

# ATTACHMENT C



# County of Yolo

DEPARTMENT OF COMMUNITY SERVICES

Leslie Lindbo, DIRECTOR

## COUNTY OF YOLO CANNABIS PROJECT CEQA COMPLIANCE FINDINGS AND DETERMINATION

Pursuant to Sections 15168(c), 15162, and 15183 of the California Environmental Quality Act (CEQA) Guidelines, the County of Yolo makes the following findings and determination of CEQA Compliance for the proposed cannabis project described below.

**PROJECT TITLE:** ZF2022-0075 Capay Valley Organics Cannabis Use Permit

**PREVIOUSLY CERTIFIED EIR:** Yolo County Cannabis Land Use Ordinance Environmental Impact Report, SCH# 2018082055, certified September 14, 2021 (Resolution 21-111), available at [www.yolocounty.org/CLUOEIR](http://www.yolocounty.org/CLUOEIR).

**PROJECT SUMMARY:** Capay Valley Organics currently holds a valid State cultivation license and cultivates cannabis outdoors (approximately 33,650 square feet of mature canopy) and indoors in seven greenhouses (approximately 9,856 square feet of mixed-light canopy) under a County cultivation license. Capay Valley Organics also grows immature clones within two additional greenhouses. The current proposal for a Cannabis Use Permit requests to add one acre of outdoor cannabis cultivation, an 11,250 square-foot processing/storage building, 17,280 square-feet of greenhouses, and approximately one-acre of outdoor nursery area. If approved for a nursery license, Capay Valley Organics would be able to grow cannabis used for propagation, including clones, immature plants, and seeds available for commercial sale. The proposed project also includes a request for a buffer reduction and buffer exception from two off-site residences in the A-X zone.

**PROJECT LOCATION:** 24477 County Road (CR) 22A  
Esparto CA 95627  
APN: 049-180-024  
North side of CR 23 and south side of CR 22A. Approximately 1-mile southwest of the Community of Esparto

**PUBLIC AGENCY APPROVING PROJECT:** County of Yolo

**CONTACT PERSON:** Jeff Anderson, Senior Planner (530) 666-8043  
[jeff.anderson@yolocounty.org](mailto:jeff.anderson@yolocounty.org)

**NAME OF ENTITY OR AGENCY CARRYING OUT PROJECT:** Capay Valley Organics, LLC

### **FINDINGS/ACTIONS IN SUPPORT OF CEQA COMPLIANCE DETERMINATION:**

The Cannabis Land Use Ordinance Environmental Impact Report (CLUO EIR) was prepared as a programmatic EIR for adoption of the CLUO and to support streamlined review of individual permit applications pursuant to CEQA Guidelines Sections 15168, 15162, and 15183. If the County finds

that an individual project is within the scope of the CLUO EIR, its environmental impacts are adequately addressed in the CLUO EIR, and applicable mitigation measures are applied to the project, then no further environmental review is required. Preparation of a site-specific environmental review document would be required if, for example, the County determines that an individual project would cause a significant environmental impact that was not examined in the EIR or that is peculiar to the project or the parcel on which it will be located.

Pursuant to Yolo County Code Section 8-2.1410(K), the County has used the attached CLUO Program EIR Checklist to evaluate CEQA coverage for the proposed cannabis project described above, and the County hereby makes the following findings of fact:

**Section 15168(c) Findings (Activity Within Scope of CLUO Program EIR):**

- 1) The CLUO EIR is a program EIR pursuant to Section 15168 of the CEQA Guidelines.
- 2) The proposed project is a later activity anticipated in the CLUO EIR and subject to the regulatory controls established through the CLUO.
- 3) No subsequent EIR would be required under CEQA Guidelines Section 15162 (see Section 15162 Findings, below).
- 4) Applicable mitigation measures from the CLUO EIR have been integrated into the proposed project and/or imposed on the proposed project.
- 5) The proposed project is within the scope of the project described in the CLUO EIR, the CLUO EIR adequately describes the activity for purposes of CEQA, and the environmental effects of the proposed project were analyzed within the scope of the CLUO EIR.

**Section 15162 Findings (No Subsequent EIR Required):**

- 1) There are no components of the proposed project that will result in new significant impacts or a substantial increase in the severity of previously identified significant impacts that would require substantial revisions to the CLUO EIR.
- 2) There are no changes to the circumstances under which the proposed project will be undertaken that would require revisions to the CLUO EIR due to new significant environmental impacts or a substantial increase in the severity of previously identified significant impacts.
- 3) There is no new important information relevant to the proposed project that was not previously known or reasonably could have been known at the time the CLUO EIR was certified that identifies significant impacts not discussed in the CLUO, substantial increases in the severity of previously identified significant impacts, previously infeasible mitigation measures or alternatives that are now feasible that the project proponents decline to adopt, or considerably different and more effective mitigation measures or alternatives that the project proponents decline to adopt.

**Section 15183 Findings (Streamlined Environmental Review due to Consistency with Zoning):**

- 1) The zoning of the project site accommodates the density/intensity of the cannabis land uses allowed under the CLUO which is a zoning regulation comprehensively and cumulatively analyzed in the certified CLUO EIR.
- 2) The CLUO is a uniformly applied development standard of the County (Ordinance 1541, Section 1, adopted September 14, 2021, as amended) adopted based on substantial evidence in the record that the CLUO will substantially mitigate environmental effects when applied to future projects.
- 3) The proposed project has been analyzed for consistency with all requirements of the CLUO and found to be fully compliant, with implementation of identified conditions of approval.
- 4) The proposed project will not result in environmental effects which are peculiar to the project or the parcel on which it will be located.

- 5) The proposed project will not result in significant environmental effects that were not analyzed in the CLUO EIR.
- 6) The proposed project will not result in potentially significant off-site impacts or cumulative impacts which were not addressed in the CLUO EIR.
- 7) There is no substantial new information which was not known at the time the CLUO EIR was certified demonstrating that effects of the proposed project will be more severe than discussed in the CLUO EIR.
- 8) Based on the CLUO Program EIR Checklist / Project Initial Study no additional environmental review is required because the impacts of the project are not peculiar to the parcel or to the project, have been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards.

Further information including the project file and supporting reports and studies may be reviewed at: County of Yolo Planning Division, 292 West Beamer Street, Woodland, CA 95695.

Planning Commission staff report and project attachments are available at:

<https://www.yolocounty.org/government/general-government-departments/community-services/planning-division/planning-commission-information/planning-commission-meeting-materials>

**MITIGATION MEASURES/CONDITIONS OF APPROVAL:** Mitigation measures have been integrated into the CLUO and are identified herein, where relevant, as conditions of approval for the project.

**FINDINGS OF OVERRIDING CONSIDERATION:**

Pursuant to CEQA Guidelines Section 15093, a Statement of Overriding Considerations was adopted with the certification of the CLUO EIR that accepted the possibility of unmitigated impacts in some of the impact categories regardless of whether feasible mitigation measures were identified. The proposed project would not have significant and unavoidable environmental impacts. A project-specific finding of overriding consideration is not identified for adoption.

Prepared by:



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Jeff Anderson, Senior Planner  
(530) 666-8043 - jeff.anderson@yolocounty.org  
Yolo County Department of Community Services

March 4, 2024

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Date

## CLUO PROGRAM EIR CHECKLIST / PROJECT INITIAL STUDY

<b>PROJECT NAME:</b>	Capay Valley Organics Cannabis Conditional Use Permit	<b>DATE:</b> May 8, 2024
<b>SITE ADDRESS:</b>	24477 CR 22A Esparto, CA 95627	<b>APN:</b> 049-180-024
<b>APPLICANT:</b>	Dimitry Lublin PO Box 598 Novato, CA 94948-0598	<b>ZONING:</b> Agricultural Extensive (A-X)
<b>PROPERTY OWNER:</b>	Dimitry and Lydia Lublin PO Box 598 Novato, CA 94948-0598	<b>Previously Certified FEIR:</b> Yolo County CLUO EIR <b>SCH #:</b> 2018082055
<b>PREPARED BY:</b>	Jeff Anderson, Senior Planner Phone: (530) 666-8043 Email: jeff.anderson@yolocounty.org Yolo County Department of Community Services	
<b>Referenced documentation is available for Public Review at:</b> County of Yolo Planning Division 292 West Beamer Street Woodland, CA 95696  Or online at: <a href="https://www.yolocounty.org/government/general-government-departments/community-services/planning-division/planning-commission-information/planning-commission-meeting-materials">https://www.yolocounty.org/government/general-government-departments/community-services/planning-division/planning-commission-information/planning-commission-meeting-materials</a>		

**PROJECT DESCRIPTION:** Capay Valley Organics (CVO) currently holds one Yolo County License and two California Department of Cannabis Control licenses for Medium Outdoor and Small Mixed-Light. The property owners are Dimitry Lublin and Lydia Lublin, and the cannabis operator is Dimitry Lublin. The current activities and proposed activities are discussed in further detail below.

### Existing Activities

CVO currently cultivates approximately 33,650 square feet of mature outdoor canopy and 9,856 square feet of mixed-light canopy within greenhouses. The outdoor canopy is screened from public views with a six-foot chain link fence with privacy slats. A total of nine 1,920 sf greenhouses exist on the site (17,280 sf total), seven of which are used for cultivation of mature canopy, and the remaining two greenhouses are used for immature mixed-light clones and immature canopy for outdoor clones.

The project site contains an existing 2,400 sf metal building used for a variety of uses, including harvest storage, drying/processing/packaging, storing waste, office uses, and clone area. Cargo containers for storage are located east of the existing metal building. Two composting areas are located near the existing greenhouses and are used for cannabis waste. A 10-foot by 10-foot composting area is used for the outdoor cultivation waste, and a 15-foot by 15-foot composting area is used for the mixed-light waste. The compost is then reintroduced to the soils on-site to support agricultural operations.

### Proposed Activities

The applicant is proposing to add one acre of outdoor cannabis cultivation canopy southeast of the existing outdoor cultivation area. The proposal also includes construction of a new 11,250 square-foot metal building to be used for similar purposes as the existing metal building, 17,280 square feet of greenhouses (nine 1,920 sf greenhouses), and approximately one-acre of outdoor nursery area. If approved for a nursery license, CVO would be able to grow cannabis used for propagation, including clones, immature plants, and seeds, and sell them commercially. The proposal also includes the addition of approximately one-acre of outdoor nursery area. All new outdoor areas

would be screened from public views by chain link fencing with privacy slats. As required by the CLUO, the applicant has prepared a security plan for the project site. Approximately 19.8 acres not in use for cannabis uses, are planned to be planted with pistachio trees.

Construction is estimated to occur over a period of 45 days at a time between May through September. Construction would not include additional grading activities. The equipment required for the proposed construction would be staged near the building site and may include a forklift, track loader, or front-end loader. Construction noise would be limited to the hours of 6:00 am to 6:00 pm, compliant with Section 8-2.1408 of the Yolo County Code of Ordinances.

CVO employs four year-round employees, including a property manager that resides onsite. No additional employees are anticipated for the proposed expansion of uses. All exterior lighting is required to be full cut-off, shielded, and downward facing so light does not spill over onto other properties, structures, or the night sky.

The CLUO allows existing licensees to request buffer reductions and buffer exceptions if they cannot meet required buffer distances from cannabis uses to off-site CLUO sensitive land uses. Buffer reductions are reductions of up to ten percent of the required buffer distances from CLUO sensitive land uses, and buffer exceptions are reductions of more than ten percent of the required buffer distances from CLUO sensitive land uses. The required buffer for outdoor cannabis uses from off-site individual legal residences in agricultural zones is 600 feet. CVO is requesting a buffer reduction of approximately 8% to allow outdoor cannabis cultivation within  $\pm 553$  feet of a residence to the northwest of the existing outdoor cultivation area. CVO is also requesting a buffer exception of approximately 52% to allow outdoor cannabis cultivation within  $\pm 290$  of a residence to the northeast of the existing outdoor cultivation area. In considering the approval of buffer reductions and buffer exceptions the approving body will consider project-specific and/or site-specific factors including, but not limited to, considerations of compatibility with surrounding land uses and willingness of affected neighbors.

**PROJECT SITE AND ENVIRONMENTAL SETTING:** The 34-acre project site is located at 24477 CR 22A in Esparto. The project site is zoned Agricultural Extensive (A-X) and the Yolo County General Plan designates the site as Agriculture (AG). The surrounding land uses are generally agricultural - typically rangeland and orchards and several homesites. The property immediately east/northeast of the project site is also contains licensed cannabis cultivation operations. The nearest sensitive land use to the outdoor cultivation area is a single-family residence located approximately 290 feet northeast of the outdoor cultivation area. A single-family residence is also located approximately 553 feet northwest of the outdoor cultivation area.

The project site was previously occupied with an almond orchard prior to commencement of cannabis related uses in 2017. The almond trees have since been removed. The property also contains two residences; a primary house occupied by the applicant, and an ancillary house occupied by the property manager. In addition, the project site currently contains one metal building, nine greenhouses, seven cargo containers, a gravel parking area, and a composting area.

The project site is surrounded by grassy hills. Known wetlands do not occur on the project site, however, a reach of Lamb Slough is located northwest of the project site. The project site is not known to contain any unique natural features or characteristics.

**BACKGROUND:** CVO has been operating in Esparto since 2017 and holds a State cultivation license and County cultivation license, which allows up to one-acre of canopy. It should be noted that although the business title is Capay Valley Organics, the project site is not located within Capay

Valley, which, for the purposes of permitting cannabis uses under the CLUO, is identified as the area between Capay and Rumsey to the Colusa/Yolo County border. The project site is, however, within the overlapping comment area of the Esparto Citizens Advisory Committee and Capay Valley Citizens Advisory Committee.

**REQUIRED PERMITS AND APPROVALS:** In addition to a Cannabis Use Permit, the following County licenses and approvals are required to allow the identified cannabis uses on the project site:

- A cannabis cultivation license for up to two acres of canopy;
- A cannabis nursery license to allow for regional serving nursery;
- A buffer reduction from the outdoor cannabis cultivation to an off-site single-family residence to the northwest; and
- A buffer exception from the outdoor cannabis cultivation to an off-site single-family resident to the northeast.

In addition to the County approvals, all required state licenses shall be obtained.

**ATTACHMENTS** (available in Planning Commission staff report package):

- 1 Project Vicinity Map
- 2 Project Site Plan
- 3 Project Conditions of Approval
- 4 Buffer and Setback Compliance Table

**OVERVIEW:**

This CLUO Program EIR Checklist (checklist) has been prepared to analyze the potential environmental effects associated with the proposed project, and to determine whether and what additional CEQA analysis is required. The checklist focuses on compliance with CEQA Guidelines Sections 15168(c), 15162, and 15183 by verifying the following information (in no order):

- 1) The proposed project will not:
  - a. Result in new significant effects, or
  - b. Result in substantial increase in severity of previously identified significant effects, and
  - c. Require major revisions of the CLUO EIR
- 2) The circumstances under which the proposed project is undertaken will not:
  - a. Result in new significant effects, or
  - b. Result in substantial increase in severity of previously identified significant effects, and
  - c. Require major revisions of the CLUO EIR
- 3) There is no new information relevant to the proposed project that is of substantial importance that was not known at the time of the CLUO EIR (or could not have been known with the exercise of reasonable diligence) that would show:
  - a. The project will have one or more significant effects not discussed in the CLUO EIR, or
  - b. Significant effects examined in the CLUO EIR will be substantially more severe than shown in the CLUO EIR, or
  - c. Mitigation measures or alternatives previously found not be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the applicant has declined to adopt them, or

- d. Mitigation measures or alternatives considerably different from those analyzed in the CLUO EIR would substantially reduce one or more significant effects, but the applicant has declined to adopt them.

4) The project is a later activity anticipated in the CLUO

5) Applicable mitigation measures from the CLUO EIR have been imposed on the project

6) Adverse environmental effects, including off-site and cumulative effects, of the project were analyzed within the scope of the CLUO EIR

7) The proposed project is consistent and compliant with the requirements of the CLUO

This checklist examines the conclusions reached in the CLUO EIR for each relevant CEQA impact category identified in the CLUO EIR and CEQA Appendix G. For each CEQA impact category, the checklist provides a summary of the CLUO EIR analysis, a description of the project's potential environmental impacts, and conclusions regarding whether further environmental review is required for that impact.

Pursuant to CEQA Guidelines Section 15093, a Statement of Overriding Considerations was adopted with the certification of the CLUO EIR that accepted the possibility of unmitigated impacts in some of the impact categories regardless of whether feasible mitigation measures were identified. Where relevant, this is identified in the analysis discussion. Where the project would have significant and unavoidable environmental impacts, a project-specific finding of overriding considerations will be adopted.

#### **Scope of Impacts Covered in CLUO EIR:**

The Yolo County Cannabis Land Use Ordinance Environmental Impact Report (CLUO EIR), SCH# 2018082055, was certified by the Board of Supervisors on September 14, 2021 (Resolution 21-111). The CLUO EIR analyzed at a detailed level a wide range of alternatives that made specific assumptions about environmental conditions and project features, which are summarized below. These assumptions are identified in Chapter 2 of the DEIR volume, including specifically Table 2-4 (p. 2-30 to 2-32), Table 2-5 (p. 2-33), Section 3.0 (p. 3-3 to 3-6), DEIR Appendix D, and p. 4-1 to 4-3 of the FEIR volume.

1. Maximum Number of Cannabis Sites: A maximum of 264 sites (Alternative 3) was analyzed in the CLUO EIR. The adopted CLUO allows for no more than 65 Cannabis Use Permits, of which no more than 5 may be located in the Capay Valley.
2. Maximum Number of Cannabis Land Uses By License Type: The maximum number of cannabis land uses by license type analyzed in the CLUO EIR is shown below for Alternative 3:
  - Cultivation (indoor or outdoor) = 160
  - Nurseries = 10
  - Processing = 10
  - Manufacturing = 40
  - Testing = 10
  - Distribution = 20
  - Retail (Storefront) = 4

- Retail (Non-Storefront) = Not Specified
- Special Cannabis Event = 0
- Microbusiness = 10

The adopted CLUO limits the number of cannabis land uses by cannabis license type as follows:

- Cultivation (indoor or outdoor) = 49
- Nurseries = 5 (0 in Capay Valley)
- Processing = 7 (0 in Capay Valley)
- Manufacturing = 6 (0 in Capay Valley)
- Testing = 2 (0 in Capay Valley)
- Distribution = 7 (0 in Capay Valley)
- Retail (Storefront) = 5 (0 in Capay Valley and 0 in Clarksburg) (applications not allowed for two years from the effective date of the CLUO)
- Retail (Non-Storefront) = 10 (0 in Capay Valley) (must be associated with a Yolo Cannabis Use Permit)
- Special Cannabis Event = 0
- Microbusiness = 5 (0 in Capay Valley)

For all cannabis land use types, except Retail Storefront, the caps in the adopted CLUO are lower than the range analyzed in the CLUO EIR. The adopted CLUO allows for up to five cannabis Retail Storefront operations. CLUO EIR Alternative 3 assumed four cannabis retail storefronts. As documented in the CEQA Findings of Fact, the difference of one additional retail storefront included in the adopted CLUO is not significant because, as demonstrated in the Final EIR, the effects of Retail Storefront are not discernably different from the effects of other types of allowed retail land uses, and fall within the impact analysis conducted in the CLUO EIR.

3. Maximum Total Cultivation Canopy Acreage: A maximum of 160 acres (Alternative 3) of cultivation canopy was analyzed in the CLUO EIR. The adopted CLUO allows for no more than 49 cultivation licenses with a maximum canopy of 2 acres each or 98 acres total.
4. Maximum Total Land Area for Combined Cannabis Activities: A maximum of 517 acres (Alternative 3) of land area and related ancillary activities was assumed in the CLUO EIR. The adopted CLUO does not expressly limit the total land area for combined cannabis activities, therefore, this limit applies.
5. Total Assumed New Land Disturbance for Combined Cannabis Activities: A maximum of 379 acres (Alternative 3) of new land disturbance including related new ancillary activities was assumed in the CLUO EIR. The adopted CLUO does not expressly limit the area of new land disturbance for combined cannabis activities, therefore, this limit applies.
6. Maximum Total Building Area for Combined Cannabis Activities: A maximum of 10,633,957 square feet (Alternative 3) of total building area including related ancillary activities was assumed in the CLUO EIR. The adopted CLUO does not expressly limit the total building area for combined cannabis activities, therefore, this limit applies.

7. Maximum Total Employees for Combined Cannabis Activities: A maximum of 5,251 full-time equivalent (Alternative 3) employees including related ancillary activities was assumed in the CLUO EIR. The adopted CLUO does not expressly limit the number of full-time equivalent employees for combined cannabis activities, therefore, this limit applies.
8. Buffers: Impacts associated with a range of 0 feet to 1,000 feet under various circumstances and for various cannabis use types was analyzed in the CLUO EIR (CEQA Findings of Fact, p. 23). The adopted CLUO requires buffers ranging between 600 feet and 1,500 feet from specific identified sensitive land uses for outdoor uses and up to 100 feet for indoor uses, with identified exceptions allowed for existing operators on a case-by-case basis (see Section 8-2.1403 (B) through (E) which address buffer easements, exemptions, exceptions, and reductions).
9. Over-Concentration: The CLUO EIR concluded that five or fewer sites within a six-mile diameter area is not over-concentrated, and 23 or more sites within a six-mile diameter area is over-concentrated. The CLUO EIR acknowledged that the range between six and 22 sites is potentially over-concentrated, and identified the determination of a precise threshold within the range is a matter of policy for the Board of Supervisors to decide. Mitigation Measure OVC-1(a-c) related to over-concentration was substantially incorporated into the final CLUO as mitigation for cumulative impacts related to over-concentration of cannabis land uses (Section 8-2.1406(H)).

The adopted CLUO defines over-concentration as occurring under existing conditions in the Capay Valley area based on existing licenses and sets a maximum threshold of five Cannabis Use Permits in the Capay Valley. Throughout the rest of the County the adopted CLUO sets a maximum threshold of seven Cannabis Use Permits in any six-mile diameter area. More than seven Cannabis Use Permits in any six-mile diameter area is defined as over-concentration, and therefore precluded.

10. Other Buffers and Setbacks: The CLUO EIR assumed the required General Plan setback of 100 feet from described water bodies will be applied; and, all minimum setbacks required in the applicable zone district will be met. These requirements were incorporated into the adopted CLUO.

**ACTIONS TAKEN TO MINIMIZE IMPACTS OF THE CLUO:**

CEQA Findings of Fact (Resolution 21-111), Section VII(B), Findings Regarding Recirculation of the EIR (pages 16 to 30), itemizes changes made to the CLUO and CLUO EIR after circulation of the Final EIR and prior to certification of the EIR and adoption of the CLUO.

**DOCUMENTATION THAT PROJECT IS WITHIN SCOPE OF CLUO EIR:**

The following information documents that the physical attributes of the proposed project fall within the scope of the CLUO EIR:

1. Maximum Number of Cannabis Sites: If approved, the proposed project would receive one of 65 available Cannabis Use Permits, within the number of sites (264) analyzed in the CLUO EIR.
2. Maximum Number of Cannabis Land Uses By License Type: If approved, the proposed project would receive one of 49 allocated cultivation licenses and be eligible to receive one of 5 allocated nursery licenses.

3. **Maximum Total Cultivation Canopy Acreage:** If approved, the proposed project would result in two acres of canopy for cannabis cultivation activities, of which one acre of canopy has been under cultivation since 2017, and one additional new acre is requested. Total cannabis cultivation canopy analyzed in the CLUO EIR is 160 acres. The adopted CLUO allows for no more than 49 cultivation licenses with a maximum canopy of two acres each or 98 acres total.
4. **Maximum Total Land Area for Combined Cannabis Activities:** If approved, the proposed project includes approximately 5.98 acres of existing cannabis activity (including cultivation and ancillary areas) for which no substantial change in physical conditions is proposed, and 3.42 acres of proposed new cannabis activity, for a total of 9.4 acres. Approval of the project would not exceed 517 acres maximum total land area for combined cannabis activities, which is the total analyzed in the CLUO EIR.
5. **Total Assumed New Land Disturbance for Combined Cannabis Activities:** If approved, the project would result in 3.42 acres of new land disturbance. Approval of the project would not exceed 379 acres maximum area of new land disturbance, which is the total analyzed in the CLUO EIR.
6. **Maximum Total Building Area for Combined Cannabis Activities:** If approved, the proposed project will result in 51,645 square feet of building area, of which 23,115 square feet is existing and 28,530 square feet would be proposed new. Approval of the project would not exceed 10,633,957 square feet of total building area, which is the total analyzed in the CLUO EIR.
7. **Maximum Total Employees for Combined Cannabis Activities:** If approved, the proposed project would employ 4 full-time equivalent positions, all of which are existing employees. An increase in employees is not anticipated. Approval of the project would not exceed 5,521 full-time equivalent employees, which is the total analyzed in the CLUO EIR.
8. **Buffers:** If approved, the proposed project would result in an eight percent buffer reduction to allow outdoor cultivation within approximately 553 feet of a residence to the northwest and a buffer exception of approximately 52 percent to allow outdoor cannabis cultivation within 290 feet of a residence to the northeast of the existing outdoor cultivation. For pre-existing operations, the CLUO allows for specified buffers to be decreased and provides for the possibility of discretionary exceptions for certain buffers subject to Planning Commission approval.
9. **Over-Concentration:** For Existing Licenses, such as CVO, the unincorporated area of the County, outside of the Capay Valley, is not considered over-concentrated. Therefore, the proposed project will not result in over-concentration.

#### **EXPLANATION OF CHECKLIST QUESTIONS AND ANALYSIS:**

For each environmental impact topic, the following information is provided to substantiate the County's CEQA findings under Sections 15168(c), 15162, and 15183 of the CEQA Guidelines:

**CLUO EIR Discussion and Conclusions:** This section identifies the relevant conclusions reached in the CLUO EIR, provides references to the relevant volume and page number(s) of relevant discussion in the CLUO EIR, and describes the conclusions of the CLUO EIR as to the impacts to the resource area.

**Question #1 (Project Within Scope of CLUO EIR):** This question documents whether the proposed project falls within the scope of the CLUO EIR, and the basis for that conclusion, with particular emphasis on any unique or peculiar aspects of the project that might have a bearing on the particular resource area and any aspects of the project that differ from the CLUO EIR project assumptions.

**Question #2 (Important Site-Specific or New Information):** This question identifies whether important project-specific or new information emerged from the conclusions of the technical studies required of the applicant, or from any other source. This question would also apply to any new regulations that might change the nature of analysis or the requirements of a CLUO EIR mitigation measure.

**Question #3 (Project Consistent with CLUO):** This question documents that the project complies with the requirements of the CLUO and that the requirements of the CLUO and other relevant regulations have been imposed on the project in the form of Conditions of Approval (COAs).

**Conclusions:** This section summarizes the conclusions and outcomes of the questions above, summarizes whether the project meets the thresholds, criteria, and requirements to qualify for tiering and/or streamlining under CEQA, and identifies additional review requirements, if any. If the environmental conclusion of the CLUO EIR remains the same (i.e. no new or more severe environmental impacts, or no new feasible or more effective mitigation measures or alternatives rejected by the applicant), new or additional environmental review or mitigation is not necessary.

## I. AESTHETICS.

### Would the project:

	CLUO EIR Conclusion	Question #1: Project Within Scope of CLUO EIR?	Question #2: Important Site-Specific or New Information?	Question #3: Project Consistent with CLUO?
a. Impact AES-1: Have a substantial adverse effect on a scenic vista or viewshed?	LS	Yes	No	Yes
b. Impact AES-2: Damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway or county-designated scenic highway?	LS	Yes	No	Yes
c. Impact AES-3: Substantially degrade the existing visual character or quality of the project area?	SU	Yes	No	Yes
d. Impact AES-4: Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	LS	Yes	No	Yes

N/A = Not Analyzed; NI = No Impact; LS = Less-than-Significant; LS w/ MMs = Less-than-Significant with Mitigation; SU = Significant and Unavoidable; SU w/MMs = Significant and Unavoidable with Mitigation.

**CLUO EIR Discussion and Conclusions:** Aesthetic impacts are analyzed on pages 3.1-1 to 3.1-48, 4-4 to 4-8, 4-39 to 4-47, and in Chapter 5 of the draft volume of the certified CLUO EIR. Clarifications to the analysis of aesthetics were made on pages 4-1 to 4-2 in the final volume of the CLUO EIR. Clarifications to the cumulative analysis were made on pages 4-5 to 4-7 in the final volume of the CLUO EIR. No modifications to the analysis were made in the CEQA Findings of Fact.

The CLUO EIR found impacts to scenic vistas and viewshed, scenic resources, and light or glare affecting day or nighttime views to be less than significant with no mitigation measures required. The CLUO EIR found that implementation of the CLUO would have a significant impact by substantially degrading the existing visual character or quality of the area, and concluded those impacts would be unavoidable with no additional feasible mitigation measures identified because: aesthetic impacts are subjective, and cannabis uses have distinctly recognizable visual characteristics as compared to other forms of non-cannabis agriculture in the County. In addition to the impacts identified above, aesthetic impacts related to overconcentration and cumulative impacts were found to be significant and unavoidable, with no additional known feasible mitigation measures.

**Question #1 (Project Within Scope of CLUO EIR), Discussion and Substantial Evidence:** As documented herein, the proposed project falls within the scope of the CLUO EIR. The proposed project would include the addition of one-acre of outdoor cannabis cultivation canopy, an 11,250 square-foot building for processing and storage, 17,280 square feet of additional greenhouses, and approximately one-acre of outdoor nursery area in the A-X zone, which was anticipated in the CLUO EIR. As discussed in the Documentation That the Project is within the Scope of the CLUO EIR section of this checklist, approval of the requested CUP would not result in the exceedance of the number of cannabis sites; maximum number of cannabis land uses; maximum outdoor cultivation acreage; maximum total land area; total assumed new land disturbance; maximum total building area; maximum total employees; nor would the project result in an over-concentration of Cannabis Use Permits within a six-mile radius.

As documented herein, the only components of the project relevant to aesthetics that differ from the requirements of the CLUO are the proposed buffer reduction and buffer exception. The proposed project is an existing operation that has been licensed since 2017. In this case, the project would not meet the required 600-foot buffer between an outdoor cultivation area and two off-site residences. The applicant is requesting an eight percent buffer reduction to allow outdoor cultivation within approximately 553 feet of a residence to the northwest. CVO is also requesting a buffer exception of approximately 52 percent to allow outdoor cannabis cultivation within 290 feet of a residence to the northeast of the existing outdoor cultivation. For pre-existing operations, the CLUO allows for specified buffers to be smaller and provides for the possibility of discretionary exceptions for certain buffers subject to Planning Commission approval. This recognizes that where existing conditions are acceptable, avoiding relocation serves to minimize many impacts. These deviations from the buffer requirements for existing operations were analyzed as part of the CLUO EIR, are not unique or peculiar to the project, and do not defer or fall outside of the CLUO EIR project assumptions.

**Question #2 (Important Site-Specific or New Information), Discussion and Substantial Evidence:** The following site-specific information is relevant to aesthetics:

The CVO facility was identified as an existing cannabis operation in the CLUO EIR, and was considered in the analysis conducted therein. In addition, the Yolo County General Plan designates the site as AG, and, thus, the project site has been anticipated to include a full range of agricultural uses. Furthermore, the proposed project would be consistent with the CLUO regulations and standards regarding building design, fencing, lighting, landscaping, and site design as described under Question 3 below. As discussed above, the proposed project includes a buffer reduction and exception, which are included as existing conditions. No new uses will encroach into required setbacks.

Based on the above, the proposed project does not include peculiar project features or new important information associated with aesthetics beyond what was included in the CLUO EIR.

**Question #3 (Project Consistent with CLUO), Discussion and Substantial Evidence:** As documented in this CLUO Compliance Checklist, the project is consistent with the requirements of the CLUO. Various conditions of approval have been identified to ensure ongoing compliance, including the following relevant to aesthetics:

- Comply with CLUO Section 8-2.1408(E), Buffers which establishes buffers for various identified sensitive uses ranging from 600 feet to 1,500 feet, with exceptions allowed for existing operators on a case-by-case basis (see Section 8-2.1403 (B) through (E) which address buffer easements, exemptions, exceptions, and reductions).
- Comply with CLUO Section 8-2.1408(F), Building Design which requires cannabis building design consider aesthetics including compliance with adopted design requirements, clustering of structures on the site, compatibility of design, materials, and general appearance with character and scale of what is typical within the applicable zone.

- Comply with CLUO Section 8-2.1408(H), Cultural Resources which includes requirements for the identification and protection of historic resources.
- Comply with CLUO Section 8-2.1408(P), Fencing and (KK), Screening which requires a screening plan (vegetative or fencing) for outdoor cultivation to address visibility from public rights-of-way. Vegetative screening requires sign off from the Agricultural Commissioner, must be native and drought tolerant, and must provide the intended screening within five years. Fencing must not exceed seven feet, design and materials must be consistent with surrounding area, in good repair, not diminish the visual quality of the area, and must be opaque and durable. Razor wire is prohibited.
- Comply with CLUO Section 8-2.1408(Y), Landscaping, which requires landscaping consistent with applicable requirements for the zone district.
- Comply with CLUO Section 8-2.1408(Z), Lighting, which requires directional control of all lighting, use of efficient technology, and prohibition of nighttime lighting escape for cultivation, including greenhouses.
- Comply with CLUO Section 8-2.1408(CC), Nuisance, which identifies the conditions under which light and glare would constitute a public nuisance, subject to three levels of enforcement.
- Comply with CLUO Section 8-2.1408(OO), Site Design, which requires that site design integrate adopted regulatory and design requirements for aesthetics and lighting.
- Comply with CLUO Section 8-2.1408(PP), Site Maintenance (General), which requires operation and maintenance of the site in good repair, acceptable appearance, and safe conditions, and free of: litter, clutter, graffiti, abandoned structures, and abandoned material and equipment.
- Comply with CLUO Section 8-2.1408(RR), Tree Protection, which encourages protection of trees and prohibits removal of native trees.
- Comply with CLUO Section 8-2.1412(C), Cultivation Site Restoration, which requires restoration of cannabis cultivation sites upon revocation or abandonment.

**Conclusions:** The site-specific analysis did not reveal any impacts to aesthetics or visual resources that were not anticipated in the CLUO EIR. The proposed project will not create effects or require mitigation measures that were not discussed in the CLUO EIR. The proposed project, as conditioned, meets the thresholds, criteria, and requirements to qualify for streamlining under CEQA pursuant to Sections 15162, 15168(c), and 15183 of the CEQA Guidelines. Based on the above, the criteria for requiring further CEQA review are not met and impacts related to aesthetics were ***adequately addressed in the CLUO EIR.***



## II. AGRICULTURAL RESOURCES.

### *Would the project:*

	CLUO EIR Conclusion	Question #1: Project Within Scope of CLUO EIR?	Question #2: Important Site-Specific or New Information?	Question #3: Project Consistent with CLUO?
a. Impact Ag-1: Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance?	NI	Yes	No	Yes
b. Impact AG-2: Conflict with existing agricultural zoning or with a Williamson Act contract?	NI	Yes	No	Yes
c. Impact AG-3: Create conflicts with agricultural uses or conversion of farmland to non-agricultural uses?	LS	Yes	No	Yes
d. Impact AG-4: Conflict with Yolo County General Plan and community plans related to agricultural resources?	LS	Yes	No	Yes

N/A = Not Analyzed; NI = No Impact; LS = Less-than-Significant; LS w/ MMs = Less-than-Significant with Mitigation; SU = Significant and Unavoidable; SU w/MMs = Significant and Unavoidable with Mitigation.

**CLUO EIR Discussion and Conclusions:** Impacts to agricultural resources are analyzed on pages 3.2-1 to 3.2-26, 4-8 to 4-9, 4-47 to 4-48, and in Chapter 5 of the draft volume of the CLUO EIR. No modifications to the analysis of agricultural resources were made in the final volume of the CLUO EIR or CEQA Findings of Fact. Clarifications to the cumulative analysis were made on pages 4-5 to 4-7 in the final volume of the CLUO EIR.

Because cannabis cultivation and related activities are considered an agricultural land use in Yolo County, the CLUO EIR found no impacts related to conversion of protected farmland, conflict with agricultural zoning, and conflict with Williamson Act contracts. The CLUO EIR did not identify any need for further regulations in light of the requirements of existing law related to pesticide overspray and dust control. The CLUO EIR also determined that buffers between crops were not required unless the Agricultural Commissioner recommends differently based on circumstances specific to the site and project in relation to adjacent agricultural uses. The Agricultural Commissioner commented that there are no known compatibility issues with this particular site, adding that surrounding crops include an almond orchard to the northwest which represents a minor potential for chemical drift onto the cannabis crop depending on the wind direction. Accordingly, the CLUO EIR found impacts related to conflicts with agricultural uses, conversion of farmland, and conflicts with the General Plan and community plans would be less than significant with no mitigation measures required. Cumulative agricultural resource impacts and impacts related to overconcentration were also found to be less than significant, with no mitigation measures required.

**Question #1 (Project Within Scope of CLUO EIR), Discussion and Substantial Evidence:** As documented herein, there are no components of the project relevant to agricultural resources that differ from the requirements of the CLUO. The proposed project would include the addition of one-acre of outdoor cannabis cultivation canopy, an 11,250 square-foot building for processing and storage, 17,280 square feet of additional greenhouses, and approximately one-acre of outdoor nursery area in the A-X zone, which was anticipated in the CLUO EIR. The CLUO relied on this information, and the position of the County that cannabis cultivation is an agricultural land use in concluding that impacts to agricultural resources from Cannabis Use Permits would not occur or be less than

significant. As discussed in the Documentation That the Project is within the Scope of the CLUO EIR section of this checklist, approval of the requested CUP would not result in the exceedance of the number of cannabis sites; maximum number of cannabis land uses; maximum outdoor cultivation acreage; maximum total land area; total assumed new land disturbance; maximum total building area; maximum total employees; nor would the project result in an over-concentration of Cannabis Use Permits within a six-mile radius. The CLUO relied on this information, and the position of the County that cannabis cultivation is an agricultural land use in concluding that impacts to agricultural resources from Cannabis Use Permits would not occur or be less than significant.

**Question #2 (Important Site-Specific or New Information), Discussion and Substantial Evidence:** The following site-specific information is relevant to agricultural resources:

The CVO facility was identified as an existing cannabis operation in the CLUO EIR, and was considered in the analysis conducted therein. In addition, the Yolo County General Plan designates the site as AG, and, thus, the project site has been anticipated to include a full range of agricultural uses. The proposed project would be consistent with the CLUO regulations related to agriculture, which require compliance with applicable County and State regulations, manufacturer instructions for use of fertilizers, herbicides, pesticides, rodenticides, fumigants, and other inputs/applications for improved agricultural performance. The CLUO also requires permittees operating on agricultural land to demonstrate to the satisfaction of the County Agricultural Commissioner that the parcel, excluding the area in cannabis cultivation, will be used for agricultural activities, and/or that any areas in non-agricultural use will be properly maintained.

The project site contains designated farmland and is under a Williamson Act Contract. However, the proposed project would not result in the conversion of farmland to non-agricultural uses or any other unique or peculiar circumstances related to agricultural resources. The proposed project includes a buffer reduction and exception, which are included as existing conditions. The requested buffer reduction and exception are not expected to affect ongoing adjacent agricultural operations.

Based on the above, the proposed project does not include peculiar project features or new important information associated with agricultural resources beyond what was included in the CLUO EIR.

**Question #3 (Project Consistent with CLUO), Discussion and Substantial Evidence:** As documented in this CLUO Compliance Checklist, the project is consistent with the requirements of the CLUO. Various conditions of approval have been identified to ensure ongoing compliance, including the following relevant to agricultural resources:

- Comply with CLUO Section 8-2.1408(A), Agricultural Applications, which requires implementation of Pest Management Plans, and compliance with pesticide laws and regulations enforced by the state.

- Comply with CLUO Section 8-2.1408(B), Agricultural Maintenance, which requires proper maintenance of agricultural properties, to the satisfaction of the Agricultural Commissioner, to control and abate weeds and agricultural pests to avoid impairment of agriculture on adjoining properties.
- Comply with CLUO Section 8-2.1408(L), Dust Control, which requires compliance with YSAQMD requirements related to dust control, and control of dust in a manner consistent with standards agricultural practices. Vegetative wind breaks are encouraged.
- Comply with CLUO Section 8-2.1408(U), Good Neighbor Communication, which requires the operator to ensure a method of communicating with neighbors within 1,000 feet. Written records are encouraged and failure to respond in a reasonable manner and timeframe will be an enforcement consideration.

**Conclusions:** The site-specific analysis did not reveal any impacts to agricultural resources that were not anticipated in the CLUO EIR. The proposed project will not create effects or require mitigation measures that were not discussed in the CLUO EIR. The proposed project, as conditioned, meets the thresholds, criteria, and requirements to qualify for streamlining under CEQA pursuant to Sections 15162, 15168(c), and 15183 of the CEQA Guidelines. Based on the above, the criteria for requiring further CEQA review are not met and impacts related to agricultural resources were ***adequately addressed in the CLUO EIR.***

### III. AIR QUALITY AND ODORS.

#### *Would the project:*

	CLUO EIR Conclusion	Question #1: Project Within Scope of CLUO EIR?	Question #2: Important Site-Specific or New Information?	Question #3: Project Consistent with CLUO?
a. Impact AQ-1: Conflict with or obstruct implementation of policies and regulations related to air quality?	LS	Yes	No	Yes
b. Impact AQ-2: Generate construction-related emissions of criteria pollutants and precursors that exceed YSAQMD recommended thresholds?	LS	Yes	No	Yes
c. Impact AQ-3: Create long-term operational emissions of criteria pollutants and precursors that exceed YSAQMD recommended thresholds?	LS	Yes	No	Yes
d. Impact AQ-4: Expose a substantial number of people to adverse odors?	SU w/MMs	Yes	No	Yes

N/A = Not Analyzed; NI = No Impact; LS = Less-than-Significant; LS w/ MMs = Less-than-Significant with Mitigation; SU = Significant and Unavoidable; SU w/MMs = Significant and Unavoidable with Mitigation.

**CLUO EIR Discussion and Conclusions:** Air quality and odor impacts are analyzed on pages 3.3-1 to 3.3-38, 4-9 to 4-19, 4-48 to 4-54, and in Chapter 5 of the draft volume of the CLUO EIR. No modifications to the analysis of air quality and odors were made in the final volume of the CLUO EIR. Clarifications to the cumulative analysis were made on pages 4-5 to 4-7 in the final volume of the CLUO EIR. A clarification to the mitigation measure requiring wind pattern analysis as part of the required Odor Control Plan for each Cannabis Use Permit application and clarifying requirements related to mitigation for overconcentration were documented in the CEQA Findings of Fact (page 24-25, and 28-29).

The CLUO EIR found impacts related to conflicts with air quality regulations, and both construction and operations emissions of criteria pollutants, to be less than significant with no mitigation measures required. The CLUO EIR concluded that odor impacts would remain significant and unavoidable even with implementation of identified mitigation measures because: cannabis is a controversial activity; some neighbors are very sensitive to the odor and find it to be highly objectionable; the proposed regulatory threshold is not zero-detect which means that some odor will be detectable and will be considered acceptable under the regulations; and odor exceedances in excess of the allowable level may be higher in early years as the industry and technology evolve despite the fact that enforcement will occur under the CLUO. Exposure to adverse odors was identified as a significant impact that could be partially mitigated by identified measures, but not to acceptable levels; therefore, the CLUO EIR concluded those impacts would be unavoidable. Cumulative air quality impacts were found to be less than significant, with no mitigation measures required. Cumulative odor impacts and odor impacts due to overconcentration were found to be significant and unavoidable with feasible mitigation measures identified that would provide partial mitigation.

**Question #1 (Project Within Scope of CLUO EIR), Discussion and Substantial Evidence:** As documented herein, the proposed project falls within the scope of the CLUO EIR. The proposed project would include the addition of one-acre of outdoor cannabis cultivation canopy, an 11,250 square-foot building for processing and storage, 17,280 square feet of additional greenhouses, and

approximately one-acre of outdoor nursery area in the A-X zone, which was anticipated in the CLUO EIR. As discussed in the Documentation That the Project is within the Scope of the CLUO EIR section of this checklist, approval of the requested CUP would not result in the exceedance of the number of cannabis sites; maximum number of cannabis land uses; maximum outdoor cultivation acreage; maximum total land area; total assumed new land disturbance; maximum total building area; maximum total employees; nor would the project result in an over-concentration of Cannabis Use Permits within a six-mile radius. The subject project is an existing operating licensee, and was included in the CLUO EIR air quality modeling and odor emissions analysis as a component of existing conditions.

As documented herein, the only components of the project relevant to air quality and odor control that differ from the requirements of the CLUO are the proposed buffer reduction and buffer exception. The proposed project is an existing operation that has been licensed since 2017. In this case, the project would not meet the required buffer between a residence northwest of the existing outdoor cultivation area. The applicant is requesting an eight percent buffer reduction to allow outdoor cultivation with approximately 553 feet of the residence. CVO is also requesting a buffer exception of approximately 52 percent to allow outdoor cannabis cultivation within 290 feet of a residence to the northeast of the existing outdoor cultivation. For pre-existing operations, the CLUO allows for specified buffers to be smaller and provides for the possibility of discretionary exceptions for certain buffers subject to Planning Commission approval. This recognizes that where existing conditions are acceptable, avoiding relocation serves to minimize any new impacts. These deviations from the buffer requirements are for existing operations and will not introduce any new cannabis uses into the required setback.

**Question #2 (Important Site-Specific or New Information), Discussion and Substantial Evidence:** The following site-specific information is relevant to air quality and odor:

The CVO facility was identified as an existing cannabis operation in the CLUO EIR, and was considered in the analysis conducted therein. In addition, the Yolo County General Plan designates the site as AG, and, thus, the project site has been anticipated to include a full range of agricultural uses. Furthermore, as discussed below, the proposed project would be consistent with the CLUO regulations related to air quality and odors, such as requiring compliance with the Yolo-Solano Air Quality Management District (YSAQMD) rules and regulations during project construction and operation.

The proposed project would include the construction of an 11,250 square-foot building for processing and storage, and 17,280 square feet of new greenhouses for nursery and cultivation activities. The proposed structures would be prefabricated and/or metal frame buildings that would be constructed at the project site. The construction of such type of buildings typically does not involve intensive use of construction equipment as compared to typical building construction. Construction of all proposed structures is expected to occur over the course of 45 days. In addition, construction would not include grading activities. Therefore, due to the brief construction period and minor nature of the construction activities, implementation of the proposed project would not be expected to result in construction emissions in excess of applicable YSAQMD thresholds of significance.

The CLUO incorporates dust control, odor, and generator emission standards that are consistent with YSAQMD and State regulations. In compliance with Section 8-2.1408(DD) of the CLUO, an Odor Control Plan was prepared for the proposed project by Yorke Engineering, LLC.<sup>1</sup> The Odor Control Plan did not identify peculiar circumstances beyond what was analyzed in the CLUO EIR. Furthermore, the proposed project would be subject to the measures and recommendations contained in the Odor Control Plan such as performing weekly odor evaluations and conducting odor control training sessions with staff, which would help ensure odor emissions specific to the operations at the project site are minimized.

The CLUO EIR also determined that implementation of the CLUO, including subsequent Cannabis Use Permits pursuant to the adopted CLUO, would not exceed YSAQMD thresholds of significance for emissions of ROG, NO<sub>x</sub>, and PM<sub>10</sub> for individual permitted cannabis uses. The proposed project would not result in an increase in employees, and, thus, would not result in a substantial increase in vehicle trips to the project site. Delivery and pickup truck trips may increase as a result of the proposed expansion; however, the increase is not expected to be substantial and would remain within the range anticipated for the site in the CLUO EIR. In addition, the proposed expansion would require the use of additional lighting and climate control machinery for the proposed structures. However, the applicant is enrolled within the Valley Clean Energy Alliance's (VCEA'S) UltraGreen program, which ensures 100 percent of the energy used on-site is from renewable energy sources. Furthermore, the proposed project would not involve the use of a generator. Therefore, the proposed project's operational emissions would not result in any new impacts or increase in severity of impacts identified in the CLUO EIR.

Overall, the proposed project does not include peculiar project features or new important information associated with air quality and odors beyond what was included in the CLUO EIR.

**Question #3 (Project Consistent with CLUO), Discussion and Substantial Evidence:** As documented in this CLUO Compliance Checklist, the project is consistent with the requirements of the CLUO. Various conditions of approval have been identified to ensure ongoing compliance, including the following relevant to air quality and odor control:

- Comply with CLUO Section 8-2.1406(G), Limitations on Licenses and Permits – This section identifies the number of allowed use permits, and cannabis licenses by type.
- Comply with CLUO Section 8-2.1406(H), Over-Concentration – This section identifies the Capay Valley as an existing over-concentrated area, and establishes a maximum of seven Cannabis Use Permits in any six-mile diameter area.
- Comply with CLUO Section 8-2.1408(E), Buffers which establishes buffers for various identified sensitive uses ranging from 600 feet to 1,500 feet, with exceptions allowed for existing operators on a case-by-case basis (see Section 8-2.1403 (B) through (E) which address buffer easements, exemptions, exceptions, and reductions).

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<sup>1</sup> Yorke Engineering, LLC. *Capay Valley Organics, LLC. Odor Control Plan*. June 2022.

- Comply with CLUO Section 8-2.1408(L), Dust Control, which requires compliance with YSAQMD requirements related to dust control, and control of dust in a manner consistent with standards agricultural practices. Vegetative wind breaks are encouraged.
- Comply with CLUO Section 8-2.1408(T), Generators, which requires compliance with YSAQMD requirements related to generator usage, and prohibits the use generators as the sole or permanent source of power for equipment and/or facilities.
- Comply with CLUO Section 8-2.1408(U), Good Neighbor Communication, which requires the operator to ensure a method of communicating with neighbors within 1,000 feet. Written records are encouraged and failure to respond in a reasonable manner and timeframe will be an enforcement consideration.
- Comply with CLUO Section 8-2.1408(CC), Nuisance, which identifies the conditions under which odor and other emissions will constitute a public nuisance, subject to three levels of enforcement.
- Comply with CLUO Section 8-2.1408(DD), Odor Control, which identifies the regulatory threshold for cannabis odor, possible methods of odor control for various cannabis activities, and requirements for mandatory Odor Control Plans. Notwithstanding any other standard of the CLUO, including buffers, exceedance of the odor threshold identified below is prohibited:
  - The allowable threshold for cannabis odor from all cannabis uses, including personal cultivation, shall be defined as a dilution-to-threshold (D/T) ratio of less than seven parts clean or filtered air to one-part odorous air (7:1) at the property line of the site.
- Comply with CLUO Section 8-2.1408(HH), Processing, which describes that cannabis processing may occur outdoors only if required odor control is provided.
- Comply with CLUO Section 8-2.1408(OO), Site Design, which requires that site design integrate adopted regulatory and design requirements for air quality and odor.

**Conclusions:** The site-specific analysis did not reveal any impacts related to air quality or odor that were not anticipated in the CLUO EIR. The proposed project will not create effects or require mitigation measures that were not discussed in the CLUO EIR. The proposed project, as conditioned, meets the thresholds, criteria, and requirements to qualify for streamlining under CEQA pursuant to Sections 15162, 15168(c), and 15183 of the CEQA Guidelines. Based on the above, the criteria for requiring further CEQA review are not met and impacts related to air quality and odors were ***adequately addressed in the CLUO EIR.***

#### IV. BIOLOGICAL RESOURCES.

*Would the project:*

	CLUO EIR Conclusion	Question #1: Project Within Scope of CLUO EIR?	Question #2: Important Site-Specific or New Information?	Question #3: Project Consistent with CLUO?
a. Impact BIO-1: Adversely affect special status species?	LS w/MMs	Yes	No	Yes
b. Impact BIO-2: Adversely affect riparian habitat and other sensitive natural communities?	LS w/MMs	Yes	No	Yes
c. Impact BIO-3: Adversely affect state-protected or federally-protected wetlands?	LS w/MMs	Yes	No	Yes
d. Impact BIO-4: Interfere substantially with the movement of resident or migratory wildlife species or with wildlife corridors, or impede the use of native wildlife nursery sites?	LS w/MMs	Yes	No	Yes
e. Impact BIO-5: Conflict with any local policies or ordinances protecting biological resources?	NI	Yes	No	Yes
f. Impact BIO-6: Conflict with the Yolo HCP/NCCP?	NI	Yes	No	Yes
g. Impact BIO-7: Substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or substantially reduce the number or restrict the range of an endangered, rare, or threatened species?	LS	Yes	No	Yes

N/A = Not Analyzed; NI = No Impact; LS = Less-than-Significant; LS w/ MMs = Less-than-Significant with Mitigation; SU = Significant and Unavoidable; SU w/MMs = Significant and Unavoidable with Mitigation.

**CLUO EIR Discussion and Conclusions:** Impacts to biological resources are analyzed on pages 3.4-1 to 3.4-72, 4-19 to 4-20, 4-54, and in Chapter 5 of the draft volume of the CLUO EIR. No modifications to the analysis of biological resources were made in the final volume of the CLUO EIR. Clarifications to the cumulative analysis were made on pages 4-5 to 4-7 of the final volume of the CLUO EIR. Clarifications to the mitigation measures for biological resources are identified on pages 25 to 27 of the CEQA Findings of Fact.

The CLUO EIR found no impacts related to local policies and ordinances protecting biological resources, or conflicts with the Yolo HCP/NCCP. All other impacts to biological resources were found to be less-than-significant with implementation of mitigation measures. In addition, cumulative impacts to biological resources and impacts due to overconcentration were found to be less-than-significant, with no mitigation measures required.

**Question #1 (Project Within Scope of CLUO EIR), Discussion and Substantial Evidence:** As documented herein, the proposed project falls within the scope of the CLUO EIR. The proposed project would include the addition of one-acre of outdoor cannabis cultivation canopy, an 11,250 square-foot building for processing and storage, 17,280 square feet of additional greenhouses, and approximately one-acre of outdoor nursery area in the A-X zone, which was anticipated in the CLUO EIR. The subject project is presently used for cultivating cannabis by an existing licensee that has been licensed since 2017, and was included in the CLUO EIR analysis as a component of existing conditions. As discussed in the Documentation That the Project is within the Scope of the CLUO EIR section

of this checklist, approval of the requested CUP would not result in the exceedance of the number of cannabis sites; maximum number of cannabis land uses; maximum outdoor cultivation acreage; maximum total land area; total assumed new land disturbance; maximum total building area; maximum total employees; nor would the project result in an over-concentration of Cannabis Use Permits within a six-mile radius.

The proposed project includes expansion of the cannabis operation onto areas of the project site previously used for orchards. Therefore, all development would take place on previously disturbed land.

**Question #2 (Important Site-Specific or New Information), Discussion and Substantial Evidence:** The following site-specific information is relevant to biological resources:

The CVO facility was identified as an existing cannabis operation in the CLUO EIR, and was considered in the analysis conducted therein. In addition, the Yolo County General Plan designates the site as AG, and, thus, the project site has been anticipated to include a full range of agricultural uses. The CLUO includes regulations related to biological resources, which require conducting reconnaissance-level surveys prior to project implementation if ground disturbance/development is proposed, satisfying the requirements of the Yolo Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP), implementing biological resource protection measures when applicable, and avoidance of sensitive habitats and special-status species.

Natural Investigations Company conducted a Biological Resources Assessment/Botanical Survey for the 34-acre project site to document the vegetation, determine the land cover types and habitats on and adjacent to the project site, and to evaluate the potential for species covered under the Yolo HCP/NCCP to occur at the project site (see Appendix B).<sup>2</sup> Two botanical surveys were conducted on January 28, 2022 and April 19, 2022. Natural Investigations Company also conducted an analysis using the California Natural Diversity Database (CNDDDB) to determine if the potential exists for other special-status species that are not otherwise covered by the Yolo HCP/NCCP to occur at the project site.

According to the Assessment, special-status plant species covered by the Yolo HCP/NCCP have a very low potential to exist on the project site due to the dominance of aggressive non-native grasses and forbs found in the understory and the lack of suitable soils and the disturbance regimes of human activity and weed control. In addition, during the two botanical surveys, special-status plants were not observed within the project area or the surrounding area. Based on such, the Assessment determined that special-status plant species would not be impacted by implementation of the proposed project.

The disturbed/developed and orchard habitats within the project site have a low potential for harboring special-status wildlife species due to the simplification of the habitats and the constant disturbance regimes of noise, ground disturbance, traffic, and other human

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<sup>2</sup> Natural Investigations Company. *Biological Resources Assessment and Botanical Survey for the Cannabis Cultivation Operation at 24477 County Road 22A, Esparto, California*. April 2022.

land use activity on those portions of the site. The annual grassland habitats within the project site provide suitable habitat for special status invertebrates, including western bumble bee (*Bombus occidentalis*), obscure bumble bee (*Bombus caliginosus*) and Crotch bumble bee (*Bombus crotchii*). According to the CNDDDB analysis, special-status bird species were reported in the vicinity of the project site. Trees and utility poles adjacent to the project site provide suitable nesting habitat for various bird species. If construction activities are conducted during the nesting season, nesting birds could be directly impacted by tree removal and indirectly impacted by noise, vibration, and other construction-related disturbance. Additionally, special-status species have the potential to migrate into the project area from the surrounding area. It should be noted that special-status bat species have been reported within the vicinity of the project site and the existing agricultural buildings provide suitable roosting habitat for bats. However, roosts were not observed during the field survey conducted as part of the Assessment and the agricultural buildings are not proposed for removal or modification.

Overall, based on the Assessment, implementation of the proposed project could result in potential impacts to special-status wildlife species as noted above; however, the goals, policies, and actions included in the CLUO, including pre-construction surveys for special-status species, would ensure that any such impacts are reduced to less-than-significant levels. Accordingly, the proposed project would not result in any peculiar impacts to special-status species, given required compliance with applicable federal, State, regional, and local regulations, together with the goals, policies, and actions included in the CLUO, which the CLUO EIR found would substantially mitigate potential environmental effects. Additionally, both by exclusion as a non-covered activity (agriculture) and by the purchase of mitigation fees (for new buildings), implementation of the project would comply with the applicable Yolo HCP/NCCP requirements. Thus, the proposed project would not result in any peculiar effects that would require further CEQA review related to special-status species.

In addition, the proposed project would also not conflict with any tree preservation policy or ordinance, as the project would not require the removal of any protected trees.

According to the Biological Resources Assessment/Botanical Survey, the site and site vicinity do not contain any wetlands or other aquatic features. In addition, the project site does not have high erosion potential due to the small area of ground disturbance, the existing vegetative buffers, and the gentle slopes of the surrounding area. Thus, the proposed project would not result in any peculiar effects that would require further CEQA review related to effects on any riparian habitat, protected wetlands, or other sensitive natural communities.

Implementation of the proposed project would include installation of security fences around the proposed cultivation compounds. While such fences would restrict animal movement through such areas, the fenced cultivation areas are surrounded by open space, allowing wildlife to move around the fenced areas. Thus, the proposed project would not substantially interfere with wildlife movement.

Overall, based on the above, the proposed project does not include peculiar project features or new important information associated with biological resources beyond what was included in the CLUO EIR.

**Question #3 (Project Consistent with CLUO), Discussion and Substantial Evidence:** As documented in this CLUO Compliance Checklist, the project is consistent with the requirements of the CLUO. Various conditions of approval have been identified to ensure ongoing compliance, including the following relevant to biological resources:

- Comply with CLUO Section 8-2.1408(D), Biological Resources, which identifies required actions if sensitive species would be potentially impacted by the project.
- Comply with CLUO Section 8-2.1408(E), Buffers, which identifies applicable buffers between cannabis land uses and other identified land uses.
- Comply with CLUO Section 8-2.1408(MM), Setbacks, which establishes minimum setbacks from specified streams and water bodies.
- Comply with CLUO Section 8-2.1408(OO), Site Design, which requires that site design integrate adopted regulatory and design requirements for protection of biological resources.
- Comply with CLUO Section 8-2.1408(RR), Tree Protection which encourages protection of trees and prohibits removal of native trees.

**Conclusions:** The site-specific analysis did not reveal any impacts to biological resources that were not anticipated in the CLUO EIR. The proposed project will not create effects or require mitigation measures that were not discussed in the CLUO EIR. The proposed project, as conditioned, meets the thresholds, criteria, and requirements to qualify for streamlining under CEQA pursuant to Sections 15162, 15168(c), and 15183 of the CEQA Guidelines. Based on the above, the criteria for requiring further CEQA review are not met and impacts related to biological resources were ***adequately addressed in the CLUO EIR.***

## V. CULTURAL AND TRIBAL CULTURAL RESOURCES.

*Would the project:*

	CLUO EIR Conclusion	Question #1: Project Within Scope of CLUO EIR?	Question #2: Important Site-Specific or New Information?	Question #3: Project Consistent with CLUO?
a. Impact CULT-1: Cause a Substantial Adverse Change in the Significance of a Historical Resource?	LS	Yes	No	Yes
b. Impact CULT-2: Cause a Substantial Adverse Change in the Significance of an Archaeological Resource?	LS	Yes	No	Yes
c. Impact CULT-3: Disturb Any Human Remains, Including Those Interred Outside of Dedicated Cemeteries?	LS	Yes	No	Yes
d. Impact CULT-4: Cause a Substantial Adverse Change in the Significance of a Tribal Cultural Resource?	LS	Yes	No	Yes

N/A = Not Analyzed; NI = No Impact; LS = Less-than-Significant; LS w/ MMs = Less-than-Significant with Mitigation; SU = Significant and Unavoidable; SU w/MMs = Significant and Unavoidable with Mitigation.

**CLUO EIR Discussion and Conclusions:** Impacts to cultural resources are analyzed on pages 3.5-1 to 3.5-26, 4-20 to 4-21, 4-54 to 4-55, and in Chapter 5 of the draft volume of the CLUO EIR. No modifications to the analysis of cultural resources were made in the final volume of the CLUO EIR or CEQA Findings of Fact. Clarifications to the cumulative analysis were made on pages 4-5 to 4-7 in the final volume of the CLUO EIR. All impacts to cultural resources were found to be less-than-significant, with no mitigation measures required.

**Question #1 (Project Within Scope of CLUO EIR), Discussion and Substantial Evidence:** As documented herein, the proposed project falls within the scope of the CLUO EIR. The proposed project would include the addition of one-acre of outdoor cannabis cultivation canopy, an 11,250 square-foot building for processing and storage, 17,280 square feet of additional greenhouses, and approximately one-acre of outdoor nursery area in the A-X zone, which was anticipated in the CLUO EIR. The subject project is an existing operating licensee that has been licensed since 2017, and was included in the CLUO EIR analysis as a component of existing conditions. As discussed in the Documentation That the Project is within the Scope of the CLUO EIR section of this checklist, approval of the requested Cannabis Use Permit would not result in the exceedance of the number of cannabis sites; maximum number of cannabis land uses; maximum outdoor cultivation acreage; maximum total land area; total assumed new land disturbance; maximum total building area; maximum total employees; nor would the project result in an over-concentration of Cannabis Use Permits within a six-mile radius.

**Question #2 (Important Site-Specific or New Information), Discussion and Substantial Evidence:** The following site-specific information is relevant to cultural resources:

The CVO facility was identified as an existing cannabis operation in the CLUO EIR, and was considered in the analysis conducted therein. In addition, the Yolo County General Plan designates the site as AG, and, thus, the project site has been anticipated to include a full range of agricultural uses. Furthermore, the proposed project would be consistent with the CLUO regulations related to cultural

and tribal cultural resources, including CLUO Section 8-2.1408(H), Cultural Resources, which establishes various requirements for known and unknown cultural and tribal cultural resources. As required by the CLUO, a Cultural Resources Inventory was prepared by Natural Investigations Company for the proposed project.<sup>3</sup> Based on the Cultural Resources Inventory, the project site does not contain any known cultural resources or tribal cultural resources. In addition, a field survey of the site did not identify any historical resources. Nonetheless, should cultural resources be discovered during ground-disturbing activities, the proposed project would be required to comply with CLUO Section 8-2.1408(H), which sets forth procedures to be followed should cultural resources be discovered, including establishing buffers and contacting affiliated tribes.

Based on the above, the proposed project does not include peculiar project features or new important information associated with cultural and tribal cultural resources beyond what was included in the CLUO EIR.

**Question #3 (Project Consistent with CLUO), Discussion and Substantial Evidence:** As documented in this CLUO Compliance Checklist, the project is consistent with the requirements of the CLUO. Various conditions of approval have been identified to ensure ongoing compliance, including the following relevant to cultural resources:

- Comply with CLUO Section 8-2.1408(E), Buffers, which establishes buffers for various identified sensitive uses ranging from 600 feet to 1,500 feet, with exceptions allowed for existing operators on a case-by-case basis (see Section 8-2.1403 (B) through (E) which address buffer easements, exemptions, exceptions, and reductions).
- Comply with CLUO Section 8-2.1408(H), Cultural Resources, which establishes various requirements for known and unknown cultural and tribal cultural resources.
- Comply with CLUO Section 8-2.1408(MM), Setbacks, which establishes minimum setbacks from specified site resources.
- Comply with CLUO Section 8-2.1408(OO), Site Design, which requires that site design integrate adopted regulatory and design requirements for protection of cultural resources.

**Conclusions:** The site-specific analysis did not reveal any impacts to cultural resources that were not anticipated in the CLUO EIR. The proposed project will not create effects or require mitigation measures that were not discussed in the CLUO EIR. The proposed project, as conditioned, meets the thresholds, criteria, and requirements to qualify for streamlining under CEQA pursuant to Sections 15162, 15168(c), and 15183 of the CEQA Guidelines. Based on the above, the criteria for requiring further CEQA review are not met and impacts related to cultural and tribal cultural resources were ***adequately addressed in the CLUO EIR.***

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<sup>3</sup> Natural Investigations Company. *Cultural Resources Inventory For The 24477 County Road 22A Esparto Project, Yolo County, California.* April 2022.

<b>VI. ENERGY.</b> <i>Would the project:</i>	CLUO EIR Conclusion	Question #1: Project Within Scope of CLUO EIR?	Question #2: Important Site-Specific or New Information?	Question #3: Project Consistent with CLUO?
a. Impact ENE-1: Result in Wasteful, Inefficient, or Unnecessary Consumption of Energy?	LS	Yes	No	Yes
b. Impact ENE-2: Conflict with Plans for Renewable Energy and Energy Efficiency?	LS	Yes	No	Yes

N/A = Not Analyzed; NI = No Impact; LS = Less-than-Significant; LS w/ MMs = Less-than-Significant with Mitigation; SU = Significant and Unavoidable; SU w/MMs = Significant and Unavoidable with Mitigation.

**CLUO EIR Discussion and Conclusions:** Impacts to energy are analyzed on pages 3.6-1 to 3.6-16, 4-22 to 4-26, 4-55, and in Chapter 5 of the draft volume of the CLUO EIR. No modifications to the analysis of energy were made in the final volume of the CLUO EIR or CEQA Findings of Fact. Clarifications to the cumulative analysis were made on pages 4-5 to 4-7 in the final volume of the CLUO EIR. All energy impacts were found to be less-than-significant, with no mitigation measures required.

**Question #1 (Project Within Scope of CLUO EIR), Discussion and Substantial Evidence:** As documented herein, the proposed project falls within the scope of the CLUO EIR. The proposed project would include the addition of one-acre of outdoor cannabis cultivation canopy, an 11,250 square-foot building for processing and storage, 17,280 square feet of additional greenhouses, and approximately one-acre of outdoor nursery area in the A-X zone, which was anticipated in the CLUO EIR. The subject project is currently used for the cultivation of cannabis by an existing licensee that has been licensed since 2017, and was included in the CLUO EIR analysis as a component of existing conditions. As discussed in the Documentation That the Project is within the Scope of the CLUO EIR section of this checklist, approval of the requested Cannabis Use Permit would not result in the exceedance of the number of cannabis sites; maximum number of cannabis land uses; maximum outdoor cultivation acreage; maximum total land area; total assumed new land disturbance; maximum total building area; maximum total employees; nor would the project result in an over-concentration of Cannabis Use Permits within a six-mile radius. Furthermore, the proposed expansions would occur on areas of the project site which have been previously disturbed through agricultural operations.

According to the CLUO EIR, construction and operation of commercial cannabis sites associated with implementation of the proposed CLUO, including subsequent Cannabis Use Permits pursuant to the adopted CLUO would result in the consumption of fuel (gasoline and diesel), electricity, and natural gas. The energy needs for construction of new and relocated commercial cannabis cultivation and noncultivation sites would be temporary and would not require additional capacity or increase peak or base period demand for electricity or other forms of energy. The CLUO requires all cannabis sites to derive 100 percent of their energy from renewable and carbon-free sources. This can be achieved by on-site generation of energy from renewable sources or through participation in Valley Clean Energy's Ultra Green program or equivalent standard (100 percent renewable and 100 percent carbon-free). The CLUO EIR determined that energy consumption associated with all of the alternatives under the CLUO would not result in wasteful, inefficient, or unnecessary consumption of energy. In addition, renewable energy generation requirements pursuant to the implementation of the CLUO, including subsequent Cannabis Use Permits pursuant to the adopted CLUO, would result in an increase in renewable versus non-renewable

energy use relative to existing agricultural uses, which would directly support the goals and strategies of the State's 2008 Energy Action Plan Update (EAP), General Plan, and Yolo County Climate Action Plan (CAP).

**Question #2 (Important Site-Specific or New Information), Discussion and Substantial Evidence:** The following site-specific information is relevant to energy:

The proposed project would involve energy use associated with construction activities and operations; however, given that the proposed project would be consistent with the CLUO, buildout of the project site and associated energy demands have been anticipated by the County and analyzed in the CLUO EIR. The temporary increase in energy use during construction of the proposed project would not result in a significant increase in peak or base demands or require additional capacity from local or regional energy supplies. In addition, the proposed project would be required to comply with all applicable regulations related to energy conservation and fuel efficiency associated with construction activities, such as the California Air Resources Board's (CARB's) In-Use Off-Road Diesel Vehicle Regulation, which would help to improve fuel efficiency and reduce the temporary increase in energy demand.

With regard to operational energy use, including energy use associated with new development, transportation, and renewable energy, the CLUO EIR concluded that with the implementation of CLUO policies, and in accordance with applicable State and local energy efficiency measures such as the CALGreen Code and the Building Energy Efficiency Standards, significant energy conservation and savings would be realized from future development under the proposed CLUO, and energy impacts from implementation would be less than significant. In addition, the CLUO encourages on-site generation of energy from clean and/or renewable sources, and requires all cannabis sites be conditioned to achieve Valley Clean Energy (VCE) ultra green or equivalent standard (100 percent renewable and 100 percent carbon-free). The proposed project would meet these requirements, as the project site is enrolled in VCEA's UltraGreen program, which ensures all energy provided to the site is sourced from renewable energy sources. Therefore, through compliance with applicable CLUO policies, as well as other State energy standards, construction and operation of the proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy resources or conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Furthermore, the proposed project would be consistent with the CLUO regulations related to energy shown in Question #3 below.

Overall, based on the above, the proposed project is consistent with the CLUO, and does not include peculiar project features or new important information related to energy beyond what was included in the CLUO EIR.

**Question #3 (Project Consistent with CLUO), Discussion and Substantial Evidence:** As documented in this CLUO Compliance Checklist, the project is consistent with the requirements of the CLUO. Various conditions of approval have been identified to ensure ongoing compliance, including the following relevant to energy:

- Comply with CLUO Section 8-2.1408(F), Building Design, which establishes requirements for design and construction of buildings and structures to consider energy use.

- Comply with CLUO Section 8-2.1408(O), Energy Use, which requires a permanent power source, and 100 percent renewable and carbon-free energy.
- Comply with CLUO Section 8-2.1408(T), Generators, which prohibits the use of generators (including diesel-powered refrigerated units) as the sole or permanent source of power for equipment and/or facilities for all cannabis use types is prohibited. All licensees must satisfy applicable requirements of the Yolo-Solano Air Quality Management District. Cultivators, nurseries, and processing licensees must also demonstrate compliance with Section 16306, Generator Requirements, of the DCC Regulations.

**Conclusions:** The site-specific analysis did not reveal any energy impacts that were not anticipated in the CLUO EIR. The proposed project will not create effects or require mitigation measures that were not discussed in the CLUO EIR. The proposed project, as conditioned, meets the thresholds, criteria, and requirements to qualify for streamlining under CEQA pursuant to Sections 15162, 15168(c), and 15183 of the CEQA Guidelines. Based on the above, the criteria for requiring further CEQA review are not met and impacts related to energy were ***adequately addressed in the CLUO EIR.***

**VII. GEOLOGY AND SOILS;  
PALEONTOLOGY; MINERAL  
RESOURCES**

	CLUO EIR Conclusion	Question #1: Project Within Scope of CLUO EIR?	Question #2: Important Site-Specific or New Information?	Question #3: Project Consistent with CLUO?
<i>Would the project:</i>				
a. Impact GEO-1: Create Substantial Soil Erosion or Loss of Topsoil?	LS	Yes	No	Yes
b. Impact GEO-2: Be Located on a Geologic Unit or Soil That Is Unstable or Would Become Unstable as a Result of the Project or Be Located on Expansive Soil, Creating Direct or Indirect Risks to Life or Property?	LS	Yes	No	Yes
c. Impact GEO-3: Destroy a Unique Paleontological Resource or Site or Unique Geologic Feature?	LS	Yes	No	Yes
d. Impact GEO-4: Result in the Loss of Availability of a Known Mineral Resource or Locally Important Mineral Resource Recovery Site?	LS	Yes	No	Yes
N/A = Not Analyzed; NI = No Impact; LS = Less-than-Significant; LS w/ MMs = Less-than-Significant with Mitigation; SU = Significant and Unavoidable; SU w/MMs = Significant and Unavoidable with Mitigation.				

**CLUO EIR Discussion and Conclusions:** Impacts to geology and soils are analyzed on pages 3.7-1 to 3.7-44, 4-22 to 4-27, 4-55, and in Chapter 5 of the draft volume of the CLUO EIR. No modifications to the analysis of geology and soils were made in the final volume of the CLUO EIR or CEQA Findings of Fact. Clarifications to the cumulative analysis were made on pages 4-5 to 4-7 in the final volume of the CLUO EIR. All impacts to geology and soils were found to be less-than-significant, with no mitigation measures required.

**Question #1 (Project Within Scope of CLUO EIR), Discussion and Substantial Evidence:** As documented herein, the proposed project falls within the scope of the CLUO EIR. The proposed project would include the addition of one-acre of outdoor cannabis cultivation canopy, an 11,250 square-foot building for processing and storage, 17,280 square feet of additional greenhouses, and approximately one-acre of outdoor nursery area in the A-X zone, which was anticipated in the CLUO EIR. The subject project is an existing operating licensee that has been licensed since 2017, and was included in the CLUO EIR analysis as a component of existing conditions. As discussed in the Documentation That the Project is within the Scope of the CLUO EIR section of this checklist, approval of the requested CUP would not result in the exceedance of the number of cannabis sites; maximum number of cannabis land uses; maximum outdoor cultivation acreage; maximum total land area; total assumed new land disturbance; maximum total building area; maximum total employees; nor would the project result in an over-concentration of Cannabis Use Permits within a six-mile radius.

The proposed project would not include any expansion onto portions of the site not previously used for agriculture or not already developed in some manner.

**Question #2 (Important Site-Specific or New Information), Discussion and Substantial Evidence:** The following site-specific information is relevant to geology and soils:

The CVO facility was identified as an existing cannabis operation in the CLUO EIR, and was considered in the analysis conducted therein. The CLUO EIR concluded that compliance with applicable CLUO policies, the California Building Standards Code (CBSC), and existing regulations, impacts related to erosion and sedimentation, fault rupture hazards, and seismic ground shaking would be less than significant. Given that the proposed project would be consistent with the site's General Plan land use designation and would be required to comply with all applicable CLUO policies, the CBSC, and existing regulations, the proposed project would not result in any new impacts or increase the severity of any impacts related to geology and soils, including erosion or unstable soil conditions, from what has already been anticipated for the site by the CLUO EIR or General Plan EIR.

According to the Cultural Resources Inventory report prepared for the proposed project, known paleontological resources do not exist within the project site. In addition, because the proposed project is consistent with the site's General Plan land use designation, impacts associated with cultivated agriculture uses on the site have already been considered in the General Plan EIR. Furthermore, the proposed project would be subject to Section 8-2.1408(H) of the CLUO, which requires that cannabis uses protect and mitigate discovered paleontological resource.

The project site is not located in an area that has been designated as a mineral resource zone (MRZ) on the basis of geologic factors indicating the presence of mineral deposits.

The proposed project includes a buffer reduction and exception, which are included as existing conditions. No new uses will encroach into required setbacks.

Based on the above, the proposed project does not include peculiar project features or new important information associated with geology, soils, paleontology, or mineral resources beyond what was included in the CLUO EIR.

**Question #3 (Project Consistent with CLUO), Discussion and Substantial Evidence:** As documented in this CLUO Compliance Checklist, the project is consistent with the requirements of the CLUO. Various conditions of approval have been identified to ensure ongoing compliance, including the following relevant to geology and soils:

- Comply with CLUO Section 8-2.1408(F), Building Design, which requires that the design and construction of buildings and structures comply with all applicable codes, standards, regulations, and guidelines.
- Comply with CLUO Section 8-2.1408 (J), Drainage and Storm Water Discharge, which requires the site drainage, runoff, and storm water discharge shall comply with the State Water Board Cannabis Policy and Cannabis General Order and the County Improvement Standards.

- Comply with CLUO Section 8-2.1408(V), Grading/Land Clearing, which establishes requirements for permits and geotechnical analysis related to site grading and land clearing.

**Conclusions:** The site-specific analysis did not reveal any impacts to soils or geology that were not anticipated in the CLUO EIR. The proposed project will not create effects or require mitigation measures that were not discussed in the CLUO EIR. The proposed project, as conditioned, meets the thresholds, criteria, and requirements to qualify for streamlining under CEQA pursuant to Sections 15162, 15168(c), and 15183 of the CEQA Guidelines. Based on the above, the criteria for requiring further CEQA review are not met and impacts related to geology, soils, paleontological resources, and mineral resources were ***adequately addressed in the CLUO EIR.***

**VIII. GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE.**

*Would the project:*

	CLUO EIR Conclusion	Question #1: Project Within Scope of CLUO EIR?	Question #2: Important Site-Specific or New Information?	Question #3: Project Consistent with CLUO?
a. Impact GHG-1: Generate Greenhouse Gas Emissions, Either Directly or Indirectly, That May Have a Significant Impact on the Environment or Conflict with Plan or Policies Adopted to Reduce Emissions of Greenhouse Gases?	LS w/MMs	Yes	No	Yes

N/A = Not Analyzed; NI = No Impact; LS = Less-than-Significant; LS w/ MMs = Less-than-Significant with Mitigation; SU = Significant and Unavoidable; SU w/MMs = Significant and Unavoidable with Mitigation.

**CLUO EIR Discussion and Conclusions:** Impacts to energy are analyzed on pages 3.8-1 to 3.8-18, 4-27, 4-56, and in Chapter 5 of the draft volume of the CLUO EIR. No modifications to the analysis of greenhouse gases (GHG) and climate change were made in the final volume of the CLUO EIR or CEQA Findings of Fact. Clarifications to the cumulative analysis were made on pages 4-5 to 4-7 in the final volume of the CLUO EIR. All GHG and climate change impacts were found to be less-than-significant, with implementation of identified mitigation measures.

**Question #1 (Project Within Scope of CLUO EIR), Discussion and Substantial Evidence:** As documented herein, the proposed project falls within the scope of the CLUO EIR. The proposed project would include the addition of one-acre of outdoor cannabis cultivation canopy, an 11,250 square-foot building for processing and storage, 17,280 square feet of additional greenhouses, and approximately one-acre of outdoor nursery area in the A-X zone, which was anticipated in the CLUO EIR. The subject project is an existing operating licensee that has been licensed since 2017, and was included in the CLUO EIR analysis as a component of existing conditions. As discussed in the Documentation That the Project is within the Scope of the CLUO EIR section of this checklist, approval of the requested Cannabis Use Permit would not result in the exceedance of the number of cannabis sites; maximum number of cannabis land uses; maximum outdoor cultivation acreage; maximum total land area; total assumed new land disturbance; maximum total building area; maximum total employees; nor would the project result in an over-concentration of Cannabis Use Permits within a six-mile radius.

The proposed project would not include any expansion onto portions of the site not previously used for agriculture or not already developed in some manner.

**Question #2 (Important Site-Specific or New Information), Discussion and Substantial Evidence:** The following site-specific information is relevant to GHG emissions and climate change:

The CVO facility was identified as an existing cannabis operation in the CLUO EIR, and was considered in the analysis conducted therein. In addition, the Yolo County General Plan designates the site as AG, and, thus, the project site has been anticipated to include a full range of agricultural uses.

As discussed in the Energy Section of this checklist, the proposed project would be consistent with the requirements of the CLUO related to energy conservation, which would in turn reduce GHG emissions. The CLUO requirements related to energy conservation and GHG emissions reduction align with both the Yolo County CAP and the 2017 Scoping Plan. Other performance standards included in the CLUO would further align with these adopted GHG reduction plans. For example, the cultivation sites permitted under the CLUO would be required to be consistent with Measure A-3 of the Yolo County CAP, which addresses reduction in energy use in agricultural pumping. Additionally, all existing buildings used for cultivation or noncultivation purposes would be required to be consistent with Measure E-6 of the Yolo County CAP, which addresses reduction in water consumption through increased plumbing fixture efficiency. Pursuant to Mitigation Measure GHG-1 of the CLUO EIR, permittees are required to demonstrate compliance with applicable provisions of the Yolo County CAP, which would ensure impacts are reduced to a less-than-significant level. Project consistency with the Yolo County CAP was evaluated as part of the County's application review process, and the County determined the proposed project would be consistent with applicable CAP measures. Thus, the proposed project has implemented Mitigation measure GHG-1 of the CLUO EIR. Therefore, the proposed project would be consistent with the CLUO regulations related to GHG emissions and mitigation measures in the CLUO EIR, and the proposed project does not include peculiar project features or new important information beyond what was included in the CLUO EIR.

Overall, the proposed project does not include peculiar project features or new important information associated with GHG emissions and climate change beyond what was included in the CLUO EIR.

**Question #3 (Project Consistent with CLUO), Discussion and Substantial Evidence:** As documented in this CLUO Compliance Checklist, the project is consistent with the requirements of the CLUO. Various conditions of approval have been identified to ensure ongoing compliance, including the following relevant to GHG emissions and climate change:

- CLUO Section 8-2.1408(F), Building Design, which requires consideration of lighting, energy use, and other appropriate measures related to environmental controls.
- CLUO Section 8-2.1408(O), Energy Use, which encourages onsite generation of energy from clean and/or renewable sources and demonstration of compliance with applicable provisions of the County's Climate Action Plan, including energy efficiency measures for irrigation pumps and water efficiency requirements for buildings.
- Comply with CLUO Section 8-2.1408(JJ), Roadways, which encourages measures to reduce vehicular trips which will minimize GHG emissions. The proposed project would not result in an increase of employees, and per applicant provided information, employees are encouraged to carpool. The property manager and cannabis operator also reside on-site.

**Conclusions:** The site-specific analysis did not reveal any GHG or climate change impacts that were not anticipated in the CLUO EIR. The proposed project will not create effects or require mitigation measures that were not discussed in the CLUO EIR. The proposed project, as conditioned, meets the thresholds, criteria, and requirements to qualify for streamlining under CEQA pursuant to Sections

15162, 15168(c), and 15183 of the CEQA Guidelines. Based on the above, the criteria for requiring further CEQA review are not met and impacts related to greenhouse gas emissions and climate change were ***adequately addressed in the CLUO EIR.***

**IX. HAZARDS AND HAZARDOUS MATERIALS; WILDFIRE**

*Would the project:*

	CLUO EIR Conclusion	Question #1: Project Within Scope of CLUO EIR?	Question #2: Important Site-Specific or New Information?	Question #3: Project Consistent with CLUO?
a. Impact HAZ-1: Create a Significant Hazard through Transport, Use, or Disposal of Hazardous Materials?	LS	Yes	No	Yes
b. Impact HAZ-2: Create a Significant Hazard to the Public or Environment through Reasonably Foreseeable Upset and/or Accident Conditions Involving Release of Hazardous Materials or Be Located on a Site Included on a List of Hazardous Material Sites Complied Pursuant to Government Code Section 65962.5, Which Would Create a Significant Hazard to the Public or Environment?	LS	Yes	No	Yes
c. Impact HAZ-3: Emit Hazardous Emissions or Handle Hazardous Materials within 0.25 Mile of an Existing or Proposed School?	LS	Yes	No	Yes
d. Impact HAZ-4: Result in a Safety Hazard or Noise for People Residing or Working within 2 Miles of a Public Airport or Public Use Airport?	LS	Yes	No	Yes
e. Impact HAZ-5: Impair or Physically Interfere with Emergency Response or Evacuation Plans?	LS	Yes	No	Yes
f. Impact HAZ-6: Expose People or Structures to a Significant Risk of Loss, Injury, or Death Involving Wildfires, Exacerbate Wildfire Risks from Installation of Infrastructure, or Expose People or Structures to Significant Risks Due to Postfire Conditions	LS	Yes	No	Yes

N/A = Not Analyzed; NI = No Impact; LS = Less-than-Significant; LS w/ MMs = Less-than-Significant with Mitigation; SU = Significant and Unavoidable; SU w/MMs = Significant and Unavoidable with Mitigation.

**CLUO EIR Discussion and Conclusions:** Impacts related to hazards and hazardous materials are analyzed on pages 3.9-1 to 3.9-44, 4-28, 4-56 to 4-58, and in Chapter 5 of the draft volume of the CLUO EIR. No modifications to the analysis of hazards and hazardous materials were made in the final volume of the CLUO EIR or the CEQA Findings of Fact. Clarifications to the cumulative analysis were made on pages 4-5 to 4-7 in the final volume of the CLUO EIR. All impacts related to hazards and hazardous materials were found to be less-than-significant, with no mitigation measures required.

**Question #1 (Project Within Scope of CLUO EIR), Discussion and Substantial Evidence:** The proposed project would include the addition of one-acre of outdoor cannabis cultivation canopy, an 11,250 square-foot building for processing and storage, 17,280 square feet of additional greenhouses, and approximately one-acre of outdoor nursery area in the A-X zone, which was anticipated in the CLUO EIR. The subject project is an existing operating licensee that has been licensed since 2017, and was included in the CLUO EIR analysis as a component of existing conditions. As discussed in the Documentation That the Project is within the Scope of the CLUO EIR section of this checklist, approval of the requested Cannabis Use Permit would not result in the exceedance of the number of

cannabis sites; maximum number of cannabis land uses; maximum outdoor cultivation acreage; maximum total land area; total assumed new land disturbance; maximum total building area; maximum total employees; nor would the project result in an over-concentration of Cannabis Use Permits within a six-mile radius.

The proposed project would not include any expansion onto portions of the site not previously used for agriculture or not already developed in some manner.

**Question #2 (Important Site-Specific or New Information), Discussion and Substantial Evidence:** The following site-specific information is relevant to hazards and hazardous materials:

The CVO facility was identified as an existing cannabis operation in the CLUO EIR, and was considered in the analysis conducted therein. In addition, the Yolo County General Plan designates the site as AG, and, thus, the project site has been anticipated to include a full range of agricultural uses. Furthermore, the proposed project would be required to comply with all applicable regulations related to hazards and hazardous materials, including compliance with CLUO regulations, as well as California Health and Safety Codes and local County ordinances regulating the handling, storage, and transportation of hazardous and toxic materials. For example, as required by the CLUO, the applicant has prepared a Cannabis Waste Management Plan (Plan), which provides information on the solid, green, and hazardous waste generated from the cannabis business at the site, and disposal procedures in accordance with the Public Resources Code and other applicable State and local laws. Compliance with all such measures would ensure that any hazardous materials used on-site would not present a hazard to the public or environment.

The project site is not located on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5. In addition, the project site is located 1.6 miles away from the nearest school and 9.8 miles away from the nearest airport. Therefore, the proposed project would not result in impacts associated with such.

The proposed project would not interfere with the emergency evacuation routes established by the Yolo County Office of Emergency Services (OES) and, thus, would not interfere with an emergency evacuation or response plan.

According to CAL FIRE's Fire and Resource Assessment Program, the project site is located within a State Responsibility Area (SRA). Within the SRA, the majority of the project site is located within a moderate fire hazard severity zone (FHSZ), and the southeastern corner of the site is located within a high FHSZ.<sup>4</sup> However, the project would be an extension of the existing use, which is consistent with what was anticipated for the site in the County's General Plan. The CLUO EIR concludes that compliance with applicable CLUO policies, federal, State, and local laws and regulations, including the California Fire Code requirements, would ensure that cannabis uses incorporate fire protection measures that would avoid an increased risk of wildfire and increased exposure to wildfire hazards and

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<sup>3</sup> California Department of Forestry and Fire Protection. *Fire Hazard Severity Zone in State Responsibility Area*. Available at: <https://calfire-forestry.maps.arcgis.com/apps/webappviewer/index.html?id=4466cf1d2b9947bea1d4269997e86553>. Accessed June 2023.

associated affects from a wildfire event. Accordingly, impacts related to wildland fire hazards were determined to be less than significant with compliance with all such regulations. The proposed construction would occur on previously disturbed land and, thus, the addition of the proposed buildings would not exacerbate the risk of fire. In addition, the proposed project would be subject to the requirements established by the California Fire Code related to emergency planning and preparedness, fire service features, building services and systems, fire-resistance-rated construction, fire protection systems, and construction requirements for existing buildings, as well as specialized standards for specific types of facilities and materials. For example, vegetation is and would continue to be maintained on the property with defensible space around all structures in compliance with federal, State, and local regulations. Therefore, the proposed project would not introduce any new impacts or increase severity of any previously identified impacts related to wildfire risks in the General Plan EIR or CLUO EIR.

The proposed project includes a buffer reduction and exception, which are included as existing conditions. No new uses will encroach into required setbacks.

Overall, the proposed project does not include peculiar project features or new important information associated with hazards, hazardous materials, or wildfire beyond what was included in the CLUO EIR.

**Question #3 (Project Consistent with CLUO), Discussion and Substantial Evidence:** As documented in this CLUO Compliance Checklist, the project is consistent with the requirements of the CLUO. Various conditions of approval have been identified to ensure ongoing compliance, including the following relevant to hazards and hazardous materials:

- Comply with CLUO Section 8-2.1408(Q), Fire Protection, which identifies basic requirements for fire protection.
- Comply with CLUO Section 8-2.1408(W), Hazardous Materials, which identifies required disclosures and protocols.
- Comply with CLUO Section 8-2.1408(CC), Nuisance, which identifies the conditions that constitute a public nuisance, subject to three levels of enforcement.

**Conclusions:** The site-specific analysis did not reveal any impacts related to hazards or hazardous materials that were not anticipated in the CLUO EIR. The proposed project will not create effects or require mitigation measures that were not discussed in the CLUO EIR. The proposed project, as conditioned, meets the thresholds, criteria, and requirements to qualify for streamlining under CEQA pursuant to Sections 15162, 15168(c), and 15183 of the CEQA Guidelines. Based on the above, impacts related to hazards and hazardous materials, and wildfire risks were **adequately addressed in the CLUO EIR**, and the proposed project would not result in any effects that would require further CEQA review for this topic.

## X. HYDROLOGY AND WATER QUALITY.

### *Would the project:*

	CLUO EIR Conclusion	Question #1: Project Within Scope of CLUO EIR?	Question #2: Important Site-Specific or New Information?	Question #3: Project Consistent with CLUO?
a. Impact HYDRO-1: Violate Any Water Quality Standards or Waste Discharge Requirements or Otherwise Substantially Degrade Surface Water or Groundwater Quality through Development or Alteration of Drainage Patterns?	LS	Yes	No	Yes
b. Impact HYDRO-2: Decrease Groundwater Supplies or Interfere with Groundwater Recharge That May Impede Sustainable Groundwater Management and Increase Demand for Water Supply?	LS	Yes	No	Yes
c. Impact HYDRO-3: Impede or Redirect Drainage Patterns in a Manner That Would Result in Flooding?	LS	Yes	No	Yes
d. Impact HYDRO-4: Conflict with a Water Quality Control Plan?	LS w/MMs	Yes	No	Yes

N/A = Not Analyzed; NI = No Impact; LS = Less-than-Significant; LS w/ MMs = Less-than-Significant with Mitigation; SU = Significant and Unavoidable; SU w/MMs = Significant and Unavoidable with Mitigation.

**CLUO EIR Discussion and Conclusions:** Impacts related to hydrology and water quality are analyzed on pages 3.10-1 to 3.10-50, 4-28 to 4-33, 4-58 to 4-59, and in Chapter 5 of the draft volume of the CLUO EIR. No modifications to the analysis of hydrology and water quality were made in the final volume of the CLUO EIR or the CEQA Findings of Fact. Clarifications to the cumulative analysis were made on pages 4-5 to 4-7 in the final volume of the CLUO EIR.

Disposal and treatment of waste water discharge from cannabis uses located in municipal service areas is identified as less than significant, with implementation of identified mitigation. All other impacts related to hydrology and water quality were found to be less than significant, with no mitigation measures required.

**Question #1 (Project Within Scope of CLUO EIR), Discussion and Substantial Evidence:** As documented herein, the proposed project falls within the scope of the CLUO EIR. The proposed project would include the addition of one-acre of outdoor cannabis cultivation canopy, an 11,250 square-foot building for processing and storage, 17,280 square feet of additional greenhouses, and approximately one-acre of outdoor nursery area in the A-X zone, which was anticipated in the CLUO EIR. The subject project is an existing operating licensee that has been licensed since 2017, and was included in the CLUO EIR analysis as a component of existing conditions. As discussed in the Documentation That the Project is within the Scope of the CLUO EIR section of this checklist, approval of the requested Cannabis Use Permit would not result in the exceedance of the number of cannabis sites; maximum number of cannabis land uses; maximum outdoor cultivation acreage; maximum total land area; total assumed new land disturbance; maximum total building area; maximum total employees; nor would the project result in an over-concentration of Cannabis Use Permits within a six-mile radius.

The proposed project would not include any expansion onto portions of the site not previously used for agriculture or not already developed in some manner.

**Question #2 (Important Site-Specific or New Information), Discussion and Substantial Evidence:** The following site-specific information is relevant to hydrology and water quality:

The CVO facility was identified as an existing cannabis operation in the CLUO EIR, and was considered in the analysis conducted therein. In addition, the Yolo County General Plan designates the site as AG, and, thus, the project site has been anticipated to include a full range of agricultural uses. In addition, the proposed project would not include any grading activities as part of the construction of the proposed structures, as the project site has been previously graded and contains a gravel surface. Therefore, topsoil would not be exposed and subject to wind erosion. The CLUO EIR concluded that required compliance with State Water Resource Control Board (SWRCB) Order WQ 2019-0001-DWQ; the Yolo Irrigated Lands Regulatory Program (ILRP); implementation of site design, source control, and treatment control measures; and adherence to CLUO policies render any potential construction and operational impacts to water quality less than significant. Although the proposed project would increase the amount of impervious surface on the site and the water demand associated with the site from existing levels, the proposed project would be required to comply with all of the aforementioned regulations. Therefore, new or increased severity of impacts related to violation of water quality standards or degradation of water quality during construction or operation would not occur from what has already been identified in the General Plan EIR or CLUO EIR.

The highest assumption of water use analyzed in the CLUO EIR, Alternative 3, determined that groundwater demand for cannabis uses in the County would be 424 acre-feet per year (AFY), which would be similar to the annual irrigation demand for approximately 131 acres of orchard. The CLUO EIR concluded that the equivalent increase in potential water demand to irrigate 131 acres of orchards is reasonably considered to be insubstantial to countywide demands on the County's groundwater basins given the area of orchards within the County and the wide range of groundwater pumping for orchard irrigation demand, as well as other crop types, that may occur from year to year. Furthermore, the County groundwater conditions have maintained consistent depth to groundwater elevations, regardless of production rates in recent years, indicating a substantial amount of available groundwater resources. Thus, the proposed project's increase in water demand would not be expected to result in any new or increased severity of impacts related to substantially decreasing groundwater supplies or interfering substantially with groundwater recharge from what is already anticipated by the General Plan EIR or CLUO EIR.

According to Federal Emergency Management Agency (FEMA) flood insurance rate map (FIRM) Panel Number 06113C0391G, the project site is not located within a flood zone.<sup>5</sup> Thus, impacts related to flooding are not expected to occur.

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<sup>5</sup> Federal Emergency Management Agency. *Flood Insurance Rate Map Service Center*. Available at: <https://msc.fema.gov/portal/search?AddressQuery=24477%20County%20Road%2022a%20esparto%20ca#searchresultsanchor> Accessed June 2023.

The proposed project includes a buffer reduction and exception, which are included as existing conditions. No new uses will encroach into required setbacks.

Overall, the proposed project does not include peculiar project features or new important information associated with hydrology and water quality beyond what was included in the CLUO EIR.

**Question #3 (Project Consistent with CLUO), Discussion and Substantial Evidence:** As documented in this CLUO Compliance Checklist, the project is consistent with the requirements of the CLUO. Various conditions of approval have been identified to ensure ongoing compliance, including the following relevant to hydrology and water quality:

- Comply with CLUO Section 8-2.1408(C), Backflow Prevention, which requires backflow devices to protect well water from inadvertent contamination.
- Comply with CLUO Section 8-2.1408(J), Drainage and Storm Water Discharge, which requires approved on-site stormwater management systems.
- Comply with CLUO Section 8-2.1408(R), Flood Protection, which requires compliance with applicable flood protection requirements.
- Comply with CLUO Section 8-2.1408(V), Grading/Land Clearing, which requires a grading permit, construction stormwater permit, and best management practices (BMPs) for water quality protection.
- Comply with CLUO Section 8-2.1408(Y), Landscaping, which requires water efficient landscaping.
- Comply with CLUO Section 8-2.1408(TT), Wastewater Discharge, which establishes standards for disposal of effluent from washing and toilet facilities onsite.
- Comply with CLUO Section 8-2.1408(VV), Water Supply/Use, which establishes standards for drinking and washing water onsite.

**Conclusions:** The site-specific analysis did not reveal any impacts related to hydrology and water quality that were not anticipated in the CLUO EIR. The proposed project will not create effects or require mitigation measures that were not discussed in the CLUO EIR. The proposed project, as conditioned, meets the thresholds, criteria, and requirements to qualify for streamlining under CEQA pursuant to Sections 15162, 15168(c), and 15183 of the CEQA Guidelines. Based on the above, impacts related to hydrology and water quality were **adequately addressed in the CLUO EIR**, and the proposed project would not result in any effects that would require further CEQA review for this topic.

**XI. LAND USE AND PLANNING;  
POPULATION AND HOUSING.**

*Would the project:*

	CLUO EIR Conclusion	Question #1: Project Within Scope of CLUO EIR?	Question #2: Important Site-Specific or New Information?	Question #3: Project Consistent with CLUO?
a. Impact LU-1: Physically Divide an Established Community?	LS	Yes	No	Yes
b. Impact LU-2: Cause a Significant Environmental Impact Due to a Conflict with any Land Use Plan, Policy, or Regulation Adopted for the Purpose of Avoiding or Mitigating an Environmental Effect?	LS	Yes	No	Yes
c. Impact LU-3: Induce Substantial Unplanned Population Growth in an Area, Either Directly or Indirectly?	LS	Yes	No	Yes

N/A = Not Analyzed; NI = No Impact; LS = Less-than-Significant; LS w/ MMs = Less-than-Significant with Mitigation; SU = Significant and Unavoidable; SU w/MMs = Significant and Unavoidable with Mitigation.

**CLUO EIR Discussion and Conclusions:** Impacts related to land use and planning are analyzed on pages 3.11-1 to 3.11-16, 4-33, 4-59 to 4-63, and in Chapter 5 of the draft volume of the CLUO EIR. Clarifications related to land use and planning were made on pages 4-3 to 4-5 of the final volume of the CLUO EIR. Clarifications to the cumulative analysis were made on pages 4-5 to 4-7 in the final volume of the CLUO EIR. No changes to the analysis were made in the CEQA Findings of Fact. All impacts related to land use and planning were found to be less-than-significant, with no mitigation measures required.

**Question #1 (Project Within Scope of CLUO EIR), Discussion and Substantial Evidence:** As documented herein, the proposed project falls within the scope of the CLUO EIR. The proposed project would include the addition of one-acre of outdoor cannabis cultivation canopy, an 11,250 square-foot building for processing and storage, 17,280 square feet of additional greenhouses, and approximately one-acre of outdoor nursery area in the A-X zone, which was anticipated in the CLUO EIR. The subject project is an existing operating licensee that has been licensed since 2017, and was included in the CLUO EIR analysis as a component of existing conditions. As discussed in the Documentation That the Project is within the Scope of the CLUO EIR section of this checklist, approval of the requested Cannabis Use Permit would not result in the exceedance of the number of cannabis sites; maximum number of cannabis land uses; maximum outdoor cultivation acreage; maximum total land area; total assumed new land disturbance; maximum total building area; maximum total employees; nor would the project result in an over-concentration of Cannabis Use Permits within a six-mile radius.

The proposed project would not include any expansion onto portions of the site not previously used for agriculture or not already developed in some manner.

**Question #2 (Important Site-Specific or New Information), Discussion and Substantial Evidence:** The following site-specific information is relevant to land use and planning:

The proposed project would include the expansion of the existing facility and would not isolate an existing land use. The proposed project is consistent with the site's current General Plan land use designation of AG and zoning designation of A-X. Thus, the proposed project would be consistent with the type and intensity of development that has previously been anticipated for the site by the County and analyzed in the General Plan EIR and CLUO EIR. The proposed project would not involve the construction of new housing, would not include the extension of major infrastructure associated with water, sanitary sewer, storm drainage, or energy services, and would not result in additional employees. In addition, the project would not require the demolition of any existing residences and, therefore, would not displace any people or housing. Furthermore, the proposed project would be consistent with the CLUO regulations and standards regarding land use, planning, population, and housing as described under Question 3 below.

As discussed previously, the proposed project includes a buffer reduction and exception, which are included as existing conditions. No new uses will encroach into required setbacks.

Overall, the proposed project does not include peculiar project features or new important information associated with land use and planning or population and housing beyond what was included in the CLUO EIR.

**Question #3 (Project Consistent with CLUO), Discussion and Substantial Evidence:** As documented in this CLUO Compliance Checklist, the project is consistent with the requirements of the CLUO. Various conditions of approval have been identified to ensure ongoing compliance, including the following relevant to land use and planning:

- Comply with CLUO Section 8-2.1408(U), Good Neighbor Communication, which requires an ongoing responsive process for communicating with neighbors regarding site conditions and operations.
- Comply with CLUO Section 8-2.1408(EE), Operating Hours, which allows cultivation activities to operate seven days per week, 24 hours per day, and establishes that operating hours for other cannabis land uses will be established through the use permit process.
- Comply with CLUO Section 8-2.1408(LL), Security, which requires a Security Plan that identifies how security and surveillance will be operational on the site at all times.
- Comply with CLUO Section 8-2.1408(UU), Vertical Integration, which allows for a single entity to hold more than one category of use type, with the exception of testing.

**Conclusions:** The site-specific analysis did not reveal any impacts related to land use and planning that were not anticipated in the CLUO EIR. The proposed project will not create effects or require mitigation measures that were not discussed in the CLUO EIR. The proposed project, as conditioned, meets the thresholds, criteria, and requirements to qualify for streamlining under CEQA pursuant to Sections 15162, 15168(c), and 15183 of the CEQA Guidelines. Based on the above, impacts related to land use, planning, population,

and housing were ***adequately addressed in the CLUO EIR***, and the proposed project would not result in any effects that would require further CEQA review for this topic

**XII. NOISE.**

*Would the project:*

	CLUO EIR Conclusion	Question #1: Project Within Scope of CLUO EIR?	Question #2: Important Site-Specific or New Information?	Question #3: Project Consistent with CLUO?
a. Impact NOI-1: Create Excessive Noise Levels from Construction Activities?	LS w/MMs	Yes	No	Yes
b. Impact NOI-2: Create Excessive Operational Non-Transportation Noise?	LS	Yes	No	Yes
c. Impact NOI-3: Create Excessive Traffic Noise?	LS	Yes	No	Yes

N/A = Not Analyzed; NI = No Impact; LS = Less-than-Significant; LS w/ MMs = Less-than-Significant with Mitigation; SU = Significant and Unavoidable; SU w/MMs = Significant and Unavoidable with Mitigation.

**CLUO EIR Discussion and Conclusions:** Noise impacts are analyzed on pages 3.12-1 to 3.12-15, 4-33 to 4-34, 4-63, and in Chapter 5 of the draft volume of the CLUO EIR. No changes to the analysis of noise were made in the final volume of the CLUO EIR or the CEQA Findings of Fact. Clarifications to the cumulative analysis were made on pages 4-5 to 4-7 in the final volume of the CLUO EIR. Construction noise was identified as less than significant with implementation of identified mitigation measures. All other impacts related to land use and planning were found to be less than significant, with no mitigation measures required.

**Question #1 (Project Within Scope of CLUO EIR), Discussion and Substantial Evidence:** As documented herein, the proposed project falls within the scope of the CLUO EIR. The proposed project would include the addition of one-acre of outdoor cannabis cultivation canopy, an 11,250 square-foot building for processing and storage, 17,280 square feet of additional greenhouses, and approximately one-acre of outdoor nursery area in the A-X zone, which was anticipated in the CLUO EIR. The subject project is an existing operating licensee that has been licensed since 2017, and was included in the CLUO EIR analysis as a component of existing conditions. As discussed in the Documentation That the Project is within the Scope of the CLUO EIR section of this checklist, approval of the requested Cannabis Use Permit would not result in the exceedance of the number of cannabis sites; maximum number of cannabis land uses; maximum outdoor cultivation acreage; maximum total land area; total assumed new land disturbance; maximum total building area; maximum total employees; nor would the project result in an over-concentration of Cannabis Use Permits within a six-mile radius.

The proposed project would not include any expansion onto portions of the site not previously used for agriculture or not already developed in some manner.

**Question #2 (Important Site-Specific or New Information), Discussion and Substantial Evidence:** The following site-specific information is relevant to noise:

The CVO facility was identified as an existing cannabis operation in the CLUO EIR, and was considered in the analysis conducted therein. In addition, the Yolo County General Plan designates the site as AG, and, thus, the project site has been anticipated to include a full range of agricultural uses. Therefore, the proposed project would not result in a substantial increase in operational noise as

compared to what has already been anticipated for the site. In addition, project-generated noise would be consistent with the surrounding agricultural uses. The project would not result in an increase in the number of employees for the CVO facility and, therefore, transportation noise associated with employee trips would not increase. Furthermore, the proposed project would be consistent with the CLUO regulations and standards regarding noise, as described under Question 3 below. Therefore, the proposed project would not result in any new or more severe impacts related to operational or traffic noise from what is already anticipated by the General Plan EIR or CLUO EIR.

While the proposed project would result in temporary construction noise, the noise exposure at any single point outside the improvement area would vary depending on the proximity of construction activities to that point. Standard construction equipment, such as backhoes, generators, and pneumatic tools, would be used on-site. Noise levels associated with typical construction would generate maximum noise levels up to 85 dB at a distance of 50 feet. However, noise levels from a source decrease due to standard spherical spreading loss at a rate of six dB per every doubling of distance from the noise source. The nearest existing residence is located approximately 400 feet north of the closest portion of the proposed construction area. According to the aforementioned attenuation rate, noise levels from the loudest construction equipment would be reduced to approximately 67 dB at 400 feet.

The CLUO EIR determined that implementation of the CLUO could result in new cannabis operations that would result in temporary noise increases associated with construction of new buildings, ancillary structures, and minor earth movement/excavation and a significant impact would occur. However, through implementation of Mitigation Measure NOI-1, the impact would be reduced to a less-than-significant level. Mitigation Measure NOI-1 requires compliance with Section 8-2.1408 of the CLUO, which limits the hours in which construction activities may occur. The proposed project would be required to comply with Mitigation Measure NOI-1, which would ensure any construction noise associated with the proposed project would be reduced to a less-than-significant level. Therefore, the proposed project would not result in any new or more severe impacts associated with construction noise from what is already anticipated by the General Plan EIR or CLUO EIR.

As discussed above, the proposed project includes a buffer reduction and exception, which are include as existing conditions. No new uses will encroach into required setbacks.

Overall, the proposed project does not include peculiar project features or new important information related to noise beyond what was included in the CLUO EIR.

**Question #3 (Project Consistent with CLUO), Discussion and Substantial Evidence:** As documented in this CLUO Compliance Checklist, the project is consistent with the requirements of the CLUO. Various conditions of approval have been identified to ensure ongoing compliance, including the following relevant to noise:

- Comply with CLUO Section 8-2.1408(F), Building Design, which establishes requirements for design and construction of buildings and structures to consider noise control.

- Comply with CLUO Section 8-2.1408(BB), Noise Control, which establishes requirements for control of exterior and interior noise levels.
- Comply with CLUO Section 8-2.1408(CC), Nuisance, which identifies the conditions under which noise and vibration would constitute a public nuisance, subject to three levels of enforcement.
- Comply with CLUO Section 8-2.1408(OO), Site Design, which requires that site design integrate adopted regulatory and design requirements for noise control.

**Conclusions:** The site-specific analysis did not reveal any impacts related to noise that were not anticipated in the CLUO EIR. The proposed project will not create effects or require mitigation measures that were not discussed in the CLUO EIR. The proposed project, as conditioned, meets the thresholds, criteria, and requirements to qualify for streamlining under CEQA pursuant to Sections 15162, 15168(c), and 15183 of the CEQA Guidelines. Based on the above, the proposed project would not result in a significant impact to noise and the project was *adequately addressed in the CLUO EIR*.

### XIII. PUBLIC SERVICES

*Would the project:*

	CLUO EIR Conclusion	Question #1: Project Within Scope of CLUO EIR?	Question #2: Important Site-Specific or New Information?	Question #3: Project Consistent with CLUO?
a. Impact PS-1: Result in Substantial Adverse Physical Impacts Associated with the Need for New or Physically Altered Fire Protection Facilities?	LS	Yes	No	Yes
b. Impact PS-2: Result in Substantial Adverse Physical Impacts Associated with the Need for New or Physically Altered Law Enforcement Facilities?	LS	Yes	No	Yes

N/A = Not Analyzed; NI = No Impact; LS = Less-than-Significant; LS w/ MMs = Less-than-Significant with Mitigation; SU = Significant and Unavoidable; SU w/MMs = Significant and Unavoidable with Mitigation.

**CLUO EIR Discussion and Conclusions:** Impacts to public services are analyzed on pages 3.13-1 to 3.13-37, 4-34, 4-63 to 4-67, and in Chapter 5 of the draft volume of the CLUO EIR. No changes to the analysis of public services were made in the final volume of the CLUO EIR or the CEQA Findings of Fact. Clarifications to the cumulative analysis were made on pages 4-5 to 4-7 in the final volume of the CLUO EIR. All impacts related to public services were found to be less than significant, with no mitigation measures required.

**Question #1 (Project Within Scope of CLUO EIR), Discussion and Substantial Evidence:** As documented herein, the proposed project falls within the scope of the CLUO EIR. The proposed project would include the addition of one-acre of outdoor cannabis cultivation canopy, an 11,250 square-foot building for processing and storage, 17,280 square feet of additional greenhouses, and approximately one-acre of outdoor nursery area in the A-X zone, which was anticipated in the CLUO EIR. The subject project is an existing operating licensee that has been licensed since 2017, and was included in the CLUO EIR analysis as a component of existing conditions. As discussed in the Documentation That the Project is within the Scope of the CLUO EIR section of this checklist, approval of the requested Cannabis Use Permit would not result in the exceedance of the number of cannabis sites; maximum number of cannabis land uses; maximum outdoor cultivation acreage; maximum total land area; total assumed new land disturbance; maximum total building area; maximum total employees; nor would the project result in an over-concentration of Cannabis Use Permits within a six-mile radius.

The proposed project would not include any expansion onto portions of the site not previously used for agriculture or not already developed in some manner.

**Question #2 (Important Site-Specific or New Information), Discussion and Substantial Evidence:** The following site-specific information is relevant to public services:

The CVO facility was identified as an existing cannabis operation in the CLUO EIR, and was considered in the analysis conducted therein. Because the proposed project is an expansion of an existing site, fire protection and law enforcement services are already provided by the Esparto Fire Protection District (EFPD) and the Yolo County Sheriff Department (YCSD). In addition, the proposed

project would be consistent with the site's General Plan land use designation. Accordingly, any demand for fire protection and law enforcement services associated with the site have already been anticipated by the County in the General Plan EIR. The CLUO EIR determined that through compliance with CLUO policies, the CBSC, California Fire Code, and State cannabis regulations, implementation of the CLUO would result in less-than-significant impacts related to fire protection services. The proposed expansion and additional buildings would require installation of a sprinkler system, as required by the California Fire Code, as well as comply with all other applicable regulations set forth by the California Fire Code. The proposed project would also be subject to all other federal, State, and local fire regulations, as well as General Plan and CLUO policies such as obtaining will-serve letters from service agencies and payment of development impact fees. In addition, a Security Plan has been prepared for the project, which outlines safety measures for perimeter security, lighting, security cameras, storage of cannabis and cash, site access requirements, employee training, inventory control, inventory tracking, and waste disposal. Security measures include 24-hour surveillance of the premises, securing processed cannabis until picked up by a licensed distributor, storing payments within a safe, limiting access to the site to employees and authorized individuals only, tracking of the inventory, and securing the composting areas and posting "No Trespassing" signs. Implementation of the Security Plan would help minimize the demand for law enforcement services. Overall, the proposed project would not result in any new or increased severity of impacts from what has already been anticipated for the site by the General Plan EIR or CLUO EIR.

Overall, the proposed project does not include peculiar project features or new important information related to public services beyond what was included in the CLUO EIR.

**Question #3 (Project Consistent with CLUO), Discussion and Substantial Evidence:** As documented in this CLUO Compliance Checklist, the project is consistent with the requirements of the CLUO. Various conditions of approval have been identified to ensure ongoing compliance, including the following relevant to public services:

- Comply with CLUO Section 8-2.1408(F), Building Design, which establishes requirements for design and construction of buildings and structures to consider safety and security.
- Comply with CLUO Section 8-2.1408(K), Driveway Access, which establishes requirements for driveways.
- Comply with CLUO Section 8-2.1408(Q), Fire Protection, which identifies basic requirements for fire protection.
- Comply with CLUO Section 8-2.1408(CC), Nuisance, which identifies the conditions under which safety concerns would constitute a public nuisance, subject to three levels of enforcement.
- Comply with CLUO Section 8-2.1408(KK), Screening, which requires a screening plan (vegetative or fencing) for outdoor cultivation to address visibility from public rights-of-way.

- Comply with CLUO Section 8-2.1408(LL), Security, which requires a Security Plan that identifies how security and surveillance will be operational on the site at all times.
- Comply with CLUO Section 8-2.1408(OO), Site Design, which requires that site design integrate adopted regulatory and design requirements for safety and security.
- Comply with CLUO Section 8-2.1411, Reporting and Inspections, which identifies requirements for annual reporting and County inspections, including retention and submittal of security camera footage.

**Conclusions:** The site-specific analysis did not reveal any impacts related to public services that were not anticipated in the CLUO EIR. The proposed project will not create effects or require mitigation measures that were not discussed in the CLUO EIR. The proposed project, as conditioned, meets the thresholds, criteria, and requirements to qualify for streamlining under CEQA pursuant to Sections 15162, 15168(c), and 15183 of the CEQA Guidelines. Based on the above, the proposed project would not result in a significant impact to public services and the project was ***adequately addressed in the CLUO EIR***

**XIV. TRANSPORTATION AND CIRCULATION.**

*Would the project:*

	CLUO EIR Conclusion	Question #1: Project Within Scope of CLUO EIR?	Question #2: Important Site-Specific or New Information?	Question #3: Project Consistent with CLUO?
a. Impact TRANS-1: Conflict with Program, Plan, Ordinance or Policy Addressing the Circulation System?	LS	Yes	No	Yes
b. Impact TRANS-2: Conflict or be Inconsistent with CEQA Guidelines Section 15064.3(b)?	LS	Yes	No	Yes

N/A = Not Analyzed; NI = No Impact; LS = Less-than-Significant; LS w/ MMs = Less-than-Significant with Mitigation; SU = Significant and Unavoidable; SU w/MMs = Significant and Unavoidable with Mitigation.

**CLUO EIR Discussion and Conclusions:** Impacts to transportation and circulation are analyzed on pages 3.14-1 to 3.14-21, 4-35 to 4-36, 4-67, and in Chapter 5 of the draft volume of the CLUO EIR. Clarifications were made on page 4-4 in the final volume of the CLUO EIR. Clarifications to the cumulative analysis were made on pages 4-5 to 4-7 in the final volume of the CLUO EIR. No changes to the analysis were made in the CEQA Findings of Fact. All impacts related to transportation and circulation were found to be less than significant, with no mitigation measures required.

**Question #1 (Project Within Scope of CLUO EIR), Discussion and Substantial Evidence:** As documented herein, the proposed project falls within the scope of the CLUO EIR. The proposed project would include the addition of one-acre of outdoor cannabis cultivation canopy, an 11,250 square-foot building for processing and storage, 17,280 square feet of additional greenhouses, and approximately one-acre of outdoor nursery area in the A-X zone, which was anticipated in the CLUO EIR. The subject project is an existing operating licensee that has been licensed since 2017, and was included in the CLUO EIR analysis as a component of existing conditions. As discussed in the Documentation That the Project is within the Scope of the CLUO EIR section of this checklist, approval of the requested Cannabis Use Permit would not result in the exceedance of the number of cannabis sites; maximum number of cannabis land uses; maximum outdoor cultivation acreage; maximum total land area; total assumed new land disturbance; maximum total building area; maximum total employees; nor would the project result in an over-concentration of Cannabis Use Permits within a six-mile radius.

The proposed project would not include any expansion onto portions of the site not previously used for agriculture or not already developed in some manner.

**Question #2 (Important Site-Specific or New Information), Discussion and Substantial Evidence:** The following site-specific information is relevant to transportation and circulation:

The CVO facility was identified as an existing cannabis operation in the CLUO EIR, and was considered in the analysis conducted therein. In addition, the proposed project would be consistent with the General Plan designation for the site of AG. The proposed project does not involve any improvements to the existing roadway network. In addition, the proposed project would not increase the number of employees. Thus, the project would not result in an increase in passenger vehicle trips, pedestrians, bicyclists, or transit riders from

what currently occurs. Accordingly, the proposed project would not result in any new or increase in severity of identified impacts related to the circulation system from what has already been anticipated for the site by the General Plan EIR or CLUO EIR.

Pursuant to Section 15064.3 of the CEQA Guidelines, analysis of vehicle miles travelled (VMT) attributable to a project is the most appropriate measure of transportation impacts. VMT refers to automobile VMT, specifically passenger vehicles and light trucks; heavy truck traffic is typically excluded. VMT does not directly measure traffic operations; instead, VMT is a measure of transportation network use and efficiency, especially when expressed as a function of population (i.e., VMT per capita or employee). For similar reasons as above, the proposed project would not affect the local or regional VMT from existing levels. Furthermore, the proposed project would be consistent with the CLUO regulations and standards regarding transportation, as described under Question 3 below.

Based on the above, the proposed project does not include peculiar project features or new important information related to transportation beyond what was included in the CLUO EIR.

**Question #3 (Project Consistent with CLUO), Discussion and Substantial Evidence:** As documented in this CLUO Compliance Checklist, the project is consistent with the requirements of the CLUO. Various conditions of approval have been identified to ensure ongoing compliance, including the following relevant to transportation and circulation:

- Comply with CLUO Section 8-2.1408(K), Driveway Access, which establishes requirements for driveways.
- Comply with CLUO Section 8-2.1408(CC), Nuisance, which identifies the conditions under which traffic would constitute a public nuisance, subject to three levels of enforcement.

**Conclusions:** The site-specific analysis did not reveal any impacts related to transportation and circulation that were not anticipated in the CLUO EIR. The proposed project will not create effects or require mitigation measures that were not discussed in the CLUO EIR. The proposed project, as conditioned, meets the thresholds, criteria, and requirements to qualify for streamlining under CEQA pursuant to Sections 15162, 15168(c), and 15183 of the CEQA Guidelines. Based on the above, the proposed project would not result in a significant impact to transportation and the project was ***adequately addressed in the CLUO EIR.***

**XV. UTILITIES AND SERVICE SYSTEMS.**

*Would the project:*

	CLUO EIR Conclusion	Question #1: Project Within Scope of CLUO EIR?	Question #2: Important Site-Specific or New Information?	Question #3: Project Consistent with CLUO?
a. Impact UTIL-1: Result in Relocation or Expansion of Wastewater Treatment Systems and Facilities?	LS	Yes	No	Yes
b. Impact UTIL-2: Result in Relocation or Expansion of Water Supply Systems)?	LS	Yes	No	Yes
c. Impact UTIL-3: Generate Solid Waste in Excess of Solid Waste Facilities or That Conflicts with Regulations?	LS	Yes	No	Yes

N/A = Not Analyzed; NI = No Impact; LS = Less-than-Significant; LS w/ MMs = Less-than-Significant with Mitigation; SU = Significant and Unavoidable; SU w/MMs = Significant and Unavoidable with Mitigation.

**CLUO EIR Discussion and Conclusions:** Impacts to utilities and service systems are analyzed on pages 3.15-1 to 3.15-24, 4-36 to 4-37, 4-68, and in Chapter 5 of the draft volume of the CLUO EIR. Clarifications were made on pages 4-4 to 4-5 in the final volume of the CLUO EIR. Clarifications to the cumulative analysis were made on pages 4-5 to 4-7 in the final volume of the CLUO EIR. No changes to the analysis were made in the CEQA Findings of Fact. All impacts related to utilities and services systems were found to be less than significant, with no mitigation measures required.

**Question #1 (Project Within Scope of CLUO EIR), Discussion and Substantial Evidence:** As documented herein, the proposed project falls within the scope of the CLUO EIR. The proposed project would include the addition of one-acre of outdoor cannabis cultivation canopy, an 11,250 square-foot building for processing and storage, 17,280 square feet of additional greenhouses, and approximately one-acre of outdoor nursery area in the A-X zone, which was anticipated in the CLUO EIR. The subject project is an existing operating licensee that has been licensed since 2017, and was included in the CLUO EIR analysis as a component of existing conditions. As discussed in the Documentation That the Project is within the Scope of the CLUO EIR section of this checklist, approval of the requested Cannabis Use Permit would not result in the exceedance of the number of cannabis sites; maximum number of cannabis land uses; maximum outdoor cultivation acreage; maximum total land area; total assumed new land disturbance; maximum total building area; maximum total employees; nor would the project result in an over-concentration of Cannabis Use Permits within a six-mile radius.

The proposed project would not include any expansion onto portions of the site not previously used for agriculture or not already developed in some manner.

**Question #2 (Important Site-Specific or New Information), Discussion and Substantial Evidence:** The following site-specific information is relevant to utilities and service systems:

The CVO facility was identified as an existing cannabis operation in the CLUO EIR, and was considered in the analysis conducted therein. In addition, the proposed project would be consistent with the site's General Plan land use designation. Accordingly, any demand for utilities and service systems associated with the site have already been anticipated by the County in the General Plan EIR. The project site is currently served by an existing on-site septic system. The proposed project would not result in an increase in employees. As such, wastewater flows are not anticipated to increase with the proposed project. Thus, the existing septic system would remain sufficient to serve the site.

Water supply for the site is currently provided by one existing, private well. As discussed in the Hydrology and Water Quality section above, the County groundwater conditions have maintained consistent depth to groundwater elevations, regardless of production rates in recent years, indicating a substantial amount of available groundwater resources. The Yolo County Groundwater Sustainability Plan shows that the storage capacity of the Yolo Subbasin has historically remained relatively stable.<sup>6</sup> Therefore, the existing well is expected to have sufficient water supplies to serve the project.

The proposed project would result in an increase in the solid waste produced at the facility, which is serviced weekly by the Green Waste Management Company. The majority of solid waste generated in the County is transported to the Yolo County Central Landfill.<sup>7</sup> According to the California Department of Resources Recycling and Recover (CalRecycle), the landfill has remaining capacity of 33,544,909 cubic yards and a cease operation date of February 21, 2124.<sup>8</sup> During construction activities, the project would be required to comply with the CALGreen Code, which requires diversion of at least 65 percent of construction waste from landfills. Given the regulations in place governing solid waste disposal and the remaining capacity at the Yolo County Central Landfill, sufficient capacity would exist to accommodate the solid waste generated by the proposed project.

In addition, the proposed project would increase the amount of green waste produced and composted at the site. In compliance with Title 14, CCR, Division 7, Chapter 3.1, composting at the site is classified as small-scale on-site composting that is under 750 square feet and 100 cubic yards, which is not subject to the State composting regulations.

Based on the above, the proposed project does not include peculiar project features or new important information related to utilities and service systems beyond what was included in the CLUO EIR.

**Question #3 (Project Consistent with CLUO), Discussion and Substantial Evidence:** As documented in this CLUO Compliance Checklist, the project is consistent with the requirements of the CLUO. Various conditions of approval have been identified to ensure ongoing compliance, including the following relevant to utilities and service systems:

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<sup>6</sup> Yolo Subbasin Groundwater Agency. *2022 Groundwater Sustainability Plan*. January 24, 2022.

<sup>7</sup> Yolo County. *2030 Countywide General Plan* [pg. PF-34]. Adopted November 10, 2009.

<sup>8</sup> California Department of Resources Recycling and Recovery. *SWIS Facility/Site Activity Details: Yolo County Central Landfill (57-AA-0001)*. Available at: <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/689?siteID=4033>. Accessed June 2023.

- Comply with CLUO Section 8-2.1408(TT), Wastewater Discharge, which establishes standards for disposal of effluent from washing and toilet facilities onsite.
- Comply with CLUO Section 8-2.1408(VV), Water Supply/Use, which establishes standards for drinking and washing water onsite.
- Comply with CLUO Section 8-2.1408(SS), Waste Management, which establishes standards for solid waste storage and removal.

**Conclusions:** The site-specific analysis did not reveal any impacts related to utilities and service systems that were not anticipated in the CLUO EIR. The proposed project will not create effects or require mitigation measures that were not discussed in the CLUO EIR. The proposed project, as conditioned, meets the thresholds, criteria, and requirements to qualify for streamlining under CEQA pursuant to Sections 15162, 15168(c), and 15183 of the CEQA Guidelines. Based on the above, the criteria for requiring further CEQA review are not met and impacts related to utilities and public services were ***adequately addressed in the CLUO EIR.***

**XVI. MANDATORY FINDINGS OF SIGNIFICANCE.**

*Would the project:*

	CLUO EIR Conclusion	Question #1: Project Within Scope of CLUO EIR?	Question #2: Important Site-Specific or New Information?	Question #3: Project Consistent with CLUO?
a. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or substantially reduce the number or restrict the range of an endangered, rare, or threatened species?	LS	Yes	No	Yes
b. Have impacts that are individually limited, but cumulatively considerable?	LS	Yes	No	Yes
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	LS	Yes	No	Yes

N/A = Not Analyzed; NI = No Impact; LS = Less-than-Significant; LS w/ MMs = Less-than-Significant with Mitigation; SU = Significant and Unavoidable; SU w/MMs = Significant and Unavoidable with Mitigation.

**CLUO EIR Discussion and Conclusions:** Each of these issues is addressed earlier in this Checklist. Item “a” is addressed in Biological Resources. Item “b” related to cumulative impacts is addressed in each section I to XIV. Item “c” is addressed in sections I (Aesthetics), III (Air Quality and Odor), IX (Hazards and Hazardous Materials), XI (Land Use and Planning), and XIII (Noise).

**Question #1 (Project Within Scope of CLUO EIR), Discussion and Substantial Evidence:** Each of these issues is addressed earlier in this Checklist. Item “a” is addressed in Biological Resources. Item “b” related to cumulative impacts is addressed in each section I to XIV. Item “c” is addressed in sections I (Aesthetics), III (Air Quality and Odor), IX (Hazards and Hazardous Materials), XI (Land Use and Planning), and XIII (Noise).

**Question #2 (Important Site-Specific or New Information), Discussion and Substantial Evidence:** Each of these issues is addressed earlier in this Checklist. Item “a” is addressed in Biological Resources. Item “b” related to cumulative impacts is addressed in each section I to XIV. Item “c” is addressed in sections I (Aesthetics), III (Air Quality and Odor), IX (Hazards and Hazardous Materials), XI (Land Use and Planning), and XIII (Noise).

**Question #3 (Project Consistent with CLUO), Discussion and Substantial Evidence:** Each of these issues is addressed earlier in this Checklist. Item “a” is addressed in Biological Resources. Item “b” related to cumulative impacts is addressed in each section I to XIV. Item “c” is addressed in sections I (Aesthetics), III (Air Quality and Odor), IX (Hazards and Hazardous Materials), XI (Land Use and Planning), and XIII (Noise).

**Conclusions:** The site-specific analysis did not reveal any impacts related to the mandatory findings of significance that were not anticipated in the CLUO EIR. The proposed project will not create effects or require mitigation measures that were not discussed in the CLUO EIR. The proposed project, as conditioned, meets the thresholds, criteria, and requirements to qualify for streamlining under CEQA pursuant to Sections 15162, 15168(c), and 15183 of the CEQA Guidelines.