine the ultimate treatment and disposition of the remains and take appropriate steps to ensure that additional human interments are not disturbed. Implementation of project Mitigation Measure CR-2 would ensure compliance with the Safety Code Section 7050.5 and Public Resource Section 5097 and reduce the potential for impact to less than significant.

4.5.1 Mitigation Measures

CR-1 Discovery of Cultural or Tribal Resources
If any prehistoric or historic-period subsurface archaeological features or deposits are discovered during construction, all ground-disturbing activity within 25 feet of the resources shall be halted, and a qualified professional archaeologist and/or Tribal representative shall be retained to assess the significance of the find. If the find is determined to be significant by the qualified archaeologist (i.e., because it is determined to constitute either a historical resource or a unique archaeological resource), or Tribal representative, a plan shall be prepared to address the appropriate procedures to protect the integrity of the resource and ensure that no additional resources are affected. Procedures could include, but would not necessarily be limited to, preservation in place, archival research, subsurface testing, or contiguous block unit excavation and data recovery.

CR-2 Unanticipated Discovery of Human Remains
If human remains are encountered during construction, all ground disturbance activities within 150 feet of the discovery shall be suspended and the construction manager shall immediately notify the County coroner. If the human remains are determined to be of Native American descent, the coroner shall

notify the NAHC within 24 hours of identification. The NAHC shall identify and immediately notify the Most Likely Descendant (MLD) of the deceased Native American. Within 48 hours of being granted access to the site, the MLD shall complete the inspection of the site of the discovery and make recommendations to the applicant/landowner for the treatment or disposition of the human remains and any associated funerary objects. All measures, as required by the County, shall be implemented under the supervision of the MLD and/or tribal representative.

4.6 Energy

Would the project:

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less than significant. Electrical energy is provided in the Antelope Valley area of Mono County by Liberty Utilities, Inc. Liberty Utilities supplied power is generated by a mixture of sources and includes approximately 37% renewable sources (Liberty Utilities 2022). There is no natural gas utility available in the Antelope Valley and liquid propane gas (LPG) is provided to individual customers from local vendors.

The proposed project will use energy primarily for initial construction of infrastructure and long-term cultivation and manufacturing uses.

Construction
Energy needs for project construction would be temporary and include the use of automotive fuels consumed to transport construction crews and materials to and from the site. The design and operation of the project buildings are subject to California Building Code Standards. The energy expenditure required to construct the initial indoor grow facility and associated structure would be non-recoverable; however, it would not be consumed in a wasteful, inefficient, or unnecessary manner.

Long-term Operation
Energy use for the project would include gas for vehicles and equipment and propane for co-generation of electrical power. The proposed indoor cultivation operation would use artificial LED lighting for plant growth. The project estimates annual energy demand of 0.35 MWh\yr.

The project site is currently not connected to utilities, including electricity or natural gas. The project proposes to initially operate off-grid due to the distance to existing electrical utility of approximately ~~3,000 feet~~1.6 miles. During Phases 1 and 2 of the project, an on-site combined heat and power propane generator (100 horsepower) would provide all electricity and heating to the project. Propane storage would be within three 1,000-gallon propane tanks in Phase 1 followed by a central 30,000-gallon tank in Phase 2. Phase 3 of the project includes interconnection to Liberty Utilities and the propane system would be used for electrical power backup only. The propane system would continue to be used for heating after connection to the electrical grid.

Table 4-3. Annual Operational Energy Consumption

Energy Type	Annual Energy Consumption
Phase 1 and 2 -Operations (Off-grid)	
Propane – Electricity & Heat Cogeneration	1,140,695 kBTU\yr 12,466 gallons propane equivalent
Phase 3 – Operation	
Electricity from the grid Propane heat	.34 megawatt-hours per year

Based on CalEEMod 2020.4.0

The project is subject to California Building Standards, Code requirements and standard conditions of approval required by the County or other agencies, including the energy conservation measures required in Title 24 Building Energy Efficiency Standards for 202219. DCC Regulations 16306 require compliance with the Airborne Toxic Control Measure for stationary or portable engines, as applicable, established in title 17, California Code of Regulations, sections 93115-93116.5. DCC Regulation 16305 requires all holders of indoor, tier 2 mixed-light license types of any size, and all holders of nursery licenses using indoor or tier 2 mixed-light techniques shall ensure that electrical power used for commercial cannabis activity meets the average electricity greenhouse gas emissions intensity required by their local utility provider pursuant to the California Renewables Portfolio Standard Program in division 1, part 1, chapter 2.3, article 16 (commencing with section 399.11) of the Public Utilities Code. If a licensed cultivator's average weighted greenhouse gas emission intensity, as calculated and reported upon license renewal pursuant to section 15020, is greater than the local utility provider's greenhouse gas emission intensity, the licensee shall obtain carbon offsets to cover the excess in carbon emissions from the previous annual licensed period. The carbon offsets shall be purchased from one or more of the following recognized voluntary carbon registries: (1) American Carbon Registry; (2) Climate Action Reserve; or (3) Verified Carbon Standard. Liberty Utilities estimates its total renewable power mix was 37%. The project's energy consumption will be required to meet DCC Regulations 16305 and 16306 and if necessary, obtain carbon offsets. For these reasons, the project's consumption of electricity, gasoline, and diesel would not be considered wasteful, inefficient, or unnecessary.

4.6.1 Mitigation Measures

No mitigation measures are proposed.

4.7 Geology and Soils

Would the project:

a) *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

   i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*

ii) Strong seismic ground shaking?

iii) Seismic-related ground failure, including liquefaction?

Less than significant. The project is not located in an Alquist-Priolo fault hazard area as delineated by State. The proposed project is not located on or near an active fault zone (California Dept of Conservation 2022). Based on the results of a geotechnical investigation completed by Sierra Geotechnical Services Inc., there are no active fault zones within the site. The nearest fault zone with potential for strong ground shaking is the Antelope Valley fault zone, located approximately 3.43-miles west of the site SGS 2021). The estimated most recent fault activity occurred during the last 3,000 years. An earthquake of magnitude 4.5 occurred on August 8, 2022 located 3.4 miles south of the project site and did not cause damage. Seismic risks are a constant throughout Mono County and the project must comply with current seismic safety standards. These standards reduce seismic hazards to a level of 'acceptable risk' (2015 RPT/GPU EIR). Sierra Geotechnical Services found that site is suitable for construction after evaluation of soils and potential seismic hazards. The geotechnical report recommends two to three feet of over excavation and compaction in lifts to support building foundations. The geotechnical review of the project soil conditions finds negligible potential for ground failure or liquefaction due to seismic activity.

iv) Landslides?

No impact. The project area is located on relatively flat (2-4% slope) ground and is not located adjacent to terrain with landslide hazards. There is no potential for landslides.

b) Result in substantial soil erosion or the loss of topsoil?

Less than significant. Project implementation will result in soil excavation (approximately three acres) for the development of the indoor cultivation building pad, associated structures, and road improvements that could result in erosion. To minimize erosion potential, all cut and fill slopes shall be a maximum of 2:1 slopes and all areas of temporary disturbance will be stabilized upon project completion. The project proposes approximately three acres of soil disturbance that will require authorization under the State's General Construction Permit, which includes the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP)that would minimize site erosion and loss of topsoil. Implementation of the SWPPP will include installation of effective Best Management Practices (BMPs), including minimization of vegetation removal and installation of temporary erosion and sediment controls that would reduce erosion and sediment loss. Additionally, any areas of temporary disturbance will be reseeded upon completion of construction and protected by installation of an erosion control fabric or suitable alternative.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Less than significant. The project area is located on relatively flat (2-4% slope) ground with soils that consist of dense sands with minor fines and gravels. Based on the slope, there is no potential landslides or lateral spreading. The geotechnical review of the project soil conditions finds negligible potential for ground failure or liquefaction (SGS 2021).

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Less than significant. Expansive soils are soils that swell when subjected to moisture. Shrink/swell potential is the relative change in volume to be expected with changes in moisture content; that is, the extent to which the soil shrinks as it dries or swells when it gets wet. The extent of shrinking and swelling is influenced by the amount and kind of clay in the soil. Shrinking and swelling of soils cause damage to building foundations, roads, and other structures. Soils in the immediate vicinity of the proposed project area consist of dense sands with minor fines and gravels. Based on these findings, there is a very low shrink/swell potential at the site (SGS 2021).

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?

Less than significant. A geotechnical investigation and report were prepared by Sierra Geotechnical Services, Inc. The report found that soils are adequate to serve proposed on-site septic systems.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less than significant. The project soils and geology are composed largely of quaternary alluvium deposits of the Pleistocene-Holocene, which have a low probability of containing unique paleontological resources or unique geologic features. The project would require excavation to a depth of 5-10 feet below the surface. It is unlikely the construction activities would disturb paleontological resources due to the depth of earthwork and age of underlying soils and geology.

4.7.1 Mitigation Measures

No mitigation measures are proposed.

4.8 Greenhouse Gas Emissions

Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

Less than significant. The project would result in emissions of greenhouse gases (GHGs) through the construction and operation of the project. GHGs prevent the escape of heat energy from Earth's atmosphere. Carbon dioxide (CO_2), methane (CH_4), nitrous oxide, and water vapor are the primary constituent GHG. These gases occur naturally in the atmosphere and human activity further increases GHG emissions. Increases in GHG in the atmosphere result in greater greenhouse effect, increased global surface temperatures, and changes to global climate patterns. GHGs are measured as CO_2 equivalent, or CO_2E, a unit of measurement that equalizes the potency of GHG.

The GHGs emitted during construction would come from diesel fuel combustion from off-road construction equipment and diesel or gasoline combustion from on-road vehicles. The primary GHG generated from these processes would be CO_2, with smaller amounts of emissions of CH_4 and nitrous oxide (N_20). Construction emissions would permanently cease at the end of the project. The project would have an incremental, short-term, and one-time contribution to GHG emissions within the context of the county and region, the individual impact is considered less than significant.

According to analysis of the project using CalEEMod Version 2020.4.0, the project would emit carbon-dioxide-equivalent substances, or GHG, in amounts shown in the table below. The analysis takes into account both operational impacts (including area-, energy-, mobile-, waste-, and water-related sources) and construction impacts; because construction is a one-time activity, the construction emissions are amortized, or spread, across a 30-year period and then added to operational impacts.

Table 4-4. Greenhouse Gas Emissions (metric tons per year)

Source	CO_2E
Construction (239 CO_2E, 30-year amortization)	8
Area	1.3
Energy	91.8
Mobile	397.3
Waste	39.8
Water	43.8
Total	**582**

Since there is no adopted or accepted numerical threshold of significance for GHG emissions applicable to the county, the methodology for evaluating the project's impacts related to GHG emissions focuses on its consistency with statewide, regional, and local plans adopted for the purpose of reducing and/or mitigating GHG emissions.

Notwithstanding, for informational purposes, the analysis also calculates the amount of GHG emissions that would be attributable to the project using CalEEMod 2020.4.0. The primary purpose of quantifying the project's GHG emissions is to satisfy CEQA Guidelines Section 15064.4(a), which calls for a good-faith effort to describe and calculate emissions. The estimated emissions inventory is also used to determine if there would be a reduction in the project's incremental contribution of GHG emissions as a result of compliance with regulations and requirements adopted to implement plans for the reduction or mitigation of GHG emissions. However, the significance of the project's GHG emissions impacts is not based on the amount of GHG emissions resulting from the project.

The project is consistent with the Mono County's Resource Efficiency Plan and energy efficiency policies, which promote, but do not require, energy efficiency by private development.

Regional Transportation Plan Policy
Policy 3.A. Reduce greenhouse gas (GHG) emissions through local land use and development decisions, and collaborate with local, state, and regional organizations to promote sustainable development.

Land Use Element
Policy 1.B.2. Increase greenhouse gas emission mitigation and adaptation planning efforts through local land use and development decisions, and collaborate with local, state, and regional organizations to promote sustainable development.

The proposed project would not conflict with an applicable plan, policy, or regulation adopted to reduce the emissions of greenhouse gases.

4.8.1 Mitigation Measures

No mitigation measures are proposed.

4.9 Hazards and Hazardous Materials

The operation of the cannabis cultivation will require the use of fertilizers and pesticides in significant quantities. The most common chemicals used in cultivation operations are pesticides, herbicides similar to other agriculture operations. The project would utilize smaller 1,000-gallon propane tanks during the initial phase of operation followed by a central 30,000-gallon tank. The proposed indoor cultivation buildings would have storage areas for hazardous materials separated from the primary uses of the building. The outdoor cultivation operation would use shipping containers for storage of fertilizers and herbicides. Propane and cannabis cultivation fertilizers and herbicides would be transported along US Highway 395 and local routes to the project site.

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less than significant. Construction activities would involve the use of hazardous materials, such as fuels, gasoline, and oil. The State of California Department of Toxic Substances Control (DTSC) is the administering agency and the Certified Unified Program Agency (CUPA) for Mono County with responsibility for regulating hazardous materials handlers, hazardous waste generators, underground storage tank facilities, above ground storage tanks, and stationary sources handling regulated substances. A Hazardous Materials Business Plan (HMBP) is required of businesses in Mono County that handle, use, generate, or store hazardous materials. In addition to the HMBP, the Commercial Cannabis Operations Permit conditions require a storage plan for pesticides.

The project would be required to comply with existing laws and regulations regarding the transportation, use, and disposal of hazardous materials. These regulations are specifically designed to protect public health and the environment and must be adhered to during project construction and

operation. Because the project would comply with applicable regulations, the impact would be less than significant.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less than significant. Mono County regulates cannabis use of pesticides and growing chemicals by storage and use requirements. In addition, the Certified Unified Program Agency protects public health and the environment from hazardous material use through storage requirements and measures to contain accidental releases, proper handling and disposal requirements, and disclosure of operations involving hazardous materials to the county and fire protection agencies to ensure proper response if accidents occur (e.g., spills and fires).

The use of restricted pesticides on cannabis cultivation is prohibited. Harvested cannabis is required to be tested for harmful constituents prior to retail sale. Existing regulation and programs described above would limit the potential for exposure of people and the environment to hazardous materials. This impact would be less than significant.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No impact. The project would not emit hazardous emissions or handle acutely hazardous material The project is not located within one-quarter mile of an existing school. The nearest schools, Coleville High School and Antelope Valley Elementary School are 4.6 miles from the project site.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No impact. The project area is not within a site listed as a hazardous material site pursuant to Government Code section 65692.5.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

No impact. The project area is not within an airport land use plan or within two miles of a public use airport.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

No impact. Mono County has adopted an Emergency Operations Plan (EOP), which designates Highway 395 as a primary evacuation route. The proposed project would not impair the implementation of or physically interfere with the county's adopted emergency response or evacuation plan.

g) Expose people or structures, either directly or indirectly, to significant risk of loss, injury or death involving wildland fires.

Less than significant. The project area is within an area of moderate wildfire risk and may expose people and structures to risk of loss, injury, or death. A discussion of specific wildfire risks and applicable regulations is included in Section 4.20–- Wildfire of this Initial Study.

4.9.1 Mitigation Measures

No mitigation measures are proposed.

4.10 Hydrology and Water Quality

Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less than significant. The proposed project has potential to degrade water quality through temporary construction and long-term operation of the facility. Site leveling or grading would result in the removal of vegetation that would temporarily increase soil exposure to wind and water and reduce the local soil resistance to erosion during rainfall events. Stormwater runoff from the site could affect water quality within Highland Ditch, a tributary to the West Walker River. Because the project would disturb more than 1 acre of soil, it would be subject to the typical restrictions and requirements that address erosion and runoff under the State Water Resource Control Board (SWRCB) Stormwater Construction General Permit, which includes the preparation and implementation of a SWPPP to minimize site erosion and indirect effects to water quality. The project would incorporate effective BMPs, including minimization of vegetation removal and installation of temporary erosion and sediment controls that would reduce erosion and stormwater runoff effects. In the long-term, site drainage will be directed through a series of constructed swales to a stormwater detention basin located west of the graded pad containing the indoor cultivation building that allows infiltration and minimizes impacts to water quality and flow into Highland Ditch. The project would not violate any water quality standards or waste discharge requirements during construction.

Long-term cultivation operation and maintenance has the potential to discharge fertilizers, pesticides, and other chemicals to surface waters or groundwater. The SWRCB has developed a policy for water quality control to establish principles and guidelines for cannabis cultivation, as well as the Cannabis General Order (SWRCB Order WQ 2019-0001-DWQ). The Cannabis General Order includes enforceable requirements for cannabis cultivators to ensure their operations do not impact water resources. Enrollment in the Statewide Cannabis General Order is required for all legal cannabis cultivation facilities and is a required step to obtaining license for cannabis cultivation. To obtain coverage under the waiver or enroll under the General Order, the discharger is required to submit an online application and application fee and relevant technical reports. At a minimum, the applicant would be required to provide a site management plan, nitrogen management plan, and site closure report.

The proposed project has also obtained the appropriate permits from the Mono County Environmental Health Department for installation of a septic system meeting the requirements of Mono County and the Lahontan Basin Plan. Because applicable state and local regulations require water quality control measures for construction and operation of the project, this impact would be less than significant.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge, such that the project may impede sustainable groundwater management of the basin?

Less than significant. In general, site runoff flows east to west and typically infiltrates, providing for groundwater recharge. Post-construction runoff from cultivation activities will be kept to a minimum through maximum conservation efficiency. The indoor operation utilizes computerized monitoring to keep runoff to an absolute minimum. Year-round indoor cultivation will use up to 2,600 gallons per day at maximum operations, or 2.9-acre feet per year, based on industry standards for indoor cannabis growth at maximum operations. ~~The outdoor cultivation would use a maximum of 4,000 gpd for a 240 day growing season, approximately 29.5 acre-feet per year. The total project demand is estimated as 33.4 acre feet per year.~~

Outdoor cultivation utilizes raised beds with mulch-covered drip tapes to maximize water usage by avoiding runoff and minimizing evaporation. Outdoor seasonal demand will be kept to 4,000 gallons per acre per day with peak usage occurring July-September. Usage during the months of May and June are estimated at half of peak amount. ~~These amounts constitute approximately 1% of the available water from the existing well/pump (Sierra High CUP application, 2021).~~

(in acre ft)	Indoor	Outdoor	Total	Average
January	0.25	0	0.25	1.52
February	0.25	0	0.25	1.52
March	0.25	0	0.25	1.52
April	0.25	0	0.25	1.52
May	0.25	1.9	2.2	1.52
June	0.25	1.9	2.2	1.52
July	0.25	3.8	4.1	1.52
August	0.25	3.8	4.1	1.52
September	0.25	3.8	4.1	1.52
October	0.25	0	0.25	1.52
November	0.25	0	0.25	1.52
December	0.25	0	0.25	1.52
	2.97	**15.22**	**18.19**	
		Av/month	**1.52**	

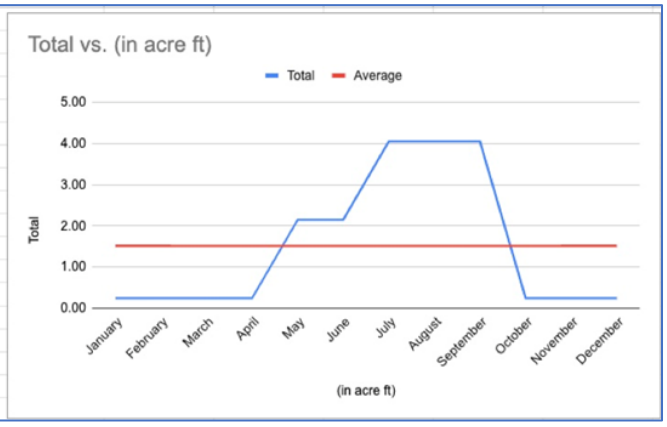

Figure 4-2. Estimated Water Use per Year
(Information provided by Sierra High Farms)

The Department of Water Resources prioritizes groundwater basins based on the sustainability of groundwater use. Antelope Valley (6-007) is ranked as Very Low priority basin for low population and groundwater use. The estimated total of groundwater recharge for the Antelope Valley was between 15,600 AF and 22,800 AF per the 2014 Feasibility Assessment of a Water Transactions Program in the Walker River Basin (Carroll and Pohll 2013). Based on the projected water demand of 18.13-AF per year; the proposed project will have less than a significant impact on groundwater supplies.

To offset impacts to infiltration and groundwater recharge from an increase in impervious surface area associated with the indoor cultivation facility, constructed swales will serve to direct flows around the indoor cultivation pad and into a detention basin designed to capture the 25-year storm event and allow for stormwater infiltration and groundwater recharge. With the implementation of the drainage swales and stormwater detention basin, impacts to groundwater recharge are less than significant.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) result in substantial erosion or siltation on- or off-site;

Less than significant with mitigation. Site leveling or grading would result in the removal of vegetation that would temporarily increase soil exposure to wind and water and reduce the local soil resistance to erosion during rainfall events. Stormwater runoff from the site could affect water quality within Highland Ditch, a tributary to the West Walker River. Because project grading would result in greater than 1 acre of soil disturbance, the project is subject to the SWRCB's Construction General Permit, which includes the preparation and implementation of a SWPPP that would minimize site erosion and indirect effects to water quality. The project would incorporate effective BMPs, including minimization of vegetation removal and installation of temporary erosion and sediment controls that would reduce erosion. Upon project completion, all temporarily disturbed areas would be re-seeded in adherence to Mitigation Measure WQ-1.

ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

Less than significant. In general, the site drains via sheet flow east to west. Water that does not infiltrate and provide for groundwater recharge, discharges to the Highland Ditch. To offset the reduction in infiltration from an increased in impervious surface area associated with the indoor cultivation facility and associated infrastructure, a four-foot-wide constructed drainage swale will direct flows around the indoor cultivation pad and into a detention basin designed to capture the 25-year storm event and allow for stormwater infiltration, groundwater recharge, and sediment capture. Implementation of the drainage swales and stormwater detention basin allows for groundwater recharge and sediment retention, the project would not substantially increase the rate of surface runoff that would result in flooding on or off site.

iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

Less than significant. Runoff from the site is kept to a minimum through maximum conservation efficiency. The indoor operation utilizes computerized monitoring to keep runoff to an absolute minimum. Year-round indoor cultivation will use less than 2,600 gallons per day at maximum operations. Outdoor cultivation utilizes raised beds with mulch-covered drip tapes to maximize water usage by avoiding runoff and minimizing evaporation. Increases to surface runoff from increased impervious surfaces associated with the indoor cultivation facility pad will be directed through constructed swales to a stormwater detention basin. The proposed project would not contribute runoff that would cause the capacity of the planned stormwater drainage system to be exceeded.

iv) Impede or redirect flood flows?

Less than significant. The project site is located within an area with minimal flood risk as identified on FEMA flood maps (see Figure 4 in Appendix A), and therefore, would not have potential to impede or redirect flood flows.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Less than significant. The project site is located within an area with minimal flood risk as identified on FEMA flood maps (see Figure 4 in Appendix A). The project area is not located in an area with substantial risk of dam failure, tsunami, or seiche.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

No impact. The project is located in the Antelope Valley Groundwater Basin which is prioritized as 'Very Low' by the California Department of Water Resources. No groundwater management plan exists for the Antelope Valley Groundwater Basin.

4.10.1 Mitigation Measures

WQ-1. Reseeding of Disturbed Areas

Directly following construction, disturbed areas shall be reseeded with a certified weed-free seed mix comprised of locally sourced native plant materials. Seeded areas shall be watered as needed until fully established. ~~WQ-1. Reseeding of Disturbed Areas: Directly following construction, disturbed areas shall be reseeded with a certified weed-free seed mix. Seeded areas shall be watered as needed until fully established.~~

4.11 Land Use and Planning

Would the project:

a) Physically divide an established community?

No impact. The project is located in a rural area in the vicinity of established communities in Antelope Valley. The project is located between Topaz Heights, NV, and residences along Topaz Lane, CA. The existing rural neighborhoods and clusters of large lot agricultural residences lack identifiable boundaries. The project does not create a physical barrier to access for the established community and ~~The project~~ would not physically divide an established community.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less than significant. The project site is within the Agriculture land use designation, which is intended to preserve and encourage agricultural uses and provide for the orderly growth of activities related to agriculture. The project is subject to the county's cannabis use and operations permit process and relevant requirements.

Topaz Heights is a local place name describing the rural residential area of northern Antelope Valley within Douglas County, Nevada. Topaz Heights is commonly considered part of the rural communities and neighborhoods within Antelope Valley. In the Douglas County Master Plan adopted in 2020 the Antelope Valley Community Plan describes a Vision Statement for Antelope Valley:

"Antelope Valley will remain a very low-density rural community focused on providing access to public lands, the Walker River, and other recreational use areas. "

The Antelope Valley Community Plan area of Douglas County is comprised of 95% Forest and Range and Agricultural land use designations. Similar to the Agriculture designation of the Mono County General Plan Land Use Element, the Forest and Range land use designation allows expanded agricultural and commercial uses with a use permit, and single family dwellings as permitted uses.

4.11.1 Mitigation Measures

No mitigation measures are required.

4.12 Mineral Resources

Would the Project:

a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

b) *Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?*

Less than significant. Mono County contains mineral resources and aggregate mining activity is present in Antelope Valley. The project is located in an area designated as MRA-1 by the 2001 General Plan Master Environmental Assessment (MEA). MRA-1 designates areas where adequate information indicates that no significant mineral deposits are present, or where it can be judged that there is little likelihood for their presence There are no official Mineral Land Classification Studies published by the Department of Conservation for Mono County. The Agriculture land use designation allows for mineral exploration with a use permit but does not allow for mineral extraction or mining without a land use designation change to Resource Extraction (RE). Based on the Mono County Mineral Resource Classification of MRA-1 for the proposed project area, the potential impact to mineral resources of state or local importance is less than significant.

4.12.1 Mitigation Measures

No mitigation measures are required.

4.13 Noise

Would the project:

a) *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Less than significant. There are no noise-sensitive areas (e.g., residences, schools, hospitals, rest homes, long-term medical or mental care facilities, and other uses deemed noise-sensitive by the local

jurisdiction, such as libraries or places of worship) located near the project area. The project area is located approximately 1,700 feet from the nearest receptor; a residence located to the northeast.

Mono County Code 10.16 defines limits for excessive noise and sets noise level limits for land use. The limit set by ordinance for agricultural uses per 10.16.060 (A) is 65dBa (A-weighted unit of sound pressure level as measured at the property boundary). Construction noise is not allowed between 7:00 pm and 7:00 am on weekdays or on weekends, per County Code.

The primary source of noise from the project is temporary construction noise and operation of the on-site propane generator. Minor sources of noise include gas powered vehicles, agricultural equipment, and tool use. The project proposes up to four propane gas generators, one for each indoor cultivation building. The proposed generators would be located within enclosures as part of the cultivation building. The location of generators within enclosures and the location of proposed cultivation buildings approximately 150 feet from the property line are project features which reduce the noise impacts at the property boundary and to sensitive receptors. With the installation of the power line connection to Liberty Utilities, generator use would be reduced to emergency backup only.

b) Generation of excessive groundborne vibration or groundborne noise levels?

Less than significant. The project will not generate excessive groundborne vibration or groundborne noise levels. Construction will not require pilling or other construction methods that generate significant groundborne vibration.

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

The project area is not located within the vicinity of a private airstrip or within two miles of a public airport. There are no public airports in northern Mono County; the nearest public airport in Mono County is 27 miles away in Bridgeport (Bryant Field). The project would not expose those working or residing near the project area to excessive noise levels from airport operations.

4.13.1 Mitigation Measures

No mitigation measures are proposed.

4.14 Population and Housing

Would the project:

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Less than significant. The project does not include construction of new housing and would not directly cause population growth. The project extension of electrical power would be to serve the project property only.

Per the 2020 Census, the population of Mono County is 14,395, with an unincorporated population of 6,132. The population of Antelope Valley (Coleville, Topaz, and Walker) is 1,402. In Antelope Valley, there were 842 housing units as measured by the 2017 Housing Needs Assessment. Housing availability within Antelope Valley was impacted by the Mountainview Fire in 2020, which damaged or destroyed approximately 100 housing units.

The General Plan directs the location and density of future population and housing across the unincorporated area. The Agriculture (AG) land use designation and the allowance of cannabis cultivation by the General Plan considers the contribution to employment and population growth of the use. The project proposes no changes that would indirectly allow growth exceeding General Plan densities on other properties.

The project would generate eight full time employees and up to seven (7) ~~temporary~~ part time employees for the indoor cultivation operation. The outdoor cultivation is expected to create up to eight (8) seasonal employees at build-out. Employee housing is not proposed as part of the use permit project. It is anticipated that farm labor housing would be established on the project property for employees as-needed. Farm labor housing and single-family dwellings are allowed uses in the Agriculture land use designation subject to county building requirements.

The project would not displace people or housing. The subject property is open, undeveloped land without existing dwelling units.

4.14.1 Mitigation Measures

No mitigation is proposed.

4.15 Public Services

Fire protection is provided by the Antelope Valley Fire Protection District (AVFPD). The District is staffed by volunteers and the nearest fire station is the Coleville Station located on Larson Lane approximately three miles from the project site.

The Mono County Sheriff's Office provides law enforcement service to unincorporated Mono County, including Antelope Valley. The nearest sheriff's office is located in Bridgeport, approximately 40 miles from the project site.

The project is located within the Eastern Sierra Unified School District, which serves unincorporated Mono County. Antelope Elementary and Coleville High are local schools serving students within Antelope Valley.

The nearest recreation facility is Walker Community Park located in Walker, California.

Would the project:

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the:

i) Fire Protection?

Less than significant. In general, fire protection related activities include plan review, site/structure inspections, fire code enforcement, fire preparedness/prevention education, fire suppression, and hazardous material/emergency response. The project would not extend the service areas associated with AVFPD. The project includes a water supply for fire protection based on a well and static water storage. The existing well has capacity to provide a minimum fire protection water supply based on the type and square footage of the proposed buildings. Emergency access to and within the site is required to meet State Fire Safe Regulations and Mono County development standards. There would be no need for new or physically altered governmental facilities.

ii) Police protection?

Less than significant with mitigation. Cannabis cultivation may present an increased risk of criminal activities, such as theft of product. State Commercial Cannabis Regulations (Business and Professions Code 26013,26030) require video surveillance, professional alarm systems, and access control to areas of cannabis products. Mono County Code 5.60 and the Commercial Cannabis Development Standards (13.070 L) require review and approval of a security plan by the Sheriff's Office as a condition of the Cannabis Operations Permit. The indoor and outdoor cannabis cultivation areas are not located near public streets. Mitigation measure PS-1 would require review and approval of a security plan consistent with State law and County Code. With mitigation there would not be a substantial effect on police protection associated with implementing the project.

iii) Schools?

Less than significant. The project would result in an increase of employment opportunities in Antelope Valley, which may cause a minimal increase in the student population for local schools. Enrollment for Antelope Elementary and Coleville High are 130 and 72 students respectively and there is adequate capacity to serve projected enrollment. There would be a less than significant impact.

iv) Parks?

No Impact. The project would not provide any new structures that could result in a substantial increase in residents or employees or necessitate new or expanded park facilities. Therefore, there would be no impact.

v) Other public facilities?

No Impact. No other public facilities in the project area could be affected by implementation of the project.

4.15.1 Mitigation Measures

PS-1 Security Plan
Mono County shall require a site security plan which details measures to prohibit unauthorized access to commercial cannabis buildings and cultivation areas. The plan shall include proposed improvements and operations consistent with County Code 5.60.130 D including limited access areas, security lighting, video systems, and storage to prevent diversion, theft, and loss. The Mono County Sheriff's Office shall review and approve the security plan prior to issuance of the cannabis operation permit.

4.16 Recreation

Would the project:

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Less than significant. The project would generate minimal new employment and new residents in Antelope Valley; however, the nearest developed recreation facilities are located at the Walker Community Park.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

No impact. No recreation facilities are proposed as part of the project. The project would not cause the need to expand existing recreation facilities.

c) Is the project located within a Community Service Area (CSA) or recreation and park district with a Community Parks and Recreation Plan (Quimby fees)?

No impact. The project is not located within a CSA or recreation and park district with Quimby fees.

4.16.1 Mitigation Measures

No mitigation measures are required.

4.17 Transportation

The project is accessed from Eastside Lane, a low volume, rural collector, and County maintained road. From Eastside Lane, an existing private road serves the project as a shared access with agricultural uses along the Highline Ditch to the north of the project site. This private road follows the California/Nevada border northwest from Eastside Lane. The road is unofficially called "Stateline Road" by users and is not named by Mono County. A section of Stateline Road crosses a separate private parcel owned by the proponent, APN 001-150-005, between the project site and Eastside Lane. The project site will not be open to the public due to access control and security measures to prevent unauthorized access.

US Highway 395 is the principal arterial route to and through Mono County and Antelope Valley. Highway 395 is a state route maintained by Caltrans, District 9. Within Antelope Valley, Highway 395 is

primarily a two-lane highway with limited passing lanes near Coleville. Highway 395 connects to local routes, Topaz Lane, Larson Lane, and Eastside Lane, which are the primary local roads in Antelope Valley.

Eastside Lane is a low volume, rural collector that connects northern Antelope Valley and Wellington Hills\Topaz Heights to Highway 395. Eastside Lane extends along the eastern edge of Antelope Valley from the intersection with Highway 395 in Walker and into Douglas County, Nevada. In addition to serving large lot residences, the road serves agricultural and open space recreation uses. The road is two lanes with asphalt surface from Topaz Lane to US 395. The surface is native material north from Topaz Lane. Topaz Lane provides the most direct access from the project site to Highway 395. Topaz Lane is a paved two-lane rural road from Highway 395 to Eastside Lane.

The project is in the vicinity of local roads Stateline Road and Fence Line Road The project would use the portion of Stateline Road from Eastside Lane to the user permit area. The project would not use Fence Line Road north of the project site for primary access. Stateline Road is used to access Fence Line Road and residences in Douglas County, Nevada. Stateline Road and Fenceline Road have travelled way widths of approximately 12 feet.

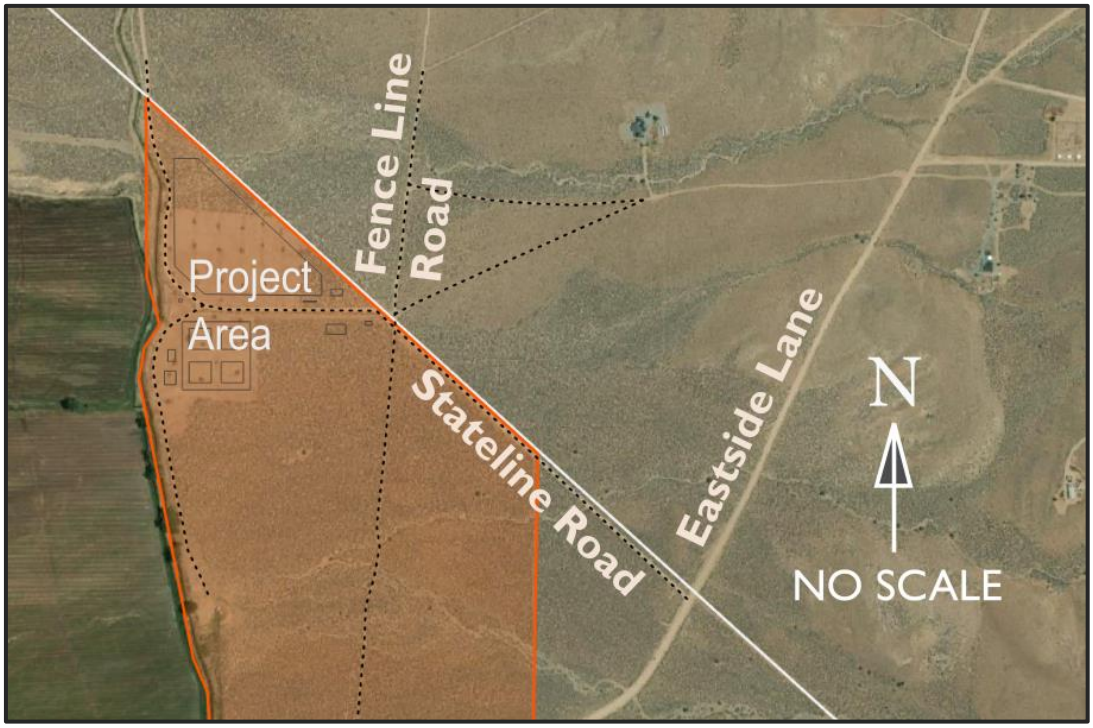

Figure 4-3. Local Roads Map

Eastside Lane and Topaz Lane are classified by the Mono County Regional Transportation Plan (RTP) as existing and planned Class II and Class III bicycle routes. Roads in Antelope Valley do not have sidewalks. Transit services are provided by Eastern Sierra Transit Authority (ESTA), a regional transit operator serving Mono and Inyo Counties. The ESTA operates a local Dial-A-Ride service for trips within Antelope Valley. Service is available along the Reno-Lone Pine route for trips along the 395-corridor including to Gardnerville and Bridgeport. The demand for transit services is within the capacity of the existing

services. The project has access to rural roads and established bike routes which connect to transit in Coleville and Walker.

Would the project:

a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less than significant. The project is located in remote Antelope Valley and would not require construction or redesign of the existing transportation network. The project would not conflict with any RTP or General Plan Circulation Element policies.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Less than significant. On July 5, 2022, the Mono County Board of Supervisors adopted Ordinance 22-06 establishing Vehicle Miles Travelled (VMT) screening criteria and thresholds of significance for evaluation of VMT impacts in compliance with CEQA. The thresholds are consistent with State policy and guidance.

The project would generate trips associated with construction and operation. Temporary construction trips would include equipment and material hauling and worker trips. Phases 1 & 2, indoor cultivation, would employ eight ~~(8)~~ full-time employees and up to seven (7) part time employees. Phase 3, outdoor cultivation would employ between 4 and 8 seasonal employees ~~16 part-time seasonal employees~~ at build-out. The peak employee population of 23 employees~~. The peak employee population would be~~ is anticipated during the month of September ~~at 23 employees~~. From October to April the employee population would be 15 employees. This analysis assumes trips based on peak seasonal employment month of September, during periodic indoor and seasonal outdoor harvesting and processing; employees would not live onsite and would commute to work each day. The proposed project is estimated to generate up to 100 vehicle/truck trips per day during Phase 3 peak seasonal employment.

- 9~~2~~6 ~~-~~employee vehicle trips (estimate of four trips per day per employee; two trips for commuting to work, and two trips during lunch hour),
- Two trips for the import of agricultural materials and supplies needed for the cultivation operation (1 in/1 out), and
- Two trips for the export of unprocessed cannabis plants/flower (1 in/1 out).
- Two trips for propane delivery (1 in/1 out)
- Two trips for non-storefront retail delivery (1 in/1 out)

Employees are presumed to be from the local Mono County population and would not cause significant additional traffic in the area or vehicle miles traveled (VMT). The estimated vehicle trips from the proposed project are not anticipated to cause a significant increase in traffic or require changes to any roadways, public transit, or pedestrian/bicycle facilities.

The estimated vehicle trips assume that all employees commute to the project site. The agriculture land use designation allows single family dwellings and farm worker housing as allowed use by right. These uses are allowed but not proposed as part of the project. No reductions were made to trip generation analysis or VMT for employees residing at the project property in primary or accessory dwelling units or farm labor housing as allowed by the General Plan.

The project trip generation of 100 daily trip ends is less than the county adopted screening criteria for Small Projects of 237 daily unadjusted trip ends. Per Mono County Ordinance 22-06, the increase in VMT of the project would be less than significant.

c) *Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

Less than significant. The project does not require construction of new road facilities. The driveway intersection with Eastside Lane has gentle slopes and adequate site distance and would not cause a substantial increase in hazards due to the design. An encroachment permit is required for any improvements to Eastside Lane to confirm that the access driveway meets engineering design standards. Access to the site is designed for turnaround and turnout improvements to meet County Development Standards and CalFire Fire Safe Regulations for emergency evacuation.

d) *Result in inadequate emergency access?*

Less than significant. Emergency access to the property is along private "Stateline Road" from Eastside Lane. The length of the access from Eastside Lane to the proposed project site is approximately 2,900 feet. The existing access is a single lane of 12-18 feet wide. There is adequate area available for access improvements, CalFire Fire Safe Regulations and Mono County General Plan Chapter 22 – Fire Safe Regulations require improvements to and prescribe design standards for emergency access. The project site plan proposes a 48-foot outside diameter emergency access turnaround and turnouts every 400 feet consistent with requirements. Required improvements to Stateline Road would improve access conditions to Fenceline Road. The project does not propose changes that would result in significant impacts to emergency access to the project site or roads in the vicinity.

4.17.1 Mitigation Measures

No mitigation measures are required.

4.18 Tribal Cultural Resources

Would the project:

a) *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*

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

ii) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision I of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivisiI(c) of Public*

Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Less than significant with mitigation. AB 52 was enacted on July 1, 2015 and establishes that "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment" (Public Resources Code Section 21084.2). It further states that the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource when feasible (PRC Section 21084.3).

Public Resources Code Section 21074 (a)(1)(A) and (B) defines tribal cultural resources as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" and meets either of the following criteria:

- Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivIon (c) of Public Resources Code Section 5024.1. In applying these criteria, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also establishes a formal consultation process for California cities, counties, and tribes regarding tribal cultural resources. Under AB 52, lead agencies are required to "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project." Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency. As a lead agency, Mono County provided notice to Native American tribes and contacted the California Native American Heritage Commission consistent with General Plan Action 22.A.5.b.

> **Action 22.A.5.b.** Implement procedures for consulting with local Native American groups and with the California Native American Heritage Commission to ensure that federal and state requirements concerning the preservation and protection of Native American remains are met. Integrate consultation procedures with CEQA requirements.

The purpose of the consultation is to determine whether a proposed project may result in a significant impact to tribal cultural resources that may be undocumented or known only to the tribe and its members. As set forth in Public Resources Code Section 21080.3.1(b), the law requires:

> *"Prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for a project, the lead agency shall begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project if: (1) the California Native American tribe requested to the lead agency, in writing, to be informed by the lead agency through formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with the tribe, and (2) the California Native American tribe responds, in writing, within 30 days of receipt of the formal notification, and requests the consultation."*

The project area is located within the ancestral territory of the Washoe Tribe of Nevada and California, and Kutzadika Tribes. The project site has historical use for livestock grazing, road access for agriculture and irrigation. Other non-historical cultural uses may have occurred at the project site and in the surrounding vicinity. The project site is vacant except the existing well, septic system, and portable water tanks.

A Cultural Resources Assessment was prepared by Great Basin Consulting Group, LLC that included literature and Sacred Lands File searches as well as an intensive-level pedestrian survey over 18 acres encompassing the project site.

The report notes that no cultural resources have been previously recorded within the project area. The survey discovered one artifact, a horseshoe, which is determined not to be a significant resource. The report concludes that no newly identified prehistoric or historic-era resources were documented during the pedestrian survey (Great Basin Consulting Group, 2022).

Tribal consultation pursuant to AB 52 was initiated on April 19, 2022, with the Washoe Tribe of Nevada and California and Kutzadika tribes. No responses were received from these entities requesting initiation of consultation under the provisions of AB 52. Results from the pedestrian survey and associated record search did not identify any prehistoric or historic archaeological sites, ethnographic sites, or historic era-built environment resources on the project site (Great Basin Group, 2022).

However, there remains the possibility that tribal cultural resources could exist in the area and may be uncovered during project development. To prevent potential impacts to unknown tribal cultural resources at the project site, an inadvertent discovery protocol is included as Mitigation Measures CR-1 and CR-2 (see Section 4.5 – Cultural Resources). With the proposed mitigation measure, the project will not cause a substantial adverse change in the significance of a tribal cultural resource. Therefore, the proposed project would result in a less-than-significant impact with mitigation incorporated.

4.18.2 Mitigation Measures

Tribal cultural resources mitigation measures are the same as Cultural Resources mitigation measures (Section 4.15).

CR-1 Discovery of Cultural and Tribal Resources
CR-2 Discovery of Human Remains

4.19 Utilities and Service Systems

Available public utilities and services are limited to serve the project area due to the remote location. Existing systems include a well installed in 2021 to provide water for domestic and fire protection. A septic system with a 1,500-gallon holding tank and 190’ of leach line is permitted and partially installed to serve the first indoor cultivation building, lab, and shop. A second septic system is permitted by the Mono County Health Department and may be installed to serve subsequent phases of the project. During the first two phases of the project electrical power will be provided on-site by propane generators.

Water
Water supplies are from an onsite well. The well was constructed in 2022 and can produce 100 gallons per minute. Well water is to be pumped to the tank house and storage tanks on the east side of the project site. From the tank house, water lines will distribute water to buildings and the outdoor cannabis cultivation area.

The project is located in the Antelope Valley Groundwater Basin, which is prioritized as Very Low by the California Department of Water Resources. No groundwater management plan exists for the project area and sufficient groundwater supplies are available to serve the project.

Wastewater
The installed and proposed on-site wastewater treatment systems are sited, designed, or permitted in accordance with Mono County Health Department and Lahontan Regional Water Quality Control Board (LRWQCB) requirements. There are no impacts to community wastewater systems.

Solid Waste
Mono County Public Works provides solid waste services at county landfills. The project is located 4.5 miles from the Walker Landfill and Transfer Station. There are no solid waste hauling services available in Antelope Valley and the project would transport solid waste to the Walker Landfill and Transfer Station. The facility provides for disposal of construction and demolition waste, household waste, recycling, green waste, and electronic waste. There is adequate capacity available at the Walker Landfill of greater than 15 years (Preliminary Closure and Post closure Maintenance Plan for the Walker Landfill, 2002).

The project's waste generation will be composed of agricultural refuse and cannabis waste. The solid waste will be transported to Walker Landfill for disposal. Vegetative materials will be composted on-site in accordance with DCC regulations CCR 17223.

Utilities
Liberty Utilities provides electrical power service to Antelope Valley. The project would provide electrical power by on-site propane generators as part of Phases 1 and 2. Phase 3 includes construction of above-ground utilities on and off site to connect to Liberty Utilities. The nearest connection to the Liberty Utilities grid is approximately 1.6 miles from the project site at the intersection of Eastside Lane and Topaz Lane.

There are telecommunications services available from Frontier and local internet service providers. Communications are proposed to be collocated with the proposed power installation connecting to Liberty Utilities with project Phase 3.

Would the project:

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications, the construction or relocation of which could cause significant environmental effects?

Less than significant impact. The project will result in the construction of a new groundwater well (obtained November 16, 2021) and new on-site septic system (obtained February 11, 2022) as permitted by the Mono County Health Department.

During Phases 1 and 2, the project electricity will be supplied by propane generators as there are no natural gas connections. If feasible, the project may connect to Liberty Utilities via 1.6 miles of overhead line located along the road shoulder in Phase 3. The route of inter connection would run north along Eastside Lane from the intersection of Topaz Lane to the subject property.

Mono County General Plan Development Standards Chapter 11 prohibits placement of new above ground utilities generally except that individual development may be granted a use permit to install overhead utility lines. As part of the use permit for the project, the requested to install overhead utility lines in accordance with 11.010 D will be presented. To approve the use permit for overhead utility lines the project must meet one of four findings in addition to standard use permit findings.

Included in these findings is the exclusive purpose of the overhead utility line is to serve an agricultural operation and the placement will not significantly disrupt the visual character of the area. The commercial cannabis use is an allowed agricultural use with a permit in the AG land use designation. Extending overhead utility lines within the AG land use designation is consistent with the finding that the utility serves agricultural use exclusively. The proposed location of the overhead utility line is the most reasonable route to connect to the existing electrical power distribution system at the intersection of Topaz Lane and Eastside Lane. Power and telecommunications would be co-located on the proposed poles to reduce overall overhead poles and lines. There is no feasible alternative siting of the utility to serve the project due to distance to distribution and lack of utility easements across private property to the west.

The generally flat topography and low upland shrubs would not provide visual screening of new overhead utilities. The proposed 1.6 miles of new overhead utility lines would be installed along rural roads and agricultural land in the vicinity of Topaz Lane where overhead utility lines currently exist and do not disrupt the visual character of open space and agricultural uses. The portion of the new utility that would be immediately visible within the Eastside Lane right-of-way is approximately 0.8 miles. The final 0.8 miles of new utility would be located on the project property separated from Eastside Lane between 600-2,400 feet reducing the visibility of the overhead utility from the road. The proposed project is consistent with the purpose and findings of Development Standards Chapter 11 policies to reduce significant environmental impacts of new overhead utility lines. The proposed new overhead utility line would have a less than significant impact to aesthetics.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?

Less than significant impact. Water supplies are from an onsite well. The well was constructed in 2022 and can produce 100 gallons per minute (144,000 gallons per day). Well water is to be pumped to the tank house and storage tanks on the east side of the project site. From the tank house, water lines will distribute water to buildings and the outdoor cannabis cultivation area.

Year-round indoor cultivation will use less than 2,600 gallons per day at maximum operations. Outdoor cultivation utilizes raised beds with mulch-covered drip tapes to maximize water usage by avoiding runoff and minimizing evaporation. Outdoor seasonal demand will be kept to 4,000 gallons per acre per day. ~~These combined amounts constitute approximately 5% of the available water from the existing well/pump the total water use of the project is estimated by the applicant to be 2.6 acre\feet per year (Sierra High CUP application, 2021).~~

The Antelope Valley Groundwater Basin is identified as Very Low by the by the California Department of Water Resources. The estimated total of groundwater recharge for the Antelope Valley was between 15,600 AF and 22,800 AF per the 2014 Feasibility Assessment of a Water Transactions Program in the Walker River Basin (Carroll and Pohll 2013). Based on the projected water demand of 18.13 AF per year, the proposed project will have less than a significant impact on groundwater supplies.
There is sufficient groundwater supplies in the Antelope Valley to serve the project.

The estimated total of groundwater recharge for the Antelope Valley was between 15,600 AF and 22,800 AF per the 2014 Feasibility Assessment of a Water Transactions Program in the Walker River Basin (Carroll and Pohll 2013).

c) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

No impact. Wastewater treatment will occur on-site. The project will not impact service commitments of the local wastewater treatment provider.

d) *Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

Less than significant impact. There are no solid waste hauling services available in Antelope Valley and the project would transport solid waste to the Walker Landfill and Transfer Station. The facility provides for disposal of construction and demolition waste, household waste, recycling, green waste, and electronic waste. Based on the Preliminary Closure and Post Closure Maintenance Plan for the Walker Landfill (2002), there is adequate capacity available at the Walker Landfill of greater than 15 years.

e) *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

Less than significant impact. The project will not violate any federal, State, and local statutes and regulations related to utilizes or public services for water, wastewater, electrical power, and solid waste, and a less than significant impact would occur. The project will comply with state and local solid waste regulations and not generate excess waste, a less than significant impact.

4.19.1 Mitigation Measures

No mitigation measures are required.

4.20 Wildfire

The project site is dominated by uniform upland shrubs. The proposed project is near the Moderate fire hazard severity zone as determined by the CalFire Fire Hazard Severity mapping. In 2020, the Mountain View fire burned 20,375 acres, and destroyed or damaged 100 dwellings along Eastside Lane near Walker.

CalFire Fire Hazard Severity Zone (FHSZ) maps classify wildfire hazards for state responsibility area (SRAs). The most recent FHSZ map for Mono County of 2007 identifies the project property as within a Local Responsibility Area (LRA) and not classified for hazard per the FHSZ. The project is adjacent to continuous irrigated pasture lands to the west. FHSZ mapping typically removes agricultural land from classification due to low risk. However, the project site is not flood irrigated and risk classification should reflect hazards of brush fuels that exist on the project site. For property near the project with similar attributes, the FHSZ classification is Moderate.

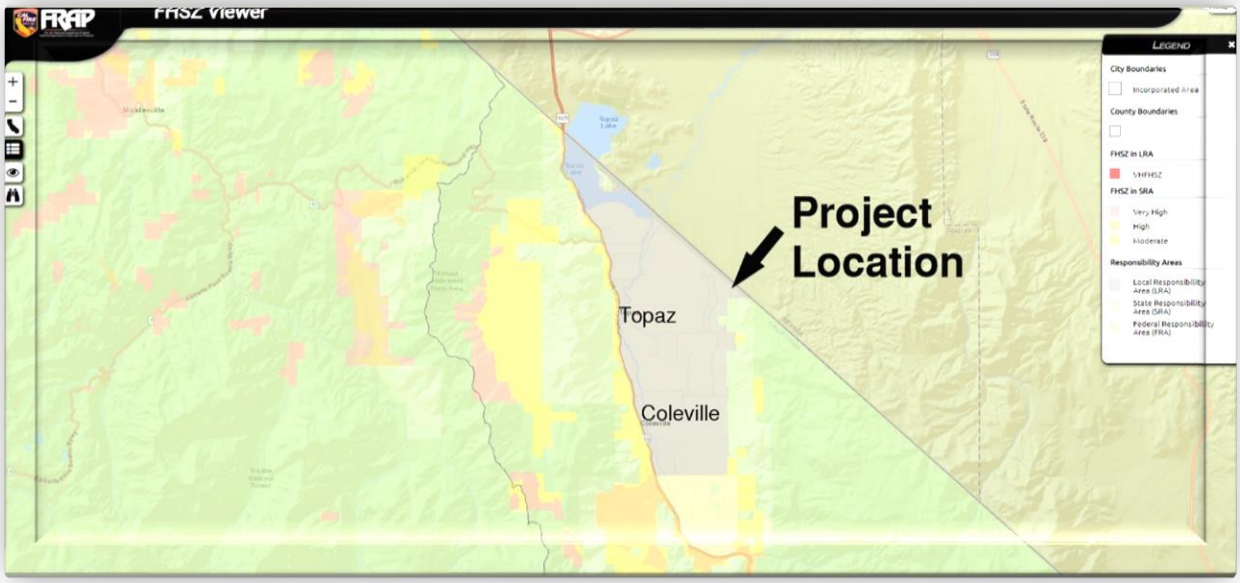

Figure 4-2. FHSZ Map for Project Vicinity

Mono County Community Wildfire Protection Plan (CWPP) is a community specific analysis of wildfire risk and mitigations. The CWPP recommends individual parcel analysis for new development in the Antelope Valley-East Valley area. The project site is bounded by irrigated agriculture to the south and west, the direction of prevailing winds. The irrigated agriculture reduces risk of wildfire spread to the project site. The Highline Ditch and access road is a continuous fuel break along the west boundary of the project site. Project site fuels are moderate risk grasses and shrubs. Existing continuous fuels in the project area will be reduced and fragmented by required defensible space around buildings, the outdoor cultivation area, and by road widening for turnarounds and turnouts.

Would the project:

a) Substantially impair an adopted energy response plan or emergency evacuation plan?

Less than significant. The Mono County Emergency Operations Plan (EOP) of 2012 identifies US Highway 395 as a primary evacuation route. The project has access to US Highway 395 via Eastside Lane and Topaz Lane. The travel distance from the project site to US Highway 395 is 5.2 miles. The proposed project would not impair emergency evacuation capabilities of local routes or US Highway 395.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

Less than significant with mitigation. Per Mono County Land Development Regulations Chapter 22 and California Fire Safe Regulations, the existing private road and driveway will be required to be improved with an emergency vehicle turnaround and turnouts intervisible every 400 feet for the 2900 feet from Eastside Lane. The proposed access improvements would not exacerbate risk from wildfire.

New above-ground electrical utilities would be installed during Phase 3 along the west and south property boundary and off-site along Eastside Lane. The vegetation along the proposed utility alignment is similar to the project with moderate big sagebrush fuels. California Public Resources Code Section 4292 requires removal of flammable vegetation within a 10' radius of power poles. New utility poles are required to have minimum ground clearances based on electrical codes.

The proposed above-ground powerline would create risk for wildfire ignition from equipment failure or line strikes caused by high winds. The Liberty Utilities Wildfire Mitigation Plan (WMP) classifies wildfire risk based on the designations of Office Energy Infrastructure and CalFire for High Fire Threat Districts (HFTD). The WMP designates Antelope Valley as HFTD-2 and the eastern portion of Antelope Valley as Moderate to identify and prioritize utility wildfire mitigation actions. Per the WMP and project description of 1.6 miles of above ground power lines there is a risk for wildfire ignition due to line impact, animals, and line-to-line faults. Covered conductor applications include insulating or coating power lines. Covered conductor is effective at mitigating several types of ignition drivers such as contact from objects and wire-to-wire contact, as well as reducing other equipment failures. (Liberty Utilities 2022). Liberty Utilities is implementing hardening projects including covered conductor upgrades on distribution lines within Antelope Valley. Mitigation Measure WF-2 would require utility hardening and vegetation management to reduce the risk of wildfire associated with new infrastructure to less than significant.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Less than significant. There are no major water courses draining to the subject property and improvements are sited away from minor natural drainages.

4.20.1 Mitigation Measures

WF-1 Fire Safe Regulations

Mono County shall require site improvements for access consistent with CalFire Fire Safe Regulations and Mono County General Plan Development Standards Section. Prior to issuance of a building permit the applicant shall submit site improvement plans which describe minimum emergency access, firewater storage and supply, and defensible space in accordance with PRC 4290 and 4291.

WF-2 Overhead Utility Hardening and Vegetation Management

Mono County shall require the above-ground power utility lines and poles to be constructed with features that reduce the risk of wildfire ignition. Above-ground power utility hardening techniques shall be incorporated into the utility design. Examples of design features include covered conductors, tree wire, wider crossarms, metal poles, and hardware upgrades. The applicant shall provide site plans, electrical system design plans and details incorporating hardening techniques to Liberty Utilities and Mono County. Liberty Utilities and Mono County shall approve the above-ground powerline plans prior to construction. The site plan and system design shall include a vegetation management plan for proposed new overhead utilities corridors and new utility poles consistent with PRC 4292 and 4293, Public Utilities Commission General Order 95, and Liberty Utilities Wildfire Mitigation Plan. The applicant shall maintain vegetation to the standard of the vegetation management plan.

4.21 Mandatory Findings of Significance

Based on the analysis undertaken as part of this Initial Study, the following findings can be made:

Would the project:

a) *Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number, or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

FINDING: As concluded in the Aesthetics, Air Quality, Biological, Cultural Resources, Tribal Cultural Resources, and Water Quality sections of this document, the proposed project would result in no impacts or less than significant impacts with mitigation to these resources. The project is compatible with the Mono County General Plan land use designation and its surroundings. Evaluation of the proposed project in this document (Section 4.4 – Biological Resources) has shown that the activities of the proposed project, as mitigated, do not have the potential to degrade the quality of the environment and will not substantially reduce the habitat or cause wildlife populations to drop below self-sustaining levels.
Less than significant Impacts with mitigation is expected.

Also, based on the discussion and findings in Section 4.5 – Cultural Resources, there is evidence to support a finding that the proposed project is not eligible for listing in the NRHP or CRHR under any significance criteria. Although no archaeological deposits or features were found during the Cultural Resources study,

implementation of mitigation measures will ensure that any additional archaeological deposits or features may be discovered are fully protected during implementation of the project.

b) *Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current* projects, and the effects of probable future projects)?

Following the adoption of commercial cannabis General Plan policies and enabling ordinance Mono County has approved two cannabis cultivation use and operation permits within Antelope Valley. The nearest cannabis cultivation uses to the proposed project are located in Walker, California approximately six (6) miles from the project. There is a less than significant cumulative impact of cannabis cultivation uses because of the distance between the proposed project and existing cannabis cultivation uses. The are no other current or foreseeable development projects in the vicinity to the proposed project which could cause cumulative impacts

c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

As discussed in the various sections throughout this Initial Study, the proposed project would not include a land use that could result in substantial adverse effects on human beings. Mono County General Plan has established regulations for commercial cannabis cultivation to ensure the use does not conflict with the General Plan, its surrounding uses, or become detrimental to the public's health, safety, and welfare. The County's review and permitting process of cannabis facilities and facility operations will ensure that the regulations are fully implemented. Based upon the findings provided in this document, and mitigation measures and standard conditions incorporated into the project, less than significant impacts are expected.

Section 5. Mitigation Monitoring and Reporting Plan

The project will be subject to further codes and regulations, most significantly, Mono County Cannabis Operations permit conditions, Department of Cannabis control license requirements, and the California Building Standards Code. If the project is approved, compliance with these regulatory requirements will be mandatory. All relevant regulatory requirements are not included with the MMRP. The project shall fully comply with the ~~eight (8)~~ 21 mitigation measures proposed to reduce potentially significant impacts. Mono County Community Development Department would be responsible for monitoring and confirming completion of mitigations.

Mitigation Monitoring and Reporting Plan			
	Mitigation Monitoring		
Mitigation Measure	Monitoring Schedule	Responsible Party	Monitoring Procedure
Aesthetics			
AES-1: Require Lighting Plans Project is subject to Chapter 23, Dark Sky Regulations. The Mono County Community Development Department shall confirm that project lighting meets the requirements of County Code Chapter 23 – Dark Sky Regulations. The applicant shall submit plans for lighting describing the location and details of proposed fixtures with building permit application or prior to installation of outdoor lighting.	Prior to the issuance of grading, building permits	Applicant, Mono County Community Development Department	Verified upon building inspection
Air Quality			
AQ-1. Odor Mitigation • The applicant shall post signs at the property line that provide a 24-hour project contact phone number and County code enforcement phone number in the case of nuisance odors. • The applicant shall report any complaints of nuisance odors to the County within 72 hours of the complaint. • The County shall conduct ambient odor survey at the property boundary and ambient monitoring during annual inspections. Monitoring would include odor surveys using a Nasal Ranger field olfactometer within the Project area and at the property boundary to quantify odor strength at each monitoring location. • Cannabis odor exceeding a seven dilution threshold ("DT") when measured by the County with a field olfactometer at the property line for a minimum of two observations not less than 15 minutes apart within a one hour period shall be considered an unreasonable impact. • For indoor cultivation, if the County determines an unreasonable impact, it may require implementation of odor-control filtration and ventilation systems to control odors; Devices and/or techniques incorporated in the building for all indoor cultivation and processing buildings.	Prior to the issuance of grading, building permits	Applicant, Mono County Community Development Department	Verified upon site inspection

Mitigation Monitoring and Reporting Plan			
	Mitigation Monitoring		
Mitigation Measure	Monitoring Schedule	Responsible Party	Monitoring Procedure
• For outdoor cultivation, if the County determines an unreasonable impact the County shall require reduction of outdoor cannabis cultivation area to meet 300' buffer to easterly property boundaries. ~~The applicant shall post signs at the property line that provide a 24-hour project contact phone number in the case of nuisance odors. The applicant shall report any complaints of nuisance odors to the County within 72 hours of the complaint.~~			
AQ-2: Dust Control • During construction, dust will be minimized through implementation standard BMPs consistent with CA Stormwater General Construction Permit and will include, but not limited to, - Minimize the exposed working areas at one time, - Covering soil stockpiles when not in actively in use or left overnight, and - Use of on-site water for dust control during clearing and grading. • Avoid discing and tilling when wind speeds are in excess of 15 miles per hour. • Driving speeds will be reduced to slower than 15 miles per hour when on dirt roads within ¼ mile of public highways and residences.	Notice of Intent is to be submitted to LRWQCB 14 days prior to construction activities	Applicant, Mono County Community Development	Provide Notice of Intent and site plan to Mono County prior to construction

Mitigation Monitoring and Reporting Plan			
	Mitigation Monitoring		
Mitigation Measure	Monitoring Schedule	Responsible Party	Monitoring Procedure
BIOLOGY **BIO–1: Nesting Bird Survey** Regardless of the time of year, a pre- construction sweep shall be performed to verify absence of nesting birds. A qualified biologist shall conduct the pre-activity sweep within the Project areas (including access routes) and a 500-foot buffer surrounding the Project areas, within 2 hours prior to initiating Project activities. Additionally, a nesting bird survey shall be conducted by a qualified biologist no more than three (3) days prior to the initiation of project activities, including, but not limited to clearing, grubbing, and/or rough grading to prevent impacts to birds and their nests. The survey will be conducted by a qualified biologist. Surveys shall include any potential habitat (including trees, shrubs, the ground, or nearby structures) that may be impacted by activities resulting in nest destruction or abandonment. If nesting bird activity is present, a no disturbance buffer zone shall be established by the qualified biologist around each nest to prevent nest destruction and disruption of breeding or rearing behavior. The buffer shall be a minimum of 500 feet for raptors and 300 feet for songbirds, unless a smaller buffer is specifically determined by a qualified biologist familiar with the nesting phenology of the nesting species. The buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests, as confirmed by a qualified biologist. A qualified biologist shall inspect the active nest to determine whether construction activities are disturbing the nesting birds or nestlings. If the qualified biologist determines that construction activities pose a disturbance to nesting, construction work shall be stopped in the area of the nest and the 'no disturbance buffer' shall be expanded. If there is no nesting activity, then no further action is need for this measure.	Prior to the issuance of grading, building permits	Mono County Community Development Department	Surveys shall be submitted to the Mono County Community Development Department upon completion.
BIO–2: Preconstruction Weed Survey Weed Survey Prior to construction, the entire project area, including 50 feet on either side of the project alignment centerline and all designated equipment staging areas, would be surveyed for noxious weeds. All occurrences of noxious weeds would be flagged and avoided.	Use of heavy equipment, grading, demolition, construction	Applicant	Surveys shall be submitted to the Mono County Community Development Department upon completion.
BIO–3: Weed Free Certification Straw, mulch, or gravels used for erosion control shall be certified weed-free.	Prior to start of construction	Applicant	Provide seed mix tags and certification Mono County
BIO-4: Special Status Fish For all Project activities taking place adjacent to Highland Ditch, where adjacent is defined as being within 50 feet from the top of bank, Best Management Practices (BMPs) shall be employed	Prior to start of ground disturbing activities	Applicant	Photo document BMPs in place and submit to Mono County

Mitigation Monitoring and Reporting Plan			
	Mitigation Monitoring		
Mitigation Measure	Monitoring Schedule	Responsible Party	Monitoring Procedure
to avoid impacts to water quality and aquatic habitat of the Highland Ditch. Impacts may include, but are not limited to, delivery of excess sediment through grading, disking, or grubbing activities; delivery of excess nutrients through runoff from cultivation areas; delivery of toxins from pesticide application; or any other Project activities that have the potential to substantially alter or degrade the water quality or aquatic habitat of the Highline Ditch. BMPs may include avoiding pesticide application during periods of increased wind, limiting water usage to avoid runoff, and/or keeping exposed soil damp to limit movement during ground disturbing activities.	located within 50-feet of Highland ditch		
BIO-5: American Badger A qualified biologist shall visually survey the Project area prior to construction to identify any feature/habitats suitable to support American badger (i.e., burrows, dens). Where an identifiable feature is present, the qualified biologist shall mark the potentially occupied feature for avoidance. If avoidance is infeasible, the qualified biologist shall determine whether the burrow or den is inactive or active. If the burrow or den is inactive, the qualified biologist shall excavate the burrow or den by hand and backfill to prevent reuse by American badger. If American badger is present, applicant shall notify California Department of Fish and Wildlife (CDFW) and applicant should develop an American badger-specific avoidance and relocation plan detailing the protective avoidance and relocation measures to be implemented prior to the commencement of Project activities for CDFW review. The use of rodenticides and herbicides shall be restricted to avoid primary and secondary poisoning of badger.	Prior to commencing ground or vegetation disturbing activities	Applicant	Surveys shall be submitted to the Mono County Community Development Department upon completion.
BIO: 6 Special Status Plants Prior to Project implementation, and during the appropriate season, a qualified biologist shall conduct botanical field surveys within the Project area following protocols set forth in the California Department of Fish and Wildlife's (CDFW) 2018 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018). The surveys shall be conducted by a CDFW approved botanist(s) experienced in conducting floristic botanical field surveys, knowledgeable of plant taxonomy and plant community ecology and classification, familiar with the plants of the area, including special-status and locally significant plants, and familiar with the appropriate state and federal statutes related to plants and plant collecting. The botanical field surveys shall be conducted at the appropriate time of year when plants will both be evident and identifiable (usually, during flowering or	Prior to commencing ground or vegetation disturbing activities	Applicant	Surveys shall be submitted to the Mono County Community Development Department upon completion.

Mitigation Monitoring and Reporting Plan			
	Mitigation Monitoring		
Mitigation Measure	Monitoring Schedule	Responsible Party	Monitoring Procedure
fruiting) and, in a manner, which maximizes the likelihood of locating special-status plants and sensitive natural communities that may be present. Botanical field surveys shall be conducted floristic in nature, meaning that every plant taxon that occurs in the project area is identified to the taxonomic level necessary to determine rarity and listing status. If any special-status plants are identified, the County shall avoid the plant(s), with an appropriate buffer (i.e., fencing or flagging). If complete avoidance is not feasible, the County shall mitigate the loss of the plant(s) through the purchase of mitigation credits from a CDFW-approved bank or land acquisition and conservation at a mitigation ratio determined by CDFW after Project analysis. If the Project has the potential to impact a state listed species, the Project Applicant should apply for a California Endangered Species Act (CESA) Incidental Take Permit (ITP) with CDFW.			
BIO-7: Pesticides Prior to construction and issuance of any grading permit, Sierra High Farms shall develop a plan, to be approved by Mono County, with measures to avoid, minimize, or mitigate the impacts of pesticides used in cannabis cultivation, including fungicides, herbicides, insecticides, and rodenticides. The plan should include, but is not limited to, the following elements: (1) Proper use, storage, and disposal of pesticides, in accordance with manufacturer's directions and warnings, (2) Avoidance of pesticide use where toxic runoff may pass into Fish and Game section 1602 resources, including ephemeral streams, (3) Avoidance of pesticides that cannot be used on cannabis in the state of California, as set forth by the Department of Pesticide Regulation, (4) Avoidance of anticoagulant rodenticides and rodenticides with "flavorizers", (5) Avoidance of sticky/glue traps, and (6) Inclusion of measures that serve as alternatives to the use of toxic rodenticides, such as sanitation (removing food sources such as pet food, cleaning up refuse, and securing garbage in sealed containers), and physical barriers.	Prior to commencing ground- or vegetation disturbing activities	Applicant	Submittal of plan by applicant and acceptance by Mono County Community Development prior to construction or grading activities
BIO-8: Artificial Light Light shall not be visible outside of any structure used for cannabis cultivation. This shall be accomplished by: employing blackout curtains where artificial light is used to prevent light escapement, eliminating all nonessential lighting from cannabis sites and avoiding or limiting the use of artificial light during the hours of dawn and dusk when many wildlife species are most active, ensuring that lighting for cultivation activities and security purposes is shielded, cast downward, and does not spill over onto other properties or upward into the night sky (see the International Dark-Sky Association standards at http://darksky.org/), and using LED lighting with	Prior to commencing ground- or vegetation disturbing activities	Applicant	Submittal of lighting plan by applicant and approval by Mono County prior to construction

Mitigation Monitoring and Reporting Plan			
	Mitigation Monitoring		
Mitigation Measure	Monitoring Schedule	Responsible Party	Monitoring Procedure
a correlated color temperature of 3,000 Kelvins or less. All hazardous waste associated with lighting shall be disposed of properly and lighting that contains toxic compounds shall be recycled with a qualified recycler.			
BIO-9 Employee Awareness A qualified biologist shall conduct an education program for all persons employed or otherwise working on the Project site prior to performing any work on-site (Workers Environmental Awareness Program; WEAP). The WEAP shall consist of a presentation that includes a discussion of the biology of the habitats and species that may be present at the site. The qualified biologist shall also include as part of the WEAP information on the distribution and habitat needs of any special-status species that may be present, legal protections for those species, penalties for violations, and mitigation measures. The WEAP should include, but not be limited to: (1) best practices for managing waste and reducing activities that can lead to increased occurrences of opportunistic species and the impacts these species can have on wildlife in the area and (2) protected species that have the potential to occur on the Project site.	Prior to commencing ground- or vegetation disturbing activities	Applicant	Completion of WEAP prior to grading or construction activities
BIO-10 LSA Program Prior to construction and issuance of any grading permit, the Project proponent should obtain written correspondence from the California Department of Fish and Wildlife (CDFW) stating that notification under section 1602 of the Fish and Game Code is not required for the Project, or the Project proponent should obtain a CDFW-executed Lake and Streambed Alteration Agreement, authorizing impacts to Fish and Game Code section 1602 resources associated with the Project.	Prior to commencing ground- or vegetation disturbing activities	Applicant	Submit request to CDFW and obtain correspondence prior to grading or construction activities
Cultural and Tribal Resources			
CR–1. Discovery of Cultural or Tribal Resources If any prehistoric **or** historic-period subsurface archaeological features or deposits are discovered during construction, all ground-disturbing activity within 25 feet of the resources shall be halted, and a qualified professional archaeologist and/or Tribal representative shall be retained to assess the significance of the find. If the find is determined to be significant by the qualified archaeologist (i.e., because it is determined to constitute either a historical resource or a unique archaeological resource), or Tribal representative, a plan shall be prepared to address the appropriate procedures	Ongoing during subsurface construction	Applicant	Prepare plan if archaeological features are discovered

Mitigation Monitoring and Reporting Plan			
	Mitigation Monitoring		
Mitigation Measure	Monitoring Schedule	Responsible Party	Monitoring Procedure
to protect the integrity of the resource and ensure that no additional resources are affected. Procedures could include but would not necessarily be limited to preservation in place, archival research, subsurface testing, or contiguous block unit excavation and data recovery.			
CR–2. Unanticipated Discovery of Human Remains If human remains are encountered during construction, all ground disturbance activities within 150 feet of the discovery shall be suspended and the construction manager shall immediately notify the County coroner. If the human remains are determined to be of Native American descent, the coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours of identification. The NAHC shall identify and immediately notify the Most Likely Descendant (MLD) of the deceased Native American. Within 48 hours of being granted access to the site, the MLD shall complete the inspection of the site of the discovery and make recommendations to the Applicant/landowner for the treatment or disposition of the human remains and any associated funerary objects. All measures, as required by the County, shall be implemented under the supervision of the MLD and/or tribal representative.	Ongoing during subsurface construction	Applicant	Suspend construction and notify Coroner if human remains are discovered
Public Services			
PS-1: Security Plan Mono County shall require a site security plan which details measures to prohibit unauthorized access to commercial cannabis buildings and cultivation areas. The plan shall include proposed improvements and operations consistent with County Code 5.60.130 D including limited access areas, security lighting, video systems, and storage to prevent diversion, theft, and loss. The Mono County Sheriff's Office shall review and approve the security plan prior to issuance of the cannabis operation permit.	Prior to issuance of commercial cannabis operation permit	Applicant, Mono County Sheriff's Office, Mono County Community Development Department	Review and approve security plan
Water Quality			
WQ-1: Reseeding of Disturbed Areas Directly following construction, disturbed areas shall be reseeded with a certified weed-free seed mix comprised of locally sourced native plant materials. Seeded areas shall be watered as needed until fully established.	Prior to issuance of certificate of occupancy for associated buildings	Applicant, Mono County Community Development Department	Verify establishment following construction

Mitigation Monitoring and Reporting Plan			
	Mitigation Monitoring		
Mitigation Measure	Monitoring Schedule	Responsible Party	Monitoring Procedure
Wildfire			
WF-1: Fire Safe Regulations Mono County shall require site improvements for access consistent with CalFire Fire Safe Regulations and Mono County General Plan Development Standards Section. Prior to issuance of a building permit the applicant shall submit site improvement plans which describe minimum emergency access, firewater storage and supply, and defensible space in accordance with PRC 4290 and 4291.	Prior to issuance of certificate of occupancy for associated buildings	Applicant, Mono County Community Development Department	Review plans and confirm during inspection
WF-2: Overhead Utility Hardening and Vegetation Management Mono County shall require the above-ground power utility lines and poles to be constructed with features that reduce the risk of wildfire ignition. Above-ground power utility hardening techniques shall be incorporated into the utility design. Examples of design features include covered conductors, tree wire, wider crossarms, metal poles, and hardware upgrades. The applicant shall provide site plans, electrical system design plans and details incorporating hardening techniques to Liberty Utilities and Mono County. Liberty Utilities and Mono County shall approve the above-ground powerline plans prior to construction. The site plan and system design shall include a vegetation management plan for proposed new overhead utilities corridors and new utility poles consistent with PRC 4292 and 4293, Public Utilities Commission General Order 95, and Liberty Utilities Wildfire Mitigation Plan. The applicant shall maintain vegetation to the standard of the vegetation management plan.	Prior to construction of overhead utilities	Applicant, Liberty Utilities, Mono County Community Development Department	Submit site plan, electrical system design plans, and vegetation management plan

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Appendix A

Figures

Appendix B

Biological Technical Report

Appendix C

Class III Archaeological Inventory for the Proposed Sierra High Farms Cannabis Cultivation Project

April 21, 2022

Appendix D

Response to Comments on the Draft IS/MND

December 2022