



**COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT**

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NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT

Date: April 4, 2017

To: Interested Parties
All Recipients on the Distribution List

Lead Agency: County of Humboldt Planning & Building Department

Contact: Steven Lazar
Humboldt County Planning & Building Department
3015 H Street
Eureka, CA 95501

Project Title: Amendments to Humboldt County Code Regulating Commercial Cannabis Activities

NOTICE IS HEREBY GIVEN THAT the County of Humboldt (County), as Lead Agency under the California Environmental Quality Act (CEQA), has prepared this Notice of Preparation (NOP) for a Draft Environmental Impact Report (EIR) for proposed amendments to the Humboldt County Code regulating cannabis activities authorized under state law (Project). The NOP includes a project background, description, maps, and an overview of the potential impacts that will be addressed in the EIR. This NOP was prepared in accordance with Section 15082 of the CEQA Guidelines.

THE PURPOSE OF THIS NOTICE IS: (1) to serve as the NOP to provide interested parties, including members the public, potential Responsible Agencies, agencies involved in funding or approving the Project, and Trustee Agencies responsible for natural resources affected by the Project, with sufficient information to provide meaningful responses as to the scope and content of the EIR; and (2) to advise and solicit comments and suggestions regarding the preparation of the EIR, environmental issues and alternatives to be addressed in the EIR, and any related issues, from interested parties.

A 30-DAY NOP REVIEW PERIOD: The NOP will be circulated for a 30-day review period from April 6, 2017 to May 9, 2017. The County of Humboldt Planning and Building Department welcomes responsible and trustee agency input during this review.

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Written comments should be submitted or postmarked no later than **5:00 p.m. on Monday, May 9, 2017**. Please indicate a contact person in your response and send your comments to:

slazar@co.humboldt.ca.us

or

Steve Lazar
Humboldt County Planning & Building Department
3015 H Street
Eureka, CA 95501

Scoping Session: The County will hold one or more scoping sessions at date(s), time(s), and place(s) to be announced to 1) inform the public and interested agencies about the proposed Project; and 2) solicit public comment on environmental issues and alternatives to the Project to be considered in the EIR.

DOCUMENTS AVAILABLE FOR PUBLIC REVIEW: The NOP and related Project documents are available for public review at the following location:

County of Humboldt Planning & Building Department
3015 H Street
Eureka, CA 95501

The NOP and related Project documents are also available for public review online at:

<https://humboldt.gov.org/2308/Cannabis-EIR>

PROJECT LOCATION AND SETTING:

The project location, hereafter referred to as the planning area, is identified as the unincorporated areas of Humboldt County. With 3,570 square miles (nearly 2.3 million acres) of land, Humboldt County is the fourteenth largest county in California as well as one of the more rural counties.

The County is located in the northern coastal region of California between Del Norte County to the north, Mendocino County to the south, Trinity and Siskiyou Counties to the east, and the Pacific Ocean to the west. Humboldt and bordering counties Trinity and Mendocino are often referred to as “The Emerald Triangle”. With a reputation for marijuana cultivation spanning nearly half a century, this region is believed by many to be the largest producer of cannabis in the country, and possibly the world.

There are seven incorporated cities in the County (Trinidad, Eureka, Arcata, Blue Lake, Fortuna, Ferndale, and Rio Dell) occupying 24,040 acres, or just about one percent of the total land area. Approximately 30 percent of the County is either in public ownership or tribal lands. The National Forests, National Parks, and public land controlled by the Bureau of Land Management

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totals 110,000 acres, the State Parks System includes 76,500 acres, and other state lands comprise approximately 8,500. Tribal lands total approximately 127,500 acres (including reservations, Rancherias, and other trust lands), or 5.7 percent of the total land area in the county. 2016 data shows a county-wide population of 135,116. Slightly more than half (71,830 persons) of these residents live within unincorporated areas of the county, which are comprised of a diverse range of settings, including small rural communities, urbanized areas, as well as agricultural areas characterized primarily by dairies, cultivation of row crops, greenhouse crops, and orchards and ranch operations. Agriculture, timber, tourism, and education/government are strong industries in the County.

Humboldt County includes significant portions of the Klamath River, Trinity River, Mad River, Van Duzen River, Mattole River, Eel River, Bear River, and Redwood Creek watersheds, and their tributaries. Historically, these rivers provided spawning grounds for salmon and steelhead runs that were central to the culture of local California Native American Tribes, and once supported a thriving commercial fishing industry along the northern California coast, now in serious decline.

Approximately seventy-five percent of the county's 2.3 million acres are forested coastal mountains. About fifty percent of this acreage is held as private commercial timberland. The timber industry economic activity peaked in the 50s and 60s, but is still a significant contributor to the local economy. In the period 2000-2012 Humboldt County ranked first or second in timber harvest among all California counties, with 16-20% of the total. Though forests are a defining feature, agriculture is a key part of the landscape and remains an important base industry. Approximately twenty percent of Humboldt County (460,000 acres) is host to conventional agricultural uses, with livestock and dairy operations predominating.

The Project involves proposed adoption of countywide regulations and policies to govern commercial cannabis activities, as defined and authorized under state law concerning medical cannabis or adult use of marijuana. This includes: cultivation, processing, distribution, manufacturing, testing, transportation, and retail sales within select zoning districts. The new regulations may include a licensing ordinance and zoning ordinance amendments as well as amendments to other areas of county code. Amendments to the Local Coastal Program (LCP) may also be required for activities to occur in the Coastal Zone. The new regulations may supersede, augment, or substitute for existing provisions in County Code regulating these activities, including but not limited to sections 313 and 314-55 of the code which regulate commercial activities involving the cultivation, manufacturing, and distribution of cannabis for medical use, as well as the indoor and outdoor cultivation of medical cannabis for personal use by qualified patients.

The description in the EIR of the existing conditions of cannabis cultivation in the County, called the "baseline", has been informed by the County's recent registration and time-limited permit application process that closed December 31, 2016, which resulted in over 2,300 initial applications. Approximately 75% of these applicants claim to have historically cultivated cannabis and are seeking a permit for continued cannabis operations. In some cases, applicants are choosing to retire and remediate existing cultivation sites, and are requesting to relocate to

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new properties which qualify to receive them, with the benefit of allowing for up to a quadrupling of total cultivation area, or 20,000 square feet of cultivation, whichever is less. A smaller percentage of the total applications received are linked to projects proposing to establish new cultivation sites, primarily in agricultural areas determined to be most suitable for cultivation with the least adverse attendant environmental impacts. The smallest percentage of applications received involves proposals for indoor cultivation, or the development of manufacturing operations or wholesale distribution facilities. Additionally, the baseline also includes existing commercial cannabis operations for which no permit applications have been submitted. The EIR will assume that some portion of this population will seek to participate in the legal, regulated marketplace, and others will choose to remain in the black market.

A study of 2012 satellite imagery conducted by Butsic and Brenner¹, revealed the presence of 4,428 outdoor cultivation sites within 60 of the 112 subwatersheds (Hydrologic Unit Code 12) visible in Humboldt County. In 2015, during a presentation before the Humboldt County Board Supervisors, Mr. Butsic confirmed that the 60 watersheds were chosen as part of a random sample and that it was therefore reasonable to extrapolate almost double that number existed within Humboldt County in 2012². Anecdotal information received from observations by local regulatory and enforcement agencies suggests a pattern of near-exponential growth in the industry during the past decade, with some estimates of as many as 10,000 – 15,000 cultivation operations currently in existence.

PROJECT BACKGROUND:

Notable Local and State Legislative History

In November 1996, California voters approved Proposition 215, the Compassionate Use Act, providing a limited defense against prosecution for possession and use of marijuana where medical use has been recommended by physician.

In September 2003, the state legislature adopted SB 420 (Vasconcellos) establishing the medical marijuana program for authorized patients and collectives and cooperatives to cultivate, possess and use medical marijuana under limitations protected from prosecution.

In August 2004, the Humboldt County Board of Supervisors adopted Ordinance No. 2328 to provide for local implementation of Proposition 215 and SB 420.

In December 2011, the Humboldt County Board of Supervisors adopted Ordinance No. 2468, providing limitations for the indoor cultivation of medical marijuana for personal use (Phase I), and Ordinance No. 2469, establishing a moratorium for processing and acceptance of applications for medical marijuana dispensaries. The moratorium was subsequently extended and the permitting of dispensaries prohibited by Ordinance No. 2511 in December 2013.

¹ Butsic, Van and Jacob C. Brenner. "Cannabis (Cannabis sativa or C. indica) Agriculture and the Environment: A Systematic, Spatially-Explicit Survey and Potential Impacts." *Environmental Research Letters*, 2016; 11 (4): 044023 DOI:10.1088/1748-9326/11/4/044023.

² Mintz, Daniel. "Researcher: 8,400 Grow Sites in County." *Mad River Union*, January 27, 2016, <http://www.madriverunion.com/researcher-8400-grow-sites-in-county-2/>.

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In October 2014, the Humboldt County Board of Supervisors adopted Ordinance No. 2523 providing limitations for the outdoor cultivation of medical marijuana for personal use on parcels 5 acres or less (Phase II).

In August 2015, the Humboldt County Board of Supervisors adopted Ordinance No. 2534 establishing regulations for permitting dispensaries (Phase III), but which did not go into effect until July 2016 pending a separate ordinance to rescind Ordinance No. 2511.

In 2015, the California Legislature passed the Medical Cannabis Regulation and Safety Act (MCRSA), enabling licensing for commercial medical cannabis activities at the state level (subject to local approval). The law went into effect on January 1, 2016; however, the state licensing program will not begin until January 2018. In the interim, local governments may adopt ordinances to permit or license local cannabis cultivation and other commercial enterprises in preparation for state licensing, or prohibit such operations.

In January 2016, Humboldt County was the first local government in the state to adopt a comprehensive local regulatory program for commercial medical cannabis. The law known as the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) Ordinance No. 2544 (Phase IV) took effect on February 26, 2016, and included a limited time period for application submission that ended on December 31, 2016.

In July 2016, the Humboldt County Board of Supervisors adopted Ordinance No. 2554, rescinding Ordinance No. 2511 and amending Ordinance No. 2534 (Phase III Dispensary Regulations) and allowing for commercial medical cannabis dispensaries in the County.

In September 2016, the Humboldt County Board of Supervisors adopted Ordinance No. 2559 making clarifying and corrective amendments to the CMMLUO Ordinance No. 2544 (Phase IV).

The state legislature adopted a number of amendments to MCRSA, including SB 837, AB 2679, and AB 2516 with a range of new regulatory requirements.

On November 8, 2016, California Voters approved Proposition 64, the Adult Use of Marijuana Act (AUMA), authorizing a state licensing program for commercial marijuana activities similar to MCRSA, but not limited to medical cannabis. AUMA allows local governments to enact ordinances to prohibit or regulate such activities, with certain limitations.

The proposed amendments to the Humboldt County Code will both extend the application period for commercial medical cannabis activities, and will broaden the regulations to include activities authorized by AUMA.

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PROJECT DESCRIPTION:

The proposed amendments to the Humboldt County Code including provisions previously established by Ordinance Nos. 2554 and 2559 are intended to achieve the following regulatory objectives:

- Repeal the deadline for applications, and continue to accept applications under Ordinance No. 2559 for medical cannabis without significant changes.
- Expand the scope of the Ordinance Nos. 2554 and 2559 to include commercial marijuana operations for adult recreational use now authorized by AUMA, under the same general regulations as medical cannabis.
- Expand the areas where new cultivation or expansion of existing cultivation sites will be permitted to locations with or without prime agricultural soils that are planned and zoned for agricultural use, meeting specific criteria to be established:
 - natural slopes 15 percent or less
 - in lower portions of principal watersheds where established riparian water rights exist
 - with viable local on-site water source, including:
 - rainwater capture and storage
 - surface water diversion and storage under standard forbearance period or refined or dynamic period set by flow data or localized water management plan
 - groundwater, where known to be non-hydrologically connected
 - located on or within 1 mile of county-maintained roads
 - or located on private road systems meeting the category 4 road standard
 - with on-grid power or alternative energy source (solar, wind, or micro-hydro)
- Restrict or prohibit generator use
- Limit new cultivation or expansion to areas not requiring conversion of timberland
- Provide for micro-business license type under AUMA within 2 miles of state highways
- Apply special requirements/limitations for projects located within spheres of influence or community areas
- Provide consistency with state law amendments to medical cannabis regulations (MCRSA)
- Provide consistency with state agency regulations to implement MCRSA and AUMA by Departments of Consumer Affairs, Food & Agriculture and Public Health, or other agencies
- Provide consistency with forthcoming interim principles and guidelines for diversion and use of water for cannabis cultivation to be prepared by the State Water Resources Control Board in consultation with the Department of Fish & Wildlife
- Provide for additional amendments to existing ordinance provisions including: application requirements, performance standards, general provisions, and permit types
- Amendments to other relevant provisions of Humboldt County Code including but not limited to:
 - County Code Enforcement provisions
 - Humboldt County Streamside Management Area Ordinance
 - County Business License provisions

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SUMMARY OF KEY ENVIRONMENTAL ISSUES TO BE ADDRESSED IN EIR

Pursuant to Section 15064 of the CEQA Guidelines, the discussion of potential project effects on the environment in the EIR will concentrate on those impacts that the County has determined may be potentially significant. The most detailed analysis will evaluate the project, however project alternatives will also be evaluated. The EIR will evaluate the cumulative impacts of the project when considered in conjunction with other related past, present, and reasonably foreseeable future projects.

The County has determined that the proposed Project could potentially result in environmental impacts in the following topic areas:

- Aesthetics and Visual Resources
- Hazards and Hazardous Materials
- Agricultural and Forestry Resources
- Hydrology and Water Quality
- Geology and Soils
- Land Use and Planning
- Public Services
- Cultural Resources
- Tribal Cultural Resources
- Air Quality
- Energy Use and Conservation
- Greenhouse Gas Emissions & Climate Change
- Biological Resources
- Utilities and Service Systems

These topic areas will be evaluated in the EIR, and feasible and practicable mitigation measures will be recommended to reduce any potentially significant impacts. Brief descriptions of proposed analyses follow:

Aesthetics: Humboldt County is renowned for the scenic quality of its varied topography which includes: coastline, forests, rivers, and agricultural areas. Due to its remote setting, the county has been host to a robust and varied landscape of agricultural uses since nearly its inception. Many of these areas remain actively in agricultural production today as row crops, vineyards, and indoor flower greenhouses. Grazing lands comprise the largest percentage of the county's agricultural landscape. There are no officially designated state scenic highways in Humboldt County, although Highways 101, 36, 299, and 96 are eligible for designation. This EIR section will qualitatively describe the County's current visual resources, consistent with the County General Plan and General Plan Update setting information. The EIR analysis will describe how project implementation could generally change aesthetics within the County, especially from important vantage points and within potential cultural landscapes. Changes may include fencing and other visual screens that block views of grow operations, new or additional facilities related to processing and transportation, as well as additional or expanded outdoor cultivation activities. Siting requirements (i.e., required distances between project-related uses and "sensitive uses," setback specifications from public or private use types, and retention of CMMLUO Section 55.4.11 regarding lighting standards) that are established within the project will be reflected in the EIR's analysis. The analysis will also include a discussion of light- and glare-related impacts and a discussion of potential impacts to the existing viewshed. Consultation with the Coastal Commission staff may reveal the need for a varied approach to the protection of scenic resources within the Coastal Zone.

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Agriculture and Forestry Resources. The EIR will evaluate the effects of continuing to accept permit applications by existing operators engaged in cannabis cultivation on lands planned and zoned for agricultural and timber land use activities. The majority of lands in the county are host to forest resources meeting the definition of ‘timberland’ found under section 4526 of the Public Resources Code (Forest Practices Act). To help arrest the pattern of private non-industrial timberland conversion which accompanied the growth of the cannabis industry during recent years, Ordinance Nos. 2544 and 2559 prohibited new or expanded cannabis cultivation on lands zoned ‘TPZ’ and limited permits to the area of existing cultivation as of January 1, 2016. New or expanded cultivation activities were confined to agriculturally zoned lands over 5 acres in size that are host to prime soils and slopes of 15 percent or less. The EIR will analyze the effects of removing the ‘prime soils’ requirement for new or expanded cultivation proposals, relieving pressure on these limited agricultural resources, while helping align with common local cultivation practices which rely upon the import of soil to the cultivation site. The Department of Conservation has affirmed cannabis’ status as an agricultural product as declared under MCRSA, and clarified that the cultivation of cannabis on lands enrolled in the Williamson Act program is not prohibited.³ In December 2015, during their review of the CMMLUO, the Humboldt County Williamson Act Advisory Committee found cannabis cultivation to be a compatible use on lands subject to Williamson Act contracts.

Air Quality/Greenhouse Gas (GHGs). The project is located within the jurisdiction of the North Coast Unified Air Quality Management District (NCUAQMD). The EIR will evaluate the potential criteria pollutant operational emissions of the project. The air quality analysis will document existing conditions and local, state and federal regulatory standards and thresholds, and describe attainment/non-attainment pollutants for the North Coast Air Basin. The estimated emissions will be compared against the district-accepted thresholds for reactive organic gases, nitrogen oxides, and particulate matter. Humboldt County is in attainment of all federal and state criteria air pollutant standards, except for annual emissions of particulate matter larger than 2.5 microns but smaller than 10 microns (PM₁₀), for which the entire North Coast Air Basin, including Humboldt County, is currently designated as a non-attainment area. The 2015 Estimated Annual Emissions from Almanac Emission Projection Data maintained by the California Air Resources Board reveals that fugitive dust from unpaved roads comprises 58.2% of annual PM₁₀ emissions in Humboldt County.

The EIR will qualitatively evaluate potential odor impacts associated with the project. Cannabis cultivation and processing operations have odors associated with them, especially during the final parts of the cultivation cycle (typically beginning in August and continuing until harvest in October or November). Generally, the larger the size of cultivation and processing activities, the greater the potential for odor to be evident. In addition, the establishment of micro-businesses in the County could become focused sources of odors from cannabis cultivation/processing and on-site consumption.

³ Department of Conservation, Division of Land Resource Protection. “Cultivation of Medical Marijuana and the Williamson Act.” July 2016, http://www.conservation.ca.gov/dlrp/lca/Documents/WA%20Medical%20Marijuana_7.15.2016.pdf.

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The analysis of GHGs will include a brief discussion on the current state of the science (e.g., Intergovernmental Panel on Climate Change's [IPCC] Fourth Assessment Report), current General Plan Update and Climate Action Plan development by the County, along with applicable regulatory framework and relevant guidance (e.g., AB 32 and SB 32). The analysis will evaluate the project in terms of its consistency with California's GHG reduction goals, recommendations contained in the AB 32 Scoping Plan, and other recent guidance documents for determining whether project-generated GHG emissions would be a cumulatively considerable contribution to the global impact of climate change. The EIR will include analysis of changes in carbon sequestration potential resulting from conversion and substitution of existing vegetation and/or agricultural activities occurring in tandem with the establishment or enlargement of outdoor and mixed light cultivation areas. Analysis will also review and consider benefits from project-driven reforestation performed during the retirement and remediation of existing cultivation sites in accordance with regulatory incentives provided under the CMMLUO. The EIR will evaluate Vehicle Miles Traveled (VMT) linked to management of cannabis cultivation sites within the county, in association with an analysis of attendant GHG emissions. The EIR will also evaluate potential GHG emissions from portable generators which may be associated with cannabis cultivation sites not located on the electrical grid, and from grid connected indoor and mixed light cultivation sites. An analysis of energy consumption associated with commercial cannabis activities will be performed in accordance with Appendix F of the CEQA Guidelines. This will include development of potential conservation measures.

Biological Resources. The EIR will evaluate potential direct and indirect biological impacts of the proposed ordinance amendments. Impacts may include direct loss of vegetation and habitats primarily due to grading and vegetation removal performed in association with the development of new cultivation sites or expansion of existing cannabis cultivation sites and associated infrastructure. This includes roads, accessory structures used for on-site processing or storage, installation and maintenance of irrigation systems including alterations to stream morphology associated with in-channel disturbances, above and below ground storage of water used for irrigation, as well as installation of security fencing. Other project features with potential impacts to wildlife include: improper use of rodenticide and pesticides, loss or reduction of riparian habitat, noise resulting from increased human activity in remote areas as well as noise from generator use, installation of fencing which interferes with or obstructs movement of terrestrial species, increased use of night-lighting associated with security measures as well as light spillage from mixed-light cultivation. Indirect impacts of chief concern surround those with the potential to affect in-stream habitat including: discharge of sediment and nutrient-rich runoff from cultivation sites to nearby watercourses, summertime dewatering of streams where local cannabis irrigation demands involve use of surface water diversions and hydrologically connected wells⁴, reduced input of large woody debris within lower portions of the watershed, and increases in overall water temperature and loss of cold water refugia linked to low streamflows and reductions in riparian vegetation and associated shading.

⁴ Scott Bauer, et. al.. "Impacts of Surface Water Diversions for Marijuana Cultivation on Aquatic Habitat in Four Northwestern California Watersheds." PLoS ONE 10(3): e0120016, March 18, 2015, <http://journals.plos.org/plosone/article?id=10.1371/journal.pone.0120016>.

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Cultural Resources and Tribal Cultural Resources. Development and management of cannabis cultivation sites, including support structures and infrastructure, has the potential to impact cultural resources. The EIR will evaluate the potential for impacts on unknown subsurface cultural resources, including the disturbance of human remains and impacts to known historic resources. Though the majority of potential historical resources in the County remain largely unsurveyed and undocumented at this time, a review of listed historical structures and sites will be included, as well as a discussion of potential cultural landscapes within areas of permit activity. An overview of local history, before settlement (pre-1850) and afterward (1850 to present) will be provided as well as a brief discussion of applicable federal, state, and local policies and regulations, including methods used to identify and evaluate cultural resources and criteria for determining significance, identification of impacts, and development of mitigation measures.

The County contains many archaeological, paleontological, and Native American cultural sites and historic resources, including numerous unrecorded archaeological sites and historic resources. Potential impacts to Tribal Cultural Resources will be evaluated in coordination with opportunities for tribal consultation initiated pursuant to Section 21080.3.1 of the Public Resources Code. Information concerning sites, features, practices, cultural landscapes, sacred places, or objects with cultural value to a California tribe will be incorporated into the EIR's analysis. This includes important locations, routes, and riverscapes utilized for resource gathering and ceremony, such as tan oak and oak woodland, fishing locations, and grasses used in basketry, as well as the role of prescribed fire.

Hazards and Hazardous Materials. Storage and use of hazardous materials at locations host to cultivation activities is not uncommon. Additionally, certain manufacturing processes include the use of volatile solvents in association with extraction of cannabis oils. If improperly stored or utilized, all of these materials can result in potentially significant environmental effects. Additionally, nearly 9 out of 10 existing cultivation sites occur in remote areas of the county characterized by high or very high fire hazard severity zones. The EIR will assess hazards and hazardous materials impacts from cultivation and manufacturing sites by considering storage, handling, and application practices of hazardous materials, as well as review hazards related to permitting new and ongoing commercial cultivation activities within areas of wildland fire risk.

Hydrology and Water Quality. The existing CMMLUO includes several provisions aimed at protecting water quality, including that all cultivation sites comply with the 12 Standard Conditions outlined under the North Coast Regional Water Quality Control Board Waiver of Waste Discharge requirements (Order No. 2015-0023), administered as part of the Cannabis Cultivation Waste Discharge Regulatory Program (CCWDRP). As the agency with the greatest regulatory authority and oversight over water quality matters, the work of the North Coast RWQCB and the CCWDRP represents the most authoritative evaluation and treatment of cannabis cultivation water quality considerations to date. The program “does not cover or authorize development of new cannabis cultivation sites”, but instead applies to *Cannabis Cultivation and Associated Activities or Operations with Similar Environmental Effects*, including associated actions involving remediation, cleanup, and restoration of existing sites compelled by the order. The EIR will primarily focus on analysis of water quality impacts associated with

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installation of new cultivation sites and associated infrastructure, including changes in run-off volumes and drainage patterns, pollutant discharges to surface and ground waters, and potential flooding hazards and downstream flooding impacts. Using information derived from recent permit applications being sought by operators of existing cultivation sites, the EIR will include a review of common water sources, as well as water storage and use broken down by types of cultivation and methods of irrigation. An analysis will also be performed of changes in current water use resulting from potential crop substitution or conversion to accommodate cannabis, as well as changes in the use of existing commercial buildings to accommodate indoor cannabis cultivation or manufacturing activities.

Geology and Soils. The EIR will evaluate seismic issues as well as any risks of soil instability and other geotechnical hazards that could impact existing and future cultivation sites and associated structures and infrastructure. The majority of existing cultivation sites are located within interior portions of the county characterized by steep topography, increased erosion risk, and evidence of historic landslide activity. Existing sites typically feature unpermitted grading and volumes of ground disturbance exceeding local grading permit thresholds (50 cubic yards), with measures for erosion control either absent or inadequate. Improper site development or maintenance can result in erosion and transportable sediment and create or exacerbate unstable features. Water resource protection or cleanup plans prepared in association with enrollment under the CCWDRP contain requirements for implementation of appropriate Best Management Practices (BMP's) to prevent and minimize wind and water erosion of soils, including: installation of adequate road ditch relief drains or rolling dips where necessary, usage of sediment control devices such as check dams or sand bag barriers when necessary to disperse ditch water, and compaction and contouring of stored soil spoil piles to mimic the natural slope contours. Proper implementation of BMP's at existing sites significantly reduces the potential for substantial soil erosion or the loss of topsoil. The EIR will primarily focus on analysis of direct, indirect, and cumulative geologic hazards and impacts posed by new or expanded cannabis operations, including grading for terracing and access roads which may have the potential to increase erosion, landslides, unstable slopes, sedimentation, and seismic hazards. Analysis will also consider beneficial effects from ongoing implementation of the regulatory program, and eliminating or limiting illegal grading and ground disturbance in sensitive areas.

Land Use and Planning. The EIR will evaluate the proposed amendments for consistency with existing local land use policies and regulations, including applicable habitat conservation plans, local coastal plans, and airport land use plans. Intensified commercial agricultural operations have the potential for conflicts with nearby residential uses related to noise, odors, dust, security, and traffic associated with development and operation of cannabis cultivation and other commercial activities. In addition, the proximity of some cultivation operations to existing residential uses can result in conflicts between County policies which promote agricultural uses and those designed to protect the quality of life and neighborhood character within rural lands. The Land Use and Planning analysis in the EIR will address commercial cannabis activities in each zoning district where they are allowed and consider effects related to conversion or displacement of existing land uses. Analysis of policy consistency will include: use of space within existing industrial and commercial areas, resource preservation and protection, localized traffic concerns and parking demand, compatibility within discrete community planning areas and spheres of influence, and other land use issues of possible community concern while acknowledging the priority placed on conventional commercial

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agricultural uses and timber production in certain zone districts. The EIR will qualitatively describe existing land use within the County and evaluate any potential for division of existing communities.

Public Services. The EIR will evaluate whether the proposed amendments could result in impacts on public services including fire protection, police protection, schools, and other public facilities. Most of the County is designated as a High or Very High Fire hazard area by the California Department of Forestry and Fire Protection (CalFire). In the event of fire, emergency access to cannabis cultivation and manufacturing sites is critical to ensure adequate and timely response. The County is served by a number of fire districts and by CalFire.

Local law enforcement is provided primarily through stations operated by the Humboldt County Sheriff's Office and coordination with City Police Departments, as well as the California Highway Patrol. Development permitted under the proposed amendments may incrementally increase demand for public services, particularly fire protection. Incremental increases in demand for law enforcement along with other services, such as road maintenance, may also occur. The EIR would provide an overview of public service issues and focus on services that could be adversely affected. The EIR would assess fire protection issues and potential increases in demand for other public services associated with existing and new cannabis cultivation sites, such as access, response time, and defensible space while accounting for existing regulations and development standards.

Utilities & Service Systems. The EIR will evaluate direct and indirect effects on utilities serving new and existing cannabis cultivation sites as well as commercial and industrially zoned areas where manufacturing, processing, and distribution facilities may be developed. The Pacific Gas and Electric Company (PG&E) is the principal provider of electricity and natural gas to the majority of the County. The proposed amendments may result in an increase in demand for water and power to support commercial cannabis activities and may generate solid waste and wastewater requiring treatment. There are 12 municipal wastewater service providers and 24 municipal water service providers currently operating within the unincorporated areas of the county. Nearly all of the County's municipal water providers rely upon local surface (streams and reservoirs) and groundwater sources, which are fed entirely by precipitation and do not receive any imported water. While most outdoor and mixed light cultivation sites are located in rural areas served by private wells, surface water diversions, and septic systems, other commercial activities (manufacturing, processing, and distribution) are likely to place new demands on municipal water sources and utilize existing infrastructure. The EIR will identify and analyze impacts of cannabis cultivation sites on existing utility systems and services, including increases in generation of cultivation-related waste such as the disposal of spent bulk soil imported to cultivation sites.

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Cumulative Impacts. Potential cumulative impacts of the Project will be addressed within the EIR consistent with CEQA Guidelines Section 15130.

Other CEQA Issues. The EIR will provide a brief discussion of less than significant and insignificant issues, which at this time are expected to include transportation/traffic, recreation, mineral resources, and population and housing. CEQA allows a lead agency to limit the detail of discussion of the environmental effects that are not considered potentially significant. (PRC Section 21100, 14 CCR Sections 15126.2[a] and 15128.)

Alternatives. In accordance with the State CEQA Guidelines (14 CCR Section 15126.6), the EIR will describe a range of reasonable alternatives to the proposed project that are capable of meeting most of the Project's objectives, and would avoid or substantially lessen any potential significant effects that may be identified. The EIR will provide an analysis of the No-Project Alternative and will also identify the environmentally superior alternative. The alternatives will include analysis of a reduced alternative that is more permissive than the Project, and also a more restrictive alternative to ensure the County has a range of scenarios to consider during future discretionary proceedings. The EIR will also identify any alternatives that were considered but rejected by the lead agency as infeasible and briefly explain the reasons why.