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2019029004

DRAFT MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT
AND INITIAL STUDY

PROJECT TITLE: Zone Reclassification (ZR 2018-12/Saccullo; GPA 2018-03/Saccullo)

PROJECT LOCATION: The Chicago Valley Cannabis Park Project site is located approximately 6 miles east of the Shoshone, California, and can be accessed via State Route 178, which intersects Chicago Valley Road. The city of Pahrump, Nevada is roughly 22 miles to the north. The property is on private land owned by David Saccullo (Choice Enterprise Real Estate, LLC), with an Assessor's Parcel Number of 046-100-03.

PROJECT DESCRIPTION: The applicant is applying for a zone reclassification, and general plan amendment, to make the project's proposed use consistent with Inyo County's Land Use Element and its commercial cannabis ordinance. CEQA analysis is required for zone reclassifications, in order for the Planning Commission to give final approval for the construction of the proposed cannabis facility. The proposed project site would create a commercial cannabis facility for cultivation, manufacturing, and distribution of cannabis products. This includes several built structures, including 5 two story grow houses (900,000 ft²), 3 laboratory buildings (75,000 ft²), 2 two story commercial kitchen rooms (100,000 ft²), and office space (100,000 ft²). The project site is located on a 40-acre parcel that is highly disturbed with scant natural vegetation.

FINDINGS:

- A. The proposed project is consistent with goals and objectives of the Inyo County General Plan.

The proposed zone reclassification is part of a General Plan Amendment that would bring the planned future development of the site into alignment with the Inyo County General Plan. The proposed land use change to General Industrial (GI) would "provide for a full range of manufacturing, processing, assembling, research, wholesale and storage uses, trucking terminals...and similar and compatible uses with a high or heavy intensity of use where there is a potential for nuisance on surrounding land." This proposed change would orient land use for this location toward industrial projects, such as the proposed cannabis facility. Currently, the site of the proposed reclassification is designated as rural protection (RP), which allows for residential dwellings and guest units. The site proposed for reclassification is part of a geographic area within eastern Inyo County that was evaluated but found to be inappropriate for solar energy development, given the remoteness of the area and dearth of resources.

- B. The proposed project is consistent with the provisions of the Inyo County Zoning Ordinance.

The proposed project is a zone reclassification which, by definition, changes Inyo County zoning ordinance. Once completed, the future development will be consistent with Inyo County's Cannabis Ordinance 1221. The current zoning of Open Space (OS-40) does not allow for the proponent's

anticipated use of a commercial cannabis park. The proposed zoning of General Industrial & Extractive (M1) would allow for the industrial cannabis facility. The proposed change to M1 would permit future projects aimed at volatile and non-volatile commercial cannabis manufacturing (parts "H" & "I"), and commercial cannabis transportation and distribution facilities (part "J"), as a conditional use with Planning Commission approval. The proposed use, following the zone reclassification, is for (1) Commercial Cannabis Cultivation license, (1) Commercial Cannabis Distribution license, and (1) Commercial Cannabis Level 2 Manufacturing license. The proposed project will therefore be consistent with all County codes, following completion of the zone reclassification and general plan amendment currently in progress for this project.

- C. Potential adverse environmental impacts will not exceed thresholds of significance, either individually or cumulatively.

The 40 acre area is pre-disturbed and includes a gravel pit, which is currently closed and devoid of vegetation. Based on information provided by the applicant, and staff review, Zone Reclassification 2018-12/Saccullo does not have the potential to cause environmental impacts that exceed thresholds of significance, either individually or cumulatively. It is worth noting that Inyo County's Renewable Energy General Plan Amendment EIR (2015 REGPA) delineated the various zones most suitable for project development, based on the lack of environmental resources in those areas. The current project falls within one such area.

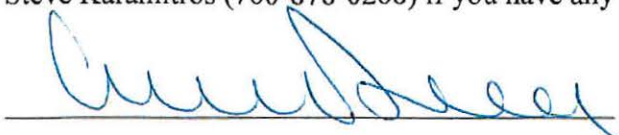
- D. Based upon the environmental evaluation of the proposed project, the Planning Department finds that the project does not have the potential to create a significant adverse impact on flora or fauna; natural, scenic and historic resources; the local economy; public health, safety, and welfare. This constitutes a Mitigated Negative Finding for the Mandatory Findings required by Section 15065 of the CEQA Guidelines.

Mitigation will be built into the project, as conditions of approval for the proposed future commercial cannabis use, in the following ways:

- **Biological Resources:** The owner or his agent will retain the services of a professional biologist who will then evaluate the site for the species identified from the California Natural Diversity Data Base (CNDDB) quad, including Coyote gilia (*Aliciella triodon*), Scaly cloak fern (*Astroblepis cochisensis* ssp. *cochisensis*), Pahrump orache (*Atriplex argentea* var. *longitrichoma*), Pahrump valley buckwheat (*Eriogonum bifurcatum*), Reveal's buckwheat (*Eriogonum contiguum*), and Parish's phacelia (*Phacelia parishii*). The biologist shall conduct botanical surveys during blooming season (March/April - June) to determine if listed species are on site and or will be impacted. The survey data and results shall be placed in a report and submitted to Inyo County for review. The biologist will also review the site for any listed animal species. If listed species are discovered, the applicant's biologist, the Inyo County Planning Department, and CDFW will develop a mitigation treatment plan for the proposed project, as needed. All mitigation measures, if required, will be incorporated into the future proposed development of the area, following the Zone Reclassification, as Conditions of Approval for the project to begin.

The 30-day public & State agency review period for this Draft Mitigated Negative Declaration will expire on March 4, 2019. Inyo County is not required to respond to any comments received after this date.

Additional information is available from the Inyo County Planning Department. Please contact Project Planner Steve Karamitros (760-878-0268) if you have any questions regarding this project.



1/30/19

Cathreen Richards
Director, Inyo County Planning Department

Date

INYO COUNTY PLANNING DEPARTMENT

CEQA APPENDIX G: INITIAL STUDY & ENVIRONMENTAL CHECKLIST FORM

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

- a) the significance criteria or threshold, if any, used to evaluate each question; and
- b) the mitigation measure identified, if any, to reduce the impact to less than significance issues.



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INYO COUNTY PLANNING DEPARTMENT

APPENDIX G: CEQA INITIAL STUDY & ENVIRONMENTAL CHECKLIST FORM

- 1. Project title:** Zone Reclassification (ZR 2018-12/Saccullo; GPA 2018-03/Saccullo)
- 2. Lead agency name and address:** Inyo County Planning Department, 168 N. Edwards St., P.O. Drawer L, Independence, CA 93526
- 3. Contact person and phone number:** Steve Karamitros, Senior Planner, (760) 878-0268
- 4. Project location:** The project site is located approximately 6 miles east of the Shoshone, where Chicago Valley Road intersects with State Route 178. The property is on private land owned by David Saccullo.
- 5. Project sponsor's name and address:** David Saccullo (Choice Enterprise Real Estate and Investment Co.), 28421 Crown Valley Parkway, Suite F-272, Laguna Niguel, California.
- 6. General Plan designation:** Rural Protection (RP).
- 7. Zoning:** Open Space- 40 acre minimum (OS-40).
- 8. Description of project:** The project proposes to construct a 40-acre industrial park for the cultivation, manufacturing, and distribution of commercial cannabis. The project site is located on one, privately owned 40-acre parcel.

9. Surrounding land uses and setting: Briefly describe the project's surroundings:

The property is surrounded by undeveloped land consisting of Creosote Bush and Cattle saltbrush. The closest developed area is Shoshone, approximately 6 miles to the east. More developed areas can be found 22 miles east, in the city of Pahrump. The adjacent parcels all share the same owner. There is a large area of Mesquite Bosque growing approximately 1,000 feet to the east of the project, on the adjacent parcel. No Mesquite is located on the property.

Location:	Use:	Gen. Plan Designation	Zoning
West	unused	State & Federal Lands (SFL)	Open Space-40 acre minimum (OS-40)
North	unused	Rural Protection (RP)	Open Space-40 acre minimum (OS-40)
East	unused	Rural Protection (RP)	Open Space-40 acre minimum (OS-40)
South	unused	State & Federal Lands (SFL)	Open Space-40 acre minimum (OS-40)

10. Other public agencies whose approval is required: Inyo County Environmental Health Department and the Inyo County Public Works Department.

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

In compliance with AB 52, SB 18, and Public Resource Code Section 21080.3.1(b), tribes identified as being local to Inyo County, were notified via a certified letter on July 18, 2018 about the project and the opportunity for consultation on this project. The tribes notified were as follows: the Twenty-Nine Palms Band of Mission Indians, the Big Pine Paiute Tribe, the Bishop Paiute Tribe, Chemehuevi Reservation, the Fort Independence Paiute Tribe, Lone Pine Paiute-Shoshone Tribe, the Kern Valley Indian Community, the Death Valley Timbi-sha Shoshone Tribe, and the Torres Martinez Desert Cahuilla Indians.

Inyo County did not receive any requests for consultation.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics Resources	<input type="checkbox"/> Agriculture & Forestry	<input type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology /Soils
<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology / Water Quality	<input checked="" type="checkbox"/> Land Use / Planning
<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise	<input type="checkbox"/> Population / Housing
<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation/Traffic
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Mandatory Findings of
	<input type="checkbox"/> Tribal Cultural Resources	Significance

DETERMINATION: (To be completed by the Lead Agency) 0238

On the basis of this initial evaluation:

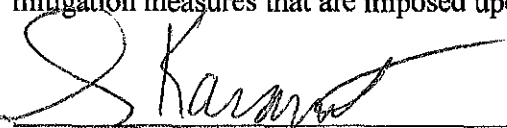
☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ 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 proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

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



Steve Karamitros, Senior Planner
Inyo County Planning Department

1-30-2019
Date

INYO COUNTY PLANNING DEPARTMENT ENVIRONMENTAL CHECKLIST FORM

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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I. AESTHETICS -- Would the project:

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

The land is undeveloped except for a small trailer park and a few scattered homes along Chicago Valley Road. Most viewer groups who would have views of the future Cannabis park include motorists, recreationalists, and residents. Motorists constitute the largest viewer group because of the transportation corridors that traverse the county. Views of the North Nopah Range will be temporarily hindered to the traveling public as they approach the intersection of Chicago Valley Road and SR 178.

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

No, the 40 acre parcel has previously been disturbed with roads and a mining project (the Sorrell's gravel pit). The proposed site will not impact scenic resources, as the land is relatively level and characterized by tan colored soil with low-lying green scrub to create a stark homogenous desert landscape.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?
☐ ☐ ☒ ☐

No, the site is populated with Creosote Bush and Cattle saltbrush, and sits about 1,000 west of a group of Mesquite Bosque. The Mesquite population has been degraded and removed over time. The pristine look of the parcel has been previously impacted by vehicular travel across the parcel as well as the operation of a gravel pit.

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

The location of the proposed project area has few receptors that would be impacted by the project. There is a small trailer park roughly 1 mile southeast of the proposed project. There will be some obstruction of the Resting Springs Mountain Range for these residents, but it will be less than significant, as there is no abundance of scenic resources within the area.

II. AGRICULTURE AND 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 Dept. 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, the project does not convert prime farmland, unique farmland, or farmland of Statewide importance to non-agricultural use.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No conflicts with zoning for agriculture. There are no Williamson Act Contracts in Inyo County.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project site does not include forest land or timber land.

d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project site will not affect forested land or impact any land use designated for that purpose.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project site does not currently contain Farmland and is not conducive to future use as Farmland.

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Currently, neither Inyo County nor the Great Basin Unified Air Pollution Control District (GBUAPCD) have established numerical significance thresholds for quantitatively determining air quality impacts. The GBUAPCD has allowed use of the Mojave Desert Air Quality Management District (MDAQMD) standards for the purposes of CEQA analysis.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project will be in compliance with current air quality standards.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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There will be short-term construction equipment impacts from exhaust emissions, but the GBUAPCD considers these construction emissions to be less than significant. Although there are portions of Inyo County within non-attainment areas for Federal and State PM10 (particulate matter 10 microns or less in diameter) ambient air quality standards, the primary source for this pollution is the Owens dry lake, located approximately 125-miles and three mountain ranges from the project site. As a result of this distance, future development will not increase PM10 pollutants over existing levels.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Existing sensitive receptors are a few residences roughly a mile to the southeast of the project. There are no hospitals or other non-residence sensitive receptors in the area. The business operation is in a rural area where traffic volumes related to maintenance will be negligible; however, there will be effects from the shipping and receiving of products to the facility. As vehicle emissions decrease in future years due to stringent emissions control standards, the proposed project would not expose sensitive receptors to substantially high concentrations of CO or contribute traffic volumes that would result in an exceedance of the CO CAAQS.

e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project will not produce objectionable odors during the life of the operation. The project will naturally result in odors from cannabis cultivation and production, but these odors have been mitigated by project design through the use of air filtration and ventilation systems within the facility.

IV. 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 Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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*Affected Environment: The 40 acre site is characteristic of a relatively pristine Creosote brush ecosystem, with the exception of the gravel pit located on the southeast corner. Based on a January 18, 2019 field study, in order of abundance, the most highly distributed plant species observed were Creosote bush (*Larrea tridentata*) followed by Cattle saltbush (*Atriplex polycarpa*). Other plant species included Cotton top cactus (*Echinocactus polycephalus*), Desert Trumpet's (*Eriogonum inflatum*), Teddybear Cholla (*Cylindropuntia bigelovii*), and Devil's Spineflower (*Chorizanthe rigida*). No mammals were observed on site; however, coyote tracks and small burrows in the 1 to 2 inch range were observed, predominantly under the Creosote. The only birds observed were common ravens.*

*Presence/Absence of species: Database searches with US Fish & Wildlife (ECOS), California Natural Diversity Database (CNNDDB), and the California Native Plant Society (CNPS) showed no special status species listed in the project impact area (PIA). A CNNDDB query was performed to encompass a radius of "twelvemile". USGS quad, to identify special-status plant and wildlife species that could potentially be found in the project impact area, which included the following species: Ivory-spined Agave (*Agave utahensis* var. *eborispina*), Coyote gilia (*Aliciella triodon*), Scaly cloak fern (*Astrolepis cochisensis* ssp. *cochisensis*), Pahrump orache (*Atriplex argentea* var. *longitrichoma*), Pahrump valley buckwheat (*Eriogonum bifurcatum*), Reveal's buckwheat (*Eriogonum contiguum*), Parish's phacelia (*Phacelia parishii*). Botanical surveys will need to be conducted over spring and summer months, during their blooming season, to know for certain if any of these potentially occurring plant species are present on the project site.*

Presence/absence surveys were performed by an applicant supplied biologist on January 18, 2018 and found no CDFW or USFWS designated special status species on the proposed project site. Mesquite Bosque habitat is located about 1,000 feet from the proposed project site, but does not occur on site.

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 Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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*No, there is no identified riparian habitat on the project site, or in close proximity, that would be affected by the project. The site has been mapped entirely as desert scrub. A site visit was conducted on January 9, 2019 and the closest Mesquite bosque was a stand roughly 1,000 feet from the edge of the project site. Mesquite bosque habitat has a conservation status global ranking of vulnerable (G3) and a state ranking of very threatened (S2.1). Staging of equipment and construction will not affect this area. Townsend's big-eared bats (*Corynorhinus townsendii*) have no suitable roosting habitat in the area. Desert Bighorn sheep (*Ovis Canadensis nelson*) could also potentially occur, but the flat site is not optimal for their habitat. Golden Eagles (*Aquila chrysaetos*) tend to favor mountainous regions up to 12,000 feet and none were observed during the January field studies.*

c) Have a substantial adverse effect on federally	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

The USFWS National Wetlands Inventory (USFWS 2014b) identifies a freshwater pond and freshwater wetland associated with a development on Stockwell Mine Road, roughly 60 miles to the east of the project site (REGPA 2015, 4.4-69.).

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?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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The project site is outside areas designated as Wilderness or Mojave Ground Squirrel Conservation Area. Desert tortoise is known to occur in desert scrub and desert wash areas similar to the project site. The area is part of the Desert Renewable Energy Conservation Plan (DRECP from the BLM), which states that "suitable Desert tortoise habitat may be present," however; no individuals were observed during January 2019 field visits. An applicant supplied biologist shall review the site, prior to any future proposed project, to evaluate it for any listed animal species, including Desert tortoise.

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project site is within the geographic area evaluated by Inyo County in its Renewable Energy General Plan Amendment (2015). The zone reclassification being proposed was part of an eastern Inyo County study area that showed a dearth of natural 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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project does not conflict with any local, regional, or state habitat conservation plan. It does fall within an area designated as Desert Renewable Energy Conservation Plan (DRECP).

V. CULTURAL RESOURCES: Would the project:

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project will not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project will not cause a substantial adverse change in the significance of an archaeological resource as defined in Section 15064.5. No archaeological resources have been identified in any records of the site or immediate surrounding area. Local tribes and tribes that have notified Inyo County that County lands are within the geographic area that is traditionally and culturally associated with their tribe were notified about this project through the request for Tribal Consultation process. No tribes requested consultation or reported cultural resources to staff, including archaeological resources that would be affected by this project. Should any archaeological or cultural resource be discovered on the site during any future development, work shall immediately desist and Inyo County staff immediately be notified per Chapter 9.52, Disturbance of Archaeological, Paleontological and Historical Features of the Inyo County Code. Therefore, future development, though beyond the scope of this project, can be conducted so as to not cause an adverse change in the significance of an archaeological resource if one is discovered, pursuant to Section 15064.5

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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The likelihood of finding subsurface paleontological resources in Inyo County, in this southeast section, is not well known. The land consists of mostly flat-lying sediments, thus natural erosion cuts through the sediments but does not penetrate deeply except in major stream channels, so the prior existence of subsurface and at-depth fossils is not readily available. The proposed project property has no known paleontological resources, so the proposed project will not directly or indirectly destroy a unique paleontological resource.

d) Disturb any human remains, including those interred outside of dedicated cemeteries? ☐ ☐ ☐ ☒

The Chicago Valley ranks low in buried resource sensitivity. No known human remains or burial sites are on the property. Refer to the response to V b) for the potential for archaeological resources. While unlikely, human remains are a potential archaeological resource, and will be handled similar to other archaeological resources, as outlined in V b)

VI. GEOLOGY AND SOILS: Would the project:

a) Expose people or structures to 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. ☐ ☐ ☐ ☒

There are no active or potentially faults (or associated CFS Earthquake Fault Zone designations) located within or adjacent to Chicago Valley (REGPA, 2015, 4.6-7).

ii) Strong seismic ground shaking? ☐ ☐ ☒ ☐

Because no active or potentially active faults (or associated CGS Earthquake Fault Zones) are mapped or known to occur within the Chicago Valley project area, ground rupture hazards are low and associated potential impacts are less than significant. The California Building Code ensures that structures be built according to required seismic standards, designed to withstand such events, so this potential impact is considered less than significant.

iii) Seismic-related ground failure, including liquefaction? ☐ ☐ ☐ ☒

Potential ground failure remains low in areas of exposed or shallow bedrock; however, proposed project structures could be potentially damaged if built over certain alluvial areas. As part of Inyo County Building and Safety Code, an engineer will assess the site and determine if a soils report is necessary to avoid ground failure impacts to the built structures.

iv) Landslides? ☐ ☐ ☐ ☒

The project area exhibit primarily level topography, with the proposed facility built on a slope of less than five percent. Steeper natural or manufactured slopes subject to landslides and other types of slope failure are not expected to occur within the project area.

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

The proposed project will result in the disturbance of previously graded and disturbed soil. Temporary construction impacts will result from excavation, grading, and re-deposition of fill material. The property is also the site of a former gravel mine. Future development will require compliance with the California Building Standards that require Best Management Practices be implemented to minimize erosion and keep all site materials from leaving the site, and therefore, this potential impact is considered less than significant.

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 ☐ ☐ ☒ ☐

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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spreading, subsidence, liquefaction or collapse?

No, the project properties are not located on a geologic unit or soil that is unstable. The project's potential for compressible or collapsible soils will be reviewed by Inyo County's Building and Safety Department. It may be determined that a soil report is necessary, as part of building design, to avoid these impacts. Should, during development, any question arise about the quality of the soil, the applicant/developer shall work with Inyo County's Building and Safety Department to use the proper design standards that mitigate for unstable soils.

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project is not located in an area with a known expansive soil type. Should, during development, any question arise about the quality of the soil, the applicant/developer shall work with Inyo County's Building and Safety Department to employ the proper design standards that mitigate for expansive soils.

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Soils are compatible with septic tanks and other waste water disposal systems. Future development would require a County approved waste handling system, most likely in the form of an underground septic system. Septic systems are common in the area and the soils are capable of supporting such a system. Any proposed septic system for the site shall be reviewed and approved by the Inyo County Environmental Health Department.

VII. GREENHOUSE GAS EMISSIONS:

Would the project:

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

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, the proposed zone reclassification will not generate greenhouse gas emissions. Temporary construction-related emissions may occur during future projects (the use of heavy equipment and trucks to bring equipment and or remove material from the site), but this will not significantly impact the environment.

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project will not cause conflicts with a plan, policy or regulation adopted for the purpose of reducing greenhouse gasses.

VIII. HAZARDS AND HAZARDOUS MATERIALS:

Would the project:

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

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, the proposed project will produce a small amount of waste associated with plant refuse material. Approximately one-half acre of the project site will be dedicated to composting this material to convert to inputs for production. The material will decompose at a compaction light enough to avoid anaerobic respiration of the biomass, thus avoiding methane release. The project will also generate temporary diesel emissions from shipping and receiving trucks that visit the facility.

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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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No, the nature of the proposed project will not create significant hazards to either the public or the environment.

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, the proposed project is not within one-quarter mile of an existing or proposed school, nor will it emit hazardous emissions, or handle acutely hazardous materials, substances or waste.

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, the proposed project is not located on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. There are no DTSC sites mapped within or adjacent to the Chicago Valley area and no additional sites are identified in the site vicinity on Geotracker and EnviroStor databases (SWRCB 2014, DTCS, 2014). The closest mapped sites include a potential landfill methane recovery site, a permitted (non-leaking) UST and a LUST (designated as "case closed") near the Community of Shoshone to the southwest.

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 for people residing or working in the project area?

☐ ☐ ☐ ☒

The project is not located within an airport land use plan or near a public airport.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

☐ ☐ ☐ ☒

No, the proposed project is located 5 miles east of the Shoshone airport, on the other side of the Resting Spring Mountain Range, and poses no danger to anyone working at the proposed project site.

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

☐ ☐ ☐ ☒

No, the proposed project will not physically interfere with an adopted emergency plan or emergency evacuation plan.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

☐ ☐ ☐ ☒

No, risk of loss, injury and death involving wildland fires is minimal from this project. Fire risks are moderate at the project site, and no areas in proximity can be considered urbanized. Land surrounding the project site is sparsely vegetated with desert scrub. While residences are in proximity, the desert scrub is a lower hazard than most wildland habitats, and the proposed project does little to add to the wildfire risk in the area. Future development of the site will be subject to the California Building Standards which include Wildland-Urban Interface building requirements as well as requirements for a defensible space around any development. The risk of loss, injury or death involving wildland fires is less than significant at this site, and any potential risk is further mitigated by compliance with California Building Standards.

IX. HYDROLOGY AND WATER QUALITY: Would the project:

a) Violate any water quality standards or waste discharge requirements?

☐ ☐ ☒ ☐

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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No, the project will not violate any water quality standards or waste discharge requirements. Potential impacts from construction-related pollutants (including erosion/sedimentation and construction-related materials) are associated with short term activities (construction) and will be subject to regulation by the Lahontan Regional Water Quality Control Board, the Inyo County Environmental Health Department, and the Inyo County Building and Safety Department. An applicant supplied hydrologist shall perform site specific waste discharge analysis to develop a set of best management practices for any future proposed project. While BMPs would be determined during the NPDES/SWPPP process, based on regulatory criteria and site characteristics (soils, slopes, etc.), they will likely include standard industry measures and guidelines from the National Pollutant Discharge Elimination System (NPDES) Construction General Permit and County standards. The applicant will coordinate with Inyo County's hydrologists, as well as the Regional Water Quality Board, to address waste discharge requirements for the project.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, the proposed project is located in the Middle Amargosa Valley Groundwater Basin. This is an area of 390,000 acres, with water bearing strata consisting of a roughly 900 foot sequence of younger unconsolidated alluvial deposits and underlying older alluvium. Ground water pumping will occur at the facility, but associated effects to local aquifers cannot be determined at this time. An applicant supplied hydrologist shall perform a site specific groundwater analysis to evaluate potential impacts. The applicant will review all remedial measures that may be added to future project designs with the Inyo County hydrologist.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No drainage patterns will be altered by this project. Surface drainage is predominantly to the west-southwest, and occurs through a number of small unnamed ephemeral washes, which are ultimately tributary to the Amargosa River, as well as overland flow. Hydrologic analysis, performed by the applicant's hydrologist, will determine the potential for impacts to individual drainage courses and channels, as well as potential impacts to local channel or wash diversions and associated erosion and/or flooding issues. The analysis will identify any possible drainage alteration, and the Inyo County hydrologist shall give concurrence on all remedial measures that may be added to future project designs.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Potential impacts related to flood hazards for the area would be less than significant, based on the fact that no mapped FEMA 100-year floodplains are located therein. Impacts related to dam inundation in the Chicago Valley area would be less than significant.

e) 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?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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The project is not anticipated to generate substantial additional surface flows. Impacts related to capacity of existing or planned storm drain systems are expected to be less than significant. Pre-and post-development runoff rates and related effects to storm drain systems are a standard element to hydrologic analysis and these conditions would be evaluated in said report to mitigate possible impacts.

f) Otherwise substantially degrade water quality?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, there are no potential impacts to water quality. A septic system will likely be required for the site and the applicant will work with Inyo County's Environmental Health Department to minimize any potential impacts to water quality.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No, the proposed project does not involve housing, nor is it in a 100-year flood hazard area.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the project is not in a 100-year flood hazard area.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project site is not in an area subject to flooding due to the failure of a levee or dam. Average annual rainfall in this area is 5.1 inches.

j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project site is not in an area subject to seiches, tsunamis, or mudflows.

X. LAND USE AND PLANNING: Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project does not physically divide an established community.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The applicant is performing a zone reclassification and General Plan Amendment to make the proposed planned development consistent with County land use requirements and its Commercial Cannabis Ordinance. The zoning will change from Open Space to General Industrial and the applicant shall have their proposed reclassification and general plan amendment approved by the Inyo County Planning Commission, per the County code.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project will not conflict with any habitat conservation plan or natural community conservation plan. The Desert Renewable Energy Conservation Plan (DRECP), led by the BLM, is applicable on BLM lands, but has not been fully adopted by Inyo County. This project is on privately owned land and does not conflict with the DRECP.

XI. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project makes use of underdeveloped land. The previous landowner operated a gravel pit operation on the proposed project site. This use was closed and the gravel pit put into reclamation. No extraction of mineral resources is being foregone by this project. The current owner/applicant hopes to incorporate this area into a future cannabis park project.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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There are no locally-important mineral resources being foregone as a result of this project.

XII. NOISE: Would the project result in the:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Construction related effects to sensitive receptors include grading activities, engine noise from trucks, and building construction. The Occupational Safety and Health Administration (OSHA) allows for decibels of 90 for an 8 hour day and 100 for a limit of 2 hours. Effects to sensitive receptors will be minimized with construction during daytime business hours.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, exposure to noise levels will be primarily airborne, and groundborne vibrations will be brief.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Noise levels will be minimal due to the nature of the project. Ambient noise produced from trucks going to and from the facility will not likely be detected by local receptors, located just over a half mile to the southeast along Chicago Valley Road. Noise from maintenance will be minimal and infrequent and primarily confined to areas within built structures. Given the area is largely undeveloped, any development, including the proposed project, would result in some increase in ambient noise. However, the increase in noise will be less than significant and likely less than the noise of traffic on State Route 178.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Noise levels at their maximum in the nearby community will be comparable to the daytime ambient noise created by the proposed project. The nature of the noise will most likely be freight trucks and maintenance vehicles that periodically enter the project.

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 expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The Shoshone airport is not public, nor is it close enough to create excessive noise levels to personnel on the project site. The airport is roughly 5 miles to the southwest, on the opposite side of the Resting Spring Mountain Range.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the private airport is roughly 5 miles to the southwest, on the opposite side of the Resting Spring Mountain Range, and would not expose people residing or working in the area to excessive noise levels.

XIII. POPULATION AND HOUSING -- Would the project:

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project is not likely to induce population growth. Staff for the proposed cannabis facility would likely be pulled from the local communities of Tecopa and Shoshone, as well as residents of Pahrump, Nevada, approximately 20 miles to the northeast. Given

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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the lack of residential infrastructure and crucial services (including a lack of emergency services and utilities) growth will not be induced from the project.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project will not displace existing housing or create a situation where replacement housing will be necessary. The closest residential area is a half mile down Chicago Valley Road, where a trailer park with fewer than a dozen dwelling units is located.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project will not displace people, or create a situation where replacement housing will be necessary.

XIV. PUBLIC SERVICES: Would the project:

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

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No new fire protection services will be required because of this project.

Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No new police protection services will be required because of this project.

Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No new school service will be required because of this project.

Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No new parks will be required because of this project.

Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project will not create a need for additional public services.

XV. RECREATION: Would the project:

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project will not increase the use of existing recreational facilities. No portion of this project anticipates any change in the level of service required.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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No, the proposed project does not include, nor will it cause, a need for an increase in parks or other recreational facilities that might have an adverse physical effect on the environment.

XVI. TRANSPORTATION/TRAFFIC -- Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? ☐ ☐ ☐ ☒

No, the proposed project will not cause a significant increase the existing traffic load. The project is located approximately 5 miles from Shoshone along SR 178. The occasional freight trucks and staff vehicles entering and exiting the project will not burden the existing transportation facility. Any traffic increase would be minimal when compared with the overall use of SR 178, which provides a connector between Inyo County and southern Nevada.

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? ☐ ☐ ☐ ☒

No, the LOS on the county roads should not be affected by the proposed project. Current traffic counts are consistent with an "A" level of service and neither the Zone Reclassification, nor any subsequent allowed development, would result in an increase in traffic that would impact the level of service for either SR 178 or Chicago Valley Road.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? ☐ ☐ ☐ ☒

The proposed project will not result in changes to air traffic patterns or increased traffic that could result in substantial safety risks.

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

The proposed project will not result in any design features for transportation that increase hazard. Autos and trucks will be accommodated on a parking lot on the project site.

e) Result in inadequate emergency access? ☐ ☐ ☐ ☒

Access for emergency vehicles will be available as part of the project design.

f) Result in inadequate parking capacity? ☐ ☐ ☐ ☒

The Commercial Cannabis Ordinance requires that the project's applicant provide for the parking needs of the facility on site. There will be designated employee parking as well as a fulfillment and receiving depot for freight trucks that enter the facility.

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? ☐ ☐ ☐ ☒

No, the proposed project will not significantly increase traffic, and therefore, will not affect public transit, bicycle, or pedestrian facilities. Because of the extremely remote nature of the project location, few alternative transportation opportunities exist, but those that do would be unchanged by this project.

XVII. TRIBAL CULTURAL RESOURCES -- 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

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) 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 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the proposed project does not encompass a resource eligible for listing in the California Register of Historical Resources, or in a local register or historical resources as defined in Public Resource Code section 5020.1(k). If any archaeological or cultural resources are discovered on the site, work shall stop and Inyo County staff shall be immediately notified per Chapter 9.52, Disturbance of Archaeological, Paleontological and Historical Features of the Inyo County Code.

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| b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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No, the proposed project does not encompass a resource determined by the lead agency to be significant pursuant to criteria set forth in subdivision (c) of the Public Resource Code section 5024.1. See also the response to XVII a)

XVIII UTILITIES AND SERVICE SYSTEMS --
Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the proposed project will be built in conformity to the standards set by the Inyo County Department of Environmental Health, as well as the Lahontan Regional Water Quality Control Board.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the proposed project would not result in the construction of new or expanded water or wastewater treatment facilities.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

No, the proposed project will not require new or expanded storm water drainage facilities.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

All necessary water for the project will be pumped on site, i.e. the property rights of Choice Enterprise Real Estate and Investment, LLC. The proposed zone reclassification will not result in a need for new entitlements of water resources, nor will the proposed future use of the site, a commercial cannabis cultivation park. Current principle uses for the project site, under the County's "Open Space" designation, includes not only a primary and secondary dwelling unit, but also more water-intensive land uses, such as "farms and ranches for orchards, vineyards, field and truck crops, nurseries, greenhouses, vegetables, flower gardening and other enterprises carried on in the general field of agriculture," (ICC section 18.12.020). Projects that could be approved under conditional use, with Planning Commission approval, include "feed lots, dairies or commercial ranches for the raising of poultry, pigs, goats or rabbits," (ICC section 18.12.040. Such land uses would require a greater water load than would the planned cannabis cultivation and manufacturing facility. The current proposed zone reclassification and general plan amendments will not require new water entitlements; however, further water studies and or data will be required for any future project being considered as a Principle or

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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Conditional Use, as required by CEQA. The applicant supplied hydrologist will coordinate with Inyo County in their evaluation of projected water use as part of any future project design.

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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No, the proposed project's wastewater treatment will not unduly burden the commitments of any potential treatment provider. Wastewater disposal will likely utilize a septic system that will be reviewed and approved by the Inyo County Environmental Health Department.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project will not create a need for additional solid waste capacity. Solid waste needs for the project will be minimal. Most of the volume of solid waste (biomass refuse) will be collected and recycled for further use at an onsite composting yard. Any additional solid waste will be picked up by Pahrump Valley Disposal and then enter the Nye County landfill system. Impacts from future development would be minimal and consistent with the existing transfer station system.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The proposed project and any future development will comply with Inyo County's solid waste standards, as required by the Inyo County Department of Environmental Health.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE:

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?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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No, the project will not impact or degrade the quality of the environment. The project has only one area of concern for potential degradation and it can be mitigated to less than significant impacts. Future development that would be allowed by the Zoning Reclassification could impact plant and animal communities. The project applicant shall conduct preconstruction botanical surveys for all listed species identified within the quad. The owner or his agent will retain the services of a professional biologist who will evaluate the site for the species, as identified from the CNDDDB database and listed in the Initial Study, during blooming season, as well as any other animal species that in their professional opinion should be addressed. Any special status plant or animal species found onsite will be documented and a report shall be developed by the applicant biologist, and reviewed by Inyo County, which details all avoidance, minimization, and mitigation measures necessary to bring impacts to a level below significance. Mitigation measures, if required, will be incorporated into the Conditions of Approval for the proposed cannabis park 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)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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No, the proposed project does not have impacts that are individually limited, but cumulatively considerable. Due to the sparseness of the natural environment, previous disturbance on the parcel (mining pit), and the lack of plant or animal habitat, this location is well suited for the proposed development. Future solar developments in the area would still be limited in their cumulative effects, since the surrounding acreage is similar to that of the project site.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
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c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

☐
☐
☐
☒

No, the proposed project has no known environmental effects which will cause substantial adverse effects on human beings either directly or indirectly. The proposed project would not adversely impact the trailer homes to the southeast and may have positive impacts resulting from employment opportunities.

