



PLANNING COMMISSION
STAFF REPORT- MAJOR USE PERMIT MODIFICATION UM_2018-0002

DECEMBER 6, 2018

SUMMARY

OWNER: SWIMMY MENDO OWNER LLC
130 FREDERICK ST 102
SAN FRANCISCO, CA 94117

APPLICANT: EVENT HORIZON TECHNOLOGIES INC
1150 BEL ARBRES RD
REDWOOD VALLEY, CA 95470

AGENT: RICHARD KNOLL CONSULTING
1265 S MAIN ST
LAKEPORT, CA 95453

REQUEST: Modification of Use Permit U_2018-0004 to allow for the expansion of the existing cannabis facility into existing structures on the adjacent parcel with the same ownership. The manufacturing (Level 1 non-volatile and Level 2 volatile) of cannabis will be the main activity occurring on the new parcel. The former structure intended for cannabis manufacturing, as approved by Use Permit U_2018-0004, will be utilized for other commercial activities.

LOCATION: 3± mi. west of Redwood Valley center, on the north side of Bel Arbres Dr. (CR 238B), 1± mi. west of its intersection with Uva Dr. (CR 239), located at 1150 Bel Arbres Dr., Redwood Valley (APNs: 162-011-28, 162-160-08, 162-200-24, 162-221-11, 162-240-55, 162-190-06, -09, & -56).

TOTAL ACREAGE: 80± acres

GENERAL PLAN: Rangeland (RL)

ZONING: Rangeland (RL:160) / Agricultural Preserve

SUPERVISORIAL DISTRICT: 5

ENVIRONMENTAL DETERMINATION: Addendum to previously adopted Mitigated Negative Declaration

RECOMMENDATION: Approve with Conditions

STAFF PLANNER: Sam 'Vandy' Vandewater

BACKGROUND

PROJECT DESCRIPTION & SITE CHARACTERISTICS: The proposed project allows for the expansion of cannabis activities on the subject parcels and is a modification to a previously approved use permit (U_2018-0004). The initial Use Permit allowed for a multi-use cannabis facility at the site formerly known as the Fetzer Winery. Activities include manufacturing (Level 1 non-volatile and Level 2 volatile), distribution, and testing as defined by Mendocino County Code (MCC) Section 20.243. These activities are conducted in separate existing structures, in spaces totaling approximately 95,000 square feet. The

remaining existing structures would be utilized for future activities including expansion of cannabis processing and industrial storage for the aforementioned cannabis activities.

As previously noted, the proposed project is located on the site formally known as the Bel Arbres Fetzer Winery. The winery was a major contributor to the economy of Redwood Valley between the 1950s and 1990s, before operations relocated to Hopland. All of the existing structures were constructed during this 40 year period to accommodate the numerous expansions of the winery. The activities of the site varied from industrial uses to more public, social uses; those include viticulture, packaging and processing of wine, manufacturing, business offices, tastings, and social gatherings and events.

The proposed project, known as the Flow Cannabis Institute (FCI or Flow Kana), is located roughly 3 miles west of Redwood Valley center, at the end of Bel Arbres Road. The terrain of the parcels range from ridgetop on the central portion of the parcel, sloping downhill into two creek valleys on the southern and northern portions. The central and northern portions of the parcels are undeveloped and consist mostly of trees and shrubs, while all the development has occurred on the southwestern portion, along Seward Creek. There is some agricultural activity on the south facing hillside and the valley floor hosts the existing structures of the former winery.

The parcels are located within the Redwood Valley Water District and under state responsibility for fire protection (CalFire), with the Redwood Valley – Calpella Fire Protection District station located roughly 3 miles east. The parcels are serviced by PG&E for electricity and utilize an on-site septic system for sewage and wastewater disposal.

The FCI **manufacturing** facilities was originally to be carried out in existing Building 3 (~19,600 ft² floor area), but will now be located in Building 2 (Front Fetzer Building; ~80,000 ft² floor area) and will incorporate sophisticated design and operational approaches, utilizing state of the art equipment. Building 2 will be utilized for the manufacturing activities, and other uses would include offices, storage, an intake room, a space for non-volatile manufacturing, a space for volatile manufacturing, additional manufacturing space, a packaging room, an employee break room, and several additional small rooms related to the cannabis manufacturing use.

In terms of manufacturing, cannabis manufacturing includes mechanical extraction using screens or presses; chemical extraction using a non-volatile solvent such as a nonhydrocarbon-based or other solvent such as water, vegetable glycerin, vegetable oils, animal fats, or food grade glycerin; and chemical extraction using a professional closed loop CO₂ gas extraction system.

Butane and propane will be stored in 120 pound tanks (as large of a storage tank as is offered by Ukiah Oxygen). This tank size can be stored within the manufacturing room and is a permissible methodology. Butane and propane gasses which are stored outside in a bulk tank will be plumbed through the wall into the butane and ethanol room. Carbon dioxide will be stored in 400 pound Dewar's (glass or metal vacuum bottles used for storing liquefied gas). These containers are 24 inches in diameter and 6.5 feet tall. The anticipated usage will include 10 Dewar's per month at 1,000 pounds (800 pounds of total weight plus the actual gas tank weight). This area is required to be covered to protect it from the sun and well ventilated.

The additional uses permitted by Use Permit U_2018-0004 will remain in the previously approved locations. The **testing** laboratory is located in existing Building 6 (~6,500 ft²), the former mechanical shop of the Fetzer Family Winery operations and **distribution** activities operate out of existing Building 1 (~6,500 ft² floor area) which is designed to be a dispatch and receiving facility.

RELATED APPLICATIONS ON-SITE:

- **CC 17-98** – Certificate of Compliance establishing the existing legal parcel.
- **PAC_2016-0027** – Pre-application Conference focusing on a cannabis institute facility. The discussion was regarding the uses applied for the original Use Permit (U_2018-0004), as well as additional uses such as a cultivation site, retail space, and a bed and breakfast operation.

- **AP_2017-0095** – Administrative Permit to allow for cannabis processing business. The operation allows cultivators to bring their material to the facility or have drivers from the business go to cultivation site and pick up cannabis material. The processing of cannabis also includes trimming, drying, curing, and packaging of non-value added cannabis flower.
- **CFBL_2017-0004** – Cannabis Facilities Business License for processing. While AP_2017-0095 allowed for the cannabis processing use to occur on the parcel, the business license allowed the operation to commence and obtain state permits for operating.
- **U_2018-0004** – Use Permit to allow for a multi-use cannabis facility at the site formerly known as the Fetzer Winery. Activities include manufacturing (Level 1 non-volatile and Level 2 volatile), distribution, and testing as defined by Mendocino County Code (MCC) Section 20.243.

SURROUNDING LAND USE AND ZONING:

	ADJACENT GENERAL PLAN	ADJACENT ZONING	ADJACENT LOT SIZES (ACRES)	ADJACENT USES
NORTH	Rangeland (RL)	Rangeland (RL:160)	80±, 20±, 20±, 14±	Vacant / Agriculture
EAST	Rangeland (RL) / Agriculture (AG)	Rangeland (RL:160) / Rural Residential (RR:1)	2±, 2±, 11±, 35±, 8±, 2±, 2±,	Agriculture / Residential
SOUTH	Rangeland (RL) / Rural Residential (RR)	Rangeland (RL:160) / Rural Residential (RR:1)	40±, 40±	Vacant
WEST	Rangeland (RL)	Rangeland (RL:160)	60±, 35±, 258±	Agriculture

PUBLIC SERVICES:

Access: Bel Arbres Road (CR 238B)
 Fire District: CalFire
 Water District: Redwood Valley – Calpella Water District
 Sewer District: None
 School District: Ukiah Unified School District

AGENCY COMMENTS: On September 18, 2018, project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. Their submitted recommended conditions of approval are contained in Exhibit A of the attached resolution. Any comment that would trigger a project modification or denial is discussed in full as key issues in the following section.

REFERRAL AGENCIES	COMMENT
Department of Transportation	No Comment
Environmental Health	Comment
Building Inspection	Comment
Assessor	No Response
Mendocino County Sheriff's Office	No Comment
Redwood Valley Water District	Comment
Mendocino County Cannabis Program	No Response
CalFire	Comment
Air Quality Management District	Comment
Agriculture Commissioner	No Response
Resource Lands Protection Committee	No Response
Redwood Valley Fire Protection District	No Response
Department of Fish and Wildlife	No Response
Redwood Valley MAC	No Comment
California Highway Patrol	No Comment
Cloverdale Rancheria	No Response
Potter Valley Rancheria	No Response
Sherwood Valley Rancheria	No Response
Redwood Valley Rancheria	No Response

KEY ISSUES

1. General Plan and Zoning Consistency: The subject parcel is located within the Rangeland (RL) General Plan Land Use Designation. The Rangeland General Plan zone,

“is intended to be applied to lands which are suited for and are appropriately retained- for the grazing of livestock. The classification should include land eligible for incorporation into Type II agricultural preserves, other lands generally in range use, intermixed smaller parcels and other contiguous lands, the inclusion of which is necessary for the protection and efficient management of range lands. The policy of the County and the intent of this classification shall be to protect these lands from the pressures of development and preserve them for future use as designated.”

Mendocino County General Plan, pg. 3-76

While the proposed project does not intend to use the property for agricultural or grazing activities, the project does not entail the development of any additional structures or improvements, thus it does not expand into land potentially suitable for agricultural activities. While this is not necessarily protecting the land from a non-conforming use, the continued use of existing structures allows the land to be protected from the pressures of development. Furthermore, the “General Uses” identified for the RL General Plan designation includes “processing and development of natural resources,” providing additional evidence that the project is consistent with the General Plan.

Another important aspect of the General Plan that must be considered is Chapter 6 which discusses community specific policies. The establishment of a Municipal Advisory Council (MAC) for Redwood Valley occurred in 2016 to help guide the County in its decision making processes. As such, the Redwood Valley MAC was given an opportunity to provide comments and responded with no concerns to the modification of the existing use permit.

The proposed project is also consistent with the Rangeland (RL:160) zoning district, as defined by MCC. Chapter 20.060.005 of the MCC defines Rangeland as a district,

“intended to create and preserve areas for (A) the grazing of livestock, (B) the production and harvest of natural resources, and (C) the protection of such natural resources as watershed lands from fire, pollution, erosion, and other detrimental effects. Processing of products produced on the premises would be permitted as would certain commercial activities associated with crop and animal raising. Typically the R-L District would be applied to lands for incorporation into Type H Agricultural Preserves, other lands generally in range use, and intermixed smaller parcels and other contiguous lands, the inclusion of which is necessary for the protection and efficient management of rangelands.”

The proposed project is consistent with the RL zoning district for similar reasons as the General Plan consistency. While the proposed project does not intend to use the property for agricultural or grazing activities, the project does not entail the development of any additional structures or improvements, thus it does not expand into land potentially suitable for agricultural activities. The intent of the district does indicate processing of agricultural materials as compatible, and while the material is not grown on-site, the proposed project utilizes existing infrastructure for the purpose of processing, manufacturing, testing, and distributing an agricultural product. Moreover, the parcel on which the proposed project is located is under a Williamson Act contract, thus preserving the agricultural qualities of the parcel and providing additional consistency with the zoning district. Per Section 9.5(E) of the Williamson Act Policies and Procedures, the proposed project is a compatible use with a Williamson Act contract.

In addition to being consistent with the zoning district, the proposed project is also subject to Section 20.243 of the MCC. While such cannabis facility would not typically be permitted within the Rangeland zoning district, Section 20.243.070(A) allows for exceptions when the operation utilizes an existing

packaging and processing facility. The exception language states that cannabis facilities may be established under 4 conditions: (1) the existing facility was previously permitted as a packaging and processing facility; (2) the site is already developed with roads, power, water, and sewage; (3) there will be no expansion of impervious surfaces; and (4) there will be no unlawful removal of trees. The proposed project adheres to all these conditions of the exception language and is thus consistent with Section 20.243 of the MCC.

2. Use Permit Findings: The proposed use permit is required to meet the use permit findings set forth in the MCC (MCC Section 20.196.020). Below is the discussion of each finding and how the use permit appropriately meets those requirements.

- A. That the establishment, maintenance or operation of a use or building applied for is in conformity to the General Plan;*

As shown in the previous section, the proposed project is in conformity with the General Plan.

- B. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided;*

The proposed project has connections to PG&E for electricity and is located within the Redwood Valley Water District. As the proposed project utilizes existing structures, the drainage of the property will not change from what was previously occurring. With regards to access, the beginning of the driveway for subject property is also the end of Bel Arbres Road, thus the parcels have direct access on a publicly maintained road.

- C. That such use will not, under the circumstances of that particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county; provided, that if any proposed building or use is necessary for the public health, safety or general welfare, the finding shall be to that effect;*

An Initial Study pursuant to CEQA regulations was completed for the initial project (U_2018-0004) and it had been determined that no aspects of the initial project would have potentially significant impacts on the environment. A Mitigated Negative Declaration was prepared for that project and includes conditions to ensure that impacts are less than significant. Additionally, the initial and proposed projects are utilizing existing structures that were used for a large-scale wine packaging operation, indicating that such intensive use of the property has occurred in the past. Per California Code of Regulations (CCR) Section 15164, the completion of a subsequent negative declaration is not necessary if the conditions of CCR 15162 are not applicable to the proposed project, thus the adoption of an addendum is appropriate; see section below for more discussion

- D. That such use preserves the integrity of the zoning district.*

Similarly to the General Plan conformity, compliance with the MCC zoning district is discussed in the previous section; the proposed project is in conformity with the zoning district.

3. Traffic Issues: With regards to traffic issues, the initial Use Permit (U_2018-0004) included a condition, requested by the Mendocino County Department of Transportation, that Bel Arbres Drive (CR 238B) would be re-chip sealed and maintained by the applicant due to their contribution to the usage of the road. The Mendocino County DoT has reviewed the proposed modification and determined their initial condition to remain suitable for the intended use of the road by the applicant. The Redwood Valley MAC was also included in the referral process to ensure community concerns could be addressed and possibly conditioned, and the MAC had no additional comments with regards to the modification.

4. Environmental Protection: Staff had completed an Initial Study for the initial project and determined that the project could have some potential significant impacts on the environment, but can be considered

less than significant with mitigation incorporated. The Mitigated Negative Declaration was released for public comment on June 21, 2018. As discussed in the Initial Study, conditions were identified to mitigate impacts to the environment to a less than significant level with regards to Use Permit U_2018-0004.

CCR Section 15164 allows the lead agency to forego a subsequent CEQA review, provided the lead agency finds none of the conditions of CCR Section 15162 conditions apply to the project. The conditions of CCR Section 15162 are discussed in the attached CEQA addendum

RECOMMENDATION

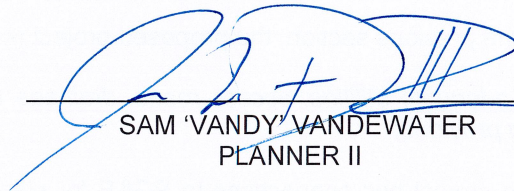
By resolution, the Planning Commission adopt the addendum to the previously adopted mitigated negative declaration and grant UM_2018-0002 for the Project, as proposed by the applicant, based on the facts and findings and subject to the Conditions of Approval.

11-1-2018

DATE

Appeal Period: 10 Days

Appeal Fee: \$1,616.00



SAM 'VANDY' VANDEWATER
PLANNER II

ATTACHMENTS:

- | | |
|---|--------------------------------|
| A. Mitigation Measures (Exhibit A) and Addendum (Exhibit B) | J. Water Districts Map |
| B. Location Map | K. Flood Zone Map |
| C. Location Map | L. Soils Map |
| D. Topographic Map | M. Williamson Act Map |
| E. Site Map | N. Important Farmland Map |
| F. Zoning Map | O. Wetlands |
| G. General Plan Map | P. Stormwater Permitting Zones |
| H. Adjacent Owner Map | Q. Earthquake Hazard Zones |
| I. Fire Hazards Map | R. School Districts |
| | S. MACs & Supervisor Districts |

MITIGATED NEGATIVE DECLARATION Initial Study for Use Permit #U 2018-0004 available online at:

<https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/planning-commission>

TENTATIVE CONDITIONS OF APPROVAL

Conditions of Use Permit #U 2018-0004

Standard Conditions:

1. The permit shall become effective on the 11th day after Planning Commission approval and shall expire and become null and void at the expiration of two years after the effective date except where use of the property in reliance on such permit has been initiated prior to its expiration.
2. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Division I of Title 20 of the Mendocino County Code.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance therewith is mandatory, unless an amendment has been approved by the Planning Commission.
4. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
5. The applicant shall secure all required permits from the Building Inspection Division of the Department of Planning and Building Services for all construction, structural modifications, establishment of signs and compliance with handicapped accessibility for the facility if required.
6. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
 - a. The permit was obtained or extended by fraud.
 - b. One or more of the conditions upon which the permit was granted have been violated.
 - c. The use for which the permit was granted is conducted so as to be detrimental to the public health, welfare or safety, or to be a nuisance.
 - d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited, or the operation of one or more such conditions.
7. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.

Aesthetics:

8. All external lighting shall be shielded and downcast to prohibit light from being cast beyond the property boundaries. Outdoor lighting shall be turned off at 8:00 p.m. in the evenings and not be turned back on until the following day after 6:00 a.m. in the morning. (24 hour security lighting would be exempt from this time requirement; however any exterior security lighting installed on the property shall utilize motion sensor activation). All lighting along the property boundaries shall be setback a minimum of 50 feet from all property lines.
9. All signs shall comply with Mendocino County Code Sign Standards Section 20.184.

Air Quality:

10. Prior to the issuance of a Cannabis Facilities Business License, the applicant shall submit any necessary permit(s) required by the Mendocino County Air Quality Management District.
11. The cannabis facility shall avoid or minimize odor and light impact on residential uses.
12. The unpaved access roads and interior circulation routes shall be maintained in such a manner as to ensure minimum dust generation and shall be subject to pertinent Air Quality Management District regulations.

Biological Resources:

13. This entitlement does not become effective or operative and no work shall be commenced under this entitlement until the California Department of Fish and Game filing fees required or authorized by Section 711.4 of the Fish and Game Code are submitted to the Mendocino County Department of Planning and Building Services. Said fee of \$ 2,330.75 OR CURRENT FEE shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services prior to September 1, 2018 (within 5 days of the end of any appeal period). Any waiver of the fee shall be on a form issued by the Department of Fish and Game upon their finding that the project has “no effect” on the environment. If the project is appealed, the payment will be held by the Department of Planning and Building Services until the appeal is decided. Depending on the outcome of the appeal, the payment will either be filed with the County Clerk (if the project is approved) or returned to the payer (if the project is denied). Failure to pay this fee by the specified deadline shall result in the entitlement becoming null and void. **The applicant has the sole responsibility to insure timely compliance with this Condition.**

Cultural Resources:

14. In the event that archaeological resources are encountered during development of the property, work in the immediate vicinity of the find shall be halted until all requirements of Chapter 22.12 of the Mendocino County Code “Discovery” relating to archaeological discoveries have been satisfied.

Hazards & Hazardous Materials:

15. A Hazardous Materials Management Plan approved by the Department of Environmental Health shall be approved, maintained and complied with for the duration of the project.

Noise:

16. No public events, as described in Section 20.168.020 of the MCC, are authorized by this permit. Any public event shall require an Administrative Permit or Use Permit from the Mendocino County Department of Planning & Building Services.

Transportation:

- **17. Within two years from the granting of Use Permit #U_2018-0004 or prior to commencing use of vehicles exceeding 20,000 lbs gross weight for shipments and deliveries, whichever is earlier, the applicant shall improve Bel Arbres Drive (CR 238B) from Uva Drive (CR 239) to end with double chip seal surfacing. Prior to applying chip seal, asphalt dig out and patch repairs shall be performed where needed, as determined by Mendocino County Department of Transportation staff.
18. Applicant shall obtain an encroachment permit from the Mendocino County Department of Transportation for work within County rights-of-way.

Utilities & Service Systems:

19. It shall be the responsibility of the applicant to adhere to all applicable regulations and requirements of the Redwood Valley Water District.

Cannabis Facility:

20. Prior to commencement of operations the applicant shall submit a copy of their Mendocino County Cannabis Facilities Business License to the Mendocino County Treasurer – Tax Collector. This license shall be kept active and if in the event that the license is inactive for a period of 1 year or longer, the use permit and business will automatically expire.
21. A valid Mendocino County Cannabis Facilities Business License for the subject property shall be issued and kept current by the Mendocino County Tax Collector.
22. It shall be the responsibility of the applicant to adhere to all applicable regulations of Section 6.36 of the Mendocino County Code.
23. It shall be the responsibility of the applicant to adhere to all applicable regulations of Section 10A.17 of the Mendocino County Code.
24. It shall be the responsibility of the applicant to adhere to all applicable regulations of Section 20.242 of the Mendocino County Code.
25. It shall be the responsibility of the applicant to adhere to all applicable regulations of Section 20.243 of the Mendocino County Code.
26. The applicant shall comply with the recommendations of the Redwood Valley – Calpella Fire District or other alternatives as acceptable to the Fire District. Written verification shall be submitted from Fire District to the Department of Planning and Building Services that this condition has been met to the satisfaction of the Fire District.
27. The applicant shall comply with the recommendations of the California Department of Forestry or other alternatives as acceptable to the Department of Forestry. Written verification shall be submitted from the Department of Forestry to the Department of Planning and Building Services that this condition has been met to the satisfaction of the Department of Forestry.

Conditions of Use Permit Modification #UM 2018-0002

28. The applicant shall pay a fee of \$50.00 for the filing of the Notice of Determination which shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services prior to December 11, 2018 (within 5 days of the end of any project action).

ADDENDUM TO THE MITIGATED NEGATIVE DECLARATION

FOR

USE PERMIT MODIFICATION UM_2018-0002

Modified Project Description and Project History: The Mendocino County Planning Commission (County) adopted a Mitigated Negative Declaration (MND) for Use Permit U_2018-0004, on August 16, 2018. The project involved the establishment of a multi-use cannabis facility. The intended uses include cannabis processing, distribution, testing, and manufacturing.

The current project involves modifying the previously approved use permit to allow for the shift of cannabis manufacturing activities from one existing structure to a different existing structure. The locational shift of cannabis manufacturing activities between existing structures would not change the discussion of environmental impacts, or the mitigation measures.

The following changes are proposed:

- Moving manufacturing activities from existing Building 3 to existing Building 2 (Front Fetzer).

Purpose: Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously adopted Negative Declaration (ND) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for a subsequent ND have occurred. Section 15162 states that when an ND has been adopted for a project, no subsequent ND shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. *Substantial changes are proposed in the project which require major revisions of the previous ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*
2. *Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*
3. *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous ND was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous ND; B) significant effect previously examined will be substantially more severe than shown in the previous ND; C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the previous ND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

No substantial changes are proposed which would require major revisions to the previously approved Mitigated Negative Declaration. None of the proposed changes to the project will increase the severity of previously identified significant effects. The proposed changes will not result in a new environmental effect. No additional mitigation is required.

Explanation of Decision Not to Prepare a Supplemental Mitigated Negative Declaration:

See Purpose section above. In every impact category analyzed in this review, the projected consequences of the proposed ordinance changes are either the same or less than significantly increased compared to the project for which the Mitigated Negative Declaration was adopted. Based upon this review, the following findings are supported:

Findings:

1. For the modified project there are no substantial changes proposed in the project which require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

No new significant effects or increase of severity of effects are anticipated. The proposed use permit modification does not entail substantial changes as the only request is to move manufacturing activities from one existing building to a different existing building. No additional changes are to occur from this use permit modification and staff has determined there to be no significant impacts.

2. For the modified project no substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Based on the discussion in Finding 1, above, no new significant environmental effects resulting from the proposed use permit modification are anticipated. The circumstances under which the project is undertaken remain the same.

3. For the modified project there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted as complete.

There has been no new information of substantial importance which was not known and could not have been known at the time the previous MND was complete. The baseline conditions describing the overall impacts of the previously approved use permit remain the same.

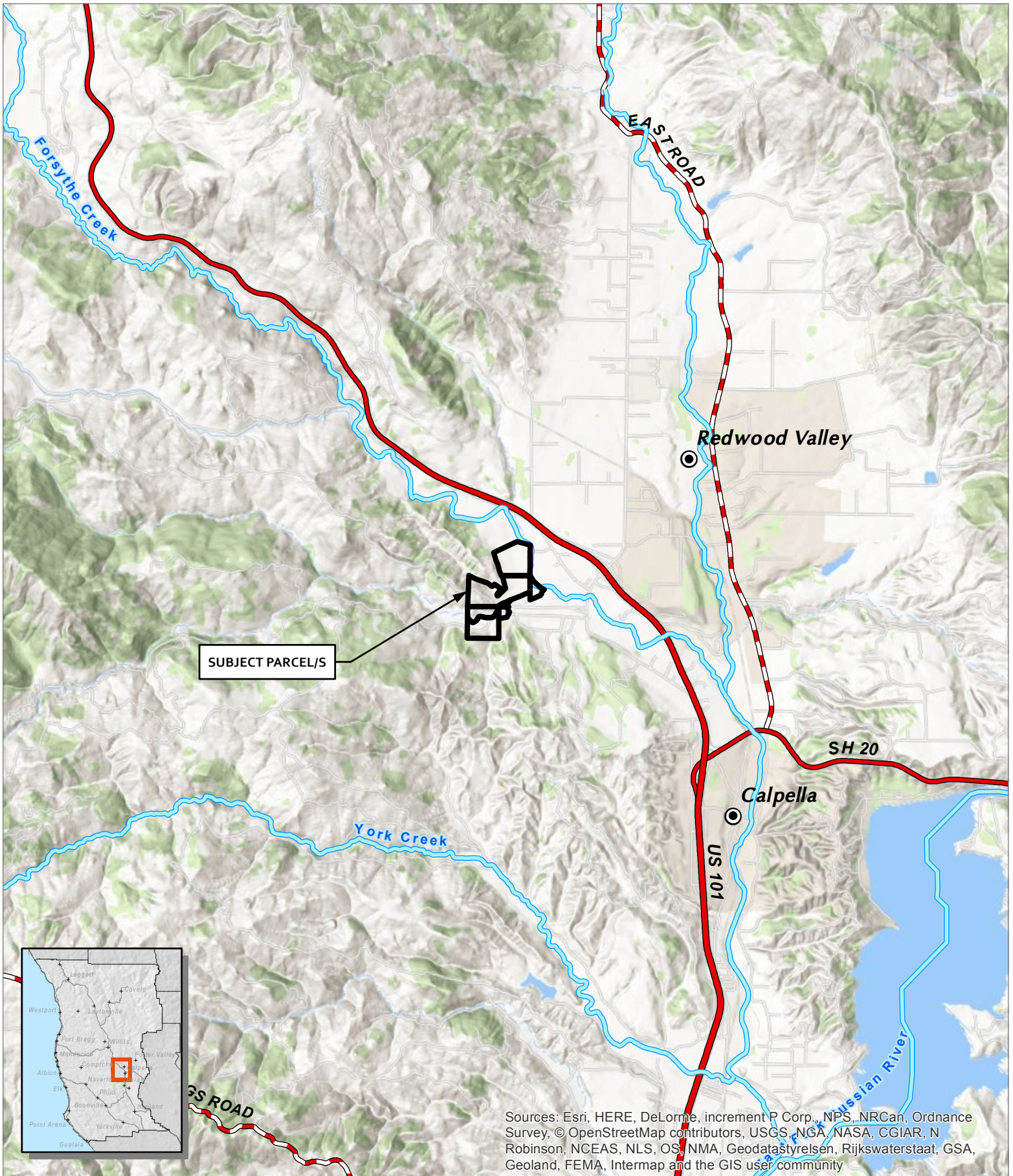
4. The proposed changes do not constitute a change in the level of significance previously discussed in the original MND. As such, it is concluded that: the current project will not have one or more significant effects not discussed in the previous MND. Furthermore, significant effects previously examined will not be substantially more severe than shown in the previous MND. There are no mitigation measures or alternatives previously found not to be feasible that would in fact be feasible and would substantially reduce one or more significant effects of the project. .

The proposed use permit modification does not involve changes to, or analysis of any mitigation measures. No new potential impacts have been identified requiring new mitigation measures to be developed.

5. Finally, there are no mitigation measures or alternatives identified in this analysis which are considerably different from those analyzed in the previous MND, and which would substantially reduce one or more significant effects on the environment.

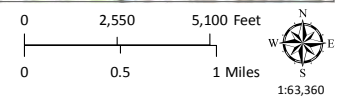
The proposed use permit modification does not involve changes to, or analysis of any mitigation measures.

Conclusion: Based on these findings it is concluded that an Addendum to the adopted Mitigated Negative Declaration is appropriate to address the requirements under CEQA for the proposed ordinance changes.



CASE: **UM 2018-0002**
OWNER: **Swimmy Mendo Holdings, LLC**
APN: **162-240-56, ET AL**
APLCT: **Event Horizon Tech, Inc.**
AGENT: **Richard Knoll Consulting**
ADDRESS: **1150 Bel Arbres Road, Redwood Valley**

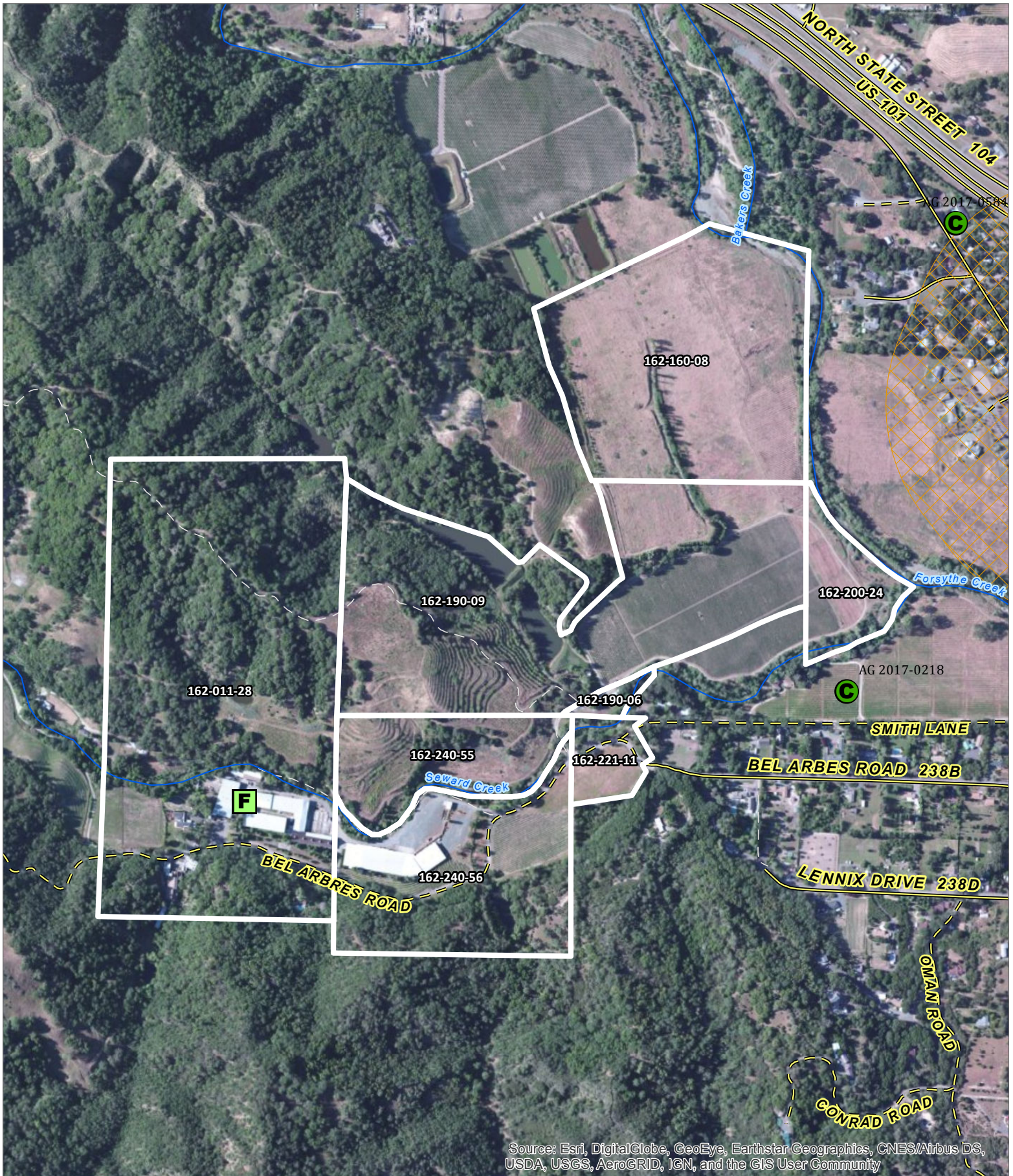
- Major Towns & Places
- Major Roads
- Major Rivers
- Highways



LOCATION MAP

THIS MAP AND DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND.
DO NOT USE THIS MAP TO DETERMINE LEGAL PROPERTY BOUNDARIES

ATTACHMENT B



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

CASE: UM 2018-0002
OWNER: Swimmy Mendo Holdings, LLC

APN: 162-240-56, ET AL

APLCT: Event Horizon Tech, Inc.

AGENT: Richard Knoll Consulting

ADDRESS: 1150 Bel Arbes Road, Redwood Valley



Cannabis Facilities



1000 Ft School Buffer

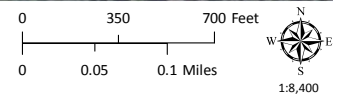


Named Rivers

Public Roads

Private Roads

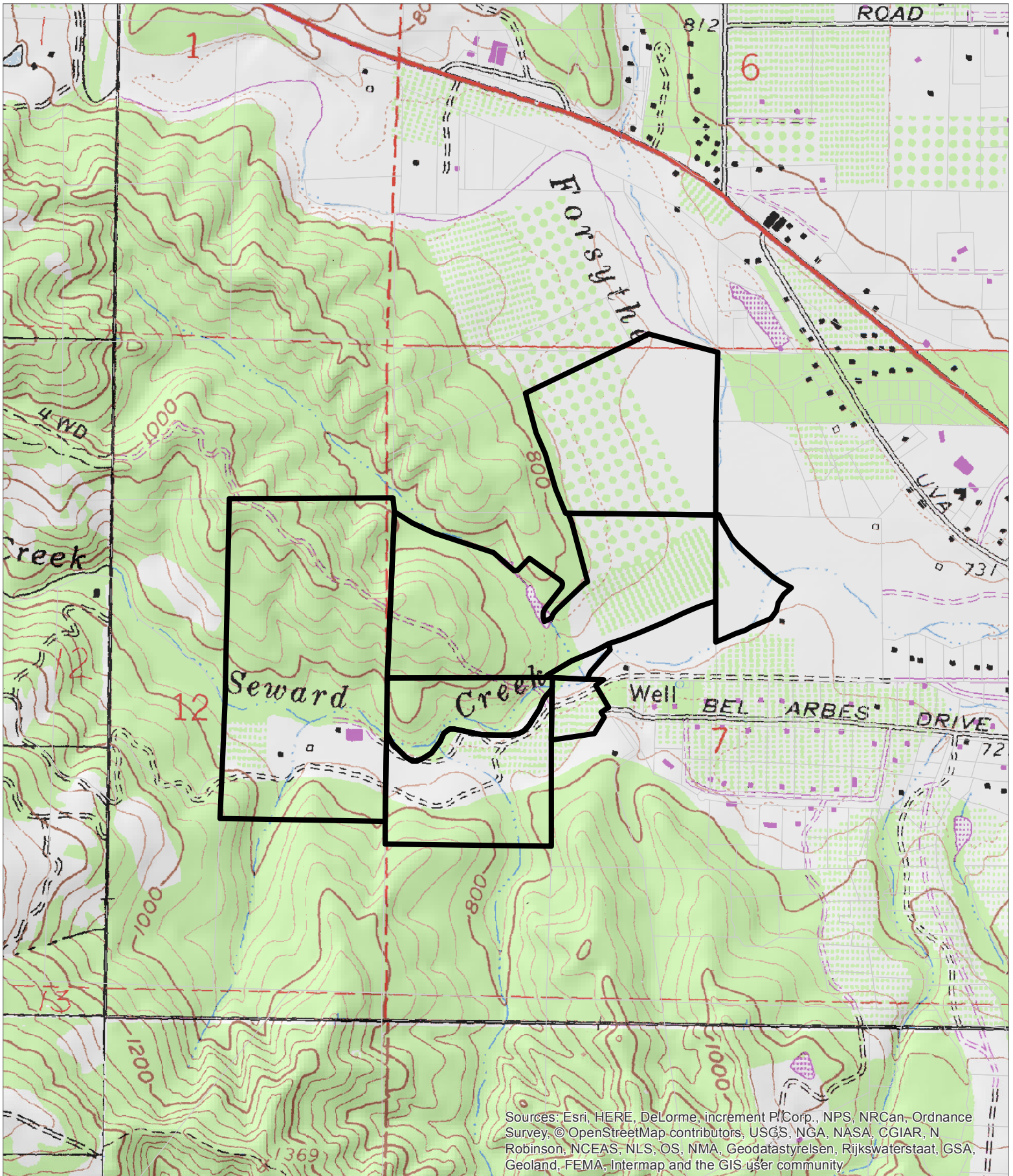
Driveways/Unnamed Roads



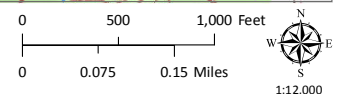
LOCATION MAP

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ATTACHMENT C



CASE: UM 2018-0002
 OWNER: Swimmy Mendo Holdings, LLC
 APN: 162-240-56, ET AL
 APLCT: Event Horizon Tech, Inc.
 AGENT: Richard Knoll Consulting
 ADDRESS: 1150 Bel Arbes Road, Redwood Valley



TOPOGRAPHIC MAP
 CONTOUR INTERVAL IS 40 FEET

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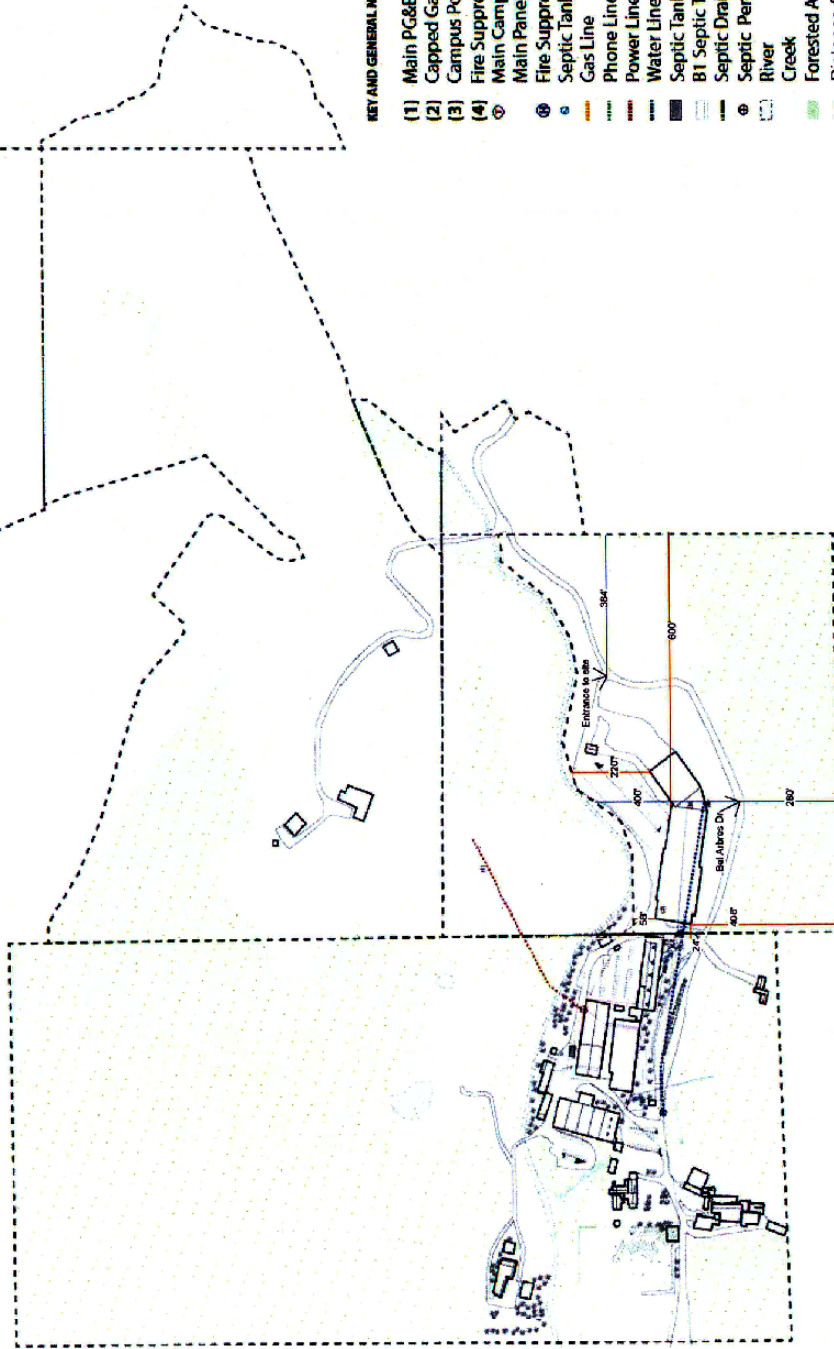
ATTACHMENT D



KEY AND GENERAL NOTES

- (1) Main PG&E Overhead Line
- (2) Capped Gas Line
- (3) Campus Potable Water Main
- (4) Fire Suppression Water Line
- Fire Suppression Water Line
- Main Campus Transformer/-
- Main Panel
- Fire Suppression Hydrant
- Septic Tank Riser
- Gas Line
- Phone Line
- Power Line
- Water Line
- Septic Tank
- B1 Septic Tank
- Septic Drain Line
- Septic Perc Hole
- River
- Creek
- Forested Area
- Distance from building to property line
- Distance from main road to property line

Site Plan
Date 09.13.2018
Scale 1" = 200'



Swimmy Mendo Holdings
ant: Event Horizon Technologies
ss: 1110 Bel Arbres Dr, Redwood Valley, CA 95470
162-011-28, 162-240-56, 162-221-11, 162-190-06, 162-240-55, 162-190-09, 162-200-24, 162-160-08

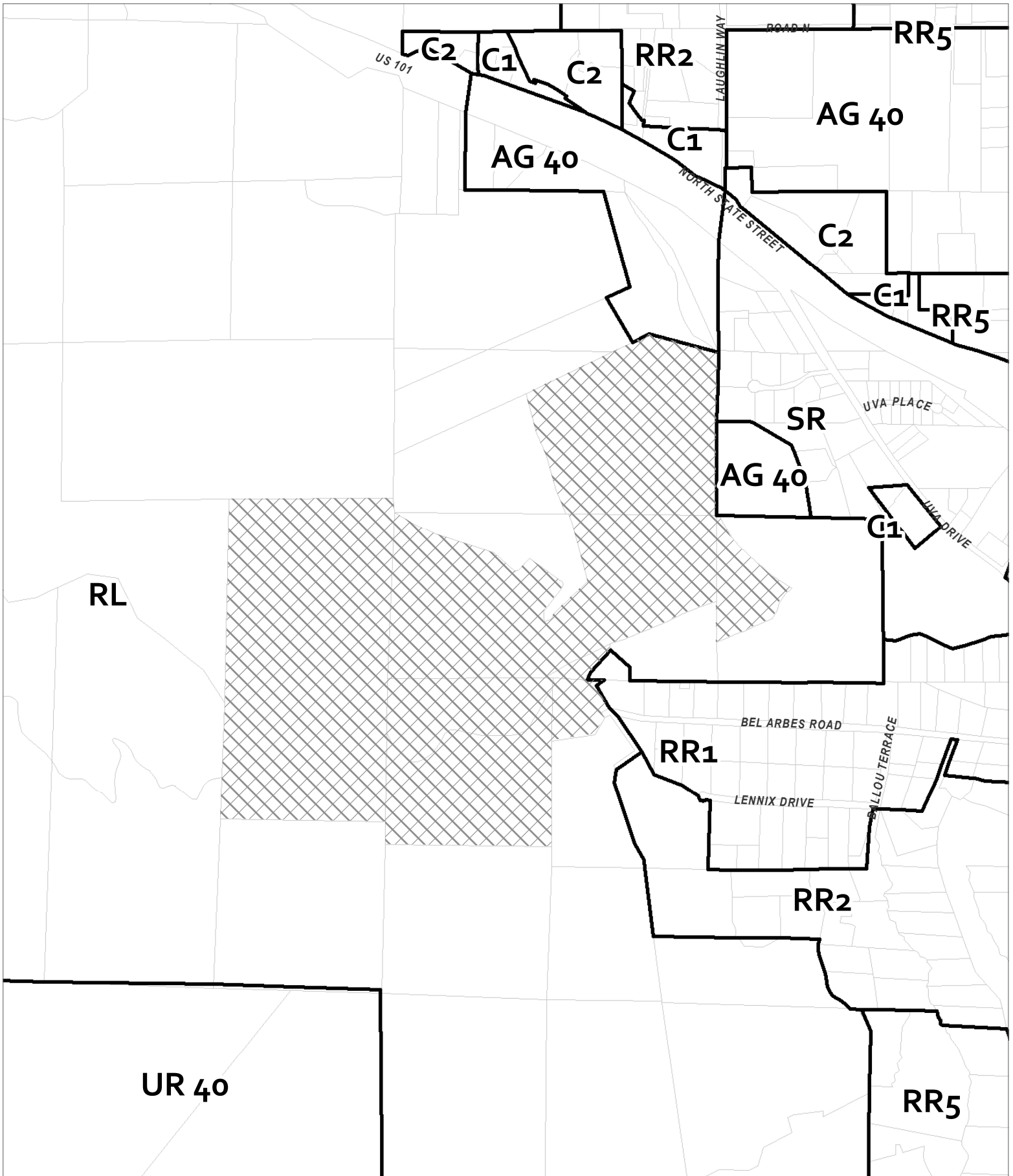
CASE: UM 2018-0002
OWNER: Swimmy Mendo Holdings, LLC
APN: 162-240-56, ET AL
APLCT: Event Horizon Tech, Inc.
AGENT: Richard Knoll Consulting
ADDRESS: 1150 Bel Arbres Road, Redwood Valley

NO SCALE

SITE PLAN

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ATTACHMENT E



CASE: **UM 2018-0002**
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 APN: **162-240-56, ET AL**
 APLCT: **Event Horizon Tech, Inc.**
 AGENT: **Richard Knoll Consulting**
 ADDRESS: **1150 Bel Arbes Road, Redwood Valley**

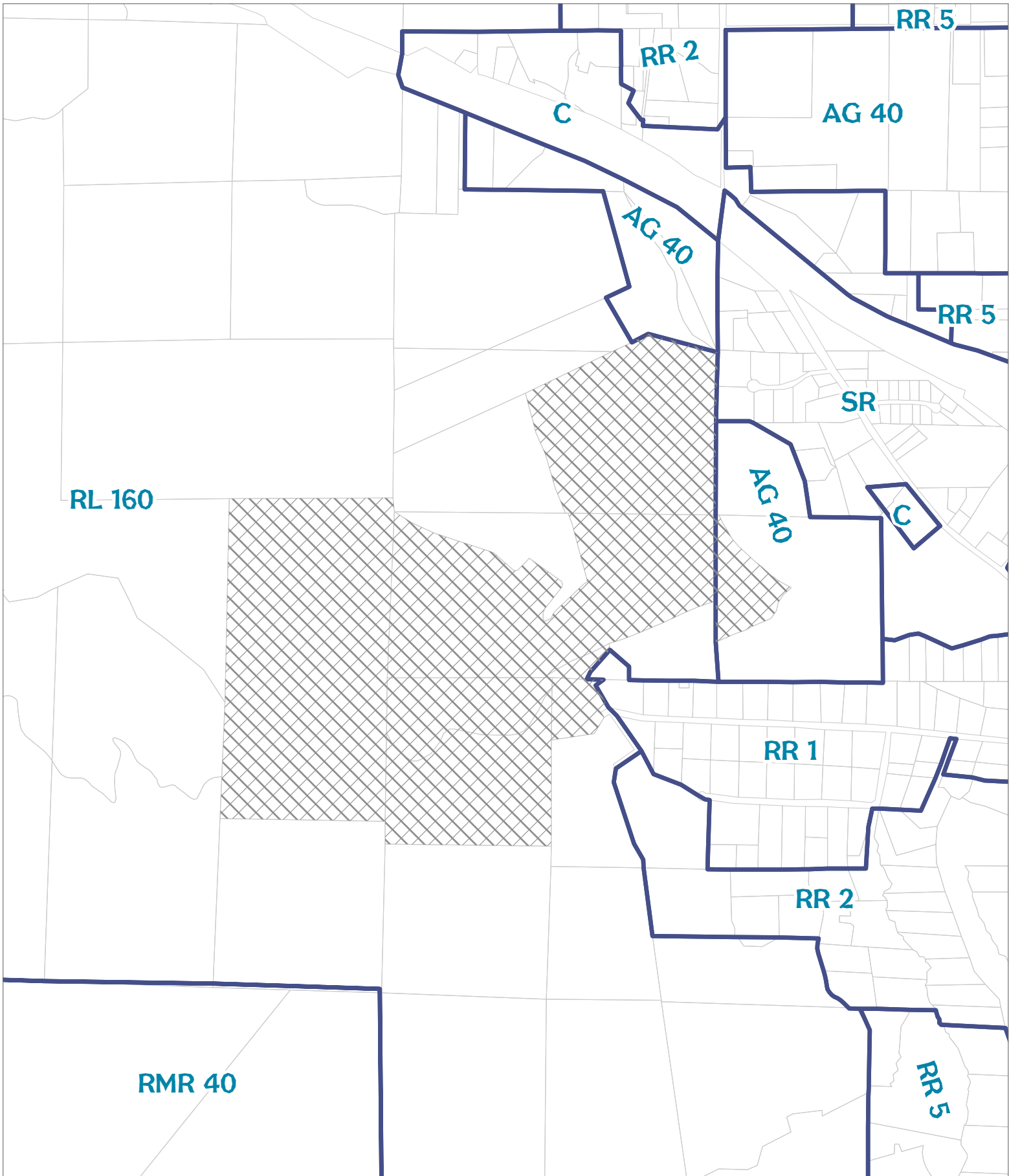
 Zoning Districts
 Public Roads

0 500 1,000 Feet
 0 0.075 0.15 Miles
 N
 W E
 S
 1:12,000


ZONING DISPLAY MAP

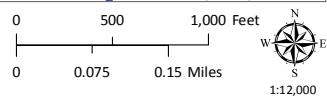
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ATTACHMENT F



CASE: UM 2018-0002
 OWNER: Swimmy Mendo Holdings, LLC
 APN: 162-240-56, ET AL
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 ADDRESS: 1150 Bel Arbres Road, Redwood Valley

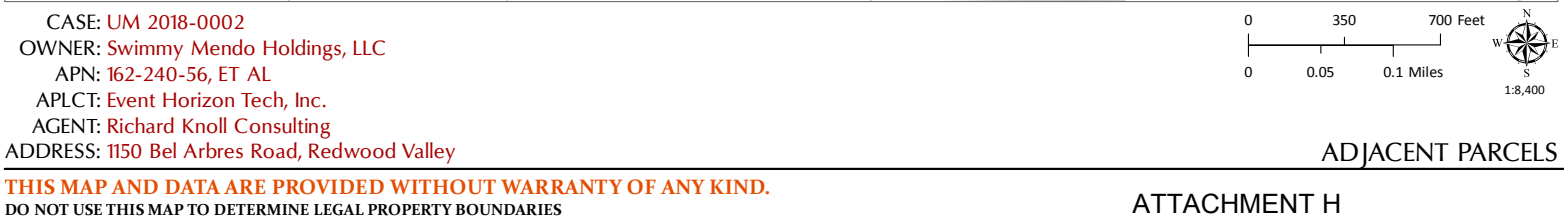
 General Plan Classes

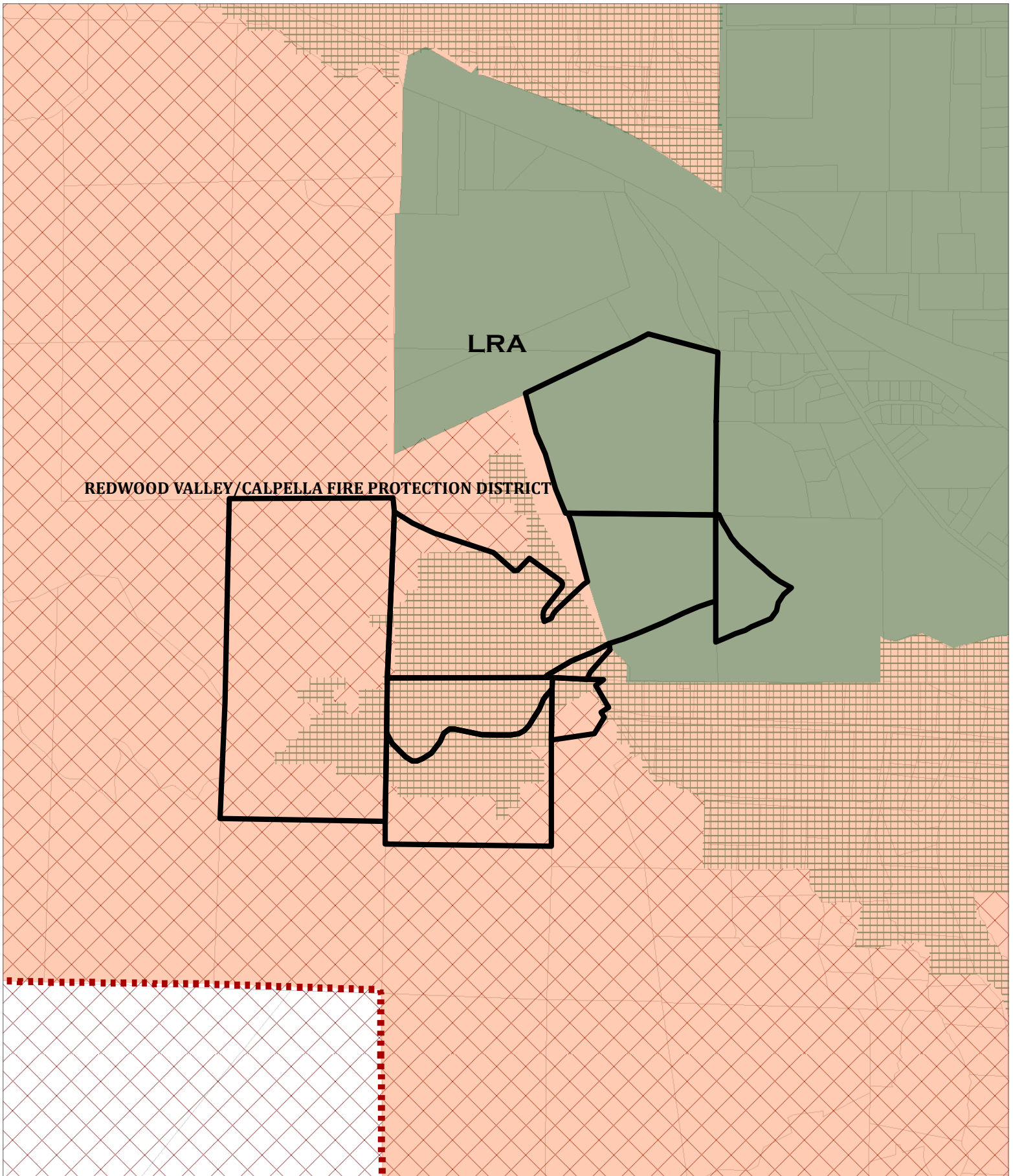


GENERAL PLAN CLASSIFICATIONS



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ATTACHMENT G

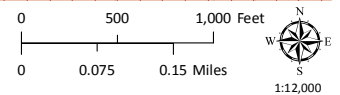




CASE: UM 2018-0002
 OWNER: Swimmy Mendo Holdings, LLC
 APN: 162-240-56, ET AL
 APLCT: Event Horizon Tech, Inc.
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 ADDRESS: 1150 Bel Arbres Road, Redwood Valley

-  County Fire Districts
-  High Fire Hazard
-  Moderate Fire Hazard

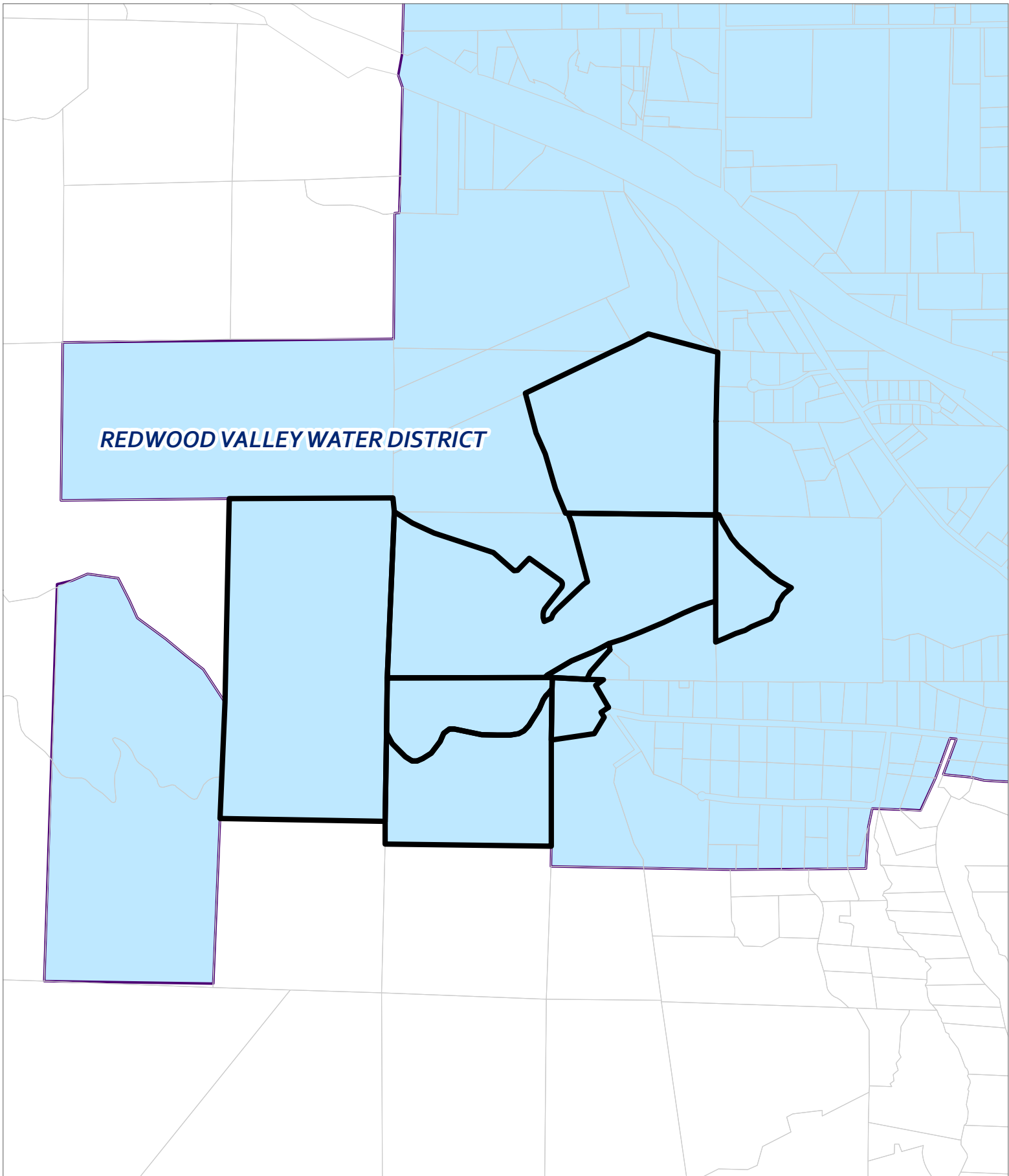
 Local Responsibility Area



FIRE HAZARD ZONES & RESPONSIBILITY AREAS
 STATE RESPONSIBILITY AREA


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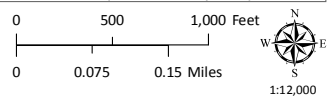
ATTACHMENT I



REDWOOD VALLEY WATER DISTRICT

CASE: UM 2018-0002
OWNER: Swimmy Mendo Holdings, LLC
APN: 162-240-56, ET AL
APLCT: Event Horizon Tech, Inc.
AGENT: Richard Knoll Consulting
ADDRESS: 1150 Bel Arbres Road, Redwood Valley

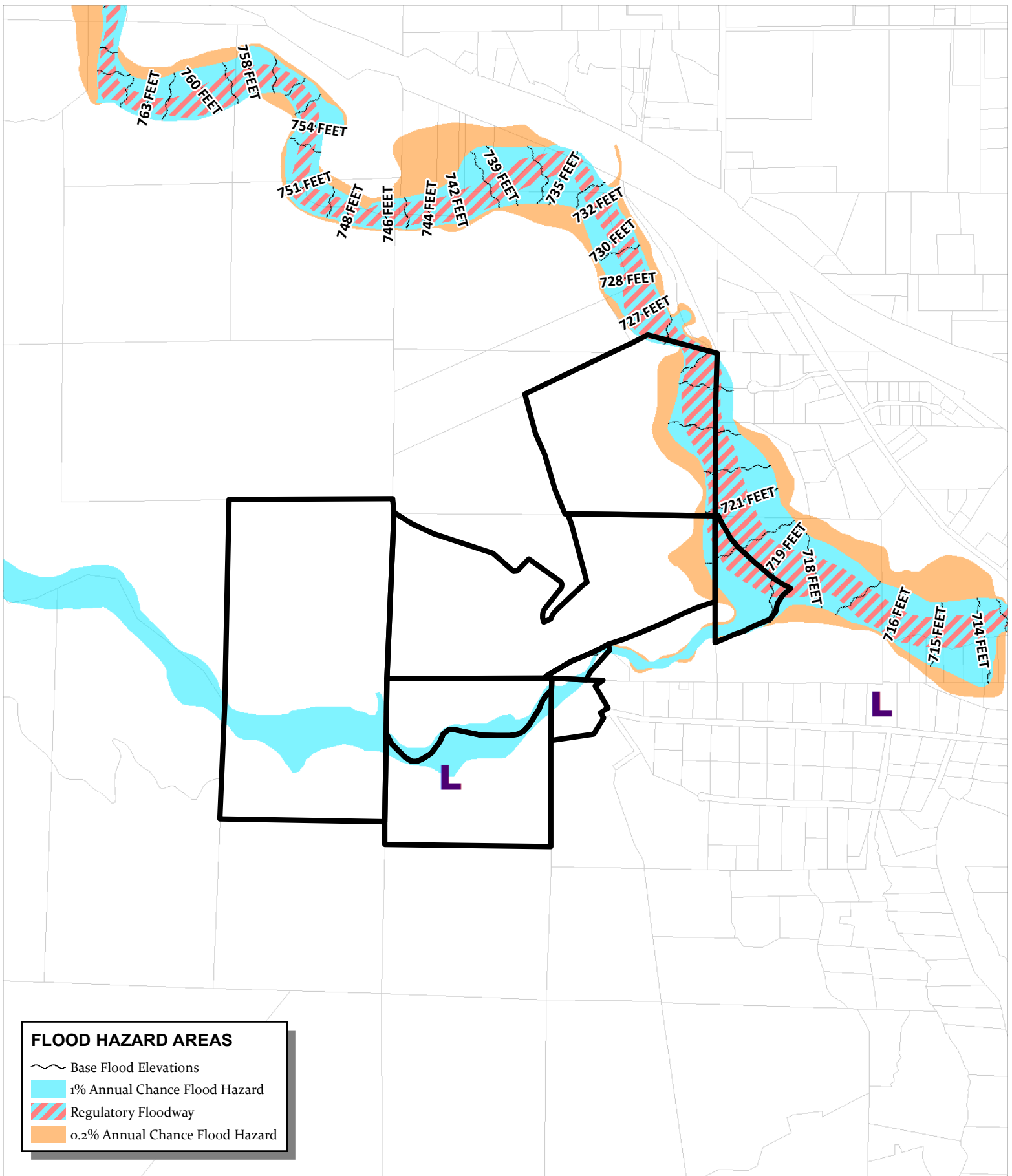
 County Water Districts



WATER DISTRICTS

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ATTACHMENT J



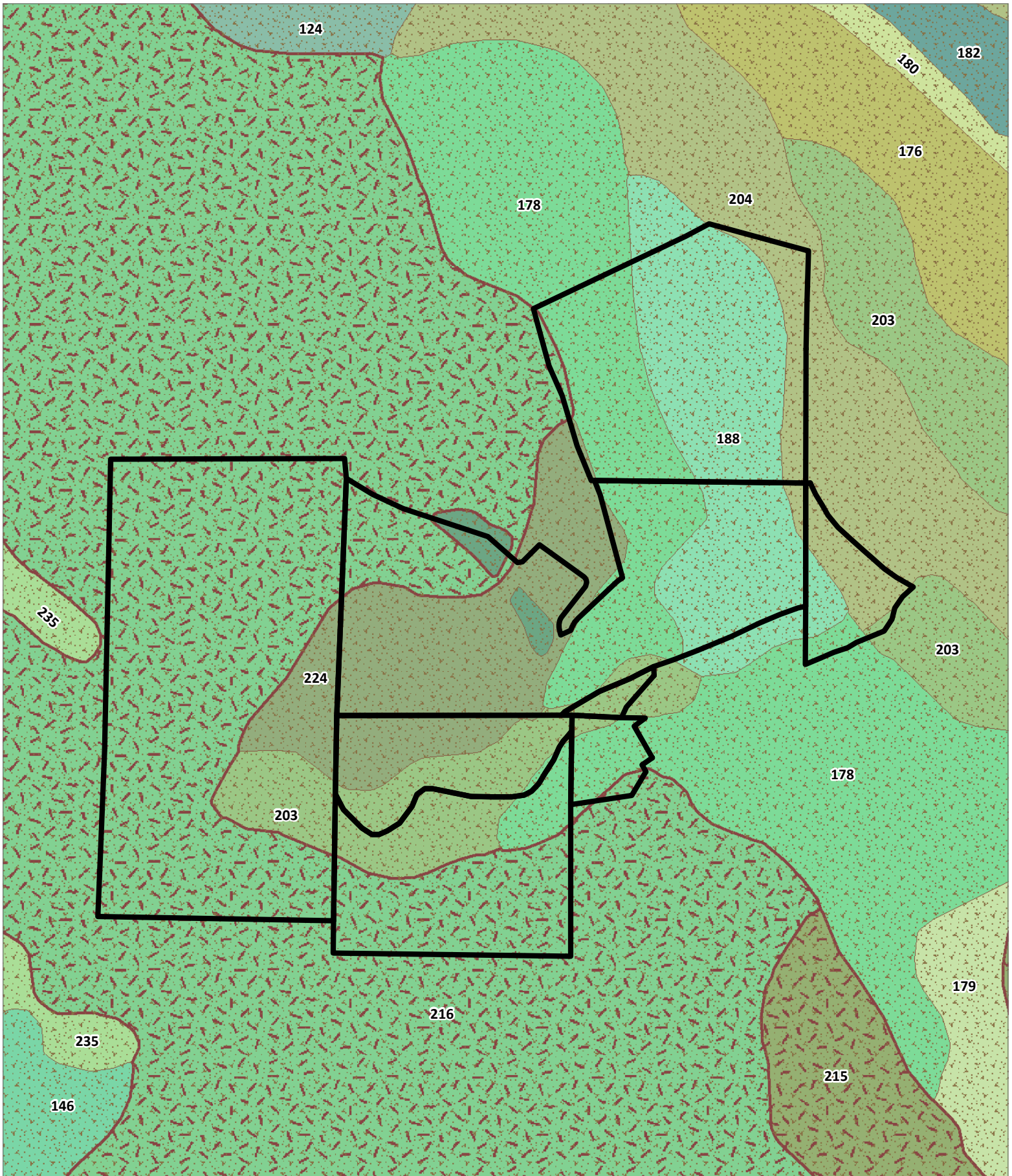
CASE: UM 2018-0002
 OWNER: Swimmy Mendo Holdings, LLC
 APN: 162-240-56, ET AL
 APLCT: Event Horizon Tech, Inc.
 AGENT: Richard Knoll Consulting
 ADDRESS: 1150 Bel Arbres Road, Redwood Valley

L LOMA Letters




SPECIAL FLOOD HAZARD AREAS

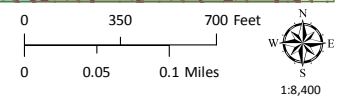
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ATTACHMENT K



CASE: UM 2018-0002
 OWNER: Swimmy Mendo Holdings, LLC
 APN: 162-240-56, ET AL
 APLCT: Event Horizon Tech, Inc.
 AGENT: Richard Knoll Consulting
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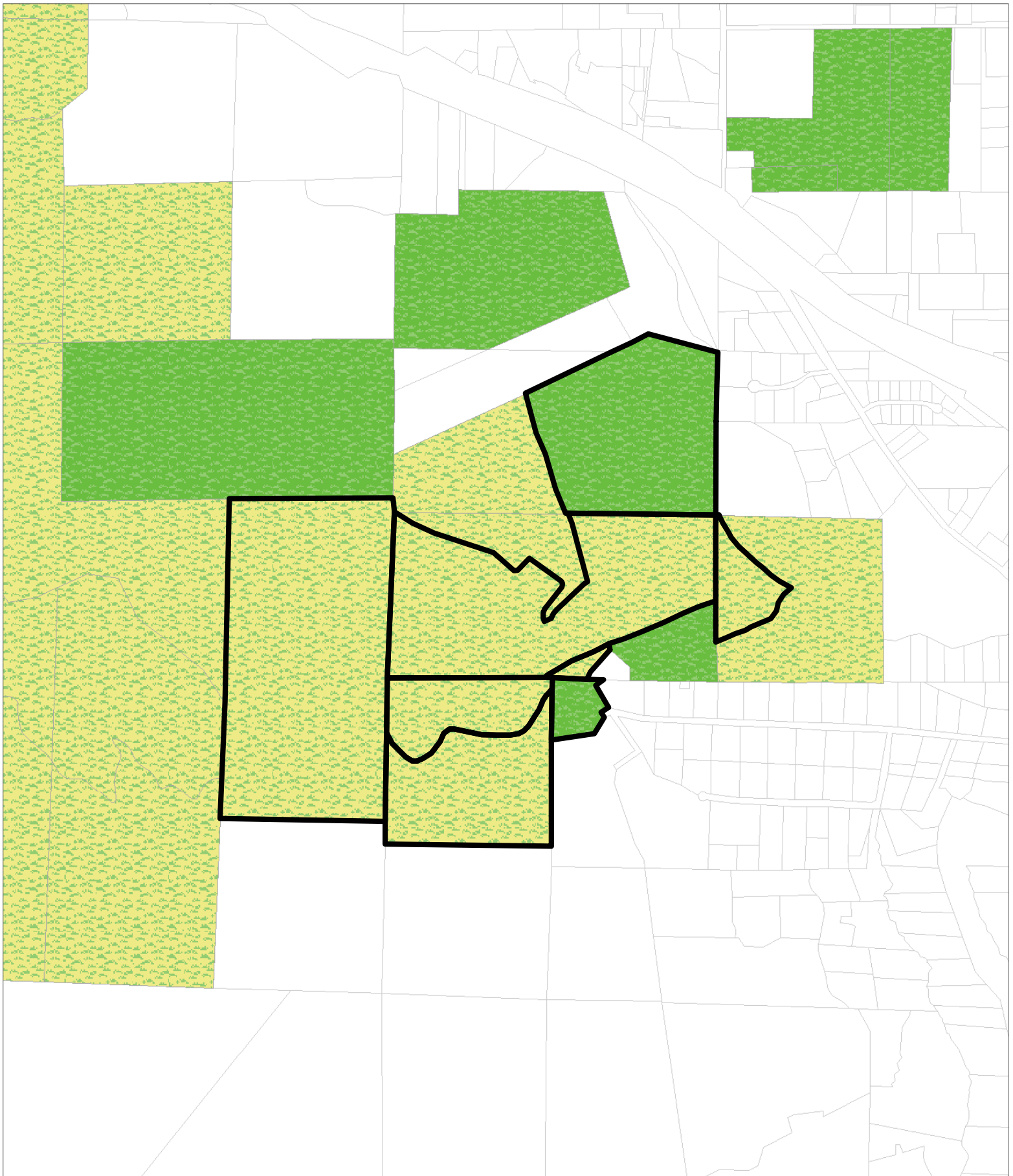
-  Naturally Occurring Asbestos
-  Eastern Serpentine Inclusions
-  Eastern Study Soil Types



LOCAL SOILS

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ATTACHMENT L



CASE: **UM 2018-0002**
OWNER: **Swimmy Mendo Holdings, LLC**
APN: **162-240-56, ET AL**
APLCT: **Event Horizon Tech, Inc.**
AGENT: **Richard Knoll Consulting**
ADDRESS: **1150 Bel Arbres Road, Redwood Valley**



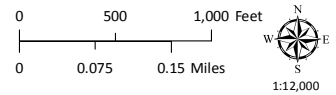
Williamson Act 2017



Prime Ag 2017



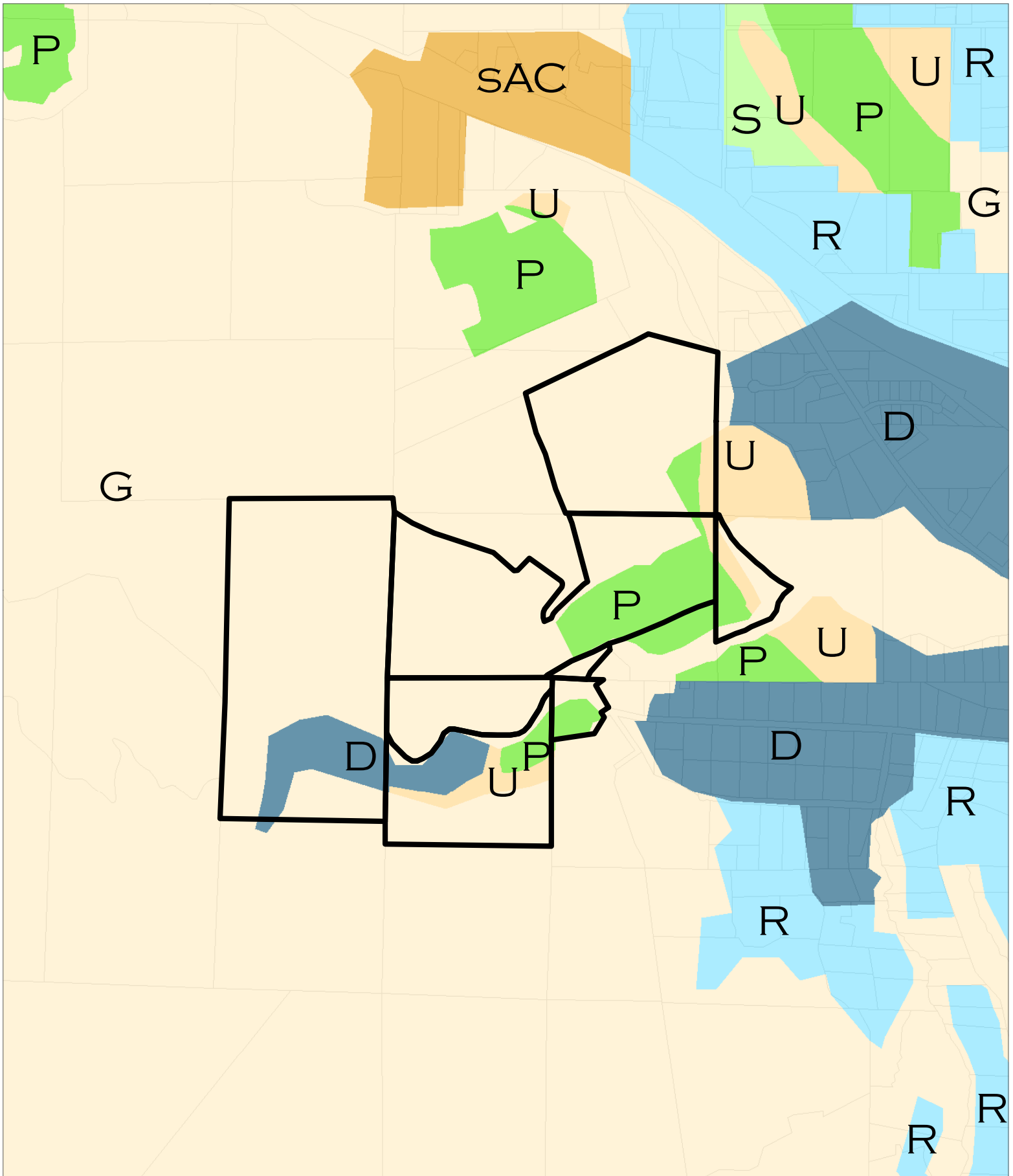
Non-Prime Ag 2017



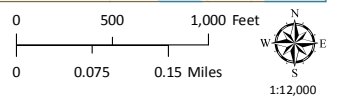
LANDS IN WILLIAMSON ACT CONTRACTS

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ATTACHMENT M



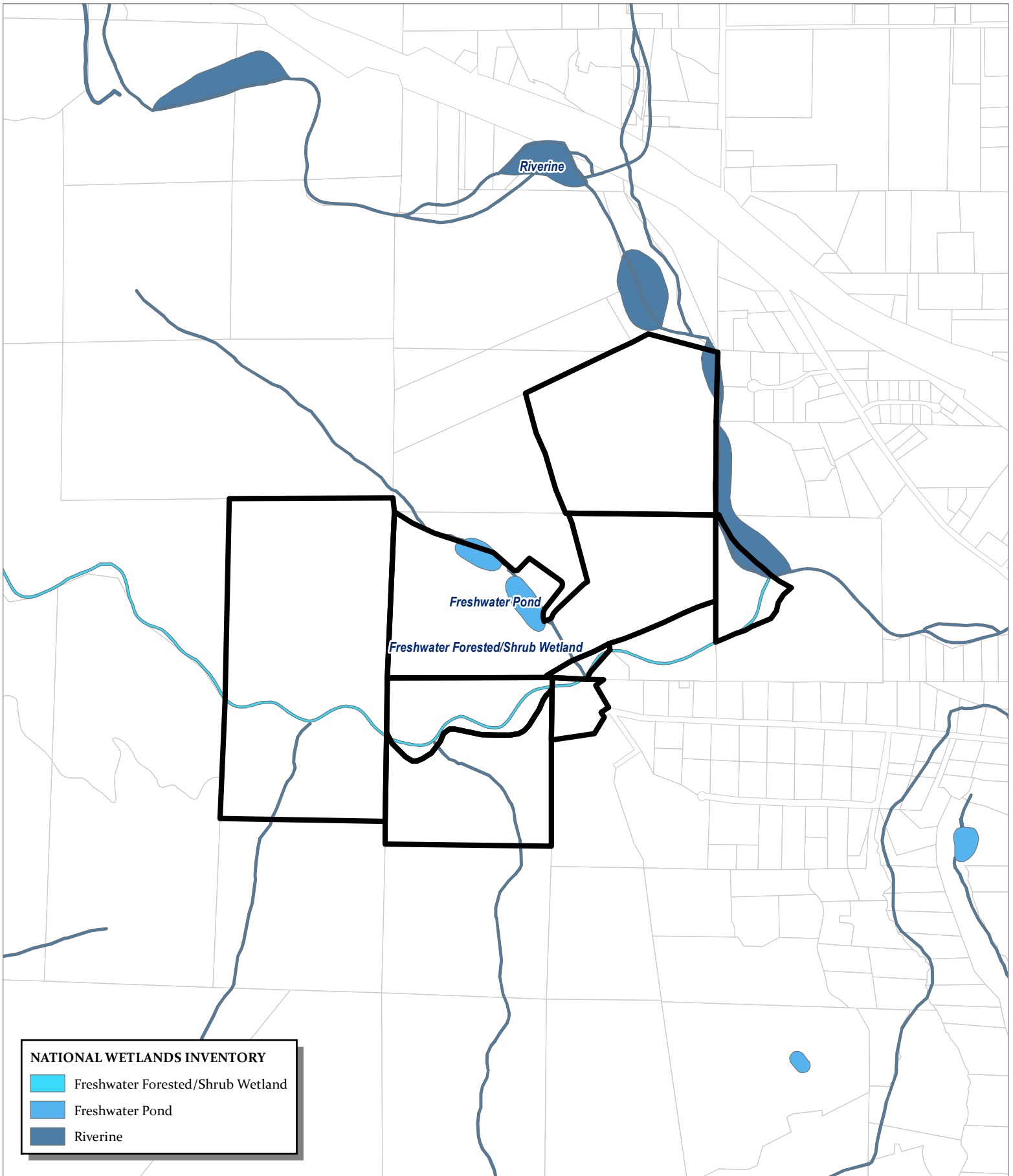
CASE: UM 2018-0002
 OWNER: Swimmy Mendo Holdings, LLC
 APN: 162-240-56, ET AL
 APLCT: Event Horizon Tech, Inc.
 AGENT: Richard Knoll Consulting
 ADDRESS: 1150 Bel Arbres Road, Redwood Valley



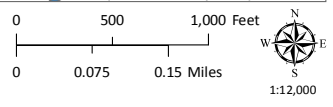
IMPORTANT FARMLAND

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ATTACHMENT N



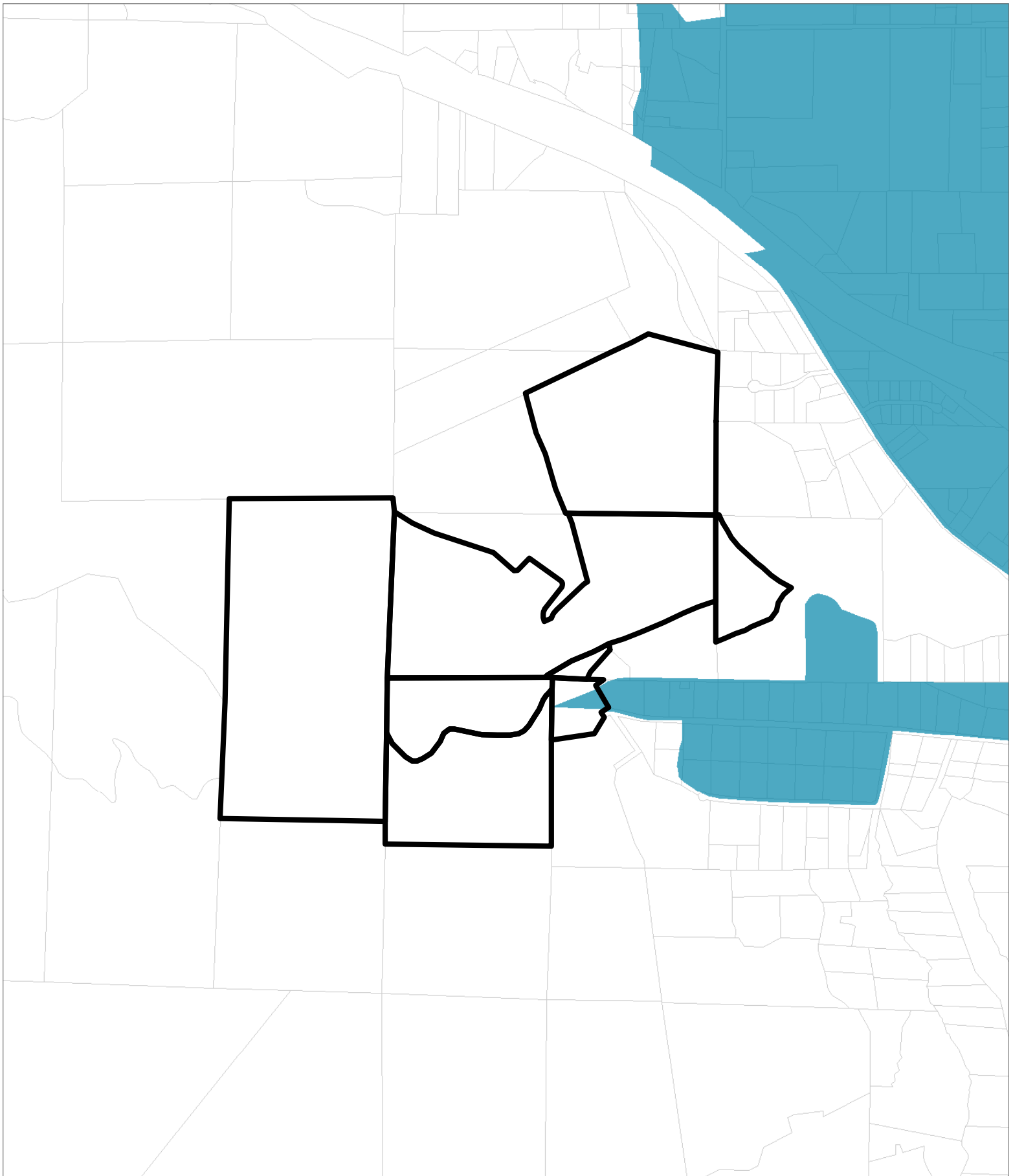
CASE: **UM 2018-0002**
OWNER: **Swimmy Mendo Holdings, LLC**
APN: **162-240-56, ET AL**
APLCT: **Event Horizon Tech, Inc.**
AGENT: **Richard Knoll Consulting**
ADDRESS: **1150 Bel Arbres Road, Redwood Valley**



WETLANDS

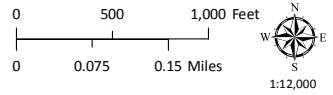
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ATTACHMENT O



CASE: **UM 2018-0002**
OWNER: **Swimmy Mendo Holdings, LLC**
APN: **162-240-56, ET AL**
APLCT: **Event Horizon Tech, Inc.**
AGENT: **Richard Knoll Consulting**
ADDRESS: **1150 Bel Arbres Road, Redwood Valley**

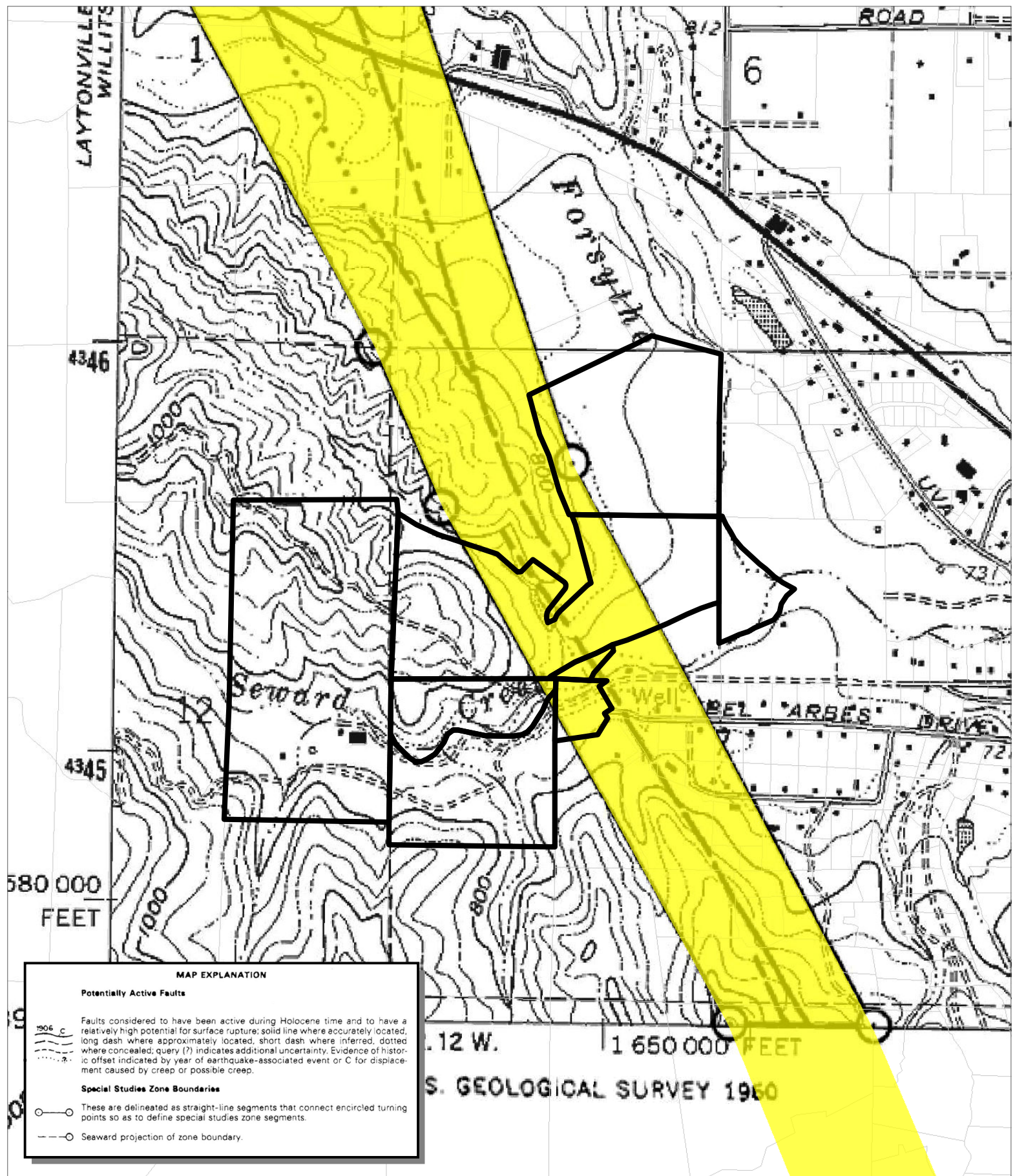
 **Ukiah Stormwater Areas**



STORMWATER PERMITTING ZONES

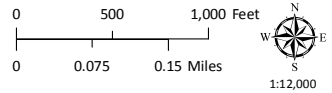
ATTACHMENT P

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 OWNER: Swimmy Mendo Holdings, LLC
 APN: 162-240-56, ET AL
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 AGENT: Richard Knoll Consulting
 ADDRESS: 1150 Bel Arbres Road, Redwood Valley

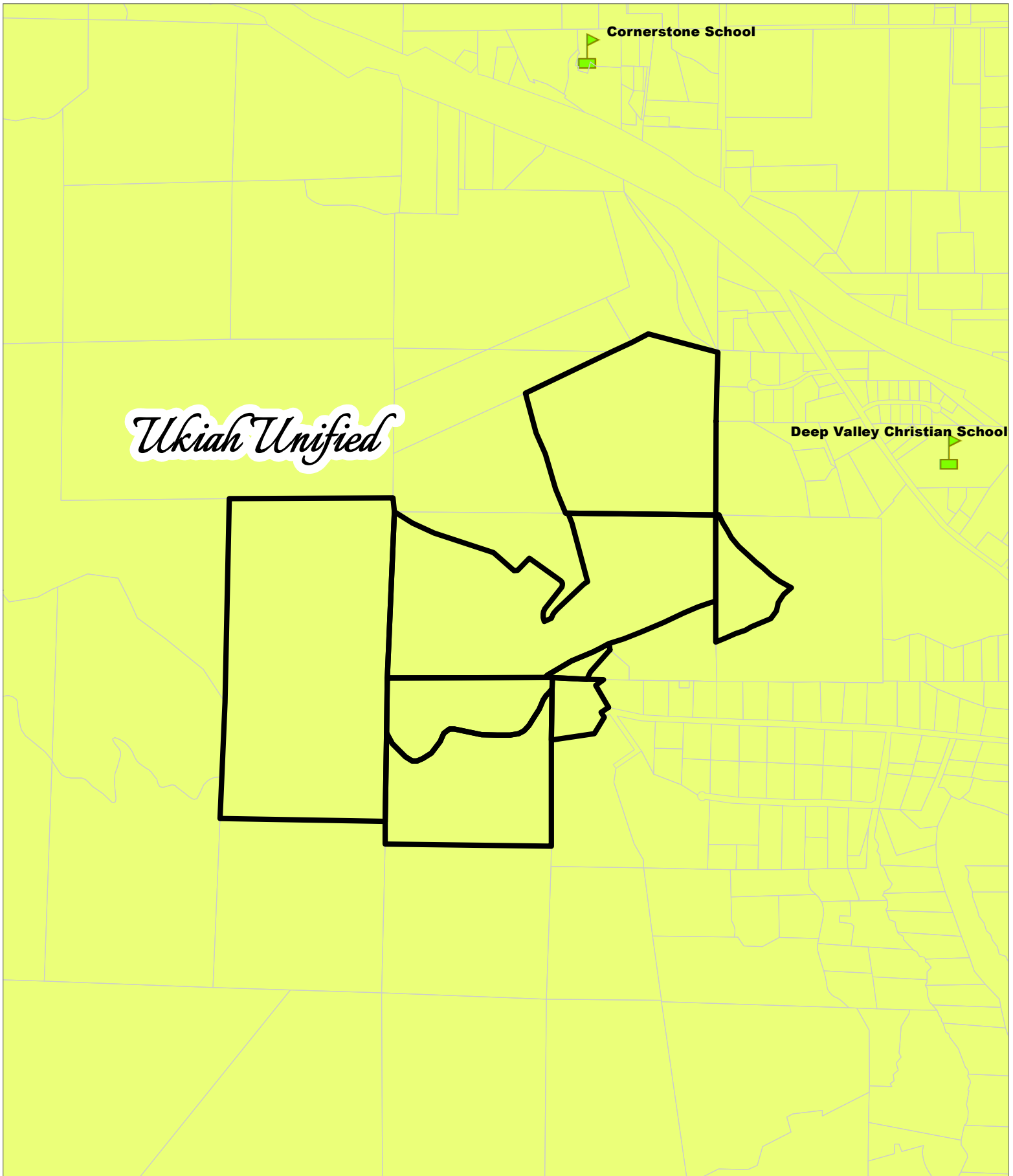
Maacama Fault Zone



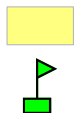
EARTHQUAKE HAZARD ZONES

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ATTACHMENT Q



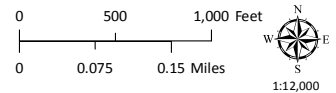
CASE: UM 2018-0002
 OWNER: Swimmy Mendo Holdings, LLC
 APN: 162-240-56, ET AL
 APLCT: Event Horizon Tech, Inc.
 AGENT: Richard Knoll Consulting
 ADDRESS: 1150 Bel Arbres Road, Redwood Valley



School Buildings



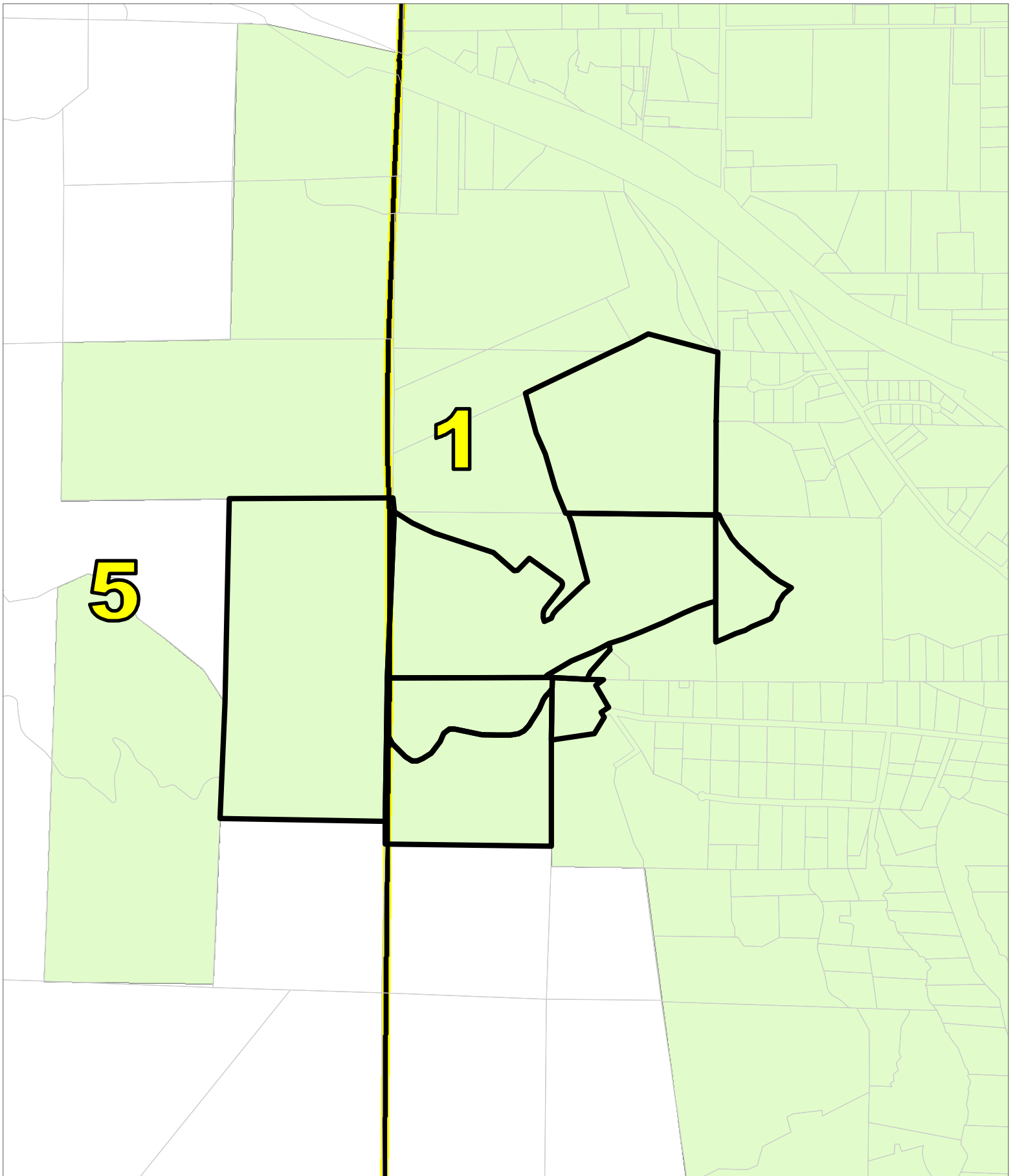
County School Districts





SCHOOL DISTRICTS

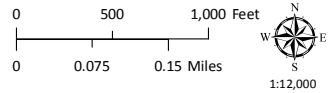
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ATTACHMENT R



CASE: UM 2018-0002
OWNER: Swimmy Mendo Holdings, LLC
APN: 162-240-56, ET AL
APLCT: Event Horizon Tech, Inc.
AGENT: Richard Knoll Consulting
ADDRESS: 1150 Bel Arbres Road, Redwood Valley

 Supervisorial Districts 2010
 Redwood Valley MAC



MACs & SUPERVISOR DISTRICTS

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ATTACHMENT S

Section I	Description Of Project.
	<p>DATE: 5/16/2018 CASE#: U_2018-0004 DATE FILED: 8/31/2017 OWNER: SWIMMY MENDO OWNER APPLICANT: EVENT HORIZON TECHNOLOGIES INC AGENT: RICHARD KNOLL REQUEST: Modification of Use Permit U_2018-0004 to allow for the expansion of the existing cannabis facility into existing structures on the adjacent parcel with the same ownership. The manufacturing (Level 1 non-volatile and Level 2 volatile) of cannabis will be the main activity occurring on the new parcel. The former structure intended for cannabis manufacturing, as approved by Use Permit U_2018-0004, will be utilized for other commercial activities. LOCATION: 3± mi. west of Redwood Valley center, on the north side of Bel Arbres Dr. (CR 238B), 1± mi. west of its intersection with Uva Dr. (CR 239), located at 1150 Bel Arbres Dr., Redwood Valley (APNs: 162-011-28, 162-160-08, 162-200-24, 162-221-11, 162-240-55, 162-190-06, -09, & -56). ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration STAFF PLANNER: SAM 'VANDY' VANDEWATER</p>
Section II	Environmental Checklist.
	<p><i>"Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change, may be considered in determining whether the physical change is significant (CEQA Guidelines, Section 15382).</i></p> <p><i>Accompanying this form is a list of discussion statements for <u>all</u> questions, or categories of questions, on the Environmental Checklist (See Section III). This includes explanations of "no" responses.</i></p>

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture and Forestry Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology /Soils
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology / Water Quality
<input type="checkbox"/> Land Use / Planning	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise
<input type="checkbox"/> Population / Housing	<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation
<input checked="" type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Tribal Cultural Resources	<input type="checkbox"/> Utilities / Service Systems
	<input checked="" type="checkbox"/> Mandatory Findings of Significance	

An explanation for all checklist responses is included, and all answers take into account the whole action involved, including off site as well as on-site; cumulative as well as project level; indirect as well as direct; and construction as well as operational impacts. The explanation of each issue identifies (a) the significance criteria or threshold, if any, used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance. In the checklist the following definitions are used:

"Potentially Significant Impact" means there is substantial evidence that an effect may be significant.

"Potentially Significant Unless Mitigation Incorporated" means the incorporation of one or more mitigation measures can reduce the effect from potentially significant to a less than significant level.

"Less Than Significant Impact" means that the effect is less than significant and no mitigation is necessary to reduce the impact to a lesser level.

"No Impact" means that the effect does not apply to the Project, or clearly will not impact nor be impacted by the Project.

INITIAL STUDY/ENVIRONMENTAL REVIEW: This section assesses the potential environmental impacts which may result from the project. Questions in the Initial Study Checklist are stated and answers are provided based on analysis undertaken.

<u>I. AESTHETICS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a-c) **No Impact:** The proposed project is not located on any scenic state highway, thus there is no potential for the project to damage any scenic resources or have adverse effects on any scenic vistas. Additionally, the project will not require the removal of any natural elements such as trees or rocks, thus there is no impact to those resources. As the proposed project utilizes existing structures, there is no visual character or site quality that would be impacted. A condition has been included to ensure signs comply with any applicable county regulations.

d) **Less Than Significant Impact:** The proposed project repurposes existing structures and thus requires upgraded and additional security lighting, thus there may be a small impact on nighttime views. However, a condition has been included to ensure this impact is considered less than significant by requiring all outdoor lighting to be downcast and shielded to limit light pollution.

<u>II. AGRICULTURE AND FORESTRY RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>II. AGRICULTURE AND FORESTRY RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a, c-e) **No Impact:** The land on which the proposed project will be located is considered to be "Urban & Built-up Land" per the *Attachment M Important Farmland Map*, thus there will be no conversion of Prime, Unique, or state farmland to a non-agricultural use. Additionally, the proposed project does not entail the removal of any tree species and it is not considered part of a 'forestland', thus there is no impact to timber resources.

b) **No Impact:** The proposed project is located on a parcel that is under a Williamson Act Contract. Per Section 9.5(E) of the Williamson Act Policies and Procedures, the proposed project is considered a compatible use with the Williamson Act. While full distribution is not considered appropriate for land under a Williamson Act contact, the distribution aspect of the proposed project is accessory to the processing and manufacturing of cannabis materials, which is considered a compatible.

<u>III. AIR QUALITY.</u> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of any applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-e) **No Impact:** The proposed project does not entail any activity that would create substantial pollution, or damage air quality in any way, thus the project would not conflict with any air quality plan, nor would it violate any air quality standards. Subsequently, there will be no considerable net increase of pollutants due to the project. As most of the activities of the proposed project will be conducted inside, there will be no impact to the environment or neighboring residents with regards to pollutants or objectionable odors. Several conditions have been included to ensure there are no impacts to air quality.

<u>IV. BIOLOGICAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **Less Than Significant Impact:** According to spatial data currently held by the County of Mendocino, there are no identified species on or near the project site that are considered protected by any local, state, or federal agency. The California Department of Fish and Wildlife provided comment on May 7, 2018, stating that several special species, including steelhead trout, foothill yellow-legged frog, red-bellied newt, and western pond turtle, could potentially be present in the riparian areas on the parcel. However, these concerns are considered less than significant as the proposed project does not entail any new development and only necessitates the remodeling and repairing of existing structures previously used for the former winery.
- b-f) **No Impact:** The proposed project is not located near any wetland, wildlife corridor, or any form of conservation land, thus there is no potential for any substantial adverse impacts on said sensitive habitat. A creek does flow through the property, thus creating a riparian zone, but the impacts are considered nonexistent as there will be no new development. There are no conservation plans, policies, or ordinances with which the project conflicts, thus there will be no impacts to such protections. The

California Department of Fish and Wildlife fee of \$2,330.75 will be required within 5 days of the end of any appeal period. This fee is required to help enforce environmental regulations that protect special species and habitats that are considered important natural resources.

<u>V. CULTURAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-d) **No Impact:** The proposed project does not entail the development of any new structures, nor any ground disturbing activities that would result in impacts to potential cultural resources. In the event that archaeological resources are encountered during development of the property, work in the immediate vicinity of the find shall be halted until all requirements of Chapter 22.12 of the Mendocino County Code "Discovery" relating to archaeological discoveries have been satisfied.

<u>VI. GEOLOGY AND SOILS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>VI. GEOLOGY AND SOILS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-e) **No Impact:** The proposed project is not exposed to any major geological concerns such as ground shaking, ground failure, landslides, or soil erosion as it is not located on any fault zone or near any heavily sloped terrain. Furthermore, the subject parcel is not located on soils that would be considered unstable or expansive, per the *Attachment K Soils Map*, thus these concerns do not apply to the project site. As the project is not located on a fault, the project would not trigger any issues such as a landslide or liquefaction, thus there is no impact in this regard. Additionally, the soil on which the proposed project is located already supports the existing septic system, thus these issues are considered to have no impact.

<u>VII. GREENHOUSE GAS EMISSIONS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-b) **No Impact:** The proposed project does not entail any activities that would generate any greenhouse gases, thus there is no impact in this regard. There are no identified plans, policies, or regulations that would be violated through the any of the project activities, thus there is considered to be no impact.

<u>VIII. HAZARDS AND HAZARDOUS MATERIALS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-b) **Less Than Significant Impact:** The proposed project entails the use of ethanol and butane for the manufacturing of cannabis products. The gases will be stored in 120 lbs. tanks in the manufacturing space, as well as a in a bulk tank just outside the manufacturing structure. This will require a Hazardous Material Management Plan (HMMP), a requirement imposed by the Mendocino County Department of Environmental Health during their review of the business license. A condition has been included to ensure this plan is completed, thus the impact is considered less than significant. Additionally, the applicant's business license for manufacturing will not be processed by the Department of Environmental Health until a HMMP is provided and approved.
- c) **No Impact:** The project does not propose any activities that would emit any hazardous emissions or use any hazardous materials, thus there is no impact in this regard. Furthermore, the closest school is located roughly 1 miles northeast of the project site; Deep Valley Christian School.
- d) **No Impact:** The project site has not been identified as a hazardous materials site, thus there will be no significant hazard to the public or the environment in terms of exposure to on-site hazardous materials.
- e-f) **No Impact:** The proposed project is not located within an airport land use plan, the closest airport being Ukiah Municipal Airport, roughly 9 miles to the southeast, thus there are no concerns regarding airplanes or airstrips.
- g) **No Impact:** The proposed project gains access from Bel Arbres Road (CR 238B) and allows for on-site parking, thus there will no physical interference with an emergency response or evacuation plan.
- h) **No Impact:** The proposed project is located in an "Urban & Built-Up Land" area and surrounded by "Grazing Land" per the *Attachment M Important Farmland Map*, thus there is the potential for wildland fires to affect the subject property. However, the subject parcel is located within an area identified as a moderate fire hazard area, thus the impact is considered to be less than significant. Additionally, the Redwood Valley – Calpella Fire District station is located roughly 3 miles to the east.

The Redwood Valley – Calpella Fire District replied to referrals on May 9, 2018, stating that they had been working with the applicants regarding fire safety. The response also indicated the Fire District's support and faith that the applicants will be able to establish a fire safe working environment. However, the project is located within a state responsibility area, thus a referral was sent to CalFire. No comments were provided in the response dated April 30, 2018, indicating CalFire had no major concerns with the proposed project and uses.

IX. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100 year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100 year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k) Result in an increase in pollutant discharges to receiving waters considering water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l) Have a potentially significant impact on groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
m) Impact aquatic, wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a, f) **No Impact:** The project will not violate any water quality standards or degrade water quality itself as there are no aspects of the proposed project that would affect water quality.

- b) **No Impact:** The proposed project does not require the intensive use of any water resources, thus no substantial depletion of water resources will occur. As no cannabis cultivation will be occurring, which had not been the case during at the pre-application conference (PAC_2016-0027) regarding the proposed project, the amount of water that will be utilized is significantly less than that of the former Fetzer winery operation, and thus there is considered to be no impact.
- c-e) **No Impact:** The proposed project does not entail alterations to any drainage pattern that would result in erosion or siltation of the site or neighboring properties, thus this concern is considered to have no impact. Furthermore, it is unlikely the proposed project will alter any drainage pattern in terms of stream alterations as all the buildings intended to be used for the project are existing structures and impervious surfaces are not allowed to be expanded. The project is located outside of the Ukiah stormwater area, thus the drainage system would not be impacted, nor would it impact the capacity of any such system.
- g-j) **No Impact:** While proposed project is partially located within a flood plain, the buildings that will be used are existing structures, thus there is considered to be no impact in terms of these issues. Additionally, the subject parcel is far enough away from the coastline that no ocean related flooding would occur. The project is not located within a dam inundation zone, thus inundation concerns are considered to have no impact. Furthermore, the proposed project is not located near any environ that would result in the inundation of the subject parcel or project site.
- k-l) **No Impact:** The proposed project does not entail any large water discharging that would result in pollutant discharges or any activities that would significantly impact groundwater quality, thus there is considered no impact in terms of these issues.
- m) **No Impact:** A creek flows through the subject parcel, thus a riparian zone exists. However, the proposed project entails the use of existing structures and does not involve any new development, thus there will be no impacts on any riparian habitats. There are no other identified aquatic or wetland habitats on the subject parcel that could be impacted by the proposed project.

<u>X. LAND USE AND PLANNING.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **No Impact:** The proposed project is not located within any established community, thus the project would not physically divide any established community.
- b) **No Impact:** There are no land use plans, policies, or regulations, established by a jurisdictional agency to mitigate environmental impacts, with which the proposed project conflicts.
- c) **No Impact:** There are no identified habitats or natural community conservation plans for the project location, thus there is no possibility for the project to conflict with any such plans. Additionally, there are no special habitats located on the subject parcel.

<u>XI. MINERAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-b) **No Impact:** The proposed project is not located on or within any identified mineral resource lands, thus it will not result in the loss of any available mineral resource.

<u>XII. NOISE.</u> Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a, c, d) **Less Than Significant Impact:** The proposed project is nestled between some small hills and is not located immediately next to any residences, thus it is unlikely that noise levels would exceed any standards established in any plans or ordinance. There could be some increased permanent and temporary noise due to the car traffic and interior remodeling of the existing structures, respectively; but these issues are considered to be less than significant because of the current and past uses as a wine crafter and distributor, as well as the geographical seclusion the project location maintains to neighbors.
- b) **Less Than Significant Impact:** The proposed project does not entail any uses or development that would generate ground borne noises or vibrations, but future utilization of the subject parcel could result in such issues. As previously stated however, given the location of the project and proximity of the closest residential areas, any ground borne noise or vibration concerns are considered to be less than significant.

- e-f) **No Impact:** The proposed project is not located near any airport zone or within any airport land use plan, thus it would not be exposing people to any level of noise regarding aircrafts or airstrips.

<u>XIII. POPULATION AND HOUSING.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-c) **No Impact:** As the proposed project does not entail any new homes or housing infrastructure, it is unlikely that direct or indirect substantial population growth would occur. This lack of development also means that no housing or people will be displaced because of the proposed project.

<u>XIV. PUBLIC SERVICES.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Medical Services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **No Impact:** The proposed project does not create any issues for public service delivery and the parcel gains access from Bel Arbres Road (CR 238B). The Redwood Valley – Calpella Fire District, as previously noted, provided a response to project referrals stating that the Fire District had open communications with the applicant. Also previously noted was the response from CalFire indicating no concerns for the project at the time of referrals.

<u>XV. RECREATION.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-b) **No Impact:** The proposed project is not located near any state or regional parks, thus it would be unlikely that recreational facilities would deteriorate from usage due to the proposed project. Additionally, the proposed project does not entail the creation of any recreational spaces, thus it would be unnecessary to expand recreational facilities.

<u>XVI. TRANSPORTATION/TRAFFIC.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) **Less Than Significant with Mitigation Incorporated:** The proposed project would entail a more intensive use of Bel Arbres Road than already exists. Additionally, in an email dated May 21, 2018, Deputy Director of Transportation Amber Muñoz stated that the current pavement condition index (PCI) is a 9 out of 100, indicating a "failed" road. This rating, along with the increased use of the road, has

resulted in the DoT conditioning the permit, requiring the applicants to make improvements to Bel Arbres Road. Email communications with Redwood Valley Municipal Advisory Council representative Alex de Grassi dated June 14, 2018, reflects support for the condition as the residents of Bel Arbres have concerns with the increased traffic related to the proposed project.

The applicant commissioned a traffic study of their own volition, which was completed by W-Trans. An existing conditions analysis report was provided to staff on June 21, 2018. The analysis states that roughly 35% of the vehicular movement on Bel Arbres is traffic traveling to or from the project site, including to the existing winery that is unrelated to the proposed project. However the analysis also states that it does not examine future or potential traffic impacts of the proposed project.

- b-f) **No Impact:** There are no identified congestion management programs which could be violated by the proposed project, thus there are no impacts with regards to these concerns. The project does not entail any obstructions to emergency access. Additionally, the proposed project would not alter any movement patterns, nor increase traffic hazards to others within the surrounding area. A condition has been included to ensure the applicant works with the Mendocino County Department of Transportation when necessary.

<u>XVII. TRIBAL CULTURAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-b) **No Impact:** The proposed project does not entail the development of any new structures, nor any ground disturbing activities that would result in any impacts to potential cultural resources.

<u>XVIII. UTILITIES AND SERVICE SYSTEMS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-b) **No Impact:** The proposed project is not located within a wastewater sanitation district and thus there would be no impact with regard to these issues. Additionally, it is not anticipated that a significant amount of water will be required for the proposed project, thus there should be no impact on the existing septic system, which had to accommodate the former winery which was more water intensive.
- c) **No Impact:** The project is not located within the MS4 stormwater area, thus there should be no impacts with regards to such issues.
- d) **No Impact:** The project was referred to the Redwood Valley Water District on April 24, 2018 and no comments were provided. Additional outreach was attempted on May 21, 2018 through email, but no response was provided. A condition has been included to ensure that applicant works with the Water District on any requirements they may have.
- e-g) **No Impact:** The proposed project is not located within any wastewater district, thus there are no impacts with regard to these issues. Additionally, there are several recycling businesses and solid waste removal businesses within a 10 minute drive of the project location, thus there will be no impacts with regards to solid waste.

<u>XIV. MANDATORY FINDINGS OF SIGNIFICANCE.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- a) **No Impact:** As noted in previous sections, the proposed project has mostly no impact on the quality of the environment and it would not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, nor would the project eliminate important examples of the major periods of California history or prehistory. Any impacts that would occur are considered to be less than significant and will be diminished through the Conditions of Approval.
- b) **No Impact:** The proposed project will not create any cumulative impacts on the surrounding area and any impact that would occur is considered to be less than significant.
- c) **Less Than Significant with Mitigation Incorporated:** Though most aspects of the project will not have an impact on the environment and surrounding residence, there are a number of potentially impactful components of the project that require mitigation. The most concerning impact of the project is the effect it will have on existing road infrastructure along Bel Arbres. As the road is already considered "failed" by the standards of the Mendocino County Department of Transportation. Additional potential impacts include the use of hazardous materials (butane, ethanol, and propane), increases in ambient noises and ground borne vibrations, and potential presence of special species as identified by the California. However, many of the concerns are considered to have less than significant impacts or have conditions to help reduce any potential impacts.

DETERMINATION: On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ 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 revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, 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. 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, 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, nothing further is required.

11-1-2018

DATE


SAM VANDY VANDEWATER
PLANNER II

Resolution Number _____

County of Mendocino
Ukiah, California
December 6, 2018

UM_2018-0002 - SWIMMY MENDO OWNER LLC

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF
MENDOCINO, STATE OF CALIFORNIA, GRANTING A USE PERMIT
MODIFICATION FOR CANNABIS MANUFACTURING

WHEREAS, the applicant, EVENT HORIZON TECHNOLOGIES INC, filed an application for a Use Permit Modification with the Mendocino County Department of Planning and Building Services to allow for the expansion of cannabis manufacturing, 3± mi. west of Redwood Valley center, on the north side of Bel Arbres Dr. (CR 238B), 1± mi. west of its intersection with Uva Dr. (CR 239), located at 1150 Bel Arbres Dr., Redwood Valley (APNs: 162-011-28, 162-160-08, 162-200-24, 162-221-11, 162-240-55, 162-190-06, -09, & -56); General Plan RL; Zoning RL:160/FP:B/Agricultural Preserve; Supervisorial Districts 1 and 5; (the "Project"); and

WHEREAS, pursuant to the provisions of the California Environmental Quality Act (Public Resources Code section 21000 *et seq.*; CEQA) and the CEQA Guidelines (Title 14 California Code of Regulations section 15000 *et seq.*), a Mitigated Negative Declaration ("MND") was previously prepared for the original project (U_2018-0004) and was noticed and made available for agency and public review on June 21, 2018 and was adopted by the Planning Commission on August 16, 2018; and

WHEREAS, section 15164 of the CEQA Guidelines provides that an addendum to a previously adopted MND may be prepared if only minor technical changes or additions to the project are necessary or none of the conditions described in CEQA Guidelines section 15162 calling for the preparation of a subsequent environmental impact report or mitigated negative declaration have occurred; and

WHEREAS, County staff has prepared an Addendum to the adopted Mitigated Negative Declaration related to the proposed use permit modification, which is attached to this resolution as Exhibit B and incorporate herein by this reference ("Addendum"), and which determines that none of the conditions described in CEQA Guidelines section 15162 will occur: and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on, December 6, 2018, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Project. All interested persons were given an opportunity to hear and be heard regarding the Project; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Planning Commission regarding the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission makes the following findings, based upon the evidence in the record;

- 1. General Plan & Zoning Consistency Findings:** The subject parcel has a General Plan Land Use Designation of Rangeland (RL) and the Project is consistent with the General Plan definition. Additionally, the subject parcel lies within the Zoning District of Rangeland (RL:160) and the Project is consistent with the Zoning Code per MCC Sections 20.052 and 20.243; and
- 2. Use Permit Findings:** The Project satisfies the Use Permit required findings per the Mendocino County Code §20.196.020; and

3. **Traffic Findings:** The Project has been reviewed by the Mendocino County Department of Transportation and Redwood Valley MAC, both agencies determining no additional actions or conditions be required other than those of Use Permit U_2018-0004; and
4. **Environmental Protection Findings:** The Addendum to the previously adopted MND prepared for this use permit modification has been completed in compliance with CEQA and the CEQA Guidelines. The Addendum to the previously adopted MND was presented to the Planning Commission, which independently reviewed and considered the Addendum, and the Planning Commission has exercised its independent judgment in making the findings and determinations set forth herein. Based on the evidence submitted and as demonstrated by the analysis and findings included in the Addendum, none of the conditions described in section 15162 of the CEQA Guidelines calling for the preparation of a subsequent negative declaration or environmental impact report have occurred.

BE IT FURTHER RESOLVED that the Planning Commission hereby approves and adopts the Addendum to the previously adopted MND for the Project, in the form attached to this Resolution as Exhibit B, and directs the Mendocino County Department of Planning and Building Services to attach the Addendum to the MND.

BE IT FURTHER RESOLVED that the Planning Commission hereby grants the requested Use Permit Modification, subject to the Conditions of Approval & Mitigation Measures in Exhibit "A", attached hereto.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which the decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482.

BE IT FURTHER RESOLVED that the Planning Commission action shall be final on the 11th day after the date of the Resolution unless an appeal is taken.

I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.

ATTEST: VICTORIA DAVIS
Commission Services Supervisor

By: _____

BY: BRENT SCHULTZ
Director

MADLIN HOLTKAMP, Chair
Mendocino County Planning Commission

EXHIBIT A

CONDITIONS OF APPROVAL & MITIGATION MEASURES UM_2018-0002 – SWIMMY MENDO OWNER LLC DECEMBER 6, 2018

APPROVED PROJECT DESCRIPTION: Modification of Use Permit U_2018-0004 to allow for the expansion of the existing cannabis facility into existing structures on the adjacent parcel with the same ownership. The manufacturing (Level 1 non-volatile and Level 2 volatile) of cannabis will be the main activity occurring on the new parcel. The former structure intended for cannabis manufacturing, as approved by Use Permit U_2018-0004, will be utilized for other commercial activities.

CONDITIONS OF APPROVAL AND MITIGATION MEASURES (as indicated by “*)”:**

Conditions of Use Permit #U_2018-0004

Standard Conditions:

1. The permit shall become effective on the 11th day after Planning Commission approval and shall expire and become null and void at the expiration of two years after the effective date except where use of the property in reliance on such permit has been initiated prior to its expiration.
2. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Division I of Title 20 of the Mendocino County Code.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance therewith is mandatory, unless an amendment has been approved by the Planning Commission.
4. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
5. The applicant shall secure all required permits from the Building Inspection Division of the Department of Planning and Building Services for all construction, structural modifications, establishment of signs and compliance with handicapped accessibility for the facility if required.
6. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
 - a. The permit was obtained or extended by fraud.
 - b. One or more of the conditions upon which the permit was granted have been violated.
 - c. The use for which the permit was granted is conducted so as to be detrimental to the public health, welfare or safety, or to be a nuisance.
 - d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited, or the operation of one or more such conditions.
7. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.

Aesthetics:

8. All external lighting shall be shielded and downcast to prohibit light from being cast beyond the property boundaries. Outdoor lighting shall be turned off at 8:00 p.m. in the evenings and not be turned back on until the following day after 6:00 a.m. in the morning. (24 hour security lighting would be exempt from this time requirement; however any exterior security lighting installed on the property shall utilize motion sensor activation). All lighting along the property boundaries shall be setback a minimum of 50 feet from all property lines.
9. All signs shall comply with Mendocino County Code Sign Standards Section 20.184.

Air Quality:

10. Prior to the issuance of a Cannabis Facilities Business License, the applicant shall submit any necessary permit(s) required by the Mendocino County Air Quality Management District.
11. The cannabis facility shall avoid or minimize odor and light impact on residential uses.
12. The unpaved access roads and interior circulation routes shall be maintained in such a manner as to ensure minimum dust generation and shall be subject to pertinent Air Quality Management District regulations.

Biological Resources:

13. This entitlement does not become effective or operative and no work shall be commenced under this entitlement until the California Department of Fish and Game filing fees required or authorized by Section 711.4 of the Fish and Game Code are submitted to the Mendocino County Department of Planning and Building Services. Said fee of \$ 2,330.75 OR CURRENT FEE shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services prior to September 1, 2018 (within 5 days of the end of any appeal period). Any waiver of the fee shall be on a form issued by the Department of Fish and Game upon their finding that the project has “no effect” on the environment. If the project is appealed, the payment will be held by the Department of Planning and Building Services until the appeal is decided. Depending on the outcome of the appeal, the payment will either be filed with the County Clerk (if the project is approved) or returned to the payer (if the project is denied). Failure to pay this fee by the specified deadline shall result in the entitlement becoming null and void. **The applicant has the sole responsibility to insure timely compliance with this Condition.**

Cultural Resources:

14. In the event that archaeological resources are encountered during development of the property, work in the immediate vicinity of the find shall be halted until all requirements of Chapter 22.12 of the Mendocino County Code “Discovery” relating to archaeological discoveries have been satisfied.

Hazards & Hazardous Materials:

15. A Hazardous Materials Management Plan approved by the Department of Environmental Health shall be approved, maintained and complied with for the duration of the project.

Noise:

16. No public events, as described in Section 20.168.020 of the MCC, are authorized by this permit. Any public event shall require an Administrative Permit or Use Permit from the Mendocino County Department of Planning & Building Services.

Transportation:

- **17.** Within two years from the granting of Use Permit #U_2018-0004 or prior to commencing use of vehicles exceeding 20,000 lbs. gross weight for shipments and deliveries, whichever is earlier, the applicant shall improve Bel Arbres Drive (CR 238B) from Uva Drive (CR 239) to end with double chip seal surfacing. Prior to applying chip seal, asphalt dig out and patch repairs shall be performed where needed, as determined by Mendocino County Department of Transportation staff.
18. Applicant shall obtain an encroachment permit from the Mendocino County Department of Transportation for work within County rights-of-way.

Utilities & Service Systems:

19. It shall be the responsibility of the applicant to adhere to all applicable regulations and requirements of the Redwood Valley Water District.

Cannabis Facility:

20. Prior to commencement of operations the applicant shall submit a copy of their Mendocino County Cannabis Facilities Business License to the Mendocino County Treasurer – Tax Collector. This license shall be kept active and if in the event that the license is inactive for a period of 1 year or longer, the use permit and business will automatically expire.
21. A valid Mendocino County Cannabis Facilities Business License for the subject property shall be issued and kept current by the Mendocino County Tax Collector.
22. It shall be the responsibility of the applicant to adhere to all applicable regulations of Section 6.36 of the Mendocino County Code.
23. It shall be the responsibility of the applicant to adhere to all applicable regulations of Section 10A.17 of the Mendocino County Code.
24. It shall be the responsibility of the applicant to adhere to all applicable regulations of Section 20.242 of the Mendocino County Code.
25. It shall be the responsibility of the applicant to adhere to all applicable regulations of Section 20.243 of the Mendocino County Code.
26. The applicant shall comply with the recommendations of the Redwood Valley – Calpella Fire District or other alternatives as acceptable to the Fire District. Written verification shall be submitted from Fire District to the Department of Planning and Building Services that this condition has been met to the satisfaction of the Fire District.
27. The applicant shall comply with the recommendations of the California Department of Forestry or other alternatives as acceptable to the Department of Forestry. Written verification shall be submitted from the Department of Forestry to the Department of Planning and Building Services that this condition has been met to the satisfaction of the Department of Forestry.

Conditions of Use Permit Modification #UM 2018-0002

28. The applicant shall pay a fee of \$50.00 for the filing of the Notice of Determination which shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services prior to December 11, 2018 (within 5 days of the end of any project action).

EXHIBIT B

ADDENDUM TO THE MITIGATED NEGATIVE DECLARATION

FOR

USE PERMIT MODIFICATION UM_2018-0002

Modified Project Description and Project History

The Mendocino County Planning Commission (County) adopted a Mitigated Negative Declaration (MND) for Use Permit U_2018-0004, on August 16, 2018. The project involved the establishment of a multi-use cannabis facility. The intended uses include cannabis processing, distribution, testing, and manufacturing.

The current project involves modifying the previously approved use permit to allow for the shift of cannabis manufacturing activities from one existing structure to a different existing structure. The locational shift of cannabis manufacturing activities between existing structures would not change the discussion of environmental impacts, or the mitigation measures.

The following changes are proposed:

- Moving manufacturing activities from existing Building 3 to existing Building 2 (Front Fetzner).

Purpose: Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously adopted Negative Declaration (ND) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for a subsequent ND have occurred. Section 15162 states that when an ND has been adopted for a project, no subsequent ND shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. *Substantial changes are proposed in the project which require major revisions of the previous ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*
2. *Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*
3. *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous ND was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous ND; B) significant effect previously examined will be substantially more severe than shown in the previous ND; C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the previous ND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*

No substantial changes are proposed which would require major revisions to the previously approved Mitigated Negative Declaration. None of the proposed changes to the project will increase the severity of previously identified significant effects. The proposed changes will not result in a new environmental effect.

No additional mitigation is required. The proposed changes do not affect the effectiveness of the mitigation measures as there will be no additional environmental impact associated with the inclusion of the adult-use permit type. Identical cultivation standards and requirements would be imposed on both adult-use and medical cultivation operations.

Explanation of Decision Not to Prepare a Supplemental Mitigated Negative Declaration:

See Purpose section above. In every impact category analyzed in this review, the projected consequences of the proposed use permit modification are either the same or less than significantly increased compared to the project for which the Mitigated Negative Declaration was adopted. Based upon this review, the following findings are supported:

Findings:

1. For the modified project there are no substantial changes proposed in the project which require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

No new significant effects or increase of severity of effects are anticipated. The proposed use permit modification does not entail substantial changes as the only request is to move manufacturing activities from one existing building to a different existing building. No additional changes are to occur from this use permit modification and staff has determined there to be no significant impacts.

2. For the modified project no substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Based on the discussion in Finding 1, above, no new significant environmental effects resulting from the proposed use permit modification are anticipated. The circumstances under which the project is undertaken remain the same.

3. For the modified project there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted as complete.

There has been no new information of substantial importance which was not known and could not have been known at the time the previous MND was complete. The baseline conditions describing the overall impacts of the previously approved use permit remain the same.

4. The proposed changes do not constitute a change in the level of significance previously discussed in the original MND. As such, it is concluded that: the current project will not have one or more significant effects not discussed in the previous MND. Furthermore, significant effects previously examined will not be substantially more severe than shown in the previous MND. There are no mitigation measures or alternatives previously found not to be feasible that would in fact be feasible and would substantially reduce one or more significant effects of the project.

The proposed use permit modification does not involve changes to, or analysis of any mitigation measures. No new potential impacts have been identified requiring new mitigation measures to be developed.

5. Finally, there are no mitigation measures or alternatives identified in this analysis which are considerably different from those analyzed in the previous MND, and which would substantially reduce one or more significant effects on the environment.

The proposed use permit modification does not involve changes to, or analysis of any mitigation measures.

Conclusion: Based on these findings it is concluded that an Addendum to the adopted Mitigated Negative Declaration is appropriate to address the requirements under CEQA for the proposed use permit modification.