

# 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:** ZF2022-0090 Americana 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:** Americana Organics currently holds a State cultivation license and County cultivation license, which allow up to one acre of canopy. Americana Organics has cultivated cannabis on the property under validly-issued licenses since 2017. The current cultivation area consists of approximately 17,000 square feet (sf) of indoor cultivation within six greenhouses and 20,000 sf of outdoor cultivation within approximately 60 raised beds and hoop house frames. The cannabis activities currently occupy approximately four acres of a 16.4-acre site. The proposed project would include the addition of one acre of outdoor cultivation, for a total of two acres. The proposed project would also include the construction of a new 3,500-sf building for drying, processing, distribution, employee bathroom and breakroom, and non-storefront retail activities, as well as the completion of construction of four additional greenhouses that were previously permitted and partially constructed. In addition to the cannabis use permit, Americana Organics is requesting a cannabis cultivation license for up to two acres of canopy (indoor and outdoor cannabis cultivation), a retail non-storefront license (delivery), a distribution license, a nursery license, and a buffer exception and/or buffer easement.

**PROJECT LOCATION:** 3340-78 County Road 89  
Dunnigan, CA 95937  
Assessor's Parcels Number (APN): 051-203-001

**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:** Americana Organics, Inc.

### **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

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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.

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- 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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Yolo County Department of Community Services

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March 4, 2024

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## CLUO PROGRAM EIR CHECKLIST/PROJECT INITIAL STUDY

<b>PROJECT NAME:</b>	Americana Organics Cannabis Use Permit	<b>DATE:</b> March 5, 2024
<b>SITE ADDRESS:</b>	3340-78 County Road 89 Dunnigan, California 95937	<b>APN:</b> 051-203-001
<b>APPLICANT:</b>	Eduardo Fernández PO Box 599 Lewiston, CA 96052	<b>ZONING:</b> Agricultural Intensive (A-N)
<b>PROPERTY OWNER:</b>	BKMK, LLC 78651 Talking Rock Turn La Quinta, CA 92253	<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/communityservices/planning-division/planning-commission-information/planning-commission-meeting-materials">https://www.yolocounty.org/government/general-government-departments/communityservices/planning-division/planning-commission-information/planning-commission-meeting-materials</a>		

**PROJECT DESCRIPTION:** The existing activities and proposed activities at the project site are discussed in further detail below.

### Existing Activities

Americana Organics currently holds a State cultivation license and a County cultivation license, which allow up to one acre of canopy. The current cultivation area consists approximately 17,000 sf of greenhouses and 20,000 sf of outdoor raised beds and hoop houses. The cannabis activities currently occupy approximately four acres of a 16.4-acre site. The property is developed with the following to support the cannabis cultivation uses: six greenhouses; approximately 60 raised cultivation beds and hoop house frames; seven Conex shipping containers for dry storage and equipment; one 42,000-gallon water supply tank and pressurized on-site domestic/fire hydrant distribution system; one ground water well; various farm equipment, chemical, fertilizer, security control, and miscellaneous storage buildings. Four greenhouses have been permitted for the site and have partially undergone construction. The existing cultivation area is surrounded by a six-foot tall chain link fence with green privacy slats and barbed wire on the top.

Americana Organics typically engages in year-round cultivation, with the planting phase generally beginning around March and the harvesting phases ending around June, August, or October. On-site equipment such as tractors, hand tools, and sprayers are used throughout each season by authorized and trained members of the staff, as well as certain field personnel provided by various local farm labor contractors. Depending on the time of year, the company operates with three to 10 full-, part-time, or seasonal employees within the hours of 7:00 AM to 7:00 PM, Monday through Saturday.

The company encourages all laborers to carpool. The property includes two existing on-site residences used by long-term permanent employees. Employees that do not live on-site typically arrive to the project site from Interstate 5 (I-5) exit 556, to eastbound County Road 6 to northbound Highway 99W to County Road 89.

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## Proposed Activities

The proposed project would include the addition of one acre of outdoor cannabis cultivation, south of the existing fenced area, resulting in a total of two acres of canopy on the site. The new outdoor cultivation area would include a seven-foot-tall perimeter fence. In addition, the proposed project would include construction of a 3,500-sf single-story engineered metal building on the northern portion of the project site to be used for drying, processing, distribution, employee bathroom and breakroom, and non-storefront retail activities. The proposed project also includes the completion of the four previously permitted and partially constructed greenhouses, as well as other minor site improvements such as fencing, extension of water lines, and modification and upgrades to the alarm and surveillance systems. Substantial grading activities are not proposed. It should be noted that approximately 20 feet of cannabis cultivation area along the northern portion of the project site would be removed in order to comply with CLUO setback requirements, as discussed in further detail below.

Americana Organics is requesting a retail non-storefront license (delivery), a distribution license, and a nursery license. The retail non-storefront license would allow Americana Organics to sell cannabis goods to customers only through delivery. The distribution license would allow Americana Organics to move cannabis products between cultivation, manufacturing or distribution premises; move finished cannabis goods to retail premises; provide storage services to other licensees; and arrange for testing of cannabis goods. The nursery license would allow Americana Organics to grow clones, immature plants, seeds or other types of cannabis used for propagation and sell to other licensees.

Regarding trips to and from the property, the company would continue to encourage all laborers to carpool or live on site, resulting in a daily vehicle count of between three and 10 associated with the employees. If a distribution license is approved, Americana Organics would expect anywhere between two to three product shipments per week. The total number of daily trips, including employee delivery hauling and transport of product, would be approximately 20 to 30 during the peak season and two to eight during the off season.

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 10 percent of the required buffer distances from CLUO sensitive land uses, and buffer exceptions are reductions of more than 10 percent of the required buffer distances from CLUO sensitive land uses. The required buffer for outdoor cannabis uses (existing licensees) from off-site individual legal residences in any non-residential zone is 600 feet (measured from the extent of outdoor cannabis uses to the off-site residence). The required buffer distance from for outdoor cannabis uses (existing licensees) from residentially zoned land is also 600 feet (measured from the residential zone boundary).

To meet the 600-foot buffer from the residence located on the A-N zoned parcel immediately north of the project site that is approximately 580 feet from the extent of the outdoor cultivation area, Americana Organics proposes to remove 20 feet of cannabis plants from the northernmost outdoor cultivation area.

Americana Organics is requesting buffer exceptions from two Heavy Industrial (I-H) zoned parcels to the west and from the Rural Residential-2 acre minimum parcel size (RR-2) zone boundary to the west. Americana Organics has submitted letters of support from the three affected property owners. The buffer exception requests are as follows:

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- The RR-2 zone boundary to the west (APN 051-202-015) is approximately 280 feet away from the extent of the existing outdoor cannabis activities. The proposed outdoor cannabis expansion area is proposed to be approximately 220 feet from the RR-2 zone boundary.
- The residence on the I-H zoned parcel to the west (APN 051-202-012) is approximately 390 feet away from the extent of the existing outdoor cannabis activities.
- The residence on the I-H zoned parcel to the west (APN 051-202-014) is approximately 520 feet away from the extent of the existing outdoor cannabis activities.

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 support of affected neighbors.

**PROJECT SITE AND ENVIRONMENTAL SETTING:** The 16.4-acre project site is located at 3340-78 County Road 89 in Dunnigan, California, and is identified by APN 051-203-001. Access to the project site is provided from County Road 89 by way of an existing gated driveway in the northeastern portion of the project site. The project site is designated as Agricultural (AG) and zoned Agricultural Intensive (A-N). Cannabis cultivation activities have been ongoing on the site since 2017. Cannabis related uses are located within a four-acre fenced area in the center of the project site. The remaining approximately 12 acres of the property consist of cleared land, previously farmed in alfalfa/hay. In addition, the property contains two manufactured homes located north of the cultivation area, near the site entrance from County Road 89, used by long-term permanent employees, with a capacity of two to four individuals per residence, and two residential storage buildings.

The project site and surrounding area are generally flat land with no significant elevation changes. Surrounding existing land uses to the east and south are agricultural uses. The land to the north is zoned A-N, but is not currently used for agricultural purposes and contains a residence. The existing land uses to the west include a wrecking yard and rural residential homes.

**BACKGROUND:** As noted above, Americana Organics has been in cannabis cultivation since 2017 and holds a State cultivation license and County cultivation license, which allow up to one acre of canopy. In addition, the company retains up-to-date copies of Provisional Adult-Use Medium Outdoor Cultivation Licenses, Weighmaster Licenses, Seller's Permits, Notice of Applicability under Water Quality Order WQ-2019-0001-DWQ, Lake or Streambed Alteration Agreement Waiver for Cannabis Cultivation, and Yolo County Permits (Environmental Health Division/Building Inspection Services).

**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 (indoor and outdoor cultivation is proposed);
- A retail non-storefront license;
- A distribution license;
- A nursery license; and
- A buffer exception from the outdoor cannabis cultivation to off-site residences and residential zone boundary to the west.

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

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**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.

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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)



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- 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

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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.

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## **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, one of 5 allocated nursery licenses, one of 7 distribution licenses, and one of 10 retail non-storefront licenses.
3. **Maximum Total Cultivation Canopy Acreage:** If approved, the proposed project would result in a total of 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 would include approximately four acres of existing cannabis activity (including cultivation and ancillary areas) for which no substantial change in physical conditions is proposed, and one acre of proposed new cannabis activity, for a total of five 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 one acre 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 would result in a total of 35,100 sf of building area, of which 20,080 sf is existing and 15,020 sf would be proposed new. Approval of the project would not exceed 10,633,957 sf 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 up to 10 positions, all of which are existing employees. 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 three buffer exceptions, including two buffer exceptions from two residences on I-H zoned parcels to the west and one buffer exception from the RR-2 zone boundary to the west, to allow outdoor cannabis cultivation closer than 600 feet from the identified sensitive land uses. For pre-existing operations, the

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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 Licensees, such as Americana Organics, the unincorporated area of the County, outside of the Capay Valley, is not considered over-concentrated. Therefore, the proposed project would 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, a new 3,500-sf building for drying, processing, distribution, employee bathroom and breakroom, and non-storefront retail activities, and the completion of construction of four additional greenhouses that were previously permitted and partially constructed. The proposed cannabis activities in the A-N zone have been anticipated in the CLUO EIR. The project site is currently used for cannabis cultivation by an existing licensee, 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 CUPs 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 exceptions. 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 up to three off-site residences. The applicant is requesting a buffer exception to allow outdoor cultivation within approximately 220 feet of an RR-2 zone boundary with one residence on APN 051-202-015 to the west, and two additional buffer exceptions to allow outdoor cultivation closer than 600 feet from residences located on two I-H zoned parcels (APNs 051-202-012 and 051-202-014) to the west. 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.

With approval of the requested buffer exceptions, the proposed project would meet all required buffer setbacks from sensitive land uses.

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

The Americana Organics 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 buffer exceptions, 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 would 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 issues with the project site, adding that surrounding crops include an almond orchard to the east, which represents a minor potential for chemical drift onto the cannabis crop, depending on the wind direction. The Agricultural Commissioner recommends the applicant maintain the existing ±170-foot buffer from the almond orchard to the east of the outdoor cultivation area to minimize the potential for pesticide drift from orchard spraying. 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, 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, a new 3,500-sf building for drying, processing, distribution, employee bathroom and breakroom, and non-storefront retail activities, and the completion of construction of four additional greenhouses that were previously permitted and partially constructed. The proposed cannabis activities in the A-N zone have been 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 CUPs 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 Americana Organics 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, would be used for agricultural activities, and/or that any areas in non-agricultural use would be properly maintained.

The project site is designated as Other Land, pursuant to the California Department of Conservation and, thus, is not considered farmland and is not under a Williamson Act Contract. Accordingly, 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 buffer exceptions, which are included as existing conditions. The requested buffer exceptions 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 would 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 CUP 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, a new 3,500-sf building for drying, processing, distribution, employee bathroom and breakroom, and non-storefront

retail activities, and the completion of construction of four additional greenhouses that were previously permitted and partially constructed. The proposed cannabis activities in the A-N zone have been 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 CUPs 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 exceptions. 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 residences to the west of the existing outdoor cultivation area. 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 Americana Organics 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 a 3,500-sf building and completion of construction of four greenhouses that were previously permitted and partially constructed. The proposed building would be prefabricated and/or metal frame that would be constructed at the project site. The construction of such type of buildings does not involve intensive use of construction equipment as compared to typical building construction. Only minor improvements would be required to complete the three partially constructed greenhouses. The project may require expanded fencing, minor extension of existing on-site water lines, and modification and upgrades to the alarm and surveillance systems; however, the aforementioned on-site improvements are typical of agricultural uses, consistent with what has been anticipated for the site under the CLUO EIR, and minor such that any temporary air pollutant emissions associated with the improvements would be negligible. Furthermore, construction would not include any substantial 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 procedures contained in the Odor Control Plan such as relying on passive controls, implementation of a Good Neighbor Policy, checking for odors at the boundary of the property on a weekly basis, and conducting odor control training sessions with staff. Compliance with the measures and recommendations contained in the Odor Control Plan would ensure that 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 involve a total number of daily trips, including employee delivery hauling and transport of product, of approximately 20 to 30 during the peak season and two to eight during the off season. Any increase in vehicle trips from existing levels would not be substantial and would remain within the range anticipated for the site in the CLUO EIR. In addition, the proposed project aims to continue following all applicable codes, standards, regulations, guidelines, and considerations related to every area of compliance, including energy use. If the project is fully approved, the operators of Americana Organics propose to enroll in the Valley Clean Energy (VCE) UltraGreen energy program, which ensures 100 percent of the energy used on-site is from renewable energy sources. Furthermore, the proposed project does not propose 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.

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<sup>1</sup> Yorke Engineering, LLC. *Woodland Roots and Yolo Family Farms Odor Control Plan*. January 2023.

- 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(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 would 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 Habitat Conservation Plan/Natural Community Conservation Plan (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, a new 3,500-sf building for drying, processing, distribution, employee bathroom and breakroom, and non-storefront retail activities, and the completion of construction of four additional greenhouses that were previously permitted and partially constructed. The proposed cannabis activities in the A-N zone have been 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 CUPs within a six-mile radius.

The proposed project includes expansion of the cannabis operation onto areas of the project site that have been cleared and were previously farmed in alfalfa/hay. Therefore, all development would occur 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 Americana Organics 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 HCP/NCCP, implementing biological resource protection measures when applicable, and avoidance of sensitive habitats and special-status species.

The proposed project would include the construction of a 3,500-sf building and completion of construction of four greenhouses that were previously permitted and partially constructed. The project site consists of land cover type “Developed: Urban or built up” and “Developed: Ruderal.” Graening and Associates conducted a Biological Resources Assessment for the 16.4-acre project site.<sup>2</sup> According to the Biological Resources Assessment, the non-native grasslands, fallow agricultural lands, and ruderal/developed areas within the project site all have a low potential for harboring special-status plant and animal species due to the dominance of aggressive non-native grasses and forbs and disturbance from discing and hay harvest, as well as other human disturbances. In addition, the proposed project would not involve any substantial grading or ground-disturbing activities. The Biological Resources Assessment concluded that direct impacts to special-status species covered by the Yolo HCP/NCCP and non-covered special-status species would not occur. Nonetheless, due to modeled habitat being present on the site and in the vicinity for the covered species, planning surveys or pre-construction surveys, as well as Avoidance and Minimization Measures (AMMs), would be required pursuant to the Yolo HCP/NCCP for Swainson’s hawk, white-tailed kite, western burrowing owl, and tricolored blackbird. Either by exclusion as a non-covered activity, or by the purchase of mitigation fees and compliance with the AMMs, the proposed project would be compliant with the Yolo HCP/NCCP. Therefore, implementation of the proposed project would not conflict with the provisions of the Yolo HCP/NCCP. In addition, due to the disturbed nature of the project site and with compliance with the Yolo HCP/NCCP AMMs, the proposed project would not result in any impacts to special-status species not covered by the Yolo HCP/NCCP.

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<sup>2</sup> Graening and Associates, LLC. *Biological Resources Assessment for the Cannabis Cultivation Project at 3340 and 3378 Road 89, Dunnigan, California.* January 3, 2023.

Water resources do not exist within the project site or vicinity, and the proposed project does not require any disturbance to surface waters. Potential adverse impacts to water resources could occur during operation of cultivation activities by discharge of sediment or other pollutants (fertilizers, pesticides, human waste, etc.) into receiving waterbodies. However, as discussed in further detail in Section X, Hydrology and Water Quality, of this checklist, the proposed project would be required to comply with all applicable regulations related to water quality, which would ensure any potential operational impacts to water quality would be less than significant. Therefore, the proposed project would not adversely affect state-protected or federally-protected wetlands.

The existing fences and any improvements to fencing may not allow animal movement and may act as a local barrier to wildlife movement. However, the fenced cultivation areas are surrounded by open space, allowing wildlife to move around the fenced areas. Thus, the proposed project would not interfere substantially with the movement of resident or migratory wildlife species or with wildlife corridors, or impede the use of native wildlife nursery sites.

Additionally, the proposed project would not include removal of any trees. Therefore, the proposed project would not conflict with a tree preservation policy or ordinance.

Based on the above discussion, the proposed project would not 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.

Overall, the proposed project would 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 would 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.

	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 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, a new 3,500-sf building for drying, processing, distribution, employee bathroom and breakroom, and non-storefront retail activities, and the completion of construction of four additional greenhouses that were previously permitted and partially constructed. The proposed cannabis activities in the A-N zone have been 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 CUPs within a six-mile radius. With approval of buffer exceptions, the proposed project would meet all required buffer setbacks from sensitive land uses.

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

The Americana Organics facility was identified as an existing cannabis operation in the CLUO EIR, and would be 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> Known cultural resources or tribal cultural resources were not detected on the site. 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 would 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 3340 County Road 89 Project, Yolo County, California.* March 2023.

<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, a new 3,500-sf building for drying, processing, distribution, employee bathroom and breakroom, and non-storefront retail activities, and the completion of construction of four additional greenhouses that were previously permitted and partially constructed. The proposed cannabis activities in the A-N zone have been 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 CUPs 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 VCE 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 CUPs 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 VCE UltraGreen or equivalent standard (100 percent renewable and 100 percent carbon-free). The proposed project would meet these requirements, as the operators of the company propose to enroll in VCE UltraGreen energy program in order to meet the 100 percent renewable, carbon-free power requirements for cannabis operations, as required pursuant to the CLUO. Therefore, through compliance with applicable CLUO policies, as well as other State energy standards, minor improvements 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, a new 3,500-sf building for drying, processing, distribution, employee bathroom and breakroom, and non-storefront retail activities, and the completion of construction of four additional greenhouses that were previously permitted and partially constructed. The proposed cannabis activities in the A-N zone have been 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 CUPs 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 heavily disturbed.

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

The Americana Organics facility was identified as an existing cannabis operation in the CLUO EIR, and was considered in the analysis conducted therein. The proposed project would include the expansion of the cultivation area and site improvements such as a new 3,500 square-foot building, completion of four partially constructed greenhouses, expanded fencing, minor extension of existing on-site water lines, and modification and upgrades to the alarm and surveillance systems. 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.

The proposed project would not include expansion of cultivation activities onto portions of the site not previously used for agriculture or not already heavily disturbed. Thus, a low potential exists for discovery of buried paleontological resources in the underlying soils. 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 located in an area designated as Mineral Resource Zone 4 (MRZ-4), which is defined as an area where available geologic information is inadequate to assign to any other mineral resource zone.<sup>4</sup> The proposed project would not involve any substantial ground-disturbing activities, nor would the proposed project preclude any future mining on the project site. Therefore, the proposed project would not result in the loss of availability of a known mineral resource.

The proposed project includes buffer exceptions, which are included as existing conditions. New uses would not 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:

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<sup>4</sup> California Geological Survey. *Mineral Land Classification Map of Concrete Aggregate in the Greater Sacramento Area Production-Consumption Region*. 2018.

- 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 would 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, a new 3,500-sf building for drying, processing, distribution, employee bathroom and breakroom, and non-storefront retail activities, and the completion of construction of four additional greenhouses that were previously permitted and partially constructed. The proposed cannabis activities in the A-N zone have been 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 CUPs 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 heavily disturbed.

**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 Americana Organics 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 would minimize GHG emissions.

**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 would 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, a new 3,500-sf building for drying, processing, distribution, employee bathroom and breakroom, and non-storefront retail activities, and the completion of construction of four additional greenhouses that were previously permitted and partially constructed. The proposed cannabis activities in the A-N zone have been 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 CUPs 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 heavily disturbed.

**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 Americana Organics 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. The project may haul waste to approved off-site facilities or compost on-site. Pursuant to Section 17223 of the Department of Cannabis Control Regulations, the licensee shall maintain cannabis waste in a secured receptacle or secured area on the licensed premises until the time of disposal. 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 approximately 9.2 miles away from the nearest school and 24.92 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 not located within a State Responsibility Area (SRA)<sup>5</sup> and is approximately 7.4 miles from the nearest very high fire hazard severity zone (VHFHSZ). In addition, 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 (CFC) requirements, would ensure that cannabis uses incorporate fire protection measures that would avoid an increased

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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 October 2023.



risk of wildfire and increased exposure to wildfire hazards and associated effects 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 expansion would occur on previously disturbed land and, thus, would not exacerbate the risk of fire. In addition, the proposed project would be subject to the requirements established by the CFC related to emergency planning and preparedness, fire service features, 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. Additionally, the project site has an existing 42,000-gallon water supply tank and pressurized on-site domestic/fire hydrant distribution system. 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.

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 would 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 wastewater 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, a new 3,500-sf building for drying, processing, distribution, employee bathroom and breakroom, and non-storefront retail activities, and the completion of construction of four additional greenhouses that were previously permitted and partially constructed. The proposed cannabis activities in the A-N zone have been 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 CUPs 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 heavily disturbed.

**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 Americana Organics 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 substantial grading activities, and expansion would occur onto portions of the site previously used for agriculture or within the existing cannabis activity area that is already graded and heavily disturbed. Therefore, minimal topsoil would 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. An increase in water demand would be limited to additional irrigation for the proposed additional acre of canopy expansion and a minimal increase in water usage associated with the new building uses. 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 06113C0125G, the project site is not located within a flood zone.<sup>6</sup> Thus, impacts related to flooding are not expected to occur.

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<sup>6</sup> Federal Emergency Management Agency. *Flood Insurance Rate Map Service Center*. Available at: <https://msc.fema.gov/portal/search?AddressQuery=3340-78%20County%20Road%2089%20Dunnigan%2C%20California%2095937>. Accessed October 2023.

The proposed project includes buffer exceptions, which are included as existing conditions. New uses would not 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 would 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, a new 3,500-sf building for drying, processing, distribution, employee bathroom and breakroom, and non-storefront retail activities, and the completion of construction of four additional greenhouses that were previously permitted and partially constructed. The proposed cannabis activities in the A-N zone have been 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 CUPs 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 heavily disturbed.

**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 outdoor cannabis cultivation canopy 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-

N. 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, and would not include the extension of major infrastructure associated with water, sanitary sewer, storm drainage, or energy services. 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 buffer exceptions, which are included as existing conditions. New uses would 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.

**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 would 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, a new 3,500-sf building for drying, processing, distribution, employee bathroom and breakroom, and non-storefront retail activities, and the completion of construction of four additional greenhouses that were previously permitted and partially constructed. The proposed cannabis activities in the A-N zone have been 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 CUPs 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 heavily disturbed.

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

The Americana Organics 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 existing on-site and adjacent agricultural uses. The proposed project would include a total of three to 10 employees. Americana Organics would continue to encourage all laborers to carpool or live on site. In addition, Americana Organics would expect anywhere between two to three product shipments per week. The total number of daily trips, including employee delivery hauling and transport of product, would be approximately 20 to 30 during the peak season and two to eight during the off season. Any increase in vehicle trips associated with the site could slightly increase the transportation noise levels in the vicinity. However, because the project site is an existing cannabis operation that was considered in the CLUO EIR and is consistent with the General Plan land use designation for the site, noise associated with the site, including transportation noise, has been anticipated. Any increase in vehicle trips associated with the proposed project would be within the range anticipated for buildout of the General Plan and CLUO. 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.

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.

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 would 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, a new 3,500-sf building for drying, processing, distribution, employee bathroom and breakroom, and non-storefront retail activities, and the completion of construction of four additional greenhouses that were previously permitted and partially constructed. The proposed cannabis activities in the A-N zone have been 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 CUPs 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 heavily disturbed.

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

The Americana Organics 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 Dunnigan Fire Protection District (DFPD) and the Yolo County Sheriff’s Office (YCSO), respectively. 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, CFC, 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 building and greenhouses would require installation of a sprinkler system, as required by the CFC, as well as comply with all other applicable regulations set forth by the CFC.

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, delivery security, inventory tracking, and waste disposal. Security measures include, but are not limited to: pole mounted outdoor cameras and indoor cameras; cannabis product storage involving the use of climate-controlled Conex containers (primary, licensee-specific, product storage), all of which include steel doors, locks, and alarm systems with round-the-clock video monitoring; and while badges and security codes are already in use by staff, modifications would be made to maintain compliance and to further develop the industry's best practices. 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 would 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, a new 3,500-sf building for drying, processing, distribution, employee bathroom and breakroom, and non-storefront retail activities, and the completion of construction of four additional greenhouses that were previously permitted and partially constructed. The proposed cannabis activities in the A-N zone have been 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 CUPs 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 heavily disturbed.

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

The Americana Organics 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 would not involve any improvements to the existing roadway network. The proposed project would include a total of three to 10 employees. Americana Organics would continue to encourage all laborers to carpool or live on site. In addition, Americana Organics would expect anywhere between two to three product shipments per week. The total number of daily trips, including employee

delivery hauling and transport of product, would be approximately 20 to 30 during the peak season and two to eight during the off season. However, because the project site is an existing cannabis operation that was considered in the CLUO EIR and is consistent with the General Plan land use designation for the site, traffic associated with the site has already been anticipated. Any increase in vehicle trips associated with the proposed project would be within the range anticipated for buildout of the General Plan and CLUO. Accordingly, the proposed project would not result in an 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). Based on the technical advisory guidance published by the Governor's Office of Planning and Research (OPR), several screening thresholds are used to quickly determine whether a project may be presumed to have a less-than-significant VMT impact without conducting a detailed project generated VMT analysis. One of the screening criteria is for small projects, which are projects that generate or attract fewer than 110 trips per day. As presented above, the proposed project would not involve more than 110 average daily vehicle trips. Thus, the proposed project would be considered to result in a less-than-significant impact related to VMT. 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 would 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, a new 3,500-sf building for drying, processing, distribution, employee bathroom and breakroom, and non-storefront retail activities, and the completion of construction of four additional greenhouses that were previously permitted and partially constructed. The proposed cannabis activities in the A-N zone have been 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 CUPs 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 heavily disturbed.

**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 Americana Organics 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, permitted on-site septic system. The proposed project would not result in a substantial increase in employees such that wastewater flows could not be handled by the existing systems. Thus, the existing septic systems would remain sufficient to serve the site.

Water supply for the site is currently provided by both domestic and agricultural wells. 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>7</sup> Therefore, the existing wells are 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 would be composted on-site and/or hauled to a fully permitted solid-waste landfill or transformation facility. 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. The majority of solid waste generated in the County is transported to the Yolo County Central Landfill.<sup>8</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>9</sup> During construction activities (i.e., to construct the 3,500 sf building and complete the four greenhouses), 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.

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:

- 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.

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<sup>7</sup> Yolo Subbasin Groundwater Agency. *2022 Groundwater Sustainability Plan*. January 24, 2022.

<sup>8</sup> Yolo County. *2030 Countywide General Plan* [pg. PF-34]. Adopted November 10, 2009.

<sup>9</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(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 would 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 service systems 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 would 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.