



TRINITY COUNTY

PLANNING – CANNABIS

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MEMORANDUM

DATE: May 26, 2023

TO: Cannabis Division Program Applicants and Consultants

FROM: Trinity County Planning, Cannabis Division

SUBJECT: Background and Guidance for the Implementation of Resolution No. 2023-071

All cultivation projects are subject to environmental review under the California Environmental Quality Act (CEQA). The Trinity County Cannabis Program Environmental Impact Report (PEIR) (SCH:2018122049) created the framework for environmental review of cannabis operations in Trinity County. Cultivation operations are tiered off of the analysis and evaluation conducted in the creation and approval of the PEIR through the Appendix C Checklist. Environmental impact assumptions in the PEIR mirror the 350ft residential setback requirements outlined in TCC Section (§) 17.43.050 (A)(8).

The environmental evaluation conducted in the PEIR included evaluation of the Aesthetics, Air Quality, and Noise resource categories. These resource categories have been identified by staff as having the highest potential to negatively impact sensitive receptors. These are the resource categories in the PEIR that refer to effects to sensitive receptors; some were determined to be less than significant with the mitigation measures include in the PEIR or not cumulatively considerable, and some were determined to be significant and unavoidable or cumulatively considerable and significant and unavoidable.

For those impacts that were determined to be less than significant or not cumulatively considerable, if the Appendix C Checklist has marked the associated mitigation measures as applicable, the impact should remain less than significant. Those impacts and mitigation measures are:

- Impact 3.1-3: Create a New Source of Substantial Light or Glare That Would Adversely Affect Views
 - No applicable mitigation measures
- Impact 3.12-1: Create Short-Term, Construction-Related Noise
 - Mitigation Measure 3.12-1: Implement Construction Noise Mitigation
- Impact 3.12-2: Creation of Long-Term Non-transportation Operational Noise
 - No applicable mitigation measures
- Impact 4.3.1: Substantial Adverse Cumulative Effect Related to Scenic Views, Scenic Highways, Visual Character and Lighting Impacts
 - No applicable mitigation measures
- Impact 4.3.3: Substantial Adverse Cumulative Effect Related to Construction Air Quality Impacts, Operational Air Quality Impacts, and Odor Impacts
 - No applicable mitigation measures

- Impact 4.3.12: Substantial Adverse Cumulative Effect Related to Construction Noise Impacts, Stationary Noise Impacts, and Traffic Noise Impacts
 - No applicable mitigation measures

For those impacts and cumulative impacts that were determined to be significant and unavoidable, or cumulatively considerable and significant and unavoidable, the Appendix C Checklist should include all available mitigation measures as applicable. Additional language should also be included in the discussion section of each applicable resource category to address the potential change in impact due to the need for a variance. Those impacts include:

- Impact 3.3-1: Construction-Generated Emissions of Criteria Air Pollutants and Precursors
 - Mitigation Measure 3.3-1a: Prohibit Burning Vegetation
 - Mitigation Measure 3.3-1b: Implement Diesel Engine Exhaust Control Measures and Dust Control
 - Mitigation Measure 3.3-1c: Use Alternative Fuels
- Impact 3.3-2: Long-Term Operational Emissions of Criteria Air Pollutants and Precursors
 - Mitigation Measure 3.3-2a: Limit the Use of Fossil Fuel-Powered Outdoor Power Equipment at All Commercial Cannabis Cultivation and Noncultivation Sites
 - Mitigation Measure 3.3-2b: Require Use of Low Emission Diesel Back-Up Generators at All Commercial Cannabis Cultivation and Noncultivation Sites
- Impact 3.3-3: Exposure of People to Objectionable Odors
 - Mitigation Measure 3.3-3: Implement Odor Control Plan for the Growing, Cultivating, Processing, Handling of Cannabis
- Impact 3.12-3: Traffic Noise Levels
 - No applicable mitigation measures
- Impact 4.3.3: Substantial Adverse Cumulative Effect Related to Construction Air Quality Impacts, Operational Air Quality Impacts, and Odor Impacts
 - Only for Pm10 and Odor
 - No applicable mitigation measures
- Impact 4.3.12: Substantial Adverse Cumulative Effect Related to Construction Noise Impacts, Stationary Noise Impacts, and Traffic Noise Impacts
 - Only for traffic noise impacts
 - No applicable mitigation measures

Cultivation projects that do not meet the 350ft residential setback are required to include all applicable mitigation measures that address effects to sensitive receptors (listed above), an odor control plan, a noise and light attenuation plan, and a noise monitoring report for ongoing operational equipment. Cultivation projects will receive approval of the necessary environmental documents and subsequent licensure only with the inclusion of the mitigation measures and supplemental plan identified above.

The odor control plan, light and noise attenuation plans, and a noise monitoring report are required to be submitted as attachments to the Appendix C Checklist and will be included as a part of the environmental review of the project. Outdoor sites or those that do not utilize supplemental light, such as fully enclosed indoor operations, are not required to create a light attenuation plan. Sites that do not utilize any noise generating operational equipment, including

but not limited to: generators, exhaust fans, and air conditioners, are not required to create a noise attenuation plan or submit a noise monitoring report.