

MEETING DATE: 6/13/19 APPLICATION NO. CCUPT3-18-07 and CCUPN-19-03

**TRINITY COUNTY PLANNING COMMISSION
STAFF REPORT**

OWNER: Nicholas Holliday

APPLICANT: Nicholas Holliday

AGENT: Nicholas Holliday

REPORT BY: Mark Chaney
Principal Scientist, SHN

APN: Trinity County 008-210-10

PROPOSAL: The project applicant proposes to expand their cannabis cultivation operation by adding up to 33,560 square feet (sf) of cannabis canopy under a Type-3 medium license as well as a 10,000 sf nursery for the propagation of cannabis through clones, immature plants, and seeds under a Type-4 license. The proposed cultivation would occur within six (6) greenhouses (20 feet by 74 feet each), two (2) hoop house (96 feet by 30 feet each), two (2) nursery greenhouses (30 feet by 96 feet each), and approximately 22,800 sf of outdoor cultivation.

LOCATION: The Trinity Sungrown Cannabis Conditional Use Permit project is located within Trinity County, at 610 Kaut Road in Burnt Ranch. The 200 acre site is identified as Assessor Parcel Number (APN) 008-210-10 and is part of the existing Trinity Sungrown Ranch. Primary site access is provided via Kaut Road, located approximately 1.5 miles from State Route 299 (SR-299). The site is also identified on the Ironside Mountain, California 7.5-minute USGS quadrangle map, Township 5 North, Range 6 East, Section 23 West, Humboldt Base Meridian (HBM). A map depicting the project location is provided as Figures 1 and 2.

PROJECT INFORMATION:

- | | |
|-----------------------------------|--|
| A) General Plan Designation: | Resource (RE) |
| B) Existing Zoning: | Agricultural Preserve (AP) |
| C) Existing Land Use: | Residential, Cannabis Cultivation, Undeveloped |
| D) Adjacent Land Use Information: | Rural Residential, Forest Service |

The existing land uses, zoning and general plan designations for the properties immediately adjacent to the project are shown below. A map depicting the current zoning is provided as Figure 3.

Location	Land Use	Zoning	General Plan Designation
North	Rural Residential, Vacant	Unclassified (U)	Resource (RE)
South	Vacant (Forest Service)	Unclassified (U)	Resource (RE)
East	Vacant (Forest Service)	Unclassified (U)	Resource (RE)
West	Vacant (Forest Service)	Unclassified (U)	Resource (RE)

PROJECT DESCRIPTION

The project applicant is currently licensed to cultivate up to 10,000 square feet (sf) of mature cannabis canopy. The property currently includes a residence, a shop, a 750,000 gallon water storage pond and 10,000 sf of cannabis cultivation within eight greenhouses (20 feet by 74 feet each). Currently plants are planted directly into the ground and drip irrigated. Although outdoor cultivation does not occur onsite at present, the applicant proposes to use a combination of full-sun outdoor and light deprivation cultivation techniques. The existing shop building is utilized as equipment storage, as well as, cannabis processing and storage. The proposed project includes the addition of up to 33,560 sf of cannabis canopy under a Type-3 medium license and the construction of a 10,000 square foot nursery for the propagation of cannabis through clones, immature plants, and seeds under a Type- 4 license. The nursery would initially consist of two (2) 30 feet by 96 feet greenhouses. The proposed project would not alter existing activities at the residence or the shop.

The Trinity Sungrown Ranch maintains pre-1914 water rights allowing water to be diverted from two separate water systems, a perennial creek for irrigation and a spring for domestic use. Existing water storage for onsite irrigation consists of an approximate 750,000 gallon storage pond and a 5,000 gallon above ground water storage tank. An additional 2,500 gallon storage tank is provided onsite for fire suppression purposes.

The proposed project requests to expand existing onsite activities through the addition of six (6) greenhouses (20 feet by 74 feet each), two (2) hoop house (96 feet by 30 feet each), two (2) nursery greenhouses (30 feet by 96 feet each), and approximately 22,800 sf of outdoor cultivation. The Northern Spotted Owl (NSO) has been observed in the project vicinity. In order to minimize unintended harm to NSOs the project applicant will use preventative measures and Integrated Pest management (IPM) practices as recommended by the California Department of Pesticide Regulation (DPR) for rodent control. The rodent prevention strategy will focus on the reduction of the property’s rodent carrying capacity by removing food access and features that could provide habitat to rodents. The project applicant will also utilize domestic predators such as cats or dogs bred to hunt rodents if needed. In addition, traps and EradiBait, a non-coagulant powder corn cob will be used to reduce the species population at the site.

The proposed expansion would employ three (3) full-time employees with an additional seven (7) seasonal employees needed temporarily from August through December. The applicant proposes to utilize the local labor force within the County. Employees will not live on the subject property. The project as proposed does not comply with the Trinity County Ordinance 315-823 and amendments, requiring a 500-foot setback from the property line for a medium (up to one acre of canopy) cannabis cultivation site; the proposed setback is 200 feet. The applicant has submitted an application for a

variance from the requirements of the 500-foot setback. As a condition of approval the variance will need to be approved before the applicant can proceed with the proposed project development of cultivation within the 500-foot setback area.

STAFF RECOMMENDATION AND FINDINGS

Staff recommends the Planning Commission:

1. Adopt the resolution and findings that the Initial Study and Mitigated Negative Declaration are consistent with the California Environmental Quality Act (“CEQA”) requirements and adopt the Mitigation Monitoring and Reporting Program (“MMRP”).
2. Approve the Conditional Use Permit for development of a Cannabis Type 3 use, subject to the conditions of approval for that use as provided in this Staff Report and of the County’s Cannabis Ordinance;
3. Approve the Conditional Use Permit for development of a Cannabis Nursery use, subject to the conditions of approval for that use as provided in this Staff Report and of the County’s Cannabis Ordinance.

PROJECT EVALUATION

A draft Initial Study and Mitigated Negative Declaration (IS/MND) was completed for this project proposal and was made available to the public and responsible and trustee agencies for review and comment.

CEQA FINDINGS

The IS/MND for the project has been prepared in accordance with the current California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., and the State *CEQA Guidelines*. This is a public information document that describes the project, existing environmental setting at the project site, and potential environmental impacts of construction and operation of the project. It is intended to inform the Planning Commission of the project’s potential environmental impacts and to document the lead agency’s compliance with CEQA and the State CEQA Guidelines.

The resources in the project area were evaluated in the IS based on the thresholds of significance identified in the CEQA Guidelines. Those resource areas that were identified in the IS to have thresholds of significance that require Mitigation Measures to reduce significant impacts of the project to a less than significant level, and those resource areas that require specific conditions of approval as a part of the Conditional Use Permit are provided below. Full text of the IS, Thresholds of Significance and Findings are provided in the IS, attached to the Staff Report. A listing of all other Conditions of Approval are provided in the section titled “Conditions of Approval” in this Staff Report.

The following resource areas were determined to require mitigation measures to reduce impacts to a less than significant level, or conditions of approval as a part of the Conditional Use Permit.

Air Quality

The following conditions of approval are recommended for inclusion into the Use Permit for the protection of air quality.

Condition of Approval (COA#7): The spray application of pesticides (e.g. neem oil, sulfur or other materials) shall occur no closer than 500 feet to an adjacent residence. Spraying shall not occur at wind speeds greater than 10 miles per hour (CCR, Title 3, Division 6, 6960(b)(3)). The operator shall measure the wind speed prior to and during spraying activities to ensure wind speeds are below 10 mph. Spraying activities shall cease if wind speeds are measured at greater than 10 mph.

Biological Resources

Development of the project requires the applicant to comply with the Mitigation Measures as identified below and as outlined on the MMRP.

Mitigation Measure BR-1: Integrated Pest Management – The project applicant and/or operator shall utilize preventative non-chemical strategies, and IPM strategies identified by the California Department of Pesticide Regulation for cannabis production, to control the onsite proliferation of rodents. This shall include the following strategies to reduce the property’s rodent carrying capacity:

- Remove food access and features that could provide habitat to rodents. Examples include, but are not limited to, using trash cans with lids, sealing holes along structures, maintaining a sealed compost area, eliminating standing surface water (puddles) and limiting the height of grasses around the project vicinity.
- Utilize traps and EradiBait, a non-coagulant powder corn cob to extirpate the species.
- If necessary, utilize domestic predators such as cats or dogs bred to hunt rodents.
- Use of rodenticides that are not DPR-restricted or federally restricted-use pesticides and registered for a broad enough use to include use in or around marijuana cultivation sites.

Condition of Approval (COA#8): NSO are most active during dawn and dusk. Should the use of temporary onsite gas-powered maintenance equipment be required (i.e., leaf blowers, mowers), operation of such equipment shall be restricted during the 2 hour period prior to sunrise and 2 hour period before sunset.

Cultural Resources

Development of the project requires the applicant to comply with the Mitigation Measures as identified below and as outlined on the MMRP.

Mitigation Measure CR-1. If cultural resources, such as chipped or ground stone, or bone are discovered during ground-disturbance activities, work shall be stopped within 50 feet of the discovery, as required by the California Environmental Quality Act (CEQA; January 1999 Revised Guidelines, Title 14 California Code of Regulations [CCR] 15064.5 (f)). Work near the archaeological finds shall not resume until a professional archaeologist, who meets the Secretary of the Interior’s Standards and Guidelines, has evaluated the material and offered recommendations for further action.

Mitigation Measures CR-2. If In the event that previously unidentified evidence of human burial or human remains are discovered during project construction, work will stop at the discovery location, within 20 meters (66 feet), and any nearby area reasonably suspected to overlie human

remains (Public Resources Code, Section 7050.5)., The Trinity County Coroner must be informed and consulted, per State law. If the coroner determines the remains to be Native American, he or she shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent. The most likely descendent will be given an opportunity to make recommendations for means of treatment of the human remains and any associated grave goods. when the commission is unable to identify a descendant or the descendants identified fail to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendants and the mediation provided for in subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance. Work in the area shall not continue until the human remains are dealt with according to the recommendations of the County Coroner, Native American Heritage Commission and/or the most likely descendent have been implemented.

Geology and Soils

The following conditions of approval are recommended to be included in the Use Permit for the protection of soils and water quality

Condition of Approval (COA #9): The applicant must comply with County regulations that govern the use and development of septic systems, as provided for by the Trinity County Environmental Health Department.

Land Use and Planning

The following conditions of approval are recommended to be included in the Use Permit for the protection of soils and water quality

Condition of Approval (COA #10): The applicant’s proposed project does not comply with the Trinity County Ordinance 315-823, requiring a 500 ft setback from the property line for Type- 3 (medium, or up to one acre of canopy) cannabis cultivation, the applicant’s application for a variance will need to be approved by the County before the applicant can proceed with the proposed project activities in the 500 foot setback.

Hydrology and Water Quality

The following conditions of approval are made for the protection of water quality; refer to Condition of Approval #9 for wastewater.

Condition of Approval (COA #11): Should the applicant propose to grade or disturb 1-acre or more of land, these activities must be in compliance with the State Construction General Permit, RWQCB Order No. 2009-0009-DWQ (or the equivalent at time of disturbance).

Mitigation Monitoring and Reporting Plan

A Mitigation Monitoring and Reporting Plan has been prepared for the project as a result of the Initial Study, and is attached as a part of this staff report in Appendix 1.

RESPONSE TO COMMENTS

As a result of the development of the Initial Study and review by the public and agencies, the County received four (3) comment letters in response. Those comment letters are included in Appendix 2. Each comment letter is numbered and contains the name of the agency or organization, or the last name of the person providing comment, such as **Comment 1-DFW**, or **Comment 16-Smith**. Each comment is bracketed and numbered sequentially for each letter (15.1, 15.2, etc.). Comments that are not directly related to the environmental issues of the project, such as commentary, opinion or grievances are not identified as a comment and are not responded to.

Responses to comments are provided below. The comments have been summarized to provide a context for the response. However, the full text of the comment is provided in Appendix 2.

Where it was determined that the comments provide factual information that resulted in a modification to the information provided in the IS, County staff determined that these changes were either minor clarifications, corrections or amplifications of information to better understand the environmental impacts of the proposed project, or are modifications to mitigation measures that provide additional resource protection and result in a reduction in impacts. These changes do not constitute significant new information, and do not require recirculation of the IS in accordance with CEQA Guidelines Section 15088.5.

Comment 1- California Department of Fish and Wildlife

Comment 1a- The commenter recommended that a wetland delineation be conducted to ensure no wetlands be disturbed as a result of the proposed project. The commenter suggested that a Condition of Approval (COA) or an enforceable mitigation measure be implemented to ensure the project not impact wetlands in the future.

Response 1a- The project was revised and no longer includes the addition of a storage pond. As the remaining portions of the project are not near areas identified as potential wetlands, no delineation was conducted. Any additional development on the site in the future would be subject to a County Use Permit and would require additional review by the County at the time of a new or revised use application.

Comment 1b- The commenter reiterates that the applicant's current Streambed Alteration Agreement for the two diversion sources with seasonal restrictions does not include an on stream pond as a permitted water storage feature. The commenter recommends that the applicant amend his current Agreement to include the 750,000 gallon storage pond and a mitigation measure be added requiring the applicant to implement a site-specific invasive species management plan.

Response 1b- The 750,000 gallon storage pond is an existing feature that is currently used by the operation. As stated in COA#14, this permit is contingent on the Permittee securing of all necessary permits for the development and eventual use of the project site for cannabis cultivation activities from County, State and Federal agencies having jurisdiction over the activities at the project site, and as applicable to the Permittees uses. Any requirements imposed by an agency having jurisdiction shall be considered a condition of this permit.

Comment 1c- The commenter expresses concern regarding future ownership of the site and enforceability of light pollution standards in the future, and recommends mitigation regarding light radiating from hoophouses or greenhouses during dusk, dawn, or nighttime.

Response 1c- The County's Ordinance No. 315-823 provides clear performance standards regarding lighting minimization. Under *Performance standards for Commercial Cultivation of Cannabis* the Ordinance states:

(l) All lighting associated with the operation shall be downcast, shielded and/or screened to keep light from emanating off-site or into the sky.

(m) Those cultivations using artificial lighting for mixed-light cultivations shall shield green houses so that little to no light escapes. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise.

Proper implementation of this performance standard as a condition of approval would reduce any impacts from night lighting to less than significant. No additional condition of approval is required. Future ownership and use of the facility would be subject to future permit conditions.

Comment 1d- The commenter recommends alternate mitigation strategies to reduce impacts from security lighting, specifically the use of LED lighting with a correlated color temperature of 3,000 Kelvins or less.

Response 1d- Other mitigation measures may be implemented, however as a standard condition of the project the security plan is required to undergo separate review by the County Board of Supervisors.

Comment 2- California Regional Water Quality Control Board

Comment 2a- The commenter states that a project greater than one acre in disturbed area is required to obtain a Construction General Permit.

Response 2a- The commenter is correct and this requirement is provided as COA#11.

Comment 2b- The commenter states that the discharger will need to transition into State Cannabis Order (WQ 2017-0023-DWQ) by July 1, 2019.

Response 2b- The commenter is correct. Refer to Response 1b.

Comment 2c- The commenter states that cultivation expansion should meet setbacks of State Cannabis Order WQ 2017-0023-DWQ.

Response 2c- The applicant understands this requirement and has requested a variance as a condition of this project.

Comment 2d- The commenter states that all commercial indoor cannabis cultivation activities that occur within a structure should discharge all industrial wastewater to the appropriate sewer system or collection system to be hauled off site by an authorized waste hauler.

Response 2d- The commenter is correct. The applicant has an approved septic system that is under the jurisdiction of the County Department of Environmental Health unless the Water Board should request oversight responsibilities.

Comment 2e- The commenter states that a Water Quality Certification will be required for any future in stream work.

Response 2e- The project, as proposed, does not have any in stream work.

OTHER CONSIDERATIONS

A use permit may be granted based on findings made by the County that include, but are not limited to compatibility of the project with surrounding land uses and neighborhood compatibility, compliance with the General Plan, Community or Specific Plan, the Zoning Ordinance and other related plans and ordinances that may be in effect at the time of the use permit is granted.

Neighborhood and General Plan Compatibility: The subject property has been zoned by the County as Agricultural Preserve (AP). AP zoning allows for agricultural production of food and fiber now and in the future. The surrounding properties all have Unclassified (U) zoning. The properties that border the project site to the south, east, and west are public lands managed by the USFS. The proposed uses, as described by the applicant, are consistent with the uses allowed for AP zoned lands and are consistent with uses allowed on lands subject to Williamson Act contracts. The proposed use does not propose activities inconsistent with current allowable practices nor introduce activities considered incongruent with the surrounding neighborhood.

In staff's opinion, the proposed project is compatible with the neighborhood designations, historical uses of the properties and the expected intensities of anticipated future uses.

FINDINGS OF FACTS

As provided for by the Trinity County Zoning Ordinance 315, Section 32 Use Permits, Subsection A, "A use permit is granted at the discretion of the Planning Commission or the Planning Director and is not the automatic right of any applicant. In considering an application for a use permit, the following guidelines shall be observed, 1. Sound Principals of Land Use; A use permit shall be granted upon sound principals of land use. 2. Not Injurious; A use permit shall not be granted if it will be detrimental to the public health, safety or welfare, or if it results in the creation of a public nuisance. 3. Plan Consistency; A use permit must comply with the objectives of the general or specific plan for the area in which it is located."

Based on the guidelines provided by the County Zoning Ordinance the following findings are made:

1. Sound Principles of Land Use. A use permit shall be granted upon sound principals of land use.

Finding: Evaluation of the project has determined that the development of the property for cannabis cultivation, as proposed and conditioned, and with the implementation of the mitigation measures identified in the MMRP is consistent with historical uses in the project vicinity, is compatible with the

neighborhood character and the limited intensity uses of the surrounding area, is in compliance with CEQA, and would be consistent with the land use designations and goals of the County.

2. Not Injurious. A use permit shall not be granted if it will be detrimental to the public health, safety or welfare, or if it results in the creation of a public nuisance.

Finding: The project, as conditioned, will not cause detrimental effects to public health, safety, welfare or result in the creation of a public nuisance.

3. Plan Consistency: A use permit must comply with the objectives of the general plan or specific plan for the area in which it is located.

Finding: The project, as proposed, is consistent with the goals and objectives of the General Plan. The project, as conditioned, will remain in compliance with approved plans and their goals and objectives.

RECOMMENDED CONDITIONS OF APPROVAL

The following Conditions of Approval shall be included in the Use Permit for the uses proposed by the Applicant (Nicholas Holliday) on the parcel designated as Trinity County Assessor Parcel Number (APN) 008-210-10. The Conditions of Approval cited below, presume that the operations conducted by the Permittee shall comply with the laws and regulations of the United States, State of California and Trinity County, as applicable to the uses of this permit.

1. The Permittee shall comply with all County Cannabis Regulations, as are applicable for the facilities of the Permittee's use under this permit. These regulations are provided in the Trinity County Board of Supervisors Ordinances 315-828 and 315-834, and as amended.
2. Outdoor lighting shall be limited to that necessary for safety and security. All new outdoor lighting for the property shall be downcast and shielded so as to reduce light emanating off-site or into the sky. Light shall not escape at a level that is visible from neighboring properties from sunset to sunrise.
3. The Permittee must be in compliance with all County building permit requirements, including, but not limited to structures, roads, electrical and water and sewer connections. Prior to issuance of building permits, a detailed and to scale site plan depicting the existing and proposed re-development of the site, including building envelopes or footprints, setbacks, parking and circulation shall be provided for review and approval by Trinity County. Adequate area for, parking and internal circulation, as well as protection of outdoor space for individual units shall be provided.
4. In the event that previously unidentified cultural or paleontological resources are encountered during construction, grading or other site disturbance activities, there shall be no further excavation or disturbance of that area. The construction crews shall stop work or avoid the materials and their context. The County Planning Department shall be notified immediately. A qualified archaeologist shall evaluate the find to determine its historical or archaeological significance. If the find is determined to be a significant historical, paleontological or archaeological resource, the archaeologist shall make recommendations for appropriate

mitigation. Work in the area shall not resume until the mitigation measures recommended by the archaeologist have been implemented.

5. In the event that previously unidentified evidence of human burial or human remains are discovered, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains. The Trinity County Coroner must be informed and consulted, per State law. If the coroner determines the remains to be Native American, he or she shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent. The most likely descendent will be given an opportunity to make recommendations for means of treatment of the human remains and any associated grave goods. when the commission is unable to identify a descendant or the descendants identified fail to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendants and the mediation provided for in subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance. Work in the area shall not continue until the human remains are dealt with according to the recommendations of the County Coroner, Native American Heritage Commission and/or the most likely descendent have been implemented.
6. The Permittees site uses must be in compliance with State and County Fire Safe Regulations, and as directed by CALFIRE. Should CALFIRE determine that site conditions are not in compliance with the Fire Safe Regulations, the Permittee shall be required to come into compliance.
7. The spray application of pesticides (e.g. neem oil, sulfur or other materials) shall occur no closer than 500 feet to an adjacent residence. Spraying shall not occur at wind speeds greater than 10 miles per hour (CCR, Title 3, Division 6, 6960(b)(3)). The operator shall measure the wind speed prior to and during spraying activities to ensure wind speeds are below 10 mph. Spraying activities shall cease if wind speeds are measured at greater than 10 mph.
8. Northern Spotted Owls (NSO) are most active during dawn and dusk. Should the use of temporary onsite gas-powered maintenance equipment be required (i.e., leaf blowers, mowers), operation of such equipment shall be restricted during the 2 hour period prior to sunrise and 2 hour period before sunset.
9. The Permittee shall ensure that the existing septic system meets the requirements of Trinity County Environmental Health Department.
10. The applicant's proposed project does not comply with the Trinity County Ordinance 315-823, requiring a 500 ft setback from the property line for Type- 3 (medium, or up to one acre of canopy) cannabis cultivation, the applicant's application for a variance will need to be approved by the County before the applicant can proceed with the proposed project activities within the 500 foot setback area.
11. If the Permittee grades or disturbs one (1) acre or more of land for activities associated with this permit, the Permittee is required to be in compliance with the State of California Construction

General Permit, (RWQCB Order No. 2009-0009-DWQ) or the equivalent at time of disturbance, prior to the disturbance occurring.

12. The Permittee is required to submit a security plan for approval to the County Board of Supervisors as a condition of this permit.
13. The Permittee shall secure all appropriate clearances for the various structures and their uses on the property from the Building Department and Environmental Health Division. This includes provision for handicapped accessibility and sanitation facilities, if warranted.
14. This Use Permit is subject to the Permittee securing of all necessary permits for the development and eventual use of the project site for cannabis distribution activities from County, State and Federal agencies having jurisdiction over the activities at the project site, and as applicable to the Permittees uses. Any requirements imposed by an agency having jurisdiction shall be considered a condition of this permit. The County shall in no-way be considered responsible for issuance or oversight of State or Federal permits/authorizations that may apply to the uses by the Permittee under this use permit. The Permittee has the sole responsibility for compliance with all requirements and regulations.
15. This Use Permit shall become effective after all applicable appeal periods have expired or appeal processes exhausted. **Failure of the Permittee to make use of this use permit within one year or failure to comply with payment of any fees within specified time periods shall result in the automatic expiration/termination of this permit.**
16. The use and occupancy of the premises shall be established and maintained by the Permittee in conformance with the provisions of the Trinity County Code and County Zoning Ordinance, unless modified by conditions of the use permit. Additional time limits imposed on the use permit are provided for by the Zoning Ordinance No. 315, Section 32, Subsection E, Time Limits Imposed on Use Permits.
17. This Use Permit shall be subject to modification or revocation based on the conditions set forth in the County Zoning Ordinance No. 315, Section 32, Subsection G, and as amended.
18. Any proposed changes or modifications to the uses at the site by the Permittee will require review and approval by the Trinity County Planning Department, prior to those changes or modifications. Based on the proposed changes or modifications, the Planning Department may require additional reviews and approvals from other County/State/Federal departments or agencies as may be appropriate for the proposed changes or modifications.
19. The Use Permit Application, along with supplemental exhibits and related materials and reports, and the CEQA IS/MND are considered elements of this Use Permit and that compliance therewith be mandatory, unless a modification has been approved by the Planning Commission.
20. The Permittee shall comply with applicable regulations and hazardous materials plans, that when implemented sufficiently minimize potential exposure and risk from a spill of petroleum product.

Item No. 4

Meeting Date: 6/13/19

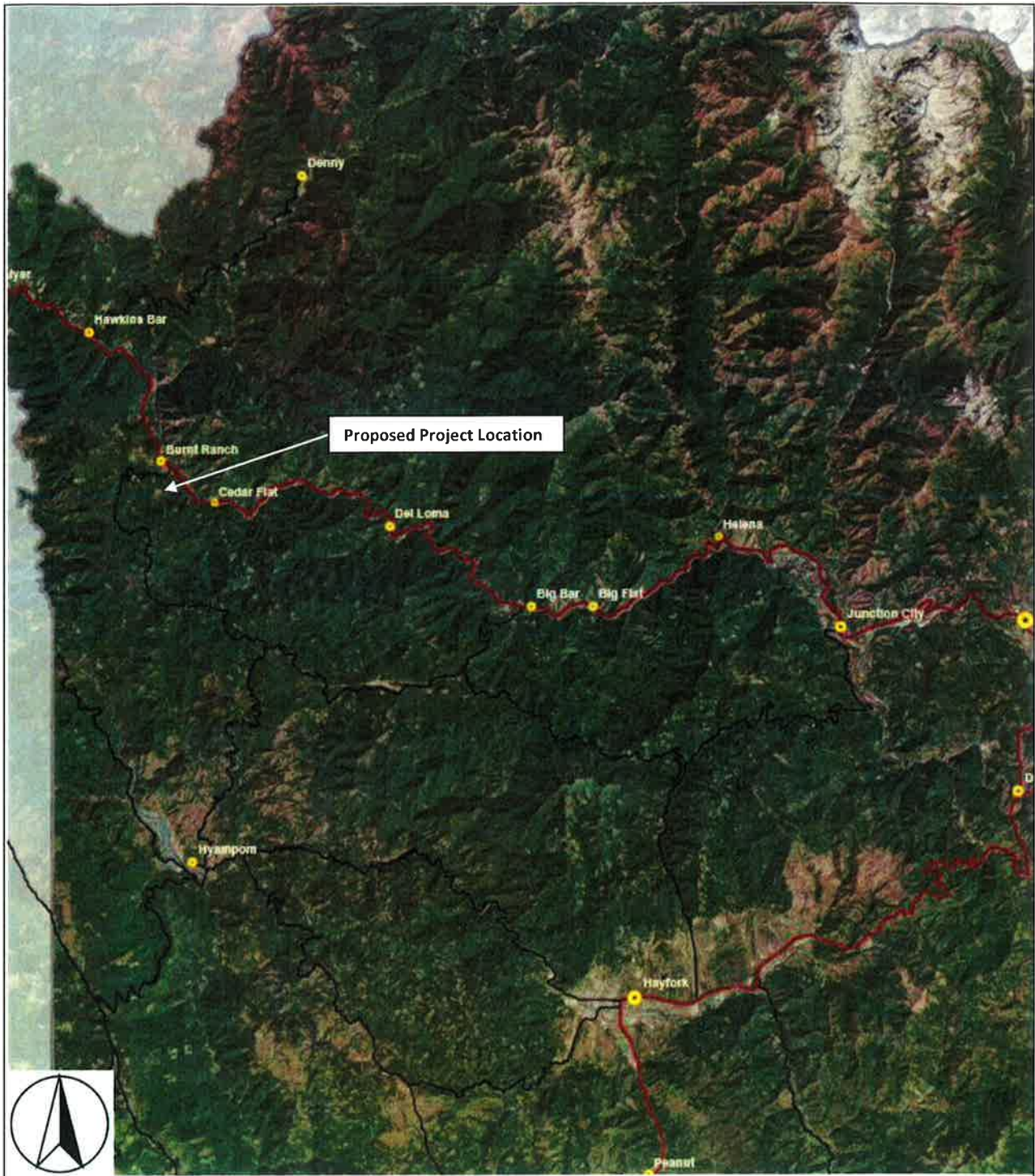
Application No. _____
CCUPT3-18-07
CCUPN-19-03

END of CONDITIONS

Comments Received

The following comment letters were received in response to the CEQA document prepared for this project.

1. California Department of Fish and Wildlife
2. North Coast Regional Water Quality Control Board
3. California State Clearinghouse



Holliday Cannabis Cultivation Facility
 Conditional Use Permit Project
 APN 008-210-10
 Burnt Ranch, Trinity County, California

Project Location

JOB #518009.800

January 2019

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Figure #1



- Legend**
- Bam
 - Garage
 - Residence
 - Shed
 - Shop
 - Project Areas
 - Parking
- Hydrology**
- Perennial Stream
 - Intermittent Stream
 - Ephemeral Stream
 - Manmade Channel
 - Suspected Wetlands
 - Ponds
- Cultivation**
- Greenhouse, Current
 - Greenhouse, Future
 - Mature Canopy, Future
-

The map is property of Down River Consulting. Modification or reproduction by a private individual or company without prior explicit permission from DRC is strictly forbidden.

While we strive to use the most accurate data available, the positions, scales, and dimensions are approximate. The septic location is unknown.

0 125 250 500 feet	
TRINITY COUNTY PLANNING DEPARTMENT	
APPLICANT PREPARED SITE PLAN	
Application No. _____	
Drawn By: M. Petersen	APN: 008-210-10-00
Date: 3/7/2019	Zoning: Ag Preserve
Scale: 1:6,000	Lot Area: 210 Acres

Source: Down River Consulting, Applicant Site Plan, 2019



Holliday Cannabis Cultivation Facility
 Conditional Use Permit Project
 APN 008-210-10
 Burnt Ranch, Trinity County, California

Site Plan

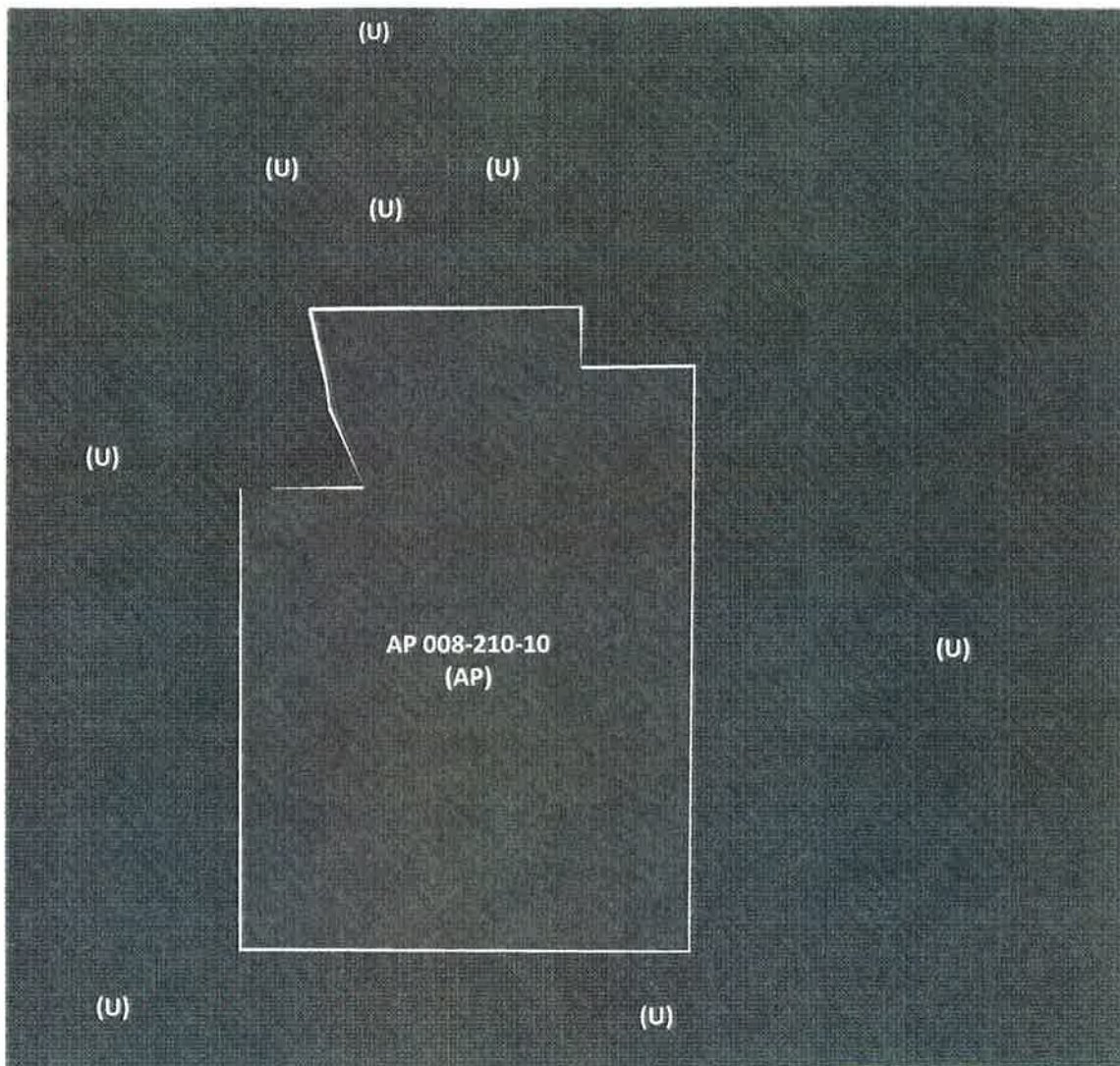
JOB #518009.800

March 2019


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Figure #2

15



Color	Zoning
	Unclassified (U)
	Agricultural Preserve (AP)

	Holliday Cannabis Cultivation Facility Conditional Use Permit Project APN 008-210-10 Burnt Ranch, Trinity County, California	Surrounding Zoning JOB #518009.800
	May 2019	I:\2018\518009-TrinityCo-CUP\200- "\REDDINGSVR\projects\2018\518009-TrinityCo-CUP\800-Holliday CUP\

Appendix 2-Comment Letters

Holliday CCUP



Gavin Newsom
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Kate Gordon
Director

April 24, 2019

Leslie Hubbard
Trinity County
61 Airport Road
Weaverville, CA 96093

Subject: Trinity Sungrown Cannabis Conditional Use Permit and Variance
SCH#: 2019039141

Dear Leslie Hubbard:

The State Clearinghouse submitted the above named MND to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on 4/23/2019, and the comments from the responding agency (ies) is (are) available on the CEQA database for your retrieval and use. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

Check the CEQA database for submitted comments for use in preparing your final environmental document: <https://ceqanet.opr.ca.gov/2019039141/2>. Should you need more information or clarification of the comments, **we recommend that you contact the commenting agency directly.**

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

cc: Resources Agency

18



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Northern Region
601 Locust Street
Redding, CA 96001
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Governor's Office of Planning & Research

APR 23 2019

STATE CLEARINGHOUSE

April 22, 2019

Bella Hedtke
Associate Planner
Trinity County Planning Department
PO Box 2819
Weaverville, CA 96093

Subject: Mitigated Negative Declaration for Trinity Sungrown Cannabis Conditional Use Permit Project (CCUPT3-18-07 and CCUPN-19-03); Assessor Parcel Number 008-210-10-00, State Clearinghouse Number 2019039141, Trinity County

Dear Ms. Hedtke:

The California Department of Fish and Wildlife (Department) has reviewed the Initial Study/Mitigated Negative Declaration (IS/MND) for the above-referenced project (Project). As a trustee for the State's fish and wildlife resources, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and their habitat. As a responsible agency, the Department administers the California Endangered Species Act (CESA) and other provisions of the Fish and Game Code that conserve the State's fish and wildlife public trust resources. The Department offers the following comments and recommendations on this Project in our role as a trustee and responsible agency pursuant to the California Environmental Quality Act (CEQA), California Public Resources Code section 2100 et seq.

Project Description

The Project is to issue a conditional use permit to expand existing cannabis cultivation activities through the addition of up to 33,560 square feet of cannabis canopy from the existing 10,000 square feet of canopy allowed under a Type-2 license, as well as the construction of a 10,000 square foot nursery for the propagation of cannabis through clones, immature plants, and seeds under a Type-4 license. The increase of capacity will include six additional greenhouses (20'x74' each), two additional hoop houses (96'x30' each), two nursery greenhouses (30'x96' each), and 22,800 square feet of new outdoor cultivation.

Comments and Recommendations

Wetlands

The Department has responsibility for wetland and riparian habitats. It is the policy of the Department to strongly discourage development in wetlands or conversion of wetlands to uplands. As discussed in our early consultation letter dated March 20, 2019 (enclosed),

Conserving California's Wildlife Since 1870

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the Department recommends wetland delineations be conducted prior to Project approval to determine the boundaries of wetlands to ensure the Project will fully avoid and will not have a substantial adverse effect on any wetland habitats. Without a formal delineation, the statement that "no wetlands will be disturbed by the proposed project" could be problematic if it is unknown where the wetlands begin. Additionally, the Biological Report included with the IS/MND discusses a potential future pond or other future development on the eastern edge of the parcel, but there are no assurances wetland habitat is protected through this potential development. This development is not disclosed in the IS/MND, and although "suspected wetlands" are mapped in Figure 3, these are not definitive boundaries. The Department recommends a Condition of Approval or mitigation measure that is enforceable to ensure the Project will not impact the wetland habitat on this property.

Irrigation Supply and Storage

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It is unclear if the pond intended to be used as irrigation storage needs to be modified or maintained differently in order to meet the requirements of the State Water Resources Control Board's Principles and Guidelines for Cannabis Cultivation (as amended February 5, 2019). The applicant has a current Streambed Alteration Agreement (Agreement) for two diversion sources with seasonal restrictions, but the onstream pond is not a permitted water storage feature. The Department recommends the applicant amend his current Agreement to include the 750,000-gallon water storage pond. Ponds have been shown to become breeding habitat for invasive species such as the American bullfrog (*Lithobates catesbeianus*), which prey on native wildlife including State Candidate foothill yellow-legged frog (*Rana boylei*). Since one of the ponds on this parcel will now be managed for water storage as part of this Project, the Department recommends a mitigation measure to adopt a site-specific invasive species management plan, prepared by a qualified biologist, to minimize the risk of colonization by invasive species, including bullfrogs.

Impacts of Night Lighting on Wildlife

This Project is surrounded on three sides by National Forest lands designated as critical habitat for northern spotted owl (*Strix occidentalis caurina*) with known occurrences on this parcel, as well as the adjacent parcel. These forested areas contain habitat for many other organisms that are negatively impacted by light pollution, such as neotropical migratory birds and bats (many species of which are assumed present in the Biological Report); therefore, cultivation using artificial light on a commercial or industrial scale could have a significant impact on wildlife. Many species use photoperiod cues for communication, determining when to begin foraging, behavior thermoregulation, and migration. Cannabis cultivation increasingly uses artificial lighting in greenhouses, and so-called "mixed-light" techniques to increase yields. While the applicant may intend to use light deprivation to force the flowering of cannabis, this technique also often requires the use of artificial lights at some point in the cultivation season. The IS/MND explicitly states the applicant "will not use artificial lights on the cultivation site at any

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1c | *time.*" It is assumed this statement applies to the Project as a whole, including the nursery greenhouses as well as the mature canopy greenhouses and hoopouses. Between that statement and Trinity County's standard requirements in the Cultivation Ordinance preventing light from escaping greenhouses, the IS/MND concludes light pollution impacts are less than significant. The Department is concerned this Conditional Use Permit may be transferred to future owners and there is no explicit and enforceable measure speaking to lights radiating from the hoopouses or greenhouses during dusk, dawn, or nighttime. The Department recommends a mitigation measure or Condition of Approval that is enforceable and actively monitored for compliance related to the use of artificial lights on the Project.

1d | The IS/MND does not discuss the level of security lighting that is present or proposed on the Project. In addition to the requirements in the Cultivation Ordinance that light generated by a project be downcast and prevented from escaping greenhouses, another mitigation strategy for security lighting on the Project may include the use of LED lighting with a correlated color temperature of 3,000 Kelvins or less.

The Department appreciates the opportunity to comment on this Project. If you have any questions, please contact Senior Environmental Scientist (Specialist) Kate Blanchard at (530) 225-2239 or by e-mail at Katherine.Blanchard@wildlife.ca.gov.

Sincerely,



Curt Babcock
Habitat Conservation Program Manager

Enclosure

ec: Bella Hedtke, Leslie Hubbard
Trinity County Planning Department
bhedtke@trinitycounty.org, lhubbard@trinitycounty.org

Cannabis Cultivation Regulatory Program
North Coast Regional Water Quality Control Board
NorthCoast.Cannabis@Waterboards.ca.gov

State Clearinghouse
state.clearinghouse@opr.ca.gov

Adam McKannay, Kate Blanchard
California Department of Fish and Wildlife
Adam.McKannay@wildlife.ca.gov, Katherine.Blanchard@wildlife.ca.gov



North Coast Regional Water Quality Control Board

CEQA Project Review and Comment Cannabis Program Project Name: Sungrown Cannabis Conditional Use Permit State Clearinghouse Number: 2019039141 WDID No. 1A161471CTRI Date: 04/22/2019			
APN: 008-210-10	County: Trinity	Case, File or Appl. No. CCUPT3-18-07 and CCUPN-19-03	RWB Reviewer: A. Piscitelli
Date Referral Received: 3/26/19		Date Comments Requested By: 4/23/19	
Site Location and Landowner Information			
Physical Site Address: Trinity Sungrown 610 Kaut Road Burnt Ranch, CA		Mailing Address: Nicholas Holliday PO Box 220 Burnt Ranch, CA 95527	
CEQA Lead Agency Contact		Document Type	
TRINITY COUNTY Department of Planning 61 Airport Road Weaverville, CA 96093		CEQA: <input type="checkbox"/> CE <input type="checkbox"/> NOP <input type="checkbox"/> IS <input type="checkbox"/> ND <input checked="" type="checkbox"/> MND <input type="checkbox"/> DEIR Other: <input type="checkbox"/> General Plan <input type="checkbox"/> Project Referral	
Project Description			
Applicant currently has 10,000 sf of cannabis cultivation within eight greenhouses (20 feet by 74 feet each). Applicant proposes to use a combination of full-sun outdoor and light deprivation cultivation techniques. The proposed project includes the addition of up to 33,560 sf of cannabis canopy under a Type-3 medium license and the construction of a 10,000 square foot nursery for the propagation of cannabis through clones, immature plants, and seeds under a Type- 4 license. The project proposes to expand existing onsite activities through the addition of six (6) greenhouses (20 feet by 74 feet each), two (2) hoop house (96 feet by 30 feet each), two (2) nursery greenhouses (30 feet by 96 feet each), and approximately 22,800 sf of outdoor cultivation.			
Cannabis Program Enrollment			
North Coast Regional Water Quality Control Board Order No. R1-2015-0023 Enrolled? <input checked="" type="checkbox"/> Yes, <input type="checkbox"/> No		State Water Board Cannabis Program Order No. WQ-2017-0023-DWQ	

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<p>Enrollment Tier <input type="checkbox"/> Tier 1, <input checked="" type="checkbox"/> Tier 2, <input type="checkbox"/> Tier 2*, <input type="checkbox"/> Tier 3</p>	<p>Enrolled? <input type="checkbox"/> Yes, <input checked="" type="checkbox"/> No, <input type="checkbox"/> Exempt (Personal Use), <input type="checkbox"/> Conditionally Exempt</p> <p>Enrollment Tier <input type="checkbox"/> Tier 1, <input type="checkbox"/> Tier 2</p> <p>Risk Level <input type="checkbox"/> Low, <input type="checkbox"/> Medium, <input type="checkbox"/> High</p>
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Tribal Authorization, for cultivation within 600 feet of tribal lands (PRC section 21073)

Authorized
 Request for authorization denied by Tribe
 Authorization required
 Not applicable (Cultivation not within 600 feet of tribal lands)

CEQA Document Review and Project Proposal Comments

No Comment at this time
 Recommend Conditions be Applied to the Project (See requirements below)
 Recommend Environmental Impact Report
 Additional Information Requested or Potential Permits Required (see comments below)

Regional Water Board Authority

The North Coast Regional Water Quality Control Board (Regional Water Board) implements the Porter Cologne Water Quality Control Act and Federal Clean Water Act, and is a responsible agency for this project, with jurisdiction over the quality of ground and surface waters (including wetlands) otherwise known as Waters of the State and United States and the protection of the beneficial uses associated with those waters. We regulate the discharge of waste to land and waters of the state as well as implement the federal Clean Water Act in California.

The Regional Water Board's Water Quality Control Plan for the North Coast Basin (Basin Plan) and the California Water Code define waters of the state as follows: "Waters of the state" refers to any surface water or groundwater, including saline waters, within the boundaries of the state (Water Code §13050 (e)). This definition is broader than that of "waters of the United States" and consequently should always be acknowledged and considered when determining impacts upon water resources.

Any adverse impacts to, or loss of, natural or constructed wetlands and their beneficial uses due to development and construction activities must be fully permitted and mitigated.

Any impacts to waters of the State should first be adequately evaluated to determine if the impacts can be avoided or minimized. Project proponents are required to first avoid and second to minimize impacts to waters of the State, such efforts must be fully exhausted prior to deciding to mitigate for their loss. If a project's impacts to waters of the State are deemed unavoidable, then compensatory mitigation (for acreage, function and value) will be necessary for any unavoidable impacts. Our staff may require greater than 1:1 mitigation ratio as a condition of approval for this project.

Antidegradation Policy

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The federal antidegradation policy requires that state water quality standards include an antidegradation policy consistent with the federal policy. The State Water Board established California's antidegradation policy in State Water Board Resolution No. 68-16. Resolution No. 68-16 incorporates the federal antidegradation policy where the federal policy applies under federal law. Resolution No. 68-16 requires that existing quality of waters be maintained unless degradation is justified based on specific findings. The Regional Water Board's Basin Plan implements, and incorporates by reference, both the State and federal antidegradation policies. Therefore, projects are not authorized to discharge increased concentrations of pollutants, increased volumes of treated wastewater, or adversely modify an ecosystem that may result in degradation of high quality waters.

Please consider the following water quality concerns identified below when adding conditions of approval to a project or conducting a CEQA analysis of potential impacts.

Watershed	Section 303 d Listings
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Trinity River

Cal Water (version 2.2) - Lower Trinity River, Burnt Ranch, Trinity Village, McDonald 1106.130402
HUC 12 - Klamath, Trinity, Big French Creek-Trinity River, McDonald Creek 180102111106

Section 303 d Listings

- Sediment
- Siltation
- Nutrients
- Temperature
- Aluminum
- Oxygen, Dissolved
- Mercury
- Indicator Bacteria
- PCBs
- Microcystin
- Phosphorous
- pH (High)
- Turbidity
- Manganese
- Specific Conductivity
- Organic Enrichment/Low Dissolved Oxygen
- Diazinon
- Dioxins Toxic Equivalents
- Biostimulatory Conditions

TMDL Projects:

- NONE
- Total Maximum Daily Load Implementation Policy for Sediment Impaired Receiving Waters
- Albion River
- Big River
- Eel River, North Fork

- Eel River, Upper Main
- Eel River, Middle Main
- Eel River, Middle Fork
- Eel River, Lower Main
- Eel River, South Fork
- Elk River
- Freshwater Creek
- Garcia River
- Gualala River
- Klamath River
- Laguna De Santa Rosa
- Lost River, Upper
- Lost River, Lower
- Mad River
- Mattole River
- Navarro River
- Noyo River
- Redwood Creek
- Russian River
- Salmon River
- Scott River
- Shasta River
- Stemple Creek
- Ten Mile River
- Trinity River
- Trinity River, South Fork
- Van Duzen River

Beneficial Uses

- | | |
|---|--|
| <ul style="list-style-type: none"> <input checked="" type="checkbox"/> MUN--Municipal and Domestic Supply <input checked="" type="checkbox"/> AGR--Agricultural Supply <input checked="" type="checkbox"/> IND--Industrial Service Supply <input checked="" type="checkbox"/> PRO--Industrial Process Supply <input checked="" type="checkbox"/> GWR--Groundwater Recharge <input checked="" type="checkbox"/> FRSH--Freshwater Replenishment <input checked="" type="checkbox"/> NAV--Navigation <input checked="" type="checkbox"/> POW--Hydropower Generation <input checked="" type="checkbox"/> REC-1--Water Contact Recreation <input checked="" type="checkbox"/> REC-2--Non-Contact Water Recreation <input checked="" type="checkbox"/> COMM-- Commercial and Sport Fishing <input type="checkbox"/> WARM--Warm Freshwater Habitat <input checked="" type="checkbox"/> COLD--Cold Freshwater Habitat <input type="checkbox"/> ASBS--Preservation of Areas of Special | <ul style="list-style-type: none"> <input checked="" type="checkbox"/> WILD--Wildlife Habitat <input checked="" type="checkbox"/> RARE--Rare, Threatened, or Endangered Species <input type="checkbox"/> MAR--Marine Habitat <input checked="" type="checkbox"/> MIGR--Migration of Aquatic Organisms <input checked="" type="checkbox"/> SPWN--Spawning, Reproduction, and/or Early Development <input checked="" type="checkbox"/> SHELL--Shellfish Harvesting <input type="checkbox"/> EST--Estuarine Habitat <input checked="" type="checkbox"/> AQUA--Aquaculture <input type="checkbox"/> CUL--Native American Culture <input type="checkbox"/> FLD--Flood Peak Attenuation/ Flood Water Storage <input type="checkbox"/> WET--Wetland Habitat <input type="checkbox"/> WQE--Water Quality Enhancement <input type="checkbox"/> FISH--Subsistence Fishing |
|---|--|

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Biological Significance <input type="checkbox"/> SAL--Inland Saline Water Habitat	
Threatened and Endangered Species	
<input type="checkbox"/> Tidewater Goby <input type="checkbox"/> Lost River Sucker <input type="checkbox"/> Modoc Sucker <input type="checkbox"/> Bull Trout <input type="checkbox"/> Eulachon <input type="checkbox"/> Longfin Smelt <input type="checkbox"/> Green Sturgeon <input checked="" type="checkbox"/> Chinook Salmon Upper Klamath and Trinity Rivers ESU <input type="checkbox"/> Coho Salmon Central California Coast ESU <input type="checkbox"/> Coho Salmon Southern Oregon Northern California Coastal ESU <input type="checkbox"/> Steelhead Trout Northern California Distinct Population Segment (DPS) <input checked="" type="checkbox"/> Steelhead Trout Klamath Mountains Province DPS <input type="checkbox"/> California Tiger Salamander <input type="checkbox"/> California Red Legged Frog <input type="checkbox"/> Scott Bar Salamander <input type="checkbox"/> Shasta Salamander <input type="checkbox"/> Siskiyou Mountains Salamander <input checked="" type="checkbox"/> Southern Torrent Salamander <input type="checkbox"/> Point Arena Mountain Beaver <input type="checkbox"/> Freshwater Shrimp	
This is not a comprehensive account of listed species, please refer to the CA Department of Fish and Wildlife, U.S. Fish and Wildlife Service, and NOAA-National Marine Fisheries Service for a complete list.	
Documentation Required to Assess Project Compliance with the Water Code	
<input type="checkbox"/> Project designs/Maps/Diagrams inclusive of existing on-site roads, access roads and easements <input type="checkbox"/> Low Impact Development Strategy <input type="checkbox"/> Waste Characterization/Disposal Strategy <input type="checkbox"/> Riparian/Stream/Wetland Avoidance Strategy <input type="checkbox"/> Water Rights Documentation <input type="checkbox"/> Proof of Enrollment in State Water Resources Control Board Cannabis Regulatory Program <input type="checkbox"/> Water Resource Protection Plan <input type="checkbox"/> Cleanup and Restoration Plan <input type="checkbox"/> Evidence of Consultation with Army Corps of Engineers <input type="checkbox"/> Evidence of Consultation with Dept. of Fish and Wildlife <input type="checkbox"/> Cumulative Impact Assessment for Project Sub Watershed <input type="checkbox"/> Evidence of Consultation with the Coastal Commission <input type="checkbox"/> Other, described as follows:	

Permits and Mitigations Likely Required for Project Compliance

- Federal Clean Water Act section 401 State Water Quality Certification
https://www.waterboards.ca.gov/water_issues/programs/cwa401/
- Cannabis Regulatory Program Enrollment
https://www.waterboards.ca.gov/water_issues/programs/cannabis/
- Waste Discharge Requirements / Water Quality Certification for Instream Work
https://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/pdf/190403/180731_031616_401_R1-2015-0023-Application.pdf
- Construction Storm Water General Permit (for disturbed area greater than one acre)
https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html
- Industrial Storm Water Permit
https://www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.html
- National Pollutant Discharge Elimination System Permit (NPDES)
Describe NPDES permit required:

Additional Comments or Recommendations

In the event the project proponent or lead agency has already addressed requested information please provide the information identified above or develop such information to demonstrate compliance with the Water Code. In the event that the project applicant determines the requested information is not necessary, please provide justification to support the project's compliance with the Water Code.

- 2a** | **If project has greater than one acre disturbed area Construction General Permit will be required**
- 2b** | **Discharger will need to transition into State Cannabis Order (WQ 2017-0023-DWQ) by July 1, 2019. Review State Order requirements and conditions to determine any additional activities needed (e.g. winterization measures). SIUR may be needed.**
- 2c** | **Cultivation expansion should meet setbacks of State Cannabis Order WQ 2017-0023-DWQ.**
- 2d** | **Commercial indoor cannabis cultivation activities that occur within a structure with a permanent roof, a permanent relatively impermeable floor (e.g., concrete or asphalt paved) should discharge all industrial wastewater generated to a community sewer system consistent with the sewer system requirements or collect and haul wastewater offsite as follows. Irrigation tailwater, hydroponic wastewater, or other miscellaneous industrial wastewaters should be discharged to an appropriate collection tank, and the wastewater in the collection tank regularly collected by an authorized waste hauler who disposes of the wastewater to a community sewer system consistent with the sewer system requirements.**
- 2e** | **Water Quality Certification will be needed for any future instream work (affecting waters of the state) proposed.**

Signature Block		
Amanda Piscitelli	Digitally signed by Amanda Piscitelli Date: 2019.04.23 16:56:41 -07'00'	Date: 4/23/2019

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Appendix 1-MMRP
Holliday CCUP

Mitigation Monitoring and Reporting Program
Holliday Cannabis Cultivation Facility Conditional Use Permit
Distribution Use Permit CCUPT3-18-07 and CCUPN-19-03

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcement Agency	Level of Significance After Mitigation	Verification Compliance		
					Initials	Date	Remarks
Cultural Resources							
CR-1: Inadvertent Discovery 1. If cultural resources, such as chipped or ground stone, or bone are discovered during ground-disturbance activities, A. Work shall be stopped within 50 feet of the discovery, as required by the California Environmental Quality Act (CEQA; January 1999 Revised Guidelines, Title 14 California Code of Regulations [CCR] 15064.5 (f)). B. Work near the archaeological finds shall not resume until a professional archaeologist, who meets the Secretary of the Interior's Standards and Guidelines, has evaluated the material and offered recommendations for further action	During ground disturbing activities	Grading and Construction	Trinity County Planning	Less Than Significant			
2. Ground disturbing activities may continue after Permittee implements archaeological recommendations provided by the qualified archaeologist, as approved by the County.	During ground disturbing activities	Grading and Construction	Trinity County Planning				
CR-2: Human Remains 1. Should evidence of human burial or human remains be found, all work will stop and the County Coroner shall be notified. 2. County Coroner will investigate remains and determine if remains are of Native American origin and will consult with approved Tribal representatives as required by law. 3. If remains are of Native American origin, coordination with the NAHC will be undertaken as required by law. 4. Work shall resume after clearance is provided by the County Coroner, NAHC and/ or the most likely descendent.	During excavation activities	Building excavation activities	Trinity County Coroner	Less Than Significant			
	During excavation activities	Building excavation activities	Trinity County Coroner				
	During excavation activities	Building excavation activities	Trinity County Coroner/ Native American Heritage Commission				
	During excavation activities	Building excavation activities	Trinity County Coroner				