

July 2, 2019
Regular Meeting
Item # 7a

Community Development

Cannabis Operation Permit : 19-002

Staff Report

Attachment A

Mono County Community Development Department

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Date: July 2, 2019

To: **Honorable Mono County Board of Supervisors**

From: Hailey Lang, Planning Analyst

Re: **Cannabis Operation Permit 19-002/Walker River Farms**

RECOMMENDATION

1. Find that the project qualifies as an exemption under CEQA guideline 15183 and file a Notice of Determination.
2. Make required findings; approve Cannabis Operation Permit 19-002 (subject to the findings conditions) as recommended or with desired modifications.

FISCAL IMPACT

The proposed project will generate an incremental increase in cannabis taxes.

BACKGROUND

In November 2016, California voters approved the Adult Use of Marijuana Act (Proposition 64) to legalize adult use of marijuana (in addition to medical uses that were legalized in 1996). Every precinct in Mono County passed Proposition 64, with margins as low as 1.4% in the Bridgeport area to a high margin of approximately 30% in the Mono Basin, June Lake, and Wheeler Crest areas.¹ The state's legalization of adult use marijuana presented local jurisdictions with several choices for regulating the new industry: 1) ban cannabis activities in whole or part; 2) adopt local regulations for cannabis activities; or 3) remain silent and defer to state laws and regulations.

In June 2017, California Senate Bill 94 was passed, consolidating the provisions of the Medical Cannabis Regulation and Safety Act and Proposition 64 (passed by voter approval in the November 2016 election) into what is now known as the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA). The Act creates a framework for the regulation of commercial medicinal and adult-use cannabis in California.

Three state authorities were authorized for the oversight and State permitting of cannabis businesses. The Bureau of Cannabis Control is the lead agency for retailers, distributors, testing labs, microbusinesses, and temporary cannabis events. CalCannabis, a division of the California Department of Food and Agriculture (CDFA), has oversight of cultivation, and the Manufactured Cannabis Safety Branch, a branch of the California Department of Public Health, regulates all commercial cannabis manufacturing. Each licensing authority requires an operator to receive local approval prior to applying for state licensure.

Mono County conducted a community-based planning effort for feedback on the most appropriate regulatory approach and, ultimately, to develop policies and regulations for legalized cannabis activities. In 2017, the following 12 Regional Planning Advisory Committee (RPAC) meetings and outreach sessions were conducted: two in Antelope Valley, three in Bridgeport, one in June Lake, two in the Mono Basin, two in Long Valley, and two in Tri-Valley. Three workshops were held with the Planning Commission, and feedback from the Commission and RPACs were incorporated into the development of the policies. Concurrently, the Cannabis Joint Committee, which is comprised of 10 County departments/divisions, reviewed the policies and public feedback, and provided additional input that was incorporated as policies were developed.

At a formally noticed public hearing in October 2017, the Commission recommended General Plan policies pertaining to cannabis activities for adoption by the Board. The Board of Supervisors held five workshops, including one with the Town of Mammoth Lakes and one specific to cannabis taxation, to consider the public feedback received through RPAC, Planning Commission, and Joint Committee discussions, and provide direction to staff. In December 2017, the Board held a public hearing adopting the General Plan policies recommended by the Planning Commission.

Following the adoption of guiding policies, specific regulations in both the General Plan and Mono County Code were developed through another community-based planning effort. The RPACs again held a total of 12 meetings where cannabis regulations were discussed: two in Antelope Valley, three in Bridgeport, two in the Mono Basin, one in June Lake, two in Long Valley, and two in the Tri-Valley. The Planning Commission also again held three workshops to both incorporate RPAC feedback into the regulations and provide additional input and direction to staff, and the staff-level Cannabis Joint Committee provided additional feedback.

The Commission made a recommendation to the Board to adopt new regulations in March 2018. The Board of Supervisors heard two minor updates and held four discussions on cannabis taxation, in addition to three workshops on cannabis regulations where specific policy issues were considered. The Board adopted the new General Plan and Mono County Code regulations at a formal public hearing on April 17, 2018.

In addition to the structured public engagement process above, the public is always welcome to directly contact Community Development Department staff and Mono County Supervisors via phone or email, or to schedule an in-person meeting to share comments, concerns, and input. Attendance at public meetings and speaking in public is not necessary in order to provide feedback.

The adopted regulations established two permits required for local cannabis businesses: a Conditional Use Permit for the property's land-use entitlement, and a subsequent Cannabis Operation Permit for the business. While the Conditional Use Permit runs with the land, the Operation Permit is unique to the business and expires annually. A separate cannabis Operation Permit is required for each type of cannabis activity carried out on or at the premises regardless of ownership.

Pursuant to California Business and Professions Code Section 26000, et seq., a valid license issued by the state shall be required to operate any commercial cannabis activity within the County.

ENVIRONMENTAL REVIEW

The County contracted with Resource Concepts Inc. (RCI) to conduct a 15183 analysis (Attachment B). CEQA mandates that projects consistent with the development density established by existing zoning,

community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects peculiar to the project or its site. The 15183 analysis found no significant impacts peculiar to cannabis microbusiness or beyond the scope of mitigation measures stated in the Mono County General Plan EIR. The 15183 analysis specifically reviewed potential impacts related to land use, housing, soils, water, air quality/odors, transportation, biological resources, energy and mineral resources, hazards, noise, public services, utilities, aesthetics, cultural resources, recreation, and greenhouse gas emissions (GHG).

Ultimately, the review determined:

1. The project is consistent with the surrounding land uses of the proposed project;
2. The land use and planning impacts of the proposed agricultural cultivation were analyzed in the EIRs certified in conjunction with the adoption of the Mono County General Plan;
3. The parcel is no different from other agricultural parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project;
4. There is no new substantial information indicating that the land use and planning impacts of the project will be more severe than described in the EIR; and
5. There are no cumulative or off-site land use and planning impacts from the proposed project that were not addressed in the prior EIR.

DISCUSSION

The subject application, Cannabis Operation Permit 19-002/Walker River Farms, is for an adult-use cannabis microbusiness located at 1129 Larson Lane, APN # 002-110-021. The property will contain four 1,280 square foot buildings. The four buildings will allow space for indoor immature and mature plant cultivation, processing, storage, and waste. In addition to indoor cultivation, there will be space in the buildings to allow for cannabis distribution, packaging, and labeling. The four buildings total ~~5,120~~ 8,600 square feet of canopy (see Figure 1).

A Conditional Use Permit for the project was approved at the May 16, 2019, Planning Commission meeting, thereby satisfying MCC 5.60.040(C). The Commission found that the project was consistent with the requirements of the General Plan, including Chapter 13 and the project's location, site, odor mitigation, signage, visual screening, lighting, parking, and noise generation (See Attachment A).

The applicant, Mr. Dortch, does not currently operate any other commercial cannabis businesses. He has a degree in Mechanical Engineering and has over 32 years of experience in mechanical engineering and related expertise. He has been the owner of Engineering Materials Laboratory since 2008.

The property is owned by Lloyd Chichester and Mr. Dortch is leasing a portion of the property. Evidence of property owner permission for this cannabis activity is in the project file. Mr. Chichester has been an active member within the agricultural community of Antelope Valley for multiple generations.

The property has the land use designation Agriculture (AG) and cannabis microbusiness is permitted subject to a Use Permit and Chapter 13 of the Land Use Element, and an Operation Permit under MCC Chapter 5.60. Currently, this property is used as a bona fide agricultural operation and will continue to be used for livestock grazing and alfalfa farming. One existing dwelling unit is on the property and is proposed to be used as employee housing at a later date. New structures associated with the project will include

the four buildings to be utilized for indoor cultivation, packaging and processing, storage, and a composting area.

MCC 5.60.070 lists the application requirements for obtaining a Cannabis Operation Permit. The applicant has provided all required materials for this application to be processed. Internal staff routing has verified completeness and acceptance of the application. The following departments have also reviewed the project and provided regulatory approval: Inyo/Mono Agriculture Commissioner; Solid Waste; Sheriff's Office; and Community Development.



Figure 1: Site plan

Operating plan – MCC 5.60.070(B)(13)

The applicant is required to submit an operating plan detailing proposed activity, products, processes, inventory procedures, employee training, hours of operation, and quality control procedures.

- The proposed activity is cannabis cultivation, distribution, and non-storefront retail with **5,120** **8,600** square feet of cannabis canopy. The operation will have four buildings, each 20' x 64'.
 - Indoor cannabis cultivation activities will include drying and curing cannabis, trimming and preparing cannabis for sale, and packaging and labeling cannabis products.

- Distribution activities will include transporting cannabis and cannabis products from the operation to testing facilities, retail and wholesale outlets, as well as quality-assurance review, and storage.
 - The non-storefront retail license will allow the applicant to attend and sell product at licensed cannabis events around the state of California.
- Products that will be cultivated, curated, and/or sold include photoperiod and auto flower cannabis strains, and flower-related products. Bulk cannabis flower may also be sold for manufacturing at other facilities.
- Process and Procedures
 - Cultivation will include growing strains in soil utilizing full organics, grow strains rooted in living soils, rock wool, coconut husks, or expanded clay pebbles and use nitrogen, phosphorus, and potassium (NPK) fertilizers. Indoor cultivation irrigation will be initially by hand and then automated with drip irrigation. All chemicals, pesticides, and fertilizers will be stored in a dedicated storage area at each building. Handling and disposal performed in accordance with manufacturing instructions and State regulations.
 - Distribution activities will occur via the distribution license of the Use Permit. All cannabis goods will be transported inside a vehicle or trailer with alarm system and locked in containers not visible from outside of the trailer. Transportation for testing and delivery of products to sales outlets will be conducted with completed sales invoice or receipt, following California regulations.
- Quality Control procedures will ensure separate locations for fertilizers and will ensure the non-comingling of immature and mature plants.

Inventory Control

The applicant and the manager on duty will have the ability to unlock the area where cannabis and cannabis products are stored. Access to the cannabis and cannabis products storage area shall be through a single, solid core door equipped with a commercial lock complying with Bureau of Cannabis Control (BCC) 5046. Keys to this door will be held only by the manager on duty and the applicant. The door will remain locked unless opened in person by keyholder. Cannabis and cannabis products storage area will be monitored by recording security camera per BCC 5044. Conditions will be clean and dry with ample shelving for organization. Temperature and humidity will both be controlled, and products will be stored in sealed bags.

The manager on duty and the applicant are allowed to check inventory in and out of the secured storage area. Inventory records associated with transport included cultivar, date and time, weight, recreational, waste, and returned product. Records will be kept by the State mandated “track and trace” system and by internal inventory ledger. Manager and the applicant will ensure daily that the two systems are reconciled. Each manager will be trained on both State-mandated “track and trace” procedures for inventory control as well as internal inventory ledger requirements. New inventory will be brought into the storage area from the processing and packaging area in bulk or retail packaged form. Cannabis goods will be moved from the processing area, bagged and in totes, by hand or hand truck. Cannabis goods from off site will be unloaded at the main entrance and brought to the storage area. Cannabis products leaving the inventory will be transferred to licensed distribution. Only the applicant or the manager on duty may remove cannabis products from inventory and removal will be tracked and recorded through the appropriate entry in the “track and trace” system as well as the internal inventory ledger.

Per CDFA 8406(a), inventory reconciliation will occur at least once every 30 days and be performed by the manager on duty, Balance date/time and manager responsible will be recorded in the inventory ledger. If a discrepancy is found, an audit will be performed immediately, and any unresolved discrepancy will be reported to both law enforcement and the department within three calendar days per CDFA 8409.

Employees

The operation intends to hire five full-time employees and five-part time employees at full project buildout. During the initial phases of operation, employees will be friends and family. The applicant will voluntarily vet all employees during the application process. The applicant will attempt to hire local; inevitability involving word of mouth. Background checks and any drug testing would be considered deemed necessary by applicant. Candidates will not be selected if they have been convicted of an excluded felony offense, does not work pursuant to the regulations of the CDFA, or is less than 21 years of age. During times of employment, employees will display a valid ID card. Keys will only be provided to the manager. General employees will only receive a badge which would be surrendered upon termination. Training will be one-on-one, and the applicant will follow California labor regulations.

Detailed business plan – MCC 5.60.070(B)(14)

Use Permit 19-002 was approved on May 16, 2019 and the application for which provided a detailed analysis of the land use and relevant impacts including the project's location, site, odor mitigation, signage, visual screening, lighting, parking, and noise generation. A full copy of the Use Permit is attached (Attachment A).

The applicant is required to obtain a Business License before beginning operation (MCC 5.60.040(F)). The applicant has agreed to secure and provide proof of all approvals necessary to operate a commercial cannabis microbusiness operation prior to beginning business including; LiveScan/background check, approval from the Lahontan Regional Water Quality Control Board (obtained January 4, 2019), and a state-issued cultivation license.

Waste management plan – MCC 5.60.070(B)(15)

Cannabis waste will primarily be generated as a byproduct of cultivation and processing. Waste from cultivation and processing will consist of organic plant material (leaves and stems) removed from plants during pruning and processing. Waste will be self-hauled to the County solid waste landfill. Cannabis waste will remain inside secured cultivation buildings until self-hauled to County solid waste landfill or composted on-site (see Figure 1). Access to the waste will be limited to the applicant and employees by the secured nature and location of the facility. Waste will be entered into the Track and Trace system in the prescribed manner. Cultivation waste transported by the applicant or employees to the County solid waste landfill via company vehicle and receipted according to CDFA 8308 (h)(i).

During initial phasing of project buildout, the applicant will have on-site composting. As production ramps up the applicant will self-haul to the County solid waste site, which is approximately one mile away, when needed. Waste storage will be in two forms on site:

1. During harvest and processing periods when amounts of waste generated, the processing area itself will serve as the storage area until loaded up and self-hauled to the County solid waste landfill or composted on site.

2. Outside harvesting and processing periods, each cultivation building will have receptacles where leaves/pruning's will be placed until filled and self-hauled to the County solid waste landfill or composted on site.

No hazardous waste will be generated or will result in hazardous waste such as spent solvents or compressed gas cylinders. This operation is expected to generate less than four cubic yards of solid waste per week. Reintroduction of cannabis waste back into the agricultural operation through on-premise organic waste recycling methods will include on-site composting.

Cannabis waste is not a common product of the distribution chain but could be generated by failed lab testing, product returns, or out of date (12 months) testing Certificate of Analysis (COA). In these scenarios, cannabis products scheduled for destruction will be stored separately and distinct from other cannabis products until destroyed into organic cannabis waste per BCC 5054.

The waste management plan is in compliance with Title 3, Section 8108 and 8308 of the California Code of Regulations and has been approved by the County's Solid Waste Superintendent per Mono County Code 5.60.130.F.

Security plan – MCC 5.60.070(B)(16)

The Security Plan has been reviewed by the Mono County Sheriff's Office and has been approved. Per Mono County Code 5.60.070.B(16) the security plan is confidential. California Code of Regulations does not set forth security requirements for cannabis cultivation licenses.

At the time this report was written, the applicant was in the process of completing a Live Scan for Mono County. A Condition of Approval for this permit will be the positive recommendation from the Sheriff's Office of the applicant/owner to engage in commercial cannabis activities based on the results of the background check/LiveScan.

Analysis – MCC 5.60.080(C)

Following the public meeting to consider approval for a Cannabis Operation Permit, the Board must make the following findings to issue the permit (Mono County Code 5.60.080(C)):

1. *The commercial cannabis activity, as proposed, will comply with the requirements of state law and regulation, the Mono County General Plan, the Mono County Code and this Chapter.*

The staff report describes the applicant's operations such that they are in compliance with County regulations, and the applicant has signed under Penalty of Perjury that "the applicant and all persons involved in management have the ability to comply with all laws regulating cannabis businesses in the State of California and shall maintain such compliance during the term of the permit".

The applicant has provided a copy of the annual license application that has been submitted to the State and is required to provide evidence of licensure once secured.

2. *The property has all necessary land use entitlements as required by the Mono County General Plan or is legally exempt from such requirements.*

The applicant received a Use Permit from the Planning Commission on May 16, 2019.

3. *The applicant has demonstrated to the satisfaction of the Approval Authority that the operation, its owners, and the applicant have the ability to comply with state law and regulation, the Mono County General Plan, the Mono County Code and this Chapter.*

Through this evaluation, the applicant has demonstrated the ability to comply with state law and regulation, the Mono County General Plan, and the Mono County Code. The application has been circulated for multi-departmental review and has received approval from departments including, but not limited to, Community Development, Inyo/Mono Agriculture Commissioner, Solid Waste, and the Sheriff's Office.

4. *No applicant or owner has been convicted of a felony or a drug-related misdemeanor reclassified under Section 1170.18 of the California Penal Code (Proposition 47) within the last ten (10) years, unless the Approval Authority determines that such conviction is not substantially related to the qualifications, functions or duties of the person or activity and/or there is adequate evidence of rehabilitation of the person. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere.*

The applicant/owner has affirmed he has not been convicted of a felony or a drug related misdemeanor within the past ten (10) years. A Condition of Approval for this permit will be the positive recommendation from the Sheriff's Office of the applicant/owner to engage in commercial cannabis activities based on the results of the background check/LiveScan.

5. *The Approval Authority determines that issuance of the permit is in the best interests of the community, the County, and its citizens and visitors, based on the following:*

- 1) *The experience and qualifications of the applicant and any persons involved in the management of the proposed cannabis business:*

The applicant has a strong background in mechanical engineering and knowledge regarding the cannabis industry that will help facilitate a successful business. The applicant is understanding of the concerns associated with this new industry and has worked to mitigate impacts to the best of his ability.

- 2) *Whether there are specific and articulable positive or negative impacts on the surrounding community or adjacent properties from the proposed cannabis business:*

No letters in opposition or support to this project have been received. At the Planning Commission public hearing, members of the public spoke to ask clarifying questions on the project and the public noticing process. Residents voiced concerns over water usage, security, and employees.

Positive impacts include increased tax revenue for the County and the creation of jobs. Cannabis is considered a new industry for agriculture that may preserve agricultural lands.

- 3) *The adequacy and feasibility of business, operations, security, waste management, odor control, and other plans or measures submitted by the applicant:*

As a microbusiness, the application adequately addresses the feasibility of business operations, security, waste management, and odor control.

The cannabis premise has sufficient security elements to prevent crime and unanticipated nuisances. The ~~5,120~~ 8,600 square foot canopy of cannabis is positioned within the 395-acre parcel so that crime is deterred, and nuisances are abated.

To prevent odor nuisances, all cannabis and cannabis product will be over 300' from any neighboring parcel line and a further distance (+2,500') from any neighboring structures under separate ownership from the land owner. Since the cultivation will occur indoors, odor nuisance is expected to be minimal. Odor abatement systems could be installed if odors were deemed a nuisance during the annual renewal process.

Public consumption is prohibited on-site, and no public sales will take place at the premise. The premise will be closed to the general public. Waste materials will be in the form of plant materials. All cannabis product will be transported and sold to other California cannabis-licensed businesses.

The Sheriff's Office reviewed and approved the Security Plan, which is confidential per State law.

- 4) *Whether granting the permit will result in an undesirable overconcentration of the cannabis industry in a limited number of persons or in a limited geographic area within the County:*

One other commercial cannabis-related business exists in the community of Walker at this time. This will be the second cannabis cultivation operation (and first cannabis microbusiness) within the County, and a maximum of eight more may be permitted.

- 5) *Environmental impacts/benefits of the cannabis business such as waste handling, recycling, water treatment and supply, use of renewable energy or other resources, etc.:*

An analysis of the environment impacts associated with the project was completed. The 15183 exemption analysis found no significant impacts peculiar to cannabis cultivation or beyond the scope of mitigation measures stated in the Mono County General Plan EIR (see Attachment B).

The majority of waste will be handled on site and recycled on the property for beneficiary purposes. The Lahontan Regional Water Quality Control Board has found this project in compliance with requirements of the General Waste Discharge Requirements and provided a Waiver of Waste Discharge Requirements for Discharges of Waste Associate with Cannabis Cultivation Activities (Cannabis General Order).

This project will utilize the natural setting and resources available at this location. As a small indoor operation, this project will use less energy compared to other cultivation operations. Water will be provided by an existing well capable of meeting the demand. To minimize the overall water use, the operation will utilize

drip and/or hand irrigation. Within the composting area water quantity and application rate will be monitored to minimize or eliminate runoff.

6) *Economic impacts to the community and the County such as the number and quality of jobs created, and/or other economic contributions made by the proposed operation.*

The proposed business is expected to generate five full-time and five part-time jobs for area residents. The proposed business will generate positions for cultivation. The employees will be of high quality; employees will receive specific training for the job.

In addition to 5.60.080(c), the commercial cannabis operating requirements for all cannabis businesses set forth in 5.60.120 have been reviewed and the proposed project is in compliance. The project is also compliant with additional regulations for cannabis cultivation, distribution, advertising, packaging, and labeling requirements set forth in 5.60.130., 5.60.170., and 5.60.180.

The Board has the authority to deny an application that meets any of the following criteria (MCC 5.60.080(D)):

1. The applicant has knowingly made a false statement of material fact, or has knowingly omitted a material fact, from the application.
2. A previous cannabis operations permit issued under this Chapter for an operation involving the same applicant or owner has been revoked by the County within the two (2) years preceding the date of the application and all opportunities for appeal of that determination have been exhausted or the time in which such appeals could have been filed has expired.
3. The applicant or any owner has been determined, by an administrative hearing body or a court of competent jurisdiction to have engaged in commercial cannabis activities in violation of State or local law and all opportunities for appeal of that determination have been exhausted or the time in which such appeals could have been filed has expired.

None of the above conditions for denial exist at this time.

This staff report has been reviewed by the Community Development Director.

ATTACHMENTS

- A. Staff Report – Use Permit 19-002
- B. 15183 Environmental Analysis

Conditions of Approval
Cannabis Operation Permit 19-002/Walker River Farms

1. The operation shall comply with all County department regulations including, but not limited to, the Mono County Sheriff's Department, Public Health Department, Environmental Health Department, Public Works Department, Community Development Department, and Treasurer - Tax Collector's Office.
2. The operation shall comply with all rules and regulations established in Mono County Code, the Mono County General Plan, and all applicable state laws.
3. This permit is nontransferable and shall terminate upon expiration or subsequent termination, or change in property ownership, or when more than fifty percent of the corporate stock, partnership interest or other business interest is transferred.
4. This permit is only valid when a Use Permit exists for the property. This permit shall become invalid if the Use Permit for the property is revoked.
5. Prior to commencing operation, the applicant shall obtain a state cannabis cultivation license, Mono County Business License, and a Mono County Tax Certificate.
6. Prior to commencing operation, the applicant shall complete a Mono County LiveScan background check and receive affirmation from the Sheriff's Office to commence operation.
7. The applicant must provide proof of the state-issued annual license when available.
8. The County, its agents, and employees may seek verification of the information contained in this permit and the associated application.
9. The business shall be subject to an annual inspection performed to ensure compliance with County Code 5.60.120. Failure to pass the annual inspection prior to August 31 may result in denial of the renewal application.
10. The operation shall operate only in accordance with the application and all corresponding plans reviewed and approved by the County.
11. This permit shall expire annually on August 31 (unless renewed or revoked in accordance with Mono County Code Chapter 5.60).
12. Renewal/modification applications must be received by August 1 accompanied by the required renewal/modification fee. If any of the documentation and information supplied by the applicant pursuant to Section 5.60.070 has changed or will change since the grant of this permit, the applicant shall submit updated information and documentation with the application for renewal and shall provide such other information as the Director may require. If an applicant fails to submit the renewal form and all associated fees thirty (30) days before August 31, the applicant will be required to submit a new application under section 5.60.070.

Attachment A

Project Maps

Each project has a unique set of conditions. At this proposed facility the distance to the closest residence is about 2,300 feet. This distance provides a strong level of confidence that no significant impacts related to odors will occur at the nearest receptors.

The Mono County General Plan allows composting activities in the AG LUD to be limited to a maximum of 100 cubic yards of composted materials and subject to a requirement that it does not create a nuisance.

If odor is identified as a nuisance during the annual renewal process, odor abatement systems could be installed in the buildings. Abatement methods could vary from nonaqueous odor control systems to fan misters and carbon filters.

Using the most restrictive buffer requirements seen in other California Counties and making conservative estimates based on anecdotal evidence puts the grow area at a buffer distance that should reasonably reduce the impacts of odors to less than significant. The Mono County General Plan and Land Development Regulations and the Mono County Regional Transportation Plan contain policies and standards concerning air quality that have been applied to this project such as the following:

Mono County General Plan, Conservation/Open Space Element

Public Health and Safety & Air Quality

- Policy 23.A.8. Encourage agricultural practices that reduce the amount of dust generated from tilling.
- Action 23.A.8.a. Work with local resource conservation districts, the US Natural Resources Conservation Service, agricultural officials, and the GBUAPCD to assist landowners in adjusting agricultural practices to reduce dust generation.

Determination

- The air quality impacts of the proposed agricultural microbusiness were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the impacts of the project on air quality will be more severe than described in the FEIR.
- There are no cumulative or off-site impacts on air quality from the proposed project that were not addressed in the FEIR.

6) Transportation and Circulation

Trips to and from the project site generated by the proposed project will not substantially increase vehicle trips or cause traffic congestion. At full build out a maximum of ten employees are expected to work on site. Up to four employees may live on site in employee housing on site and six employees may commute to the site. Material pick up and delivery vans may access the project area four days per week or approximately 25 trips per month (combining inbound and outbound trips) by delivery/pickup vans carrying supplies related to the project.

Delivery vans and employees will access the site via Hwy 395 to Larson Lane which may cause an increase in traffic but will not impact the existing traffic load and capacity. Highway 395 is a designated interstate truck route and experiences heavy traffic. These additional trips would not exceed the capacity of Hwy 395 or Larson Lane.

The project will neither create barriers for pedestrians or bicyclists, nor will it conflict with policies supporting alternative transportation. The project will also not have any rail, waterborne, or air traffic impacts.

Determination

- The traffic and circulation impact of the proposed agricultural microbusiness were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the traffic and circulation impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site traffic and circulation impacts from the proposed project that were not addressed in the FEIR.

7) Biological Resources

The project area has been historically disturbed and is currently used as a horse pasture by the landlord. The site is above area delineated as flood plain by Federal Emergency Management Agency (see FEMA map in Attachment A). No wetlands exist within the footprint of the project site. Additionally, the area is not mapped as wetland or floodplain by the U.S. Fish and Wildlife wetland/floodplain mapping database (see NWI map in Attachment A).

The site does not provide unique habitat for sensitive wildlife or plant species. Due to sustained horse use, annual weedy species dominate the project area. Highline ditch flows north approximately 64 ft from the project area and is contained by manmade berms. No federally listed species are likely to occur because there is no habitat for sage grouse, fish or frogs, and no critical habitat is mapped in the project site.

Mono County General Plan, Land Use Element

Planning Area Land Use Policies: Antelope Valley

- Action 4.A.1.c. Limit the type and intensity of development in flood plain areas.
- Action 4.A.1.d. Prior to accepting a development application in potential wetland areas, require that the applicant obtain necessary permits from the US Army Corps of Engineers.

Mono County General Plan, Conservation/Open Space Element

Biological Resources

- Policy 2.A.9. Maintain water quality for fishery habitat by enforcing the policies contained in the Water Quality and Agriculture / Grazing/ Timber sections of the Conservation/Open Space Element.

Determination

- The biological resources impact of the proposed density of development were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the biological impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site biological impacts from the proposed project that were not addressed in the FEIR.

8) Energy and Mineral Resources

The project proposes that two power poles be installed extending off the existing power line that terminates near the landlord's residence. Power line extension would be coordinated with Liberty Utilities. The project is estimated to draw an average 250 Kw load with a max load of 625Kw. In addition to the proposed power line extension an

regrading alternative power sources for cannabis production. The project will follow all requirements of the County's Noise Ordinance (Mono County Code, Chapter 10.16).

The project is consistent with the surrounding residential land uses of the proposed project, and consistent with the General Plan, including the following goals and policies:

Mono County General Plan, Conservation/Open Space Element

Agriculture, Grazing and Timber

- Policy 5.B.2. The primary use of any parcel within an agricultural land use category shall be agricultural production and related processing, support services and visitor-serving services. Residential uses in these areas shall recognize that the primary use of the land may create agricultural "nuisance" situations such as flies, noise, odors, and spraying of chemicals.

Determination

- The noise impacts of the proposed agricultural microbusiness were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that noise impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site noise impacts from the proposed project that were not addressed in the FEIR.
- Noise impacts from the proposed project that were not addressed in the FEIR.

11) Public Services

The project is located within the Antelope Valley Fire District and will be required to comply with FPD regulations and the County's Fire Safe Regulations (Mono County Land Development Regulations, Chapter 22). As a part of these requirements, the permittee shall prepare, submit, and implement a Fire Prevention Plan for construction and ongoing operations and obtain a Will-Serve letter from the local fire protection district. The Fire Prevention Plan shall include, but not be limited to: emergency vehicle access and turnaround at the facility site(s), vegetation management and firebreak maintenance around all structures.

Police protection is provided by the Mono County Sheriff's Department.

Determination

- The public service impacts of the proposed agricultural microbusiness were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the public service impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site public service impacts from the proposed project that were not addressed in the FEIR.

12) Utilities and Service Systems

The proposed project will be served by two new power poles proposed to extend from the existing powerline currently terminating near the landlord's residence. Electricity, telephone, water, and waste disposal. Mono County

landfill facilities are not expected to be impacted by the proposed project. Water service is provided by an existing well. Demand on the other utilities is not expected to increase appreciably above and beyond existing uses.

Determination

- The utilities and service systems impact of the proposed agricultural microbusiness were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the utilities and service systems impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site utilities and service systems impacts from the proposed project that were not addressed in the FEIR.

13) Aesthetics

The project site is not located adjacent to a county or state scenic highway. It is in a predominantly agricultural area; the development of crops will not substantially degrade the visual quality of the surrounding area. The two new power poles will comply with Mono County General Plan (Chapter 11) and will have minimal impacts on aesthetic value. Minimal outdoor lighting is planned. Lights provided around entries to buildings for safety. Lighting will be focused downward, and motion triggered to insure minimal light pollution. No interior lighting will be visible from outside the building. All lighting will comply with the Mono County General Plan regulations for Dark Sky (Chapter 23). All buildings will be painted close to the surrounding earth tones in coordination with Mono County, so the building does not attract attention. The existing barbwire fence and gates surrounding APN 002-110-021-000 will be maintained. The proposed agricultural activities are compatible with the character of the lands in Antelope Valley and with the agricultural character that Antelope Valley policies intend to preserve.

The Mono County General Plan and Land Development Regulations contain policies and standards concerning visual resources/aesthetics that have been applied to this project such as the following:

Mono County General Plan Conservation/Open Space Element

Visual Resources

- Policy 20.A.3. Preserve the visual identity of areas outside communities.
- Policy 20.C.2. Future development shall be sited and designed to be in scale and compatible with the surrounding community and/or natural environment.

Planning Area Land Use Policies: Antelope Valley

- Policy 4.B.1. Maintain and enhance scenic resources in the Antelope Valley.
- Policy 4.B.2. Preserve the agricultural lands and natural resource lands in the Antelope Valley.
- Policy 4.B.6. Preserve rural character of lands within the Antelope Valley.

Determination

- The aesthetic impacts of the proposed agricultural microbusiness were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the aesthetic impacts of the project will be more severe than described in the FEIR.
- There are no cumulative or off-site aesthetic impacts from the proposed project that were not addressed in the FEIR.

14) Cultural Resources

The project area lies within a previously disturbed area and is currently used as horse pasture.

A record search covering a 0.5-mile radius surrounding the project area was requested of the Eastern Information Center (EIC). No archaeological sites near the project area have been determined to be eligible to The California Register of Historical Resources or the National Register of Historic Places. None are listed on the California Inventory of Historic Resources. A copy of correspondence from the California Historical Resources Information System is included as Attachment F.

California Health and Safety Code 7050.5 states in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the County inspects the site. Furthermore, California Public Resources code states upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed. The conditions of approval for the use permit reflect these work stoppage requirements. No disturbance of an archaeological site is permitted until the applicant hires a qualified consultant and an appropriate report that identifies acceptable site mitigation measures is filed with the county Planning Division.

Determination

- The cultural resource impacts of the proposed agricultural microbusiness were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan, and because the property was in agricultural production for many years no known archeological sites exist on the property.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the impacts of the project on cultural resources will be more severe than described in the FEIR.
- There are no cumulative or off-site impacts from the proposed project on cultural resources that were not addressed in the FEIR.

15) Recreation

The project will not affect existing recreational opportunities since it is in an existing private agricultural area and most of the recreational opportunities in Mono County occur on public lands.

Determination

- The recreation impacts of the proposed agricultural microbusiness were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the impacts of the project on recreation will be more severe than described in the FEIR.
- There are no cumulative or off-site impacts from the proposed project on recreation that were not addressed in the prior EIR.

16) Green House Gases

Mono County conducted a baseline GHG emission inventory, GHG emission forecast and reduction targets and policies and programs to achieve reduction targets. The inventory includes analysis of County government activities and emissions associated with energy use (residential and nonresidential), transportation, off road equipment, solid waste generation, water and waste water transportation, residential/non-residential agriculture and landfills (Mono County Resource Efficiency Plan, 2014). The GHG inventory provided Mono County the information to assess the effectiveness of recommended policies and programs to reduce GHG and consumption of resources. The document details that the 2010 levels for known systematic agriculture emissions, provided by 99% livestock gestation and 1% fertilizer application, were 21,920 MT Co₂e/year, and are projected to remain stable to 2020 through 2035. Agriculture operation's emissions comprise 16% of total baseline emissions in Mono County, making agriculture the fourth largest producer of GHG. While a large contributor of GHG, agriculture projections remain stable, and the promotion of optimal agriculture practices for fertilizer application will subtract 20 MTCO₂e from total emissions, or 12,440 pounds of fertilizer.

The Mono County Sustainable Agricultural Strategy (2018) references Mono County's Resource Efficiency Plan as a baseline of emissions within the community and government operations. Based on the greenhouse gas emission inventory and analysis of threats, the strategy includes toolbox to provide initiatives, programs, and policies that support a sustainable agricultural industry in Mono County. Commercial cannabis activity is one of the market expansion and diversification tools. Cannabis is a high-value crop that can be grown on a smaller land base in comparison to traditional crops, which would result in lower green house gas emissions.

Because an indoor grow facility is relatively energy intensive, a comparison between a cannabis indoor facility and a vertical farm facility was completed and is provided in Attachment E. A five-level 8,680 ft² cannabis operation is comparable to a traditional vegetable vertical farming operation with the same amount of levels and area. Indoor cannabis cultivation is estimated to draw 2,187 megawatt-hours (MWh) annually as compared to traditional vertical farming at 2,810 MWhs annually. MWhs are used to ascertain energy draw for ventilation, lighting and miscellaneous use. Both operations also require supplemental heat which equates to the same amount at 8,815 gallons of Liquefied Petroleum Gas (gLPGs). In summary, the proposed cannabis cultivation would draw less power than a vertical vegetable farm. For further clarification see Attachment E.

Determination

- The green house gas impacts of the proposed agricultural microbusiness were analyzed in the FEIR certified in conjunction with the adoption of the Mono County General Plan.
- This parcel is no different than other parcels in the surrounding area; there is nothing unusual about the proposed project that would change or in any way affect the severity of these impacts. The impacts are not peculiar to the parcel or the project.
- There is no new substantial information indicating that the impacts of the project on green house gases will be more severe than described in the FEIR.
- There are no cumulative or off-site impacts to green house gases from the proposed project that were not addressed in the FEIR.

VIII. DETERMINATION

Based on this initial evaluation:

I find that the proposed infill project WOULD NOT have any significant effects on the environment that have not already been analyzed. Pursuant to Public Resources Code §21083.3 and CEQA Guidelines §15183, projects that are consistent with the development density of existing zoning, community plan or general plan policies for which an EIR was certified shall be exempt from additional CEQA analysis except as may be necessary to determine whether there are project-specific significant effects that are peculiar to the project or site that would otherwise require additional CEQA review.

A Notice of Determination (§15094) will be filed:

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project and/or revisions in the project have been made by or agreed to by the project proponent.

A Negative Declaration will be prepared:

I find the proposed project MAY have a significant effect on the environment.

Environmental Impact Report is required:

I find that the proposed project MAY have a significant effect(s) on the environmental, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated."

An Environmental Impact Report is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, and uniformly applied development standards are required.

Signature

Date

Printed Name

IX. REFERENCES

Mono County Code.

Mono County General Plan. 2015.
<https://monocounty.ca.gov/planning/page/general-plan>

Mono County General Plan Environmental Impact Report. 2015.
<https://monocounty.ca.gov/planning/page/general-plan-eir>

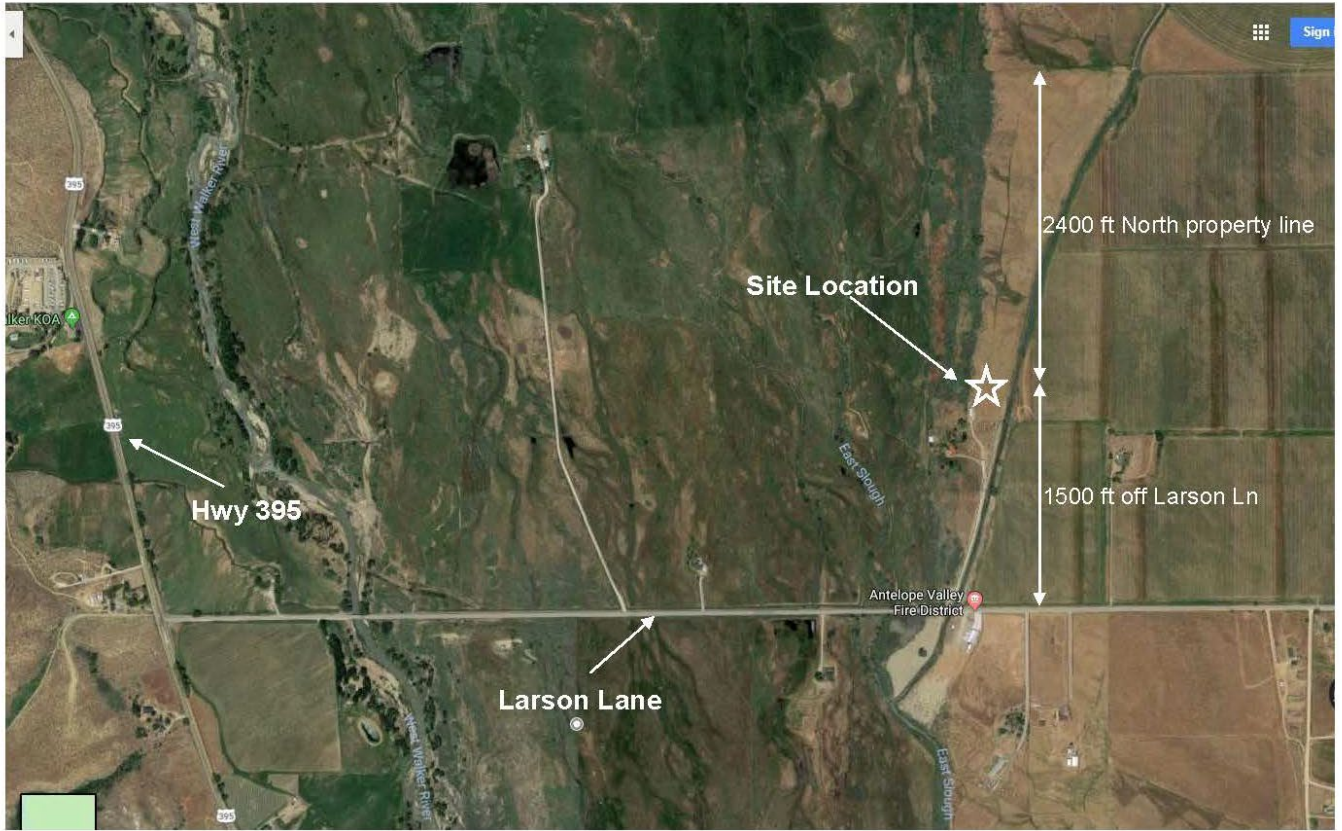
Mono County Resource Efficiency Plan, 2014.

Mono County Sustainable Agricultural Strategy, 2018.

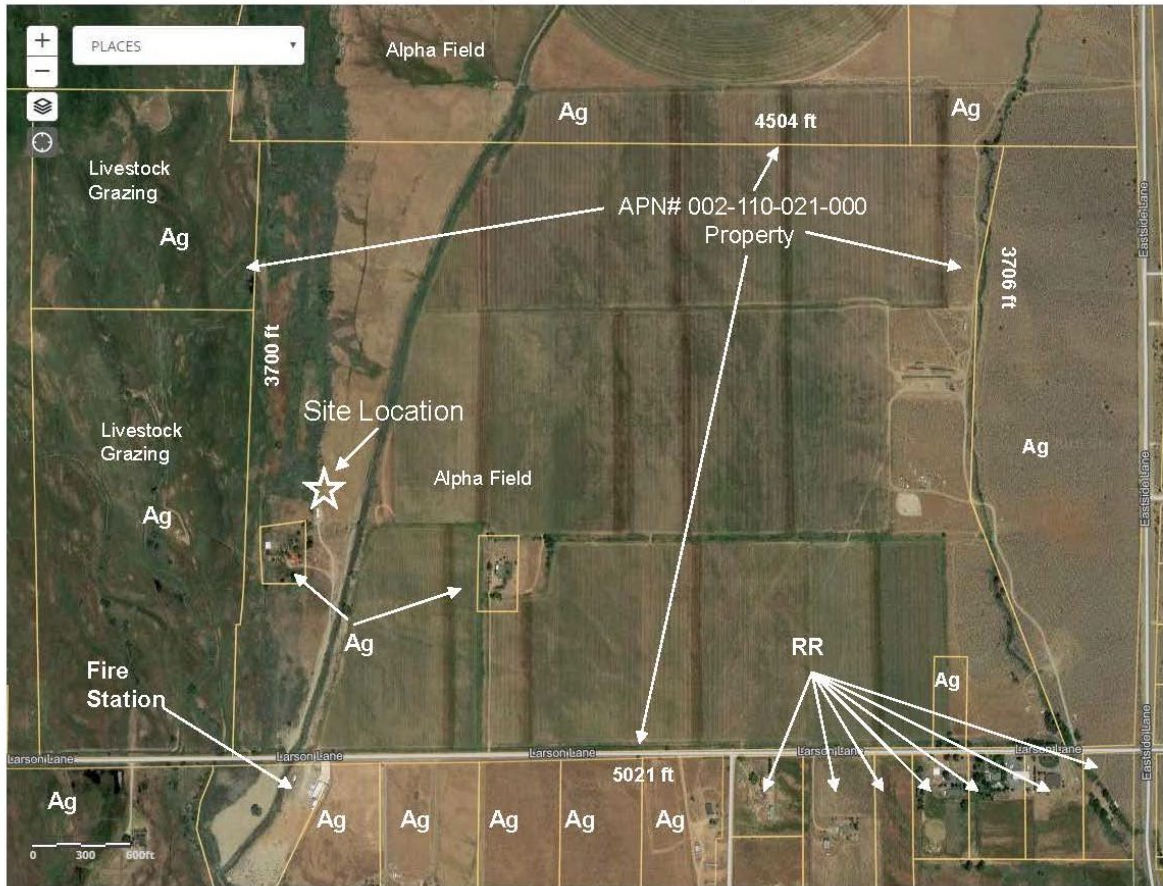
Attachment A

Project Maps

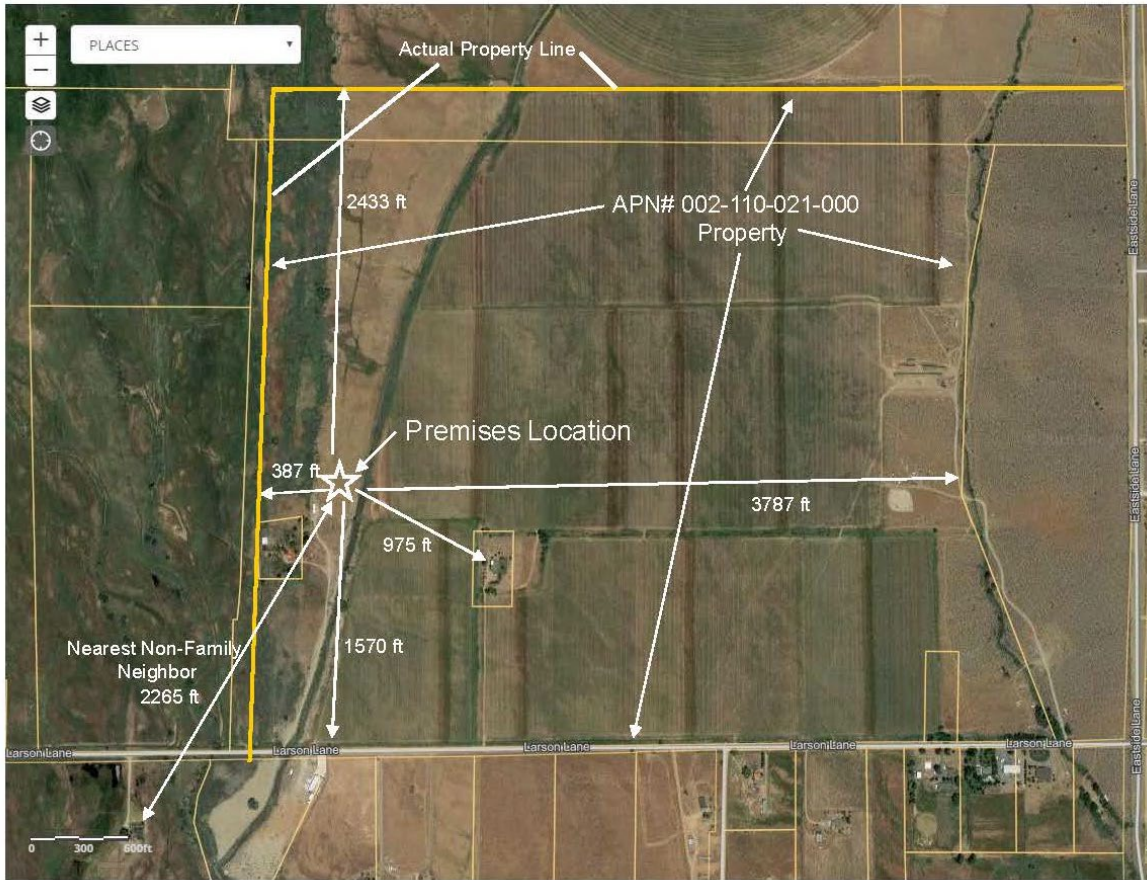
Site Geographic Location



Surrounding Land Use Designations

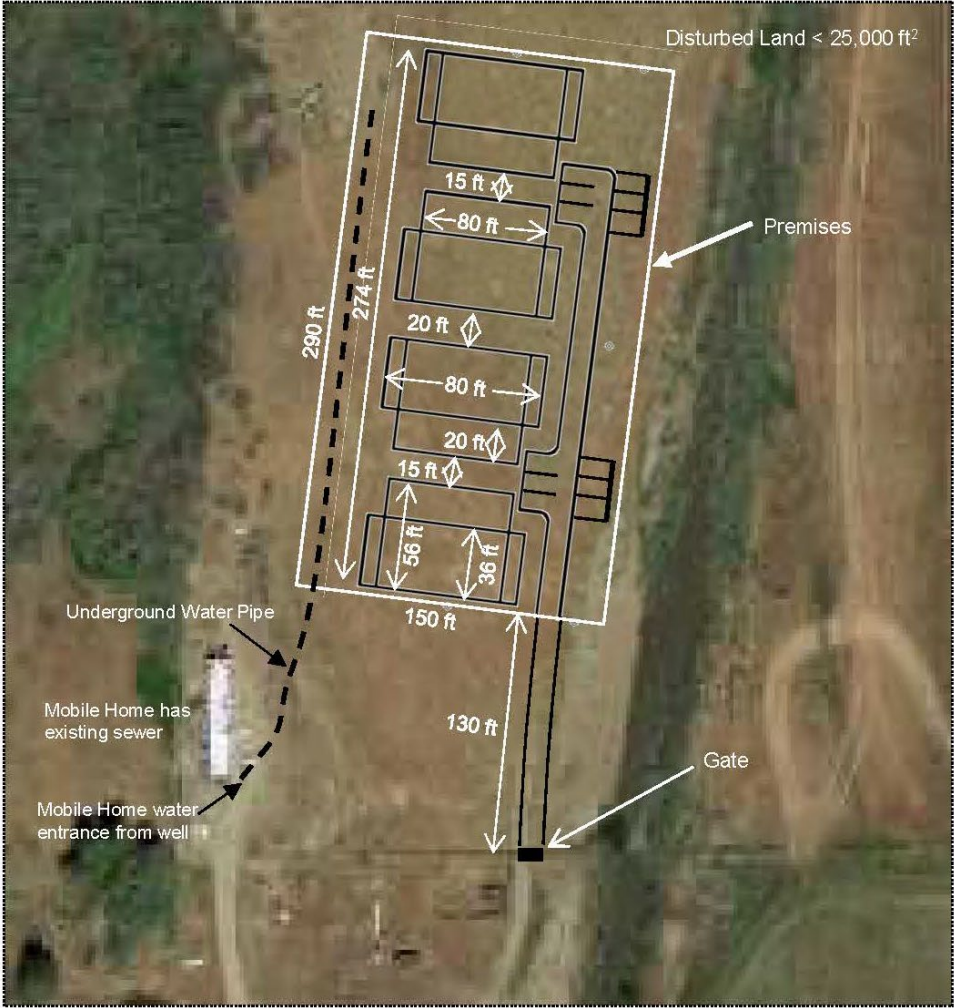


Premises to Property Line Dimensions

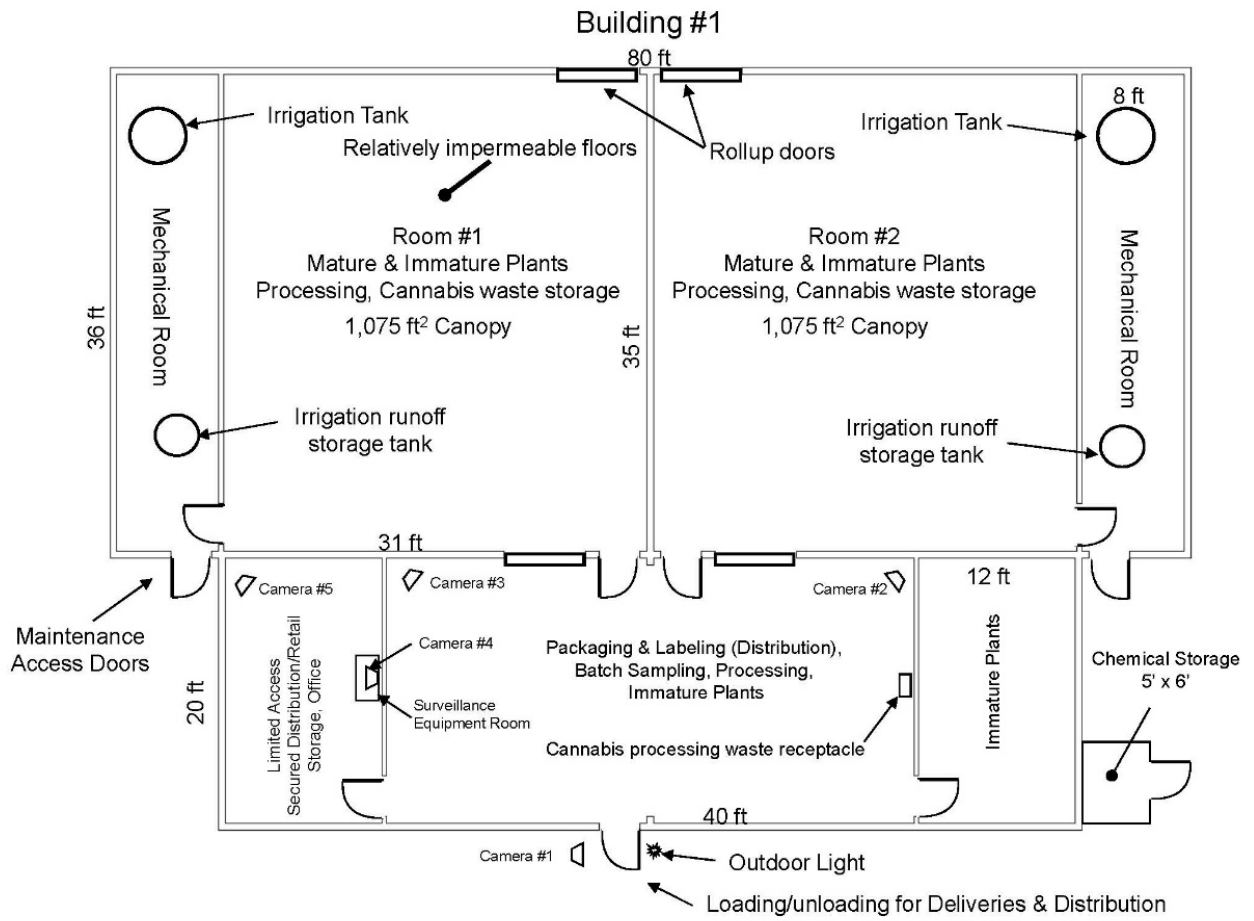




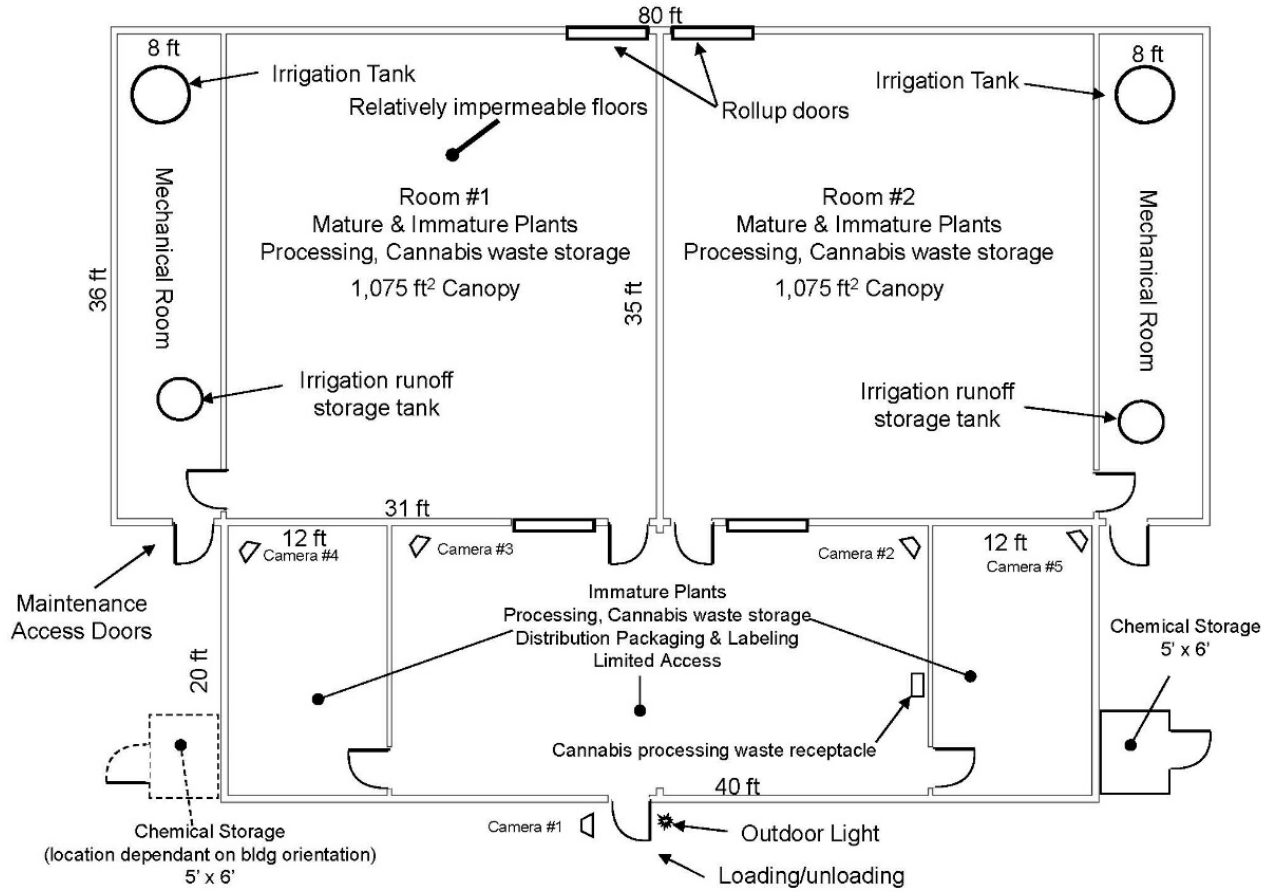




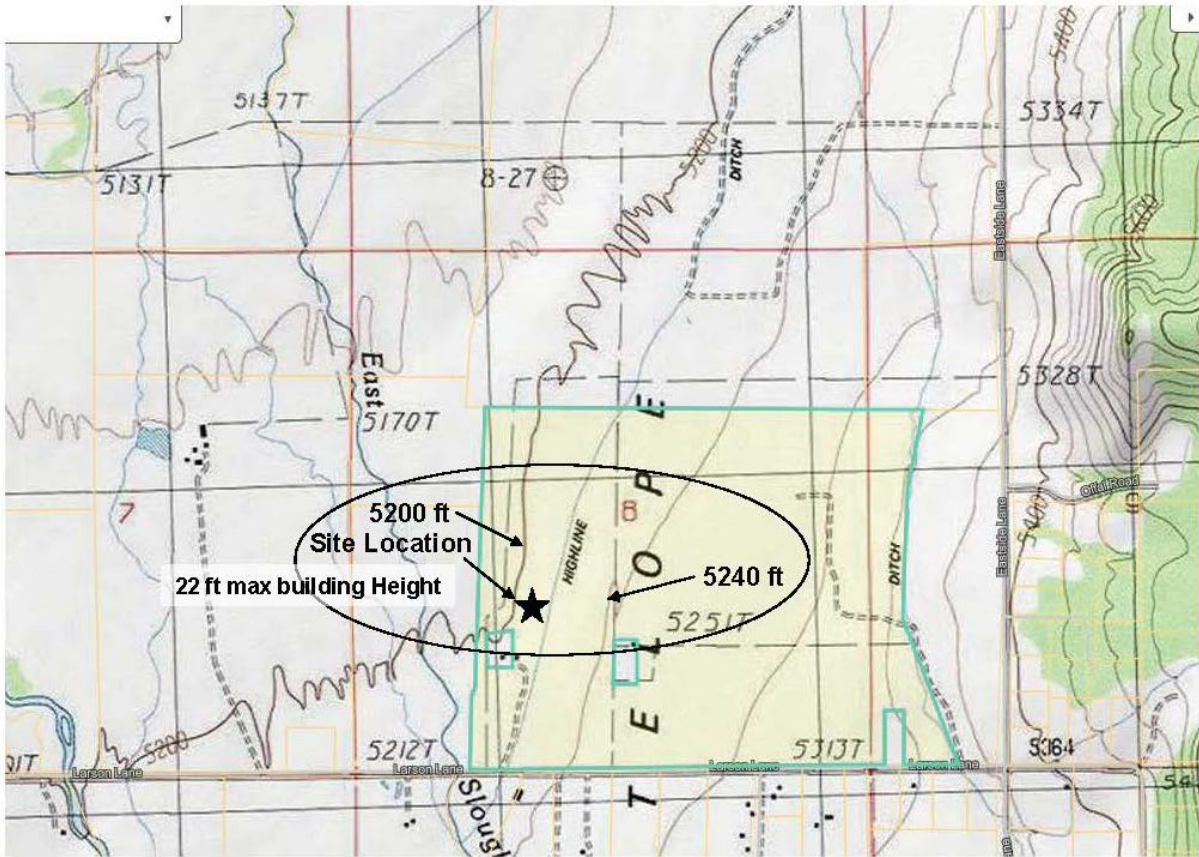
↑
North



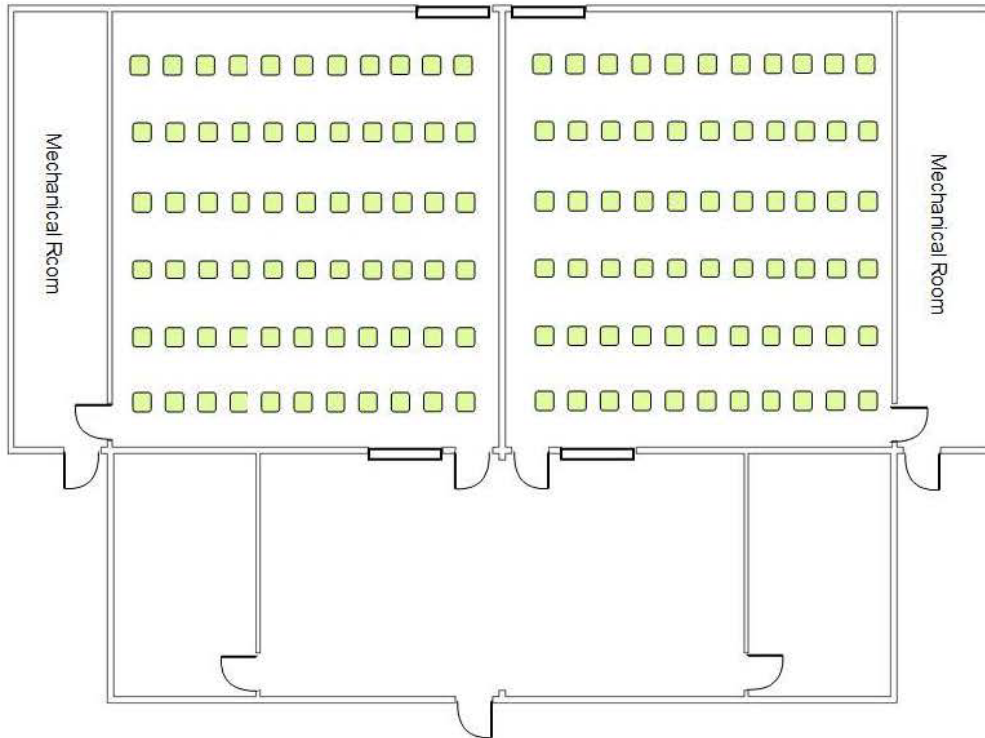
Building #2, #3, & #4



Site Topo Map



Building #1 - #4



Aggregate Wattage per Canopy Area Each Room

66 lights x 1,000 watts per light = 66,000 watts

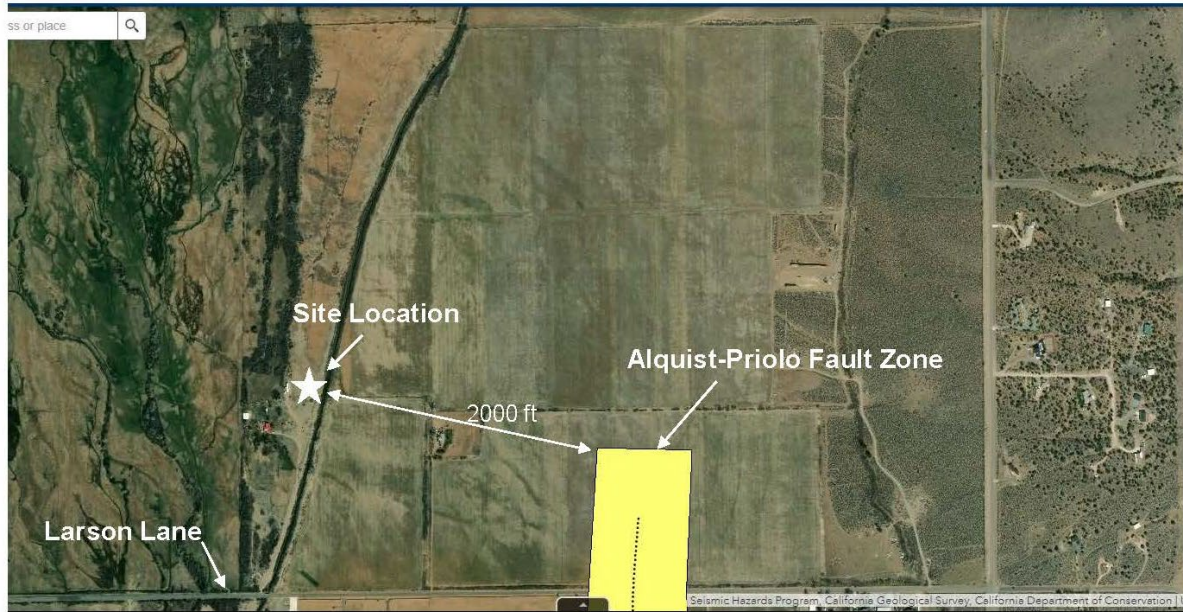
Each canopy area (indoor) is 1,075 ft²

66,000 watts/1,075 square feet = 61 watts/ft² ea. room

■ = 1000 maximum watt light



California Geological Survey Alquist-Priolo





FEMA Flood Map

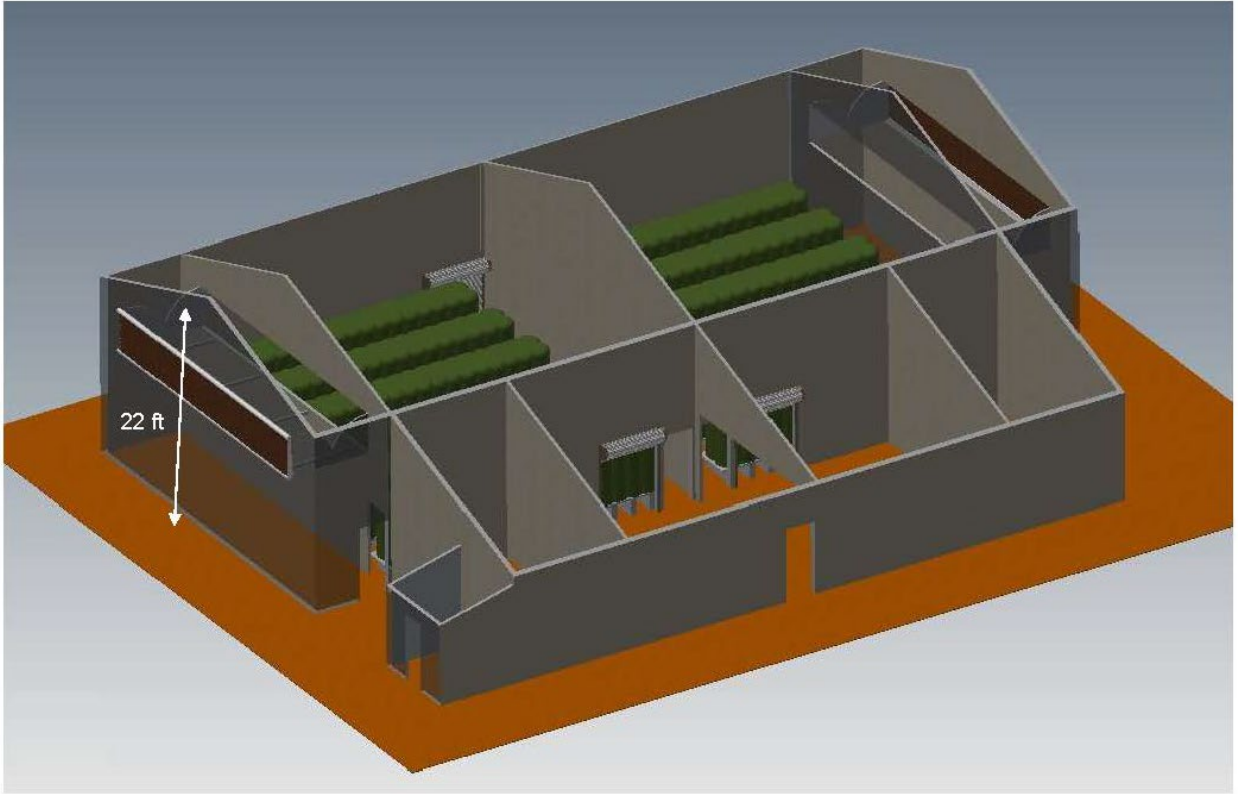




U.S. Fish & Wildlife designated wetlands/Flood planes



Metal Building Isometric View



Attachment B

Integrated Pest Management Plan

Integrated Pest Management Program

Introduction:

The goal of our Integrated Pest Management (IPM) program is to apply a combination of control methods to prevent, reduce, or maintain pest populations at non-damaging levels by utilizing a variety of mechanical, physical, and biological controls. An effective IPM program, implemented and monitored by a facility's Director of Cultivation (or equivalent role), can eliminate potential levels of crop damage, mitigate risk, and control pests. Early identification of pest infections is critical. All staff that work in the cultivation area will be trained and responsible for pest infiltration mitigation, plant inspection, pest identification and treatment.

Cannabis has not been traditionally cultivated in the Antelope Valley of Mono County and thus without a known pest and disease history our IPM program will have to remain flexible and reactive. Things that might have been historical threats in other regions may turn out to be no problems here. Conversely we will likely have new challenges unforeseen. The pest and disease battlefield is a fluid environment and our focus will need be same. Following are industry standard IPM options that will be considered and implemented as needed.

(Since our cultivation is all indoor/mixed light, the herein described IPM program will focus on practices associated with that growing style.)

Overview:

Effective IPM program requires the use of Standard Operating Procedures (SOPs) for a number of processes, environmental controls, cultural practices, mechanical and biological intervention and as a last resort, applications of approved organic/synthetic controls.

Pest control is approached as a progression of steps, with prevention as the first and most important step in controlling pests. The logical progression of methods in accomplishing IPM includes prevention, suppression, and eradication.

Prevention methods utilized include:

- Best horticultural practices such as: spacing, pruning, and sanitation,
- Minimizing pest habitats;
- Pest scouting;
- Trap setting;
- Immediate removal of diseased plants

Approach:

Our IPM program is structured to follow the multi-variable approach outlined below:

1. Prevention, which includes general cleanliness; always using clean, sterile tools; cultivating disease-resistant plants; focusing on the health of plants (proper nutrient levels and avoiding stress); and impeccably controlling climate;

Prevention methods utilized include:

- Best horticultural practices such as: spacing, pruning, and sanitation,
- Minimizing pest habitats;
- Pest scouting;
- Trap setting;
- Immediate removal of diseased plants

2. Biological controls (natural predators and parasites)

3. Removal of infected plants;

4. Organic controls;

5. Synthetic controls should never be used, unless approved by the California Department of Pesticide Regulation.

Environmental controls:

From a production standpoint, the ideal cannabis cultivation environment is one with tightly sealed and positively pressurized rooms under strict ventilation control and monitoring. This includes environmental considerations for mitigating both pests, and disease.

Optimized environmental controls will be the first line of defense against disease and pests. Through the use of tight environmental setpoints one can maintain ideal growing conditions while discouraging crop damage in a pesticide free manner.

Facility air handling intake points will be equipped with bird and insect screen pre-filters and MERV 8 filters capable of 90% or greater efficiency down to 3 micron particulates.

Temperature and humidity will be optimized for both plant health and pest/disease minimization. Airflow throughout the entire plant volume will be constant.

Pest monitoring traps will be utilized and as part of the IPM program.

Biological Control Agent (BCA) Plan:

We will work holistically to maintain general health of the crop to avoid extra stressors that will make crops more susceptible to insect and mite pests, however we will also heavily rely on the use of biological control agents, (“BCAs”) as the goal of zero pesticide residues is favorable for product quality consumer health.

BCAs provide a desirable solution for insect and mite control due to their ability to effectively kill, and keep at bay, common insect and mite pests on cannabis crops.

Our BCA program will involve proactive strategy in which action is taken prior to insect and mite pest presence or at the first sign of presence. Our use of BCAs will be an active endeavor from the time of first planting. Crops will be scouted, and release rates are adjusted, based on detected insect and mite pests and the observance of any expanding populations.

Record will be kept for both pest and BCA populations throughout the crop. Best control will be achieved by layering several BCAs to provide control against multiple life stages of the insect and mite pests or to simply augment the BCA activity.

Entry and diseased plant quarantine:

IPM methodologies include quarantining all new cannabis plants or products entering the facility for 21 days, documenting any pest populations, outbreaks, treatment methods, and treatment results.

Infected plants will be removed.

Cultural Controls:

Because of the sensitive nature of the cannabis plants and the regulatory/safety limits on synthetic controls, maintaining a culture of cleanliness is essential to preventing pest intrusions.

This includes:

Good facility maintenance practices will include keeping facility areas clean, dry, orderly, and free of clutter or trash.

Limiting cultivation area ingress/egress options to those legally required.

Limiting cultivation area access to only the staff whose activities are required.

Require staff to wear a company-provided uniform, which includes shoes that must never be worn outside of the cultivation areas and entrances;

Place foot baths with a mild bleach solution outside of every door that enters into a room where cannabis plants are present and require staff to place the soles of their shoes into these rubber mats prior to entering the room and upon exit;

Place adhesive tacky mats outside of every door that enters into a room where cannabis is in process during harvest, drying and curing, extraction, processing, manufacturing, packaging and labeling and storage and require staff to step both feet onto these mats prior to entering the room and upon exit.

Chemical controls:

When all other aspects of IPM have not been enough to control pests and diseases, organic/synthetic chemical controls may be necessary. The use of such substances on cannabis is strictly regulated by the California Department of Pesticide Regulation (CDPR). The CDPR maintains an updated list of approved cannabis pesticides/ fungicides/etc. and rules for use on their website.

Current approved list as of 11/22/2018

Insecticides and Miticides

- Azadirachtin
- *Bacillus thuringiensis* sub. *kurstaki*
- *Bacillus thuringiensis* sub. *israelensis*
- *Beauveria bassiana*
- *Burkholderia* spp. strain A396
- Capsaicin
- Cinnamon and cinnamon oil
- Citric acid
- Garlic and garlic oil
- Geraniol
- Horticultural oils (petroleum oil)
- Insecticidal soaps (potassium salts of fatty acids)
- Iron phosphate
- *Isaria fumosorosea*
- Neem oil
- Potassium bicarbonate
- Potassium sorbate
- Rosemary oil
- Sesame and sesame oil
- Sodium bicarbonate
- Soybean oil
- Sulfur
- Thyme oil

Fungicides and Antimicrobials

- *Bacillus amyloliquefaciens* strain D747
- Cloves and clove oil
- Corn oil
- Cottonseed oil
- *Gliocladium virens*
- Neem oil
- Peppermint and peppermint oil
- Potassium bicarbonate
- Potassium silicate
- Rosemary and rosemary oil
- Sodium bicarbonate
- *Reynoutria sachalinensis* extract
- *Trichoderma harzianum*

Vertebrate Repellants

- Castor oil
- Geraniol

When allowed by the local and state regulatory bodies, we will consider the use of pesticides as a last resort and only during appropriate plant life-cycles.

Worker Protection Standards:

The CDPR and EPA's Agricultural Worker Protection Standards (WPS) aim at reducing the risk of pesticide poisoning and injury among agricultural workers and pesticide handlers. It is a pesticide safety training program mandated for all agricultural workers that have the potential for pesticide exposure. We will maintain a compliant WPS program and ensure all proper training as well as provide all necessary personal protective equipment.

Attachment C

Waste Management Plan

Cannabis Waste Management Procedures (retail)

1. Describe how cannabis waste is generated, stored, and managed within the licensed premises.

Waste Generation: Cannabis waste is not a common product of retail activities but could be generated by:

- A: product returns
- B: product opened for display purposes
- C: out of date product

In these scenarios, cannabis product scheduled for destruction will be stored separate and distinct from other cannabis products until destroyed into organic cannabis waste per 5054

Waste Storage:

After rendering any waste products unusable and unrecognizable per 5054(d), they will be stored in a designated waste receptacle (see premise diagram) inside our secured micro-business facility until self-hauled to our County waste facility about a mile away or composted on-site.

2. Identify the type of solid waste facility to which cannabis waste is transported to from the premises. (If not applicable state N/A):

a. Solid-waste landfill operation or facility?

Mono County "Walker landfill and transfer station"

b. Transformation operation or facility?

N/A

c. Composting operation or facility?

N/A

d. In-vessel digestion operation or facility?

N/A

e. Transfer/processing operation or facility?

N/A

f. Chip-and-grind operation or facility?

N/A

3. Describe the procedures for ensuring that cannabis waste is stored in a secured waste

receptacle and describe the measures taken to restrict access to the cannabis waste to the licensee, its employees, and third-party hauler.

Cannabis waste will remain inside secured micro-business buildings until self-hauled to County landfill. Access to the waste will be limited to the licensee, its employees by the secured nature and location of the facility.

4. If a third-party waste hauler collects and processes cannabis waste from the proposed premises, identify the type or types of third-party waste hauler(s) used: local agency, waste hauler franchised or contracted by a local agency, or a private waste hauler permitted by a local agency.

N/A

5. If a third-party waste hauler is used, describe the process for documenting and confirming the receipt of the cannabis waste at the solid waste facility.

N/A

6. If engaging in self-hauling of cannabis waste, describe the procedures followed, including how the delivery of cannabis waste is documented.

Non-cultivation cannabis waste (returned/failed products, etc.) will be removed or separated from any packaging and rendered "unrecognizable/unusable" per BCC regs 5054(d), before being transported by licensee or employee to the County landfill via company vehicle and receipted.

7. Identify whether the proposed commercial cannabis activities will result in the generation of hazardous waste such as spent solvents or compressed gas cylinders.

None.

8. If hazardous waste is generated, describe how it will be stored and managed within the licensed premises. Attach a copy of the pertinent Hazardous Material Business Plan, if available.

N/A

9. If cannabis waste is composted within the licensed premises, describe the composting procedures.

Maintain the correct ratio of carbon to nitrogen (25:1 to 30:1). Bacteria which carry out the composting process digest carbon twenty five to thirty times faster than they digest nitrogen. This is accomplished by keeping roughly equal amounts of "greens" and "browns". The Carbon to nitrogen ratio can be adjusted by mixing together organic materials with suitable contents. The compost pile will be kept moist at all times. The compost pile will be turned often to allow all parts of the pile to receive oxygen. The optimum pH level of the compost is between 5.5 and 8.

And or tilling directly into agricultural land.

10. Will your business generate four or more cubic yards of solid waste per week? If yes, describe the procedures for recycling organic waste such as composting on-site, self-hauling, or the use of a third-party hauler.

No.

Cannabis Waste Management Procedures (distribution)

1. Describe how cannabis waste is generated, stored, and managed within the licensed premises.

Waste Generation: Cannabis waste is not a common product of the distribution chain but could be generated by:

- A: failed lab testing
- B: product returns
- C: out of date (12 months) testing COA

In these scenarios, cannabis product scheduled for destruction will be stored separate and distinct from other cannabis products until destroyed into organic cannabis waste per 5054

Waste Storage:

After rendering any waste products unusable and unrecognizable per 5054(d), they will be stored in a designated waste receptacle (see premise diagram) inside our secured micro-business facility until self-hauled to our County waste facility about a mile away or composted on-site.

2. Identify the type of solid waste facility to which cannabis waste is transported to from the premises. (If not applicable state N/A):

a. Solid-waste landfill operation or facility?

Mono County "Walker landfill and transfer station"

b. Transformation operation or facility?

N/A

c. Composting operation or facility?

N/A

d. In-vessel digestion operation or facility?

N/A

e. Transfer/processing operation or facility?

N/A

f. Chip-and-grind operation or facility?

N/A

d. Reintroduction of cannabis waste back into agricultural operation through on premises organic waste recycling methods, including but not limited to tilling directly

into agricultural land and no-till farming.

On site composting

3. Describe the procedures for ensuring that cannabis waste is stored in a secured waste receptacle and describe the measures taken to restrict access to the cannabis waste to the licensee, its employees, and third-party hauler.

Cannabis waste will remain inside secured micro-business buildings until self-hauled to County landfill. Access to the waste will be limited to the licensee, its employees by the secured nature and location of the facility.

4. If a third-party waste hauler collects and processes cannabis waste from the proposed premises, identify the type or types of third-party waste hauler(s) used: local agency, waste hauler franchised or contracted by a local agency, or a private waste hauler permitted by a local agency.

N/A

5. If a third-party waste hauler is used, describe the process for documenting and confirming the receipt of the cannabis waste at the solid waste facility.

N/A

6. If engaging in self-hauling of cannabis waste, describe the procedures followed, including how the delivery of cannabis waste is documented.

Non-cultivation cannabis waste (returned/failed products, etc.) will be removed or separated from any packaging and rendered "unrecognizable/unusable" per BCC regs 5054(d) before being transported by licensee or employee to the County landfill via company vehicle and receipted.

7. Identify whether the proposed commercial cannabis activities will result in the generation of hazardous waste such as spent solvents or compressed gas cylinders.

None.

8. If hazardous waste is generated, describe how it will be stored and managed within the licensed premises. Attach a copy of the pertinent Hazardous Material Business Plan, if available.

N/A

9. If cannabis waste is composted within the licensed premises, describe the composting procedures.

Maintain the correct ratio of carbon to nitrogen (25:1 to 30:1). Bacteria which carry out the composting process digest carbon twenty five to thirty times faster than they digest nitrogen.

This is accomplished by keeping roughly equal amounts of "greens" and "browns". The Carbon

to nitrogen ratio can be adjusted by mixing together organic materials with suitable contents. The compost pile will be kept moist at all times. The compost pile will be turned often to allow all parts of the pile to receive oxygen. The optimum pH level of the compost is between 5.5 and 8. And or tilling directly into agricultural land

10. Will your business generate four or more cubic yards of solid waste per week? If yes, describe the procedures for recycling organic waste such as composting on-site, self-hauling, or the use of a third-party hauler.

No.

Cannabis Waste Management Procedures (cultivation)

1. Describe how cannabis waste is generated, stored, and managed within the licensed premises.

Waste Generation: Cannabis waste will primarily be generated as a byproduct of cultivation and processing. Said waste will consist of organic plant material (leaves, stems, etc.) removed from plants during pruning and processing.

Since it will be some time before we have all four buildings up and running we will initially use on-site composting. As production ramps up we will self hauling to the County manned, fully permitted solid waste landfill facility located approximately 1 mile away when needed.

Waste Storage: There will be two forms of cannabis waste storage on site:

1. During the harvest/processing period where there are large amounts generated, the processing area itself will serve as the storage area until loaded up and self-hauled to the County waste facility or composted on site.
2. Outside of the periods where harvest/processing is taking place, each cultivation building will have receptacle where leaves/prunings/etc. will be placed until filled and self-hauled to the County waste facility or composted on site.

2. Identify the type of solid waste facility to which cannabis waste is transported to from the premises. (If not applicable state N/A):

a. Solid-waste landfill operation or facility?

Mono County "Walker landfill and transfer station"

b. Transformation operation or facility?

N/A

c. Composting operation or facility?

N/A

d. In-vessel digestion operation or facility?

N/A

e. Transfer/processing operation or facility?

N/A

f. Chip-and-grind operation or facility?

N/A

d. Reintroduction of cannabis waste back into agricultural operation through on

premises organic waste recycling methods, including but not limited to tilling directly into agricultural land and no-till farming.

On site composting

3. Describe the procedures for ensuring that cannabis waste is stored in a secured waste receptacle and describe the measures taken to restrict access to the cannabis waste to the licensee, its employees, and third-party hauler.

Cannabis waste will remain inside secured cultivation buildings until self-hauled to County landfill or composted on-site. Access to the waste will be limited to the licensee, its employees by the secured nature and location of the facility.

4. If a third-party waste hauler collects and processes cannabis waste from the proposed premises, identify the type or types of third-party waste hauler(s) used: local agency, waste hauler franchised or contracted by a local agency, or a private waste hauler permitted by a local agency.

N/A

5. If a third-party waste hauler is used, describe the process for documenting and confirming the receipt of the cannabis waste at the solid waste facility.

N/A

6. If engaging in self-hauling of cannabis waste, describe the procedures followed, including how the delivery of cannabis waste is documented.

We are only a mile or so of country road from our County landfill. Waste will be entered into the Track & Trace system in the prescribed manner.

Cultivation waste will be transported by licensee or employee to the County landfill via company vehicle and receipted according to CDFA regs 8303(h,i)

7. Identify whether the proposed commercial cannabis activities will result in the generation of hazardous waste such as spent solvents or compressed gas cylinders.

None.

8. If hazardous waste is generated, describe how it will be stored and managed within the licensed premises. Attach a copy of the pertinent Hazardous Material Business Plan, if available.

N/A

9. If cannabis waste is composted within the licensed premises, describe the composting procedures.

Maintain the correct ratio of carbon to nitrogen (25:1 to 30:1). Bacteria which carry out the composting process digest carbon twenty five to thirty times faster than they digest nitrogen. This is accomplished by keeping roughly equal amounts of "greens" and "browns". The Carbon to nitrogen ratio can be adjusted by mixing together organic materials with suitable contents. The compost pile will be kept moist at all times. The compost pile will be turned often to allow all parts of the pile to receive oxygen. The optimum pH level of the compost is between 5.5 and 8. And or tilling directly into agricultural land.

10. Will your business generate four or more cubic yards of solid waste per week? If yes, describe the procedures for recycling organic waste such as composting on-site, self-hauling, or the use of a third-party hauler.

No.

Attachment D

Lahontan Regional Water Quality Control Board Letter



Lahontan Regional Water Quality Control Board

January 4, 2019

WDID No. 6T26CC406683

Kevin Dortch
1129 East Larson Lane
Coleville, CA 96107

Notice of Applicability – Conditional Waiver of Waste Discharge Requirements, Water Quality Order No. WQ-2017-0023-DWQ, Walker River Farms, Mono County — APN 002-110-021-000

Expiration Date: December 17, 2022

Dear Kevin Dortch,

You, Kevin Dortch, (hereafter Discharger) submitted information via the State Water Resources Control Board's (State Water Board's) online portal on November 29, 2018, for discharges of waste associated with indoor cannabis cultivation related activities at 1129 East Larson Lane, Coleville (38.545956°N, 119.477799°W). The property is owned by Lloyd Chichester, who is receiving separate notification of this application. The State Water Board received the associated application fee on December 10, 2018, and subsequently transferred site information to us for processing.

Based on the information provided, the Discharger self-certifies the cannabis cultivation activities are consistent with the requirements of the State Water Board *Cannabis Cultivation Policy-Principles and Guidelines for Cannabis Cultivation* (Policy), and the *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities*, Order No. WQ-2017-0023-DWQ (General Order).

This letter provides notice that the Policy and General Order are applicable to the site as described below. You are hereby assigned waste discharge identification (WDID) No. 6T26CC406683. The Discharger is responsible for all the applicable requirements in the Policy, General Order, and this Notice of Applicability (NOA).

FACILITY AND DISCHARGE DESCRIPTION

The information submitted by the Discharger states that the cannabis cultivation activities occur within a structure with a permanent roof, a permanent relatively impermeable floor (e.g., concrete or asphalt paved), and all hydroponic/industrial

PETER C. PUMPHREY, CHAIR | PATTY Z. KOUYOUMDJIAN, EXECUTIVE OFFICER

wastewaters generated are contained within a sealed tank or recirculated system with final waste products hauled off site. Based on the information submitted, the cultivation activity is consistent with the Waiver of Waste Discharge Requirements (Conditional Waiver). Cannabis cultivation activities at 1129 East Larson Lane are, therefore, conditionally exempt and covered under the Conditional Waiver as indoor cultivation.

Coverage under this Conditional Waiver expires on December 17, 2022, and the Discharger will be required to re-apply for coverage at that time to continue any cannabis cultivation activities.

SITE-SPECIFIC REQUIREMENTS

1. The Policy and General Order are available on the Internet at: https://www.waterboards.ca.gov/water_issues/programs/cannabis. The Discharger shall ensure that all site operating personnel know, understand, and comply with the requirements contained in the Policy, General Order, and this NOA. Note that the General Order contains standard provisions, general requirements, and prohibitions that apply to all cannabis cultivation activities.
2. In accordance with the Policy and General Order requirements, the Discharger must retain manifest records provided by the authorized waste hauler and provide copies of manifest records to Water Boards staff upon request.
3. The Discharger shall notify Water Boards staff in writing of any proposed change in the method of wastewater disposal.
4. The Discharger shall permit representatives of the Regional Water Board and/or the State Water Board, upon presentation of credentials, to:
 - i. Enter premises where cannabis is cultivated or processed, wastes are treated, stored, or disposed of, and facilities in which any records are kept.
 - ii. Copy any records required under terms and conditions of the General Order.
 - iii. Inspect at reasonable hours, monitoring equipment required by this General Order (as applicable).
 - iv. Sample, photograph, and/or video record any cultivation activity, discharge, waste material, waste treatment system, or monitoring device.
5. Land disturbance of one acre or more not directly related to cultivation (i.e., infrastructure-related) may require coverage under the General Board Order No. 2009-0009-DWQ. Example activities include, but are not limited to, road construction, stream diversion, and building installation. See: https://www.waterboards.ca.gov/lahtontan/water_issues/programs/storm_water for details.

TECHNICAL REPORT REQUIREMENTS

A *Site Closure Report* must be submitted 90 days prior to permanently ending cannabis cultivation activities and seeking to rescind coverage under the Conditional Waiver. The *Site Closure Report* must be consistent with the requirements of General Order Provision C.1.e., and Attachment A, Section 5. Attachment D of the General Order provides guidance on the contents of the *Site Closure Report*.

TERMINATION OF COVERAGE UNDER THE GENERAL ORDER & REGIONAL WATER BOARD CONTACT INFORMATION

Cannabis Dischargers that propose to terminate coverage under the Conditional Waiver or General Order must submit a Notice of Termination (NOT). The NOT must include a *Site Closure Report* (see Technical Report Requirements above), and Dischargers enrolled under the General Order must also submit a final monitoring report. The Regional Water Board reserves the right to inspect the site before approving a NOT. Attachment C of the General Order includes the NOT form, and Attachment D of the General Order provides guidance on the contents of the *Site Closure Report*.

Please notify us 30 days prior to commencing cultivation. Please direct all submittals, discharge notifications, and questions regarding compliance and enforcement to our office. We can be emailed at lahontan.cannabis@waterboards.ca.gov. Phone calls may be directed to me at (530) 542-5414 (patty.kouyoumdjian@waterboards.ca.gov) or Timothy Middlemis-Clark, Water Resource Control Engineer, at (530) 542-5463 (timothy.middlemis-clark@waterboards.ca.gov).



PATTY Z. KOUYOUMDJIAN
EXECUTIVE OFFICER

cc: Louis Molina, Director, Mono County Department of Environmental Health
Michael Draper, Planning Analyst, Mono County Community Development
Claire Ingel, Environmental Scientist, CA Department of Fish and Wildlife
Kevin Porzio, SWRCE, Department of Water Quality, State Water Board
Timothy Middlemis-Clark, Lahontan Water Board

TMC/cdwT: Cannabis/Dortch Kevin_Cultivator_Landowner
File Under: CIWQS / WDID 6T26CC406683

Attachment E

Energy Consumption Comparison

Following is a table outlining an energy consumption comparison between a controlled environment cannabis cultivation facility and a vertical greens farm.

We understand that for comparison integrity the consultant will need to do their own research regarding the typical energy usage of such a facility, but since these vertical farms are relatively new (and the involved companies are commonly considering their energy usage proprietary and thus not published), we've included the baseline assumptions we used in our comparison along with footnotes with our documenting sources.

Some key points:

- The baseline energy requirements for the vertical farm side are driven by the required lighting levels for lettuce, greens, peppers, etc. Once you have documented these levels and the electrical draw of the light fixture required to produce such, it's a simple matter of multiplying by the footprint and included levels of cultivation area.
- As will be clear to someone researching vertical farms, the number of cultivation layers implemented is limited mostly by building design. While Agriculture zoning allows buildings up to 40ft in height and would thus enable stacking of 15-20 layers (regularly done in vertical farms), for ease of comparison we have chosen instead to take a very moderate approach, use the same building as proposed for the cannabis facility and compare only a 5 level approach. (our 22ft high building would support at least 7 levels)
- Since as we understand it, the issue is a comparative one, there is no reference to the previously discussed savings accrued through the reduction in cooling, dehumidification and venting loads due to the high desert environment. These savings are available equally to both facilities and are only savings relative to facilities in other areas of the state.
- Because it's a comparative issue, we used straight up power draw, etc.. We did not complicate the comparison by including different methods of power generation (CHP, Trigen, etc.) as these would apply equally to both sides of the comparison – any efficiency gains available to the cannabis side through these technologies would also be available to the vertical greenhouse side.
- Similarly to the above, we left out any CO2 sequestration (feeding CO2 to the plants as fertilizer) as this would also apply equally to both facilities.

There is an intentional disparity between the type of lighting selected for the cannabis facility (HID) and the vertical farm (LED). LED lighting has been field proven to be ideal for non-flowing growth. There is far less consensus (and even less data) showing compatibility with flowering growth. Less flower yield and longer maturation times have been documented under LED in many strains of cannabis which defeats any initial energy savings. Progress is being made in LED lighting design and at some point (soon we hope) LEDs will become a demonstrably viable source for flower lighting. When that happens, any comparison like the one done here would look even better on the cannabis side.

Electricity				
Lighting	Cannabis	Notes	Vert farm	Notes
Cultivation room size (sf)	1,085		1,085	
Number of cultivation rooms	8		8	
Total Cultivation SF	8,680		8,680	
Lighting type	HID	[1]	LED	
DLI (mol / M ² /day)	37	[2]	22	[3]
~Watts / cultivation SF	50	[4]	44	[5]
Cultivation room draw (kw)	54		48	[6]
Total cultivation lighting (kw)	432		384	
Hr / day lit	13	[7]	18	[8]
Lighting kwh / day	5,616		6,912	
Days lit / year	316	[9]	341	[10]
Yearly lighting electrical (mwh)	1,775		2,357	
Ventilation				
Ventilation kwh / 'day'	618		760	[11]
Ventilation kwh / 'night'	124		93	[12]
Yearly ventilation kwh	271		311	
Yearly misc. mwh	142		142	[13]
Yearly mwh total	2,187		2,810	
Fuel				
Yearly supplemental heat (gLPG)	8,815		8,815	[14]

Footnotes:

1: Mix of 1,000 watt HPS (high pressure sodium) and MH (metal halide)

2: Level derived from personal experience (and it's also nearly an industry standard). Equates to ~850 $\mu\text{mol}/\text{m}^2/\text{s}$ PAR. (For reference, direct noon sun is ~2,000 $\mu\text{mol}/\text{m}^2/\text{s}$)

3: ~22 DLI PAR ($\text{mol}/\text{m}^2/\text{day}$) is the recommended lighting level for geens, etc.

Cornell University, 'Hydroponic Lettuce Handbook' p.10

<http://cea.cals.cornell.edu/attachments/Cornell%20CEA%20Lettuce%20Handbook%20.pdf>

4: To achieve the levels in 'Note 2' requires one 1,000 watt light for ~every 20sf of canopy

5: The Cornell recommended level of 22 $\text{mol}/\text{sqm}/\text{day}$ = ~340 $\mu\text{mole}/\text{m}^2/\text{sec}$ (18 hour day)

Appropriate light selected is the Fluence RAZR4 (or equivalent) and installed on each of 5 levels

<https://2xuwa02gok1v2wn2em9n5ys8-wpengine.netdna-ssl.com/wp-content/uploads/2018/06/180612-RAZR234.pdf>

6: Each RAZR4 covers 40sf. Eighty - 600w RAZR4 fixtures are required to cover cultivation racks in each room.

7: This is an average of 14 days at 18hrs per day (vegetative cycle) and 70 days at 12hrs per day (flowering cycle). This will be repeated ~4 times per year.

8: Greens, etc. are not raised for their flowers so ideal cultivation photoperiod is longer than the average for cannabis and equal to the cannabis vegetative cycle.

9: The cannabis cultivation room doubles as a drying room and thus is literally dark for drying the crop 4 times per year, ~12 days at a time.

10: Vertical cultivation racks can be 100% utilized other than for maintenance. We have subtracted 14 days per year for such.

11: Since lights are a primary source of over-heat, the 'daytime' (lights on) ventilation requirements for the vertical farm are greater in proportion to the higher lighting draw and hours utilized.

12: The 'nights' (lights off) ventilation usage is less in the vertical farm due to the fact that these 'nights' are shorter (see note #8)

13: Includes pump, controls, wall plug usage and non-cultivation facility lighting.

14: While this number is winter severity dependent, given the identical building and similar activities, there is no reason to expect the heat demands to be significantly different from each other.

Attachment F

Cultural Resource Information

A Class I Archival Review for the Proposed Walker River Farms, LLC
Project, Walker, California

Prepared by
Michael Drews
Great Basin Consulting Group, LLC

Prepared For
Resource Concepts
340 N. Minnesota Street
Carson City, Nevada 89703

May 3, 2019



Introduction

Resource Concepts. contacted with Great Basin Consulting Group, LLC (GBCG) to provide a Class I archival review to identify know cultural resources in the vicinity of the Walker River Farms, LLC project in Walker, California in compliance with the California Environmental Quality Act (CEQA). The proposed project is located at 1129 Larson Lane is located in Antelope Valley just east of East Slough.

On April 30, 2019, GBCG submitted a data request to the Eastern Information Center, California State University, Sacramento under Permit #281. The record search extent covered a ½ mile radius surrounding the ¼ acre well parcel. The data request included:

- Mapped archaeological resource locations;
- Mapped report locations;
- Resource database printout;
- Report database printout;
- Copies of archaeological resource records;
- OHP historic properties directory;
- OHP determinations of eligibility;
- California Inventory of Historical Resources;
- Historic Maps;
- GLO and/or Rancho Plat maps.

Record Search Results

On May 3, 2019 EIC sent results of the record search via the postal service (ST-MNO-5179). Three cultural resource studies have been conducted within a one-half mile radius of the project area (Table 1). None within the project Area. Four cultural resource overviews have been compiled for the vicinity. Seven previous cultural resource inventories have been conducted within a ½ mile radius of the project parcel.

Seven cultural resources have been recorded within the one-half mile record search boundary, none within the project area (Table 2). Most of the resources are located on the alluvial fan well east of the project area. No properties are listed on the National Register of Historic Places, Office of Historic

Preservation Historic Property Directory, or the OHP Archaeological Determinations of Eligibility, or OHP Historic Properties Directory occur in the project area. There are no historic maps on file at the EIC for this area.

The project area is situated on cultivated lands west of Highline Ditch (Figure 1). It is unlikely that intact cultural resources lie on the parcel. Highline Ditch may be a historic resource. Changes or alterations to the existing ditch should be avoided.

Table 1. Archaeological Inventories within one-half mile of Walker River Farms, LLC project area

Report Number	OtherIDs	Xrefs	Authors	Year	Title	Publisher	Resources	Resource Count
MN-00031	NADB-R - 1080621; Voided - MF-0507	Extends into another county as IN-00070	BUSBY, COLIN, J.M. FINDLAY, and J.C. BARD	1979	A CULTURE RESOURCE OVERVIEW OF THE BUREAU OF LAND MANAGEMENT COLEVILLE, BODIE, BENTON, AND OWENS VALLEY PLANNING UNITS, CALIFORNIA PLUS AN ANNOTATED ANTHROPOLOGICAL AND HISTORIC BIBLIOGRAPHY	GREAT BASIN ASSOCIATES		0
MN-00167	NADB-R - 1083854; Voided - MF-3495	Extends into another county as IN-00354; Extends into	BARKER, LEO R. and ANN E. HUSTON, EDITORS	1990	DEATH VALLEY TO DEADWOOD; KENNECOTT TO CRIPPLE CREEK. PROCEEDINGS OF THE HISTORIC MINING CONFERENCE, JANUARY 23-27, 1989, DEATH VALLEY NATIONAL MONUMENT	Division of National Register Programs National Park Service		0
MN-00566	NADB-R - 1084158; Voided - MF-3745	Extends into another county as IN-00276	HANEY, JEFFERSON W.	1992	WRITTEN IN BEDROCK: PREHISTORIC ACORN USE IN THE EASTERN SIERRA NEVADA			0
MN-00735	BLM - CA-017-97-21; NADB-R - 1085292; Voided - MF-4580		HALFORD, KIRK	1997	CULTURAL RESOURCES INVENTORY REPORT: WALKER LANDFILL (CAS 4427)	BUREAU OF LAND MANAGEMENT		0
MN-00833	BLM - CA-170-05-14		Whiteman, Erik, Robert Jackson, Jennifer Burns, Doug Edwards, Michael Taggart, and Steven Hilton	2005	Cultural Resources Inventory: Antelope Valley Fuels Reduction Project Mono County, California	Pacific Legacy, Inc.	26-000372, 26-004368, 26-004369, 26-004370, 26-004371, 26-004372, 26-004373, 26-004374, 26-004375, 26-004376, 26-004377, 26-004378, 26-004379	13
MN-00899	Other - Contract No. 53-0261-1-08, Task Order 12		Drews, Michael and Ingbar, Eric	2004	In-The-Black Archaeological Studies Volume I: GIS Data and Prehistoric Probability Models	Gnomon, Inc.		0
MN-01002	Other - 1043856		Katherine Flynn	1981	Archaeological Reconnaissance for the Mountain Warfare Training Center Family Housing Project, Coleville/Walker Area, Antelope Valley, Mono County, California	Archaeological Resource Service, Novato, CA.	26-000373, 26-000374	2

Table 2. Archaeological Resources within one-half mile of Walker River Farms, LLC project area

Primary Number	Trinomial	Other ID	Type	Age	Attribute	Recording Events	Reports
P-26-003398		Other - CA-117-97-21-I1 thru CA-017-97-21-I3	Other	Prehistoric	AP02	1997 (Ethan Hull, Kirk Halford)	
P-26-003399		Other - CA-017-97-21-I1 thru CA-017-97-21-I3	Other	Prehistoric	AP02	1997 (Ethan Hull, Kirk Halford)	
P-26-003400		Other - CA-017-97-21-I1 thru CA-017-97-21-I3	Other	Prehistoric	AP02	1997 (Ethan Hull, Kirk Halford)	
P-26-004371	CA-MNO-003846	Other - PL-AV-05	Site	Prehistoric	AP02; AP15	2005 (E. Whiteman, W. Allen, D. Tinsley, Pacific Legacy, Inc.)	MN-00833
P-26-004372	CA-MNO-003847	Other - PL-AV-06	Site	Prehistoric	AP02	2006 (E. Whiteman, W. Allen, D. Tinsley, Pacific Legacy, Inc.)	MN-00833
P-26-004373	CA-MNO-003848	Other - PL-AV-07	Site	Prehistoric, Historic	AH04; AP02	2005 (E. Whiteman, W. Allen, D. Tinsley, Pacific Legacy, Inc.)	MN-00833
P-26-004374	CA-MNO-003849	Other - PL-AV-08	Site	Historic	AH04	2005 (E. Whiteman, W. Allen, D. Tinsley, Pacific Legacy, Inc.)	MN-00833

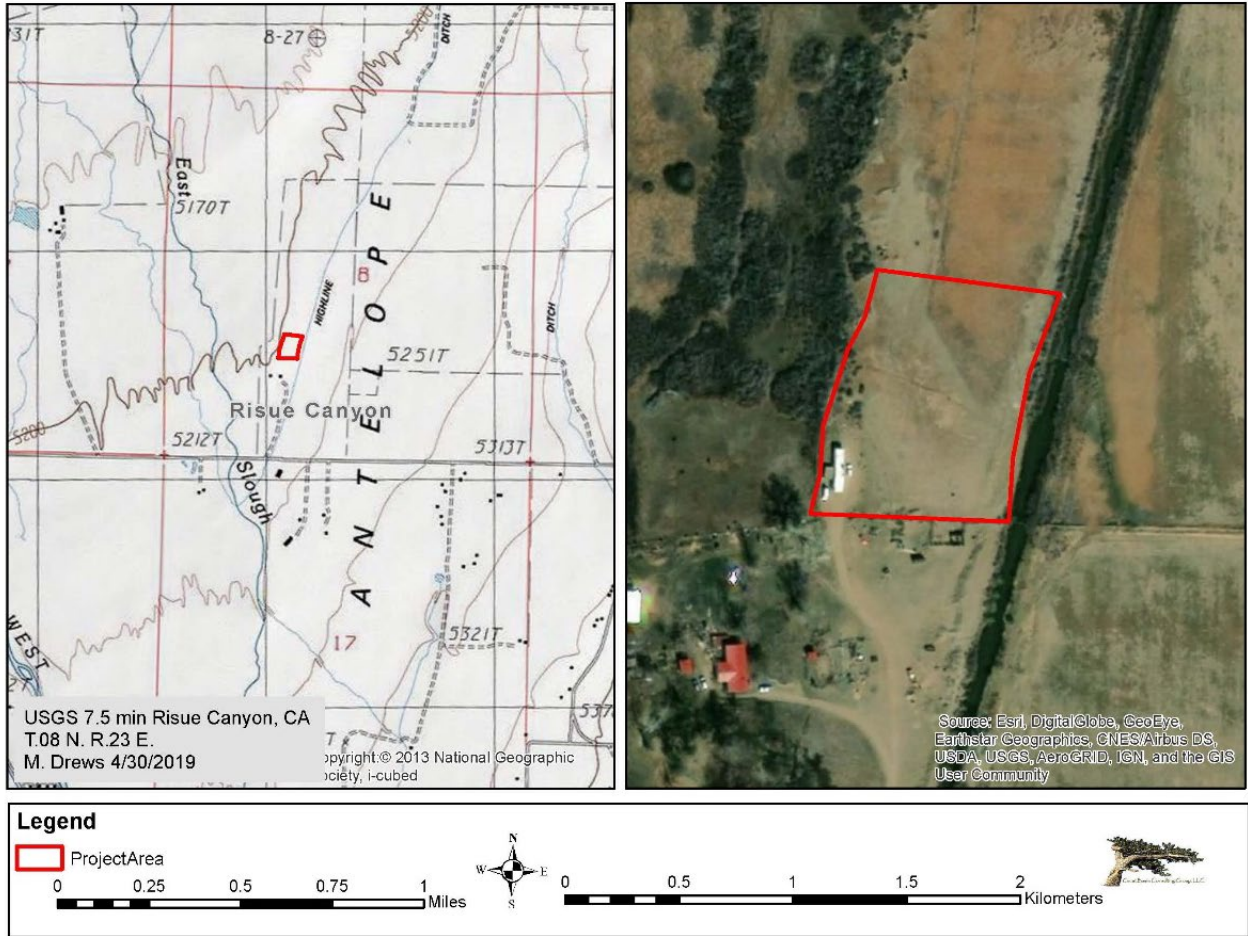


Figure 1. Project Location

July 2, 2019
Regular Meeting
Item # 7d

County Counsel

Proposed Updates to Mono County
Code Chapter 2.84:
Proposed Changes

Chapter 2.84 - COUNTY ADMINISTRATOR ADMINISTRATIVE OFFICER

Sections:

- 2.84.010 - Purpose.
- 2.84.020 - County administrative office, ~~county administrator.~~
- 2.84.030 - Appointment and removal—Residence.
- 2.84.040 - Salary and benefits.
- 2.84.050 - Administrative powers and duties.
- 2.84.060 - General administration, duties and oversight.
- 2.84.070 - Budgetary matters.
- 2.84.080 - Departmental supervision—Appointment—Removal.
- ~~2.84.090—Employment policies and practices.~~
- ~~2.84.100—General services.~~
- ~~2.84.110—Appearance in small claims court.~~

2.84.010 - Purpose.

~~It is the intent of the board of supervisors, in adopting this chapter, to create the Mono County administrative office and to provide Mono County government with a county administrator who, under the direction of the board of supervisors, shall provide effective centralized administration for Mono County government. The purpose of this chapter is, and to define the duties, responsibilities, authority, and qualifications thereof the county administrative officer ("CAO").~~

~~(Ord. 83-514 § 1, 1983.)~~

2.84.020 - County administrative office, ~~county administrator.~~

~~There is within the County of the Mono, a county administrative office which consists, at a minimum, of a CAO and a human resources director. The CAO oversees the county administrative office. There shall be in the county of Mono a county administrative office, under a county administrative officer (CAO), who shall be appointed by and serve at the pleasure of the board of supervisors or on such other contractual terms as may be agreed upon by the parties.~~

~~(Ord. 83-514 § 2, 1983.)~~

2.84.030 - Appointment and removal—Residence.

The ~~county administrator~~CAO shall:

- A. Be chosen upon the basis of knowledge and skills in public administration, demonstrated administrative ability, and knowledge of public budgeting, personnel, finance, and organization. ~~This requirement may normally be met by a combination of education and experience equal to a master's degree plus five or~~

Commented [SS1]: This is redundant with language in .030.

~~more years experience in a highly responsible administrative or supervisory position in a public agency;~~

- B. ~~Be appointed by, and serve at the will and pleasure of the board of supervisors, in accordance with and may be removed from office by majority vote of the board of supervisors upon ninety days' written notice of such removal, the provisions of his or her contract of employment. The board may also relieve the county administrator of his duties during said period;~~
- C. Maintain residence within the county during his or her tenure in office, but he or she need not be a resident of the county at the time of appointment.

(Ord. 83-514 § 3, 1983.)

2.84.040 - Salary and benefits.

The salary of the ~~county administrator~~ CAO shall be established by the board of supervisors and be paid ~~by the auditor-controller~~ in the same manner as the salaries of ~~the other county employees are paid. The CAO shall also be entitled to M~~ mileage allowance or reimbursement in an amount adopted by the board of supervisors, all actual and necessary budgeted expenses for conducting county business, dues and expenses to participate in state and national professional organizations of benefit to the county, and all other benefits conferred upon county management employees ~~shall be granted to the county administrator.~~

(Ord. 83-514-A § 1, 1983; Ord. 83-514 § 4, 1983.)

2.84.050 - Administrative powers and duties.

The ~~county administrator~~ CAO ~~shall be~~ is the chief administrative officer of the county and ~~shall be~~ responsible to the board of supervisors for the proper and efficient administration of all county offices, departments, institutions, and special districts under the jurisdiction of the board of supervisors. To this end, the ~~county administrator~~ CAO shall have those powers and duties set forth in this chapter and as reasonably implied therefrom, and shall be authorized to assign or delegate the administration and/or implementation of these duties to any department or person under the board's control, subject to the limitations imposed by law.

The board of supervisors and its members have delegated administrative responsibilities over county governmental activities to the ~~county administrator~~ CAO and shall, except for the purposes of normal inquiry, not intervene or detract from this delegation.

(Ord. 83-514 § 5, 1983.)

2.84.060 - General administration, duties and oversight.

The ~~county administrator~~ CAO shall:

- A. Administer and enforce policies established by the board of supervisors and: promulgate rules and regulations as necessary to implement board policies;
- B. Refer policy matters and other matters beyond his or her authority to resolve to the board of supervisors for determination, direction, or authorization;

- C. Represent the board of supervisors in the county's intergovernmental relationships, including legislative matters, in accordance with board policies and instructions; when directed, represent the board in dealing with individuals or groups concerned with county affairs;
- D. Attend all meetings of the board of supervisors, except when excused; when directed, attend meetings of commissions and committees established by the board ~~of supervisors~~;
- E. Supervise the board clerks and assist, on behalf of the board of supervisors, the preparation of the agendas for ~~regular and special~~ board meetings; ~~to prepare administrative practices agendas~~; evaluate departmental and other requests ~~for items to be added to an agenda~~ to determine if such requests should be submitted to the board; ~~and~~ make recommendations to the board on all agenda items; propose necessary revisions of the county code ~~and county policies~~ in conjunction with the county counsel; make ~~weekly regular~~ reports to the board on county matters;
- F. Implement the board of supervisors' legislative advocacy program ~~as reflected in the county's legislative platform or in accordance with specific board direction~~, including the initiation of legislation approved by the board ~~of supervisors~~ that will benefit the county and county government; the analysis of proposed state and federal legislation; ~~make~~ recommendations to the board ~~of supervisors~~ for positions on proposed legislation; and review ~~of~~ all department head requests involving legislative activities;
- G. In conjunction with the county counsel and other relevant county officers and employees, ~~to negotiate and/or supervise the negotiation of all county contractual agreements~~; ~~including, but not limited to all agreements between the county and any third party to acquire, buy, sell, borrow, loan, encumber, or hypothecate real or personal property and all collective bargaining agreements with county employee representative bargaining units. Further, to e~~Execute on behalf of the board of supervisors, ~~subject to the limitations and procedures established by state law and the board of supervisors to the extent authorized by state law and Chapter 3.04 of this Code ("Purchasing")~~, all county agreements, ~~and to a~~Administer and enforce ~~said agreements on behalf of the county~~agreements approved by the county;
- H. In conjunction with the ~~auditor-controller~~Finance Director and other relevant county ~~officers and employees~~, maintain or supervise the maintenance of inventories of all the county's real and personal property, and undertake activities to prevent the misuse, loss, theft, or damage of county property;
- I. Conduct continuous research ~~in on~~ administrative, ~~managerial and administrative~~ practices ~~so as in order to bring about~~improve greater efficiency and economy in county government; develop and recommend to the board of supervisors long-range plans to improve county operations and to prepare for future county growth and development;
- J. In periods of extreme emergency, when there is not sufficient opportunity for the board of supervisors to meet and act, act in conjunction with the director of emergency services to take steps reasonably necessary, ~~and within county authority~~, to ~~meet respond to~~ such emergencies.
- K. ~~Review all requests to fill permanent and limited-term personnel positions to assure that the position is required and that budgetary resources salary funds are allocated available;~~

Commented [SS2]: K through S moved here from .090-.110, which were deleted.

authorize and control the use of extra help and payment for overtime within available funds;

- L. Provide for the orientation and training of new county supervisors, members of boards, commissions and committees, and new department heads;
- M. Supervise the administration of employee and labor relations, classifications, recruitment and selection, employee training, personnel policies and procedures, and other performance programs.
- N. Direct the purchasing of supplies, materials, and equipment through procedures established by the board of supervisors;
- O. In conjunction with the director of public works and other relevant county officers and employees, exercise general supervision over all buildings and property leased, owned or under the control and jurisdiction of the county;
- P. In conjunction with the director of public works and other relevant county officers and employees and the parks and facilities department, supervise building construction, alterations, maintenance, and the acquisition and utilization of county vehicles;
- Q. Supervise county branch offices and operations and support services such as copying, communications, technology and phones;
- R. Supervise all support services, such as duplication, central services, communications, and other ancillary services;
- S. The county administrator, or the administrator's designee, is authorized to appear, or designate a county employee to appear, in small claims court on behalf of the county.

(Ord. 83-514 § 6, 1983.)

2.84.070 - Budgetary matters.

The county administrator CAO shall:

- A. Develop budget instructions and policies, revenue estimates, and departmental budget targets to guide departments in budget preparation;
- B. Recommend to the board of supervisors a proposed annual budget together with his or her recommendations to the Board of Supervisors for consideration and adoption. The CAO shall supervise and direct preparation of the budget and review and evaluate all items including expenditures, revenues, and services, annual county operating budget based upon long-range plans for acquiring, constructing, or improving buildings, roads, and other county facilities; make recommendations to the board on the acquisition and disposition of real property, except for county roads, easements, and right-of-ways, which shall be the responsibility of the public works director;
- C. Establish a control system or systems to assure that the various county departments and other agencies under the jurisdiction of the board of supervisors are operating within their

respective budgets; make recommendations to the board regarding requests for unforeseen and unbudgeted expenditures; approve fund transfers and budget revisions within appropriations, including additional fixed assets in accordance with Government Code Section 29125, and make recommendations to the board of supervisors for fund transfer requests which require board action under state law; establish policies for acquiring additional or replacement fixed assets. After final adoption of the budget by the Board of Supervisors, the CAO shall administer, or cause to be administered, the budget and oversee continuous expenditure control. He or she shall review, or cause to be reviewed, all requests for appropriations and transfers and make recommendations to the Board. He or she shall oversee expenditures of all county offices, departments, and institutions, including those departments in which the department head is an elected or appointed officer;

C.D. The county administrator may establish a budgetary allotment system and such other expenditure controls which are necessary or desirable, and may authorize department heads to approve fund transfers except those requiring approval of the board of supervisors under state law;

D.E. The CAO shall work with the Finance Director and other relevant county officers to keep the board informed of the financial condition and needs status of the county and of other matters of major significance which affect the county.

(Ord. 83-514 § 7, 1983.)

2.84.080 - Departmental supervision—Appointment—Removal.

The county administrator/CAO shall:

- A. Supervise the performance of county departments, within the limitations established by state law or the board of supervisors, by directing the establishment of standards, goals, and objectives for quality and quantity of departmental performance and the measuring of the performance of individual departments and department heads against those standards and goals; assign projects and scrutinize departmental expenditures to assure that they are necessary and proper;
- B. Evaluate all proposed departmental programs and make recommendations to the board of supervisors that he feels should be approved or modified regarding new programs or modification of existing programs; periodically evaluate existing departmental programs and recommend changes to the board where they are indicated;
- C. Evaluate departmental organization on a continuous basis; subject to the limitations of state law or the directives of the board of supervisors, initiate changes in interdepartmental organization, structure, duties, or responsibilities when warranted, including authorizing the transfer of equipment between departments; assign space to county departments in county facilities, and oversee authorize budgeted out-of-county travel and in-county business expense in accordance with rules and regulations prepared, based upon policies established by the board; recommend to the board of supervisors the transfer of positions between departments and the consolidation or combining of county offices, departments, positions or units;
- D. Evaluate department head performance annually, under the direction of the board of supervisors, and recommend compensation in accordance with demonstrated performance policies established by the board; confer with department heads as

necessary to discuss any shortcomings, areas requiring improvement noted and to suggest remedial action or direct solutions;

- E. Unless otherwise specified by this code or prohibited by state law, the county administrator shall possess the authority to appoint, discipline, transfer, and dismiss all nonelected department heads in accordance with any applicable procedures provided by state or federal law or by any personnel ordinances, resolutions, handbooks, or memoranda of understanding (MOUs) duly adopted by the board of supervisors. In any cases where final action by the board of supervisors is mandated by applicable state law, actions by the county administrator shall not be effective unless and until ratified by the board of supervisors.
- F. When necessary or upon a department head's request, assist the department head in solving problems which inhibit efficient operation within a department or create friction between departments; and be responsible to the board of supervisors for ensuring that coordination exists between and among the various county departments and offices, both elective and appointed;
- G. Provide, under the direction of the board of supervisors, management training and and other resources to develop leadership qualities among department heads to build a county management team that can plan for and meet future challenges.;

G.H. and in order to facilitate improved communication between the board of supervisors, the county administrator, and departments, the county administrative officer shall create a management advisory panel team. The management advisory panel shall consist of all appointive appointed and elective elected department heads, and any others deemed necessary or appropriate, which shall meet periodically and may provide input to the CAO and the board regarding matters of general policy by the board of supervisors, subject to approval by the board of supervisors. Through periodic meetings and discussions, it may provide input to the county administrator and the board regarding matters of general policy.

(Ord. 99-13 § 2, 1999; Ord. 83-514 § 8, 1983.)

2.84.090 – Employment policies and practices.

The county administrator shall:

Review all requests to fill permanent and limited-term personnel positions to assure that the position is required and that salary funds are available; authorize advanced step recruitment upon recommendations by department heads; authorize and control the use of extra help and payment for overtime within available funds;

- A. Be responsible for orientation and training of new county supervisors, members of boards, commissions and committees, and new department heads;
- B. Supervise the administration of employee relations, classifications, recruitment and selection, affirmative action and management, employee training, personnel policies and procedures, and other performance programs.

(Ord. 83-514 § 9, 1983.)

2.84.100 – General services.

The county administrator shall be responsible for, and exercise supervision and control over, services provided to county departments as follows:

- A. Direct the purchasing of supplies, materials, and equipment through the procedures established by the board of supervisors;
- B. Exercise general supervision over all public buildings and property, whether leased or owned by the county, and such other public lands and facilities under the control and jurisdiction of the board of supervisors;
- C. Through the public works department and the parks and facilities department, supervise building construction, alterations, maintenance, and the utilization of county vehicles;
- D. Supervise county branch offices and operations;
- E. Supervise all support services, such as duplication, central services, communications, and other ancillary services.

(Ord. 83-514 § 10, 1983.)

~~2.84.110 – Appearance in small claims court.~~

~~The county administrator, or the administrator's designee, is authorized to appear in small claims court on behalf of the county.~~

(Ord. 07-07 § 2, 2007.)

July 2, 2019
Regular Meeting
Item # 10

Board Reports

Supervisor Corless' Report
June RCRC Board Meeting Highlights



To: RCRC Board of Directors
From: Greg Norton
President and CEO
Date: June 24, 2019
Re: RCRC Board Meeting Highlights (June 19, 2019)

Administrative Matters

Approval of the 2018 RCRC Audited Financial Statements – ACTION

Lisa McCargar, RCRC Chief Financial Officer, provided an overview of the RCRC financial statements as of and for the year ended December 31, 2018. The RCRC Board of Directors reviewed and approved the 2018 audited financial statements and communication letter as presented. The memo can be accessed [here](#). The 2018 Report of Independent Auditors and Financial Statements can be accessed [here](#).

Rural County Photo Contest

Justin Caporusso, RCRC Vice President External Affairs, announced the launch of RCRC's 3rd Annual Rural County Photo Contest. Created to promote tourism and local economic development, RCRC will be accepting photo submissions July 1, 2019 through July 31, 2019. The contest is open to the general public, and the winning photograph will be announced on August 12, 2019. The memo and official rules can be accessed [here](#).

RCRC Board of Directors Meeting Survey Results

Following a request from Supervisor Michael Kelley (Imperial), the RCRC Executive Committee directed RCRC staff to develop and administer a survey to RCRC Delegates and Alternates to solicit information on the most suitable day and time of future Sacramento-based RCRC Board of Directors meetings. The results were presented to the RCRC Executive Committee in May 2019. Mr. Caporusso outlined the results of the survey, and RCRC Chair Supervisor Matt Kingsley (Inyo) provided an overview of the RCRC Executive Committee's discussion on the results. Ultimately, the RCRC Executive Committee decided to keep the Sacramento-based RCRC Board of Directors meeting days on Wednesdays. The memo can be accessed [here](#). The survey results can be accessed [here](#).

Guest Speaker

Wade Crowfoot, Secretary, California Natural Resources Agency

Secretary Crowfoot provided an overview of the CNRA and its key priorities – namely, wildfire and water issues.

Governmental Affairs

RCRC Resolution 19-04: Establishment of Board of Directors Ad Hoc Advisory Committee on Homeowners Insurance – ACTION

Paul Smith, RCRC Vice President Governmental Affairs, and RCRC Chair Kingsley discussed the creation of an Ad Hoc Committee on Homeowners Insurance (Committee). The Committee is tasked with considering potential solutions for the increase in homeowners insurance cancelations and non-renewals in high fire risk areas.

The potential solutions include, but are not limited to, introducing additional insurers into rural areas, working with the insurance industry on an insurance risk-reduction model, examining insurance industry risk modeling, re-creating/revising California's Fair Access to Insurance Requirements Plan (FAIR Plan), and working directly with policy advocates, the California Legislature, and the Department of Insurance to explore other options.

The RCRC Board of Directors approved Resolution 19-04 creating an Ad Hoc Committee on Homeowners Insurance represented by the following members:

- | | |
|-------------------------------------|----------------------------|
| 1. Sherri Brennan (Tuolumne; Chair) | 6. Randy Fletcher (Yuba) |
| 2. Bob Williams (Tehama) | 7. Dan Miller (Nevada) |
| 3. Lee Adams (Sierra) | 8. Brian Oneto (Amador) |
| 4. Kevin Cann (Mariposa) | 9. Lori Parlin (El Dorado) |
| 5. Diane Dillon (Napa) | |

The Committee shall issue a report of findings no later than the August 2020 Board of Directors meeting. The memo can be accessed [here](#). The Resolution can be accessed [here](#).

Forest Management and Wildfire Update

Staci Heaton, RCRC Regulatory Affairs Advocate, discussed the efforts currently underway in the Legislature and various state and federal agencies to address California's persistent catastrophic wildfire events. These efforts include work being conducted by the Commission on Catastrophic Wildfire Cost and Recovery, the recently-created Senate Select Committee, and the Forest Management Task Force, as well as updates on homeowners insurance, and other forest-related activities. The memo can be accessed [here](#).

2019-20 State Budget Update

Mr. Smith and members of the Governmental Affairs team provided an initial analysis of the 2019-20 State Budget Package, which at the time of the meeting remained incomplete. Key issues and changes for RCRC member counties include:

- Continues to provide \$644,000 for the State's Payment in Lieu of Taxes Program for 2019-20;
- Provides an additional \$87.2 million to assist counties in replacing antiquated voting systems;

- Provides more than \$1.3 billion in Cap-and-Trade revenues for various greenhouse gas reduction programs, including \$200 million for forest health and wildfire prevention projects pursuant to 2018's Senate Bill 901 (Dodd), and \$25 million for organics diversion programs;
- Provides \$100 million from the Greenhouse Gas Reduction Fund, and \$30 million from the General Fund to establish the Safe and Affordable Drinking Water program. In addition, provides \$3.4 million to the State Water Resources Control Board from the General Fund for administrative start-up costs. The framework of the fund will be established in a yet-to-be-determined trailer bill;
- Includes more than \$300 million for disaster preparedness, response and recovery activities, including local assistance funds for recovery from the Camp Fire and other 2018 and 2017 wildfires, enhanced emergency response support for the California Department of Forestry and Fire Protection (CAL FIRE) and California Office of Emergency Services (CalOES), and funding for prepositioning of state and local government resources that are part of the statewide mutual aid system;
- Provides \$75 million to CalOES for state and local preparation and response related to Public Safety Power Shutdown actions initiated to reduce the risk of utility-initiated wildfires during severe weather. Funding will likely support installing back-up power at CAL FIRE and CalOES facilities, local planning and training, and establishing community centers with backup power and air conditioning;
- Includes \$650 million in one-time funding to assist local governments in addressing homelessness, though detailed funding allocation methodology is not specified; and,
- Includes a \$750 million one-time appropriation to the California Department of Housing and Community Development to assist local governments with meeting Regional Housing Need Assessment goals. Specific allocation methodology will be outlined in a yet-to-be determined trailer bill.

The memo can be accessed [here](#). RCRC's preliminary analysis of the 2019-20 State Budget Package can be accessed [here](#).

Legislative Committee

Senate Bill 153 (Wilk) – Industrial Hemp

Mr. Smith provided an overview of Senate Bill 153 (Wilk), which seeks to construct a more robust state regulatory structure for the cultivation and testing of industrial hemp. Specifically, SB 153 revises the definition of industrial hemp to mean an agricultural product, expands the registration requirements to apply to growers of industrial hemp for noncommercial as well as commercial purposes, and imposes new requirements to county agricultural commissioners for the handling and transmittal of registration information to the California Department of Food and Agriculture (CDFA).

RCRC has been engaged with Senator Wilk's office as well as SB 153's sponsors and has requested that SB 153 be amended to do the following:

- More clearly recognize and protect local land use control;
- Narrow the definition of "established agricultural research institution" to conform to federal law;

- Clarify CDFA's regulatory authority to ensure that California law complies with the 2018 Farm Bill; and,
- Make additional technical and clarifying revisions.

The memo can be accessed [here](#).

Update on Senate Bill 182 (Jackson) – Planning and Zoning: Wildfire

Tracy Rhine, RCRC Legislative Advocate, provided an update on Senate Bill 182 (Jackson), which seeks to establish a structure for development, permitting, and land use decisions in Very High Fire Risk Areas (VHFRA). The current version of SB 182 is the result of significant pressure from the Legislature to increase threshold requirements for local governments to approve housing developments in the VHFRA. Additional pressure from legislators concerned with the possible exacerbating effects of SB 182 on the state's housing shortage has resulted in numerous revisions to the Regional Housing Need Allocation (RHNA) provisions of the bill. Specifically, amendments have been made to weaken the ability of a Council of Government (COG) or the Department of Housing and Community Development (HCD) to reallocate portions of RHNA to areas that pose less risk to life and safety from catastrophic wildfire.

Though RCRC staff continues to negotiate the requirements of the bill in an effort to create reasonable public policy that maintains local land use control while also recognizing the need to mitigate risk through appropriate development planning in fire prone areas of the state, it is imperative that SB 182 contain both RHNA relief for affected jurisdictions and funding for the increased planning mandates of the bill. The state must have a holistic policy conversation about the obligations of local governments to zone for increased housing production in areas of the state that pose significant risks to residents, especially those that require access to very-low and low income housing options. The memo can be accessed [here](#).

Federal Legislative Update

Mr. Smith provided an update on a number of issues being addressed at the federal level, including cannabis banking, disaster aid, rural broadband, rural call completion, Federal Payments in Lieu of Taxes (PILT), Secure Rural Schools (SRS), fiscal 2020 appropriations, and infrastructure. The memo can be accessed [here](#).

Regulatory Committee

Environmental Services Joint Powers Authority Update

Ms. Heaton provided a summary of the Rural Counties' Environmental Services Joint Powers Authority's (ESJPA) recent activities, including updates on Senate Bill 1383 Short-Lived Climate Pollutants regulation, Per- and Polyfluoroalkyl Substances (PFAS) Investigatory Orders, Storm Water Industrial General Permit, Water Quality Fees, the Used Oil Payment Program, and the Tire Amnesty Grant Program. The memo can be accessed [here](#).

California Public Utilities Commission Wildfire Proceedings Update

Ms. Heaton and Leigh Kammerich, Regulatory Affairs Specialist, provided an update on two California Public Utilities Commission (CPUC) proceedings impacting how investor-owned utilities (IOUs) engage with the public and local agencies on wildfire hazard mitigation and the de-energization of power lines to prevent high severity wildfires.

RCRC has filed comments on two plans. The memo can be accessed [here](#). RCRC's comments to CPUC for Proposed Guidance Decision for 2019 Wildfire Mitigation Plans can be accessed [here](#). RCRC's comments to CPUC on Decision for Investor-Owned Utilities Approval of 2019 Wildfire Mitigation Plans can be accessed [here](#).

Water and Natural Resources Committee

Water Issues Update

Mary-Ann Warmerdam, RCRC Senior Legislative Advocate, provided an update on a number of issues involving California water policy at the state and federal levels, including the Bay-Delta Water Quality Plan, the Sustainable Groundwater Management Act, and California WaterFix. The memo can be accessed [here](#).

Please refer to the Board Packet and Supplemental Packet for further details related to the items above, as well as all items covered during the June 2019 RCRC Board of Directors meeting. The June 2019 Board Packet can be accessed [here](#).