Planning Department
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DRAFT MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT AND INITIAL STUDY

PROJECT TITLE: Conditional Use Permit (CUP) 2023-02/Leon7farm

PROJECT LOCATION: : 631 Ruby Lane, Charleston View, California-APN 048-364-070- North of Old Spanish Trail Hwy/east of N. Garnet Street

PROJECT DESCRIPTION: The project is situated on a 2.5-acre parcel of private land in Charleston View, CA, owned by Leon7farm LLC (Assessor Parcel Number: 048-364-07). The applicant is seeking a conditional use permit to establish a cannabis cultivation operation. This will involve the construction of two greenhouses and five shipping containers, covering a total of approximately 6,800 square feet. The facilities will be designed to accommodate growing, harvesting, and processing activities, including drying, curing, and trimming. Additionally, the site will feature areas for storage, an employee break room, and equipment storage. Key infrastructure will include two water tanks for potable and non-potable water, restrooms, parking, and solar lighting for enhanced sustainability.

FINDINGS:

A. The proposed project is consistent with goals and objectives of the Inyo County General Plan.

B. The proposed project is consistent with the provisions of the Inyo County Zoning Ordinance.

C. Potential adverse environmental impacts will not exceed thresholds of significance, either individually or cumulatively.

D. Based upon the environmental evaluation of the proposed project, the Planning Department finds that the project does not have the potential to create a significant adverse impact on flora or fauna; natural, scenic and historic resources; the local economy; public health, safety, and welfare. This constitutes a Mitigated Negative Finding for the Mandatory Findings required by Section 15065 of the CEQA Guidelines.

The 30-day public & State agency review period for this Draft Mitigated Negative Declaration will expire on December 2, 2024. Inyo County is not required to respond to any comments received after this date.

Additional information is available from the Inyo County Planning Department. Please contact Project Planner if you have any questions regarding this project.

Name

10/30/2024
Date

INYO COUNTY PLANNING DEPARTMENT

CEQA APPENDIX G: INITIAL STUDY & ENVIRONMENTAL CHECKLIST FORM

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of 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.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

a) Earlier Analysis Used. Identify and state where they are available for review.

b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:
   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 issues.

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INYO COUNTY PLANNING DEPARTMENT

APPENDIX G: CEQA INITIAL STUDY & ENVIRONMENTAL CHECKLIST FORM

1. Project title: CUP 2023-02/ Leon7farms LLC- Cannabis Cultivation

2. Lead agency name and address: Inyo County Planning Department, PO Drawer L, Independence, CA

3. Contact person and phone number: Cynthia Draper:760-878-0265

4. Project location: 631 Ruby Lane, Charleston View, CA

5. Project sponsor's name and address: Leon7farms LLC- Jaime Varela-7843 E. Triplecrown Ln. Camby, IN 46113

6. General Plan designation: Resort Recreational (REC)

7. Zoning: Rural Residential (RR-2.5)

8. Description of project: This project involves the construction of two greenhouses and five shipping containers, totaling around 6,800 square feet, dedicated to cannabis cultivation. The facilities will accommodate growing, harvesting, and processing activities (including drying, curing, and trimming), as well as storage, an employee break area, and equipment storage. Additionally, the site will feature two water tanks for potable and non-potable water, restrooms, parking, and solar lighting

9. Surrounding land uses and setting: The proposed cannabis cultivation project is located in an area that is dominated by vacant, open space, land with a few single-family homes found throughout. The terrain is flat, covered with desert scrub and surrounded by mountains on all sides. It is typical of basin and range geography.

Location:	Use:	Gen. Plan Designation	Zoning
North	Vacant	Resort Recreational (REC)	Rural Residential (RR)
South	Vacant	Resort Recreational (REC)	Rural Residential (RR)
East	Vacant	Resort Recreational (REC)	Rural Residential (RR)
West	Vacant	Resort Recreational (REC)	Rural Residential (RR)

10. Other public agencies whose approval is required: : Inyo County Building and Safety, Inyo County Environmental Health, Inyo Mono Agricultural Commission.

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?

Yes, Inyo County started the 30-day Tribal Consultation opportunity period on according to Public Resource code section 21080.31by sending out a certified written notices on **May 26, 2023** inviting the Tribes to consult on the project. It described the project and location. The tribes that were notified are: Big Pine Tribe of Owens Valley, Bishop Paiute Tribe, Fort Independence Indian Community of Paiutes, Lone Pine Paiute-Shoshone Tribe, Timbisha Sho-shone tribe, Twenty-Nine Palms Band of Mission Indians, Cabazon Band of Mission Indians and the Torrez Martinez Desert Cahuilla Indians. None of the Tribes have requested consultation on the project.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

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.

☐ Aesthetics Resources	☐ Agriculture & Forestry	☒ Air Quality
☒ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology /Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology/Water Quality	☐ Land Use / Planning	☐ Mineral Resources
☐ Noise	☐ Population / Housing	☐ Public Services
☐ Recreation	☐ Transportation	☐ Tribal Cultural Resources
☐ Utilities / Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

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.

Cynthia Draper — 10/30/2024

Name — Date

INYO COUNTY PLANNING DEPARTMENT
ENVIRONMENTAL CHECKLIST FORM

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
No, the project's proposed cultivation and processing building will be 18-feet in height. It does not exceed the allowed height of 30-feet. It will not affect the overall scenic quality of" the area or a particular scenic vista as you will be able to see over it to the surrounding mountains.				
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐
No, there are no scenic resources other than views of the desert landscape and surrounding mountains. There are no frees, rock outcroppings or historic buildings, nor is the project located within a scenic highway corridor.				
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
No, although views to the project might be possible from high points on surrounding public lands, it will not affect the overall scenic integrity of the area as the views would be from a considerable distance, the proposed building is only 18-feet, which does not exceed the 30-ft allowed height.				
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐
No, the project is required to meet State regulations and County General Plan policy, related to light and glare; therefore, will not affect day or nighttime views.				
II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including The Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology Provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
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?	☐	☐	☐	☒
No, the project is not located on farmland.				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
No, the project is not located on land zoned exclusively for agriculture and it is itself a type of agriculture. Inyo County has no Williamson Act contracts.				

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	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))? *No, the project is not located on timberland.*	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use? *No, the project is not located on forest land.*	☐	☐	☐	☒
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? *No, the project is not located*	☐	☐	☐	☒

III. AIR QUALITY: 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:

a) Conflict with or obstruct implementation of the applicable air quality plan? *No, there is not an air quality plan for the area in which the project is proposed.*	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? *No, there are not air quality standards being violated in the area for the area in which the project is proposed.*	☐	☐	☐	☒
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)? *No, the project includes a cannabis cultivation facility. It is not within an area that is in non-attainment for any criteria pollutants and none of the project components will release emissions that exceed ozone thresholds.*	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations? *No, the project will include the use of some fertilizers and pesticide on an as needed basis only. The use of these will be regulated by the County Environmental Health Department and State regulations ensuring a less than significant impact.*	☐	☐	☒	☐
e) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? *No, although the project is cannabis cultivation that does produce odors, the project is conditioned with the use of an odor suppression strategy that will filter exhaust through a carbon scrubber. It will also have an HVAC system with negative and positive pressure rooms to control airflow that prevents odors from escaping the building.*	☐	☒	☐	☐

IV. BIOLOGICAL RESOURCES: Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified	☐	☒	☐	☐

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact

as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

A Biological Resources Report was created by biologists from GEODE Environmental, provided by the applicant. Prior to fieldwork, the team reviewed biological data sources, including the California Natural Diversity Database (CDFW, 2023) and the California Native Plant Society's Inventory of Rare Plants (2023), to compile a list of special status species historically reported in the area. They requested records for special status species noted in the USGS 7.5-minute quadrangle that encompasses the project site, specifically the Calvada Springs quadrangle, as well as eight surrounding quadrangles. Field surveys for these species were conducted on May 1, 2023. The proposed development site did not reveal any candidate, sensitive, or special status species. However, there is potential for habitat use by dispersing individuals such as the Banded Gila Monster, Burrowing Owls, and Desert Tortoise. Mitigation measures, detailed on pages 50-51 of the Biological Resources Report, will be implemented to protect these species. One plant species observed was ranked by the California Native Plant Society (CNPS) as a 2B.1 but was not protected by the CRSA or FESA: Torrey's Mormon-Tea. The proposed project will result in the removal of at least 4 Torrey's Mormon-Tea individuals identified onsite and will be removed and replanted onsite. The application of mitigation measure BIO 3 will minimize or mitigate impacts to this species. Given the absence of any candidate, sensitive, or special status species and the implementation of mitigation measures, the project's impact is deemed less than significant.

The biological resources report can be found at: https://www.inyocounty.us/services/planning-department/current-projects

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 Game or US Fish and Wildlife Service? ☐ ☐ ☐ ☒

No, there is no identified riparian habitat on the project site based on the USFWS National Wetlands Inventory Mapping Tool, or in close proximity, that would be affected by the project.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? ☐ ☐ ☐ ☒

No, there are no identified wetlands on the project site based on the USFWS National Wetlands Inventory Mapping Tool, or in close proximity to any that would be affected by the project

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? ☐ ☐ ☐ ☒

No, although the project site could potentially have occurrences of wildlife species, the project will not interfere with migratory fish or wildlife species.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? ☐ ☐ ☐ ☒

No, there are no local policies or ordinances protecting biological resources that pertain to the project site.

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? ☐ ☐ ☐ ☒

No, there are no adopted habitat or conservation plans that affect the project site

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES: Would the project: a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	☐	☐	☐	☒

No, a cultural study was conducted by Cogstone Resource Management including a records request to the California Historical Resources Information System (CHRIS). The study was conducted on December 8, 2023. No historical resources as defined in Section 15064.5 were found.
The cultural study can be found at: https://www.inyocounty.us/services/planning-department/current-projects

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☐	☒	☐

No, the project will not cause a substantial adverse change in the significance of an archaeological resource as defined in Section 15064.5. No archaeological resources have been identified in any records of the site or immediate surrounding area. Should any archaeological or cultural resource be discovered on the site during any future development, work shall immediately desist, and Inyo County staff immediately be notified per Chapter 9.52, Disturbance of Archaeological, Paleontological and Historical Features of the Inyo County Code.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

No, there are no known human remains or burial sites on the parcel.. Refer to the response to (Vb) the potential for archaeological resources. While unlikely, human remains are a potential archaeological resource, and will be handled similar to other archaeological resources, as outlined in (Vb)

VI. ENERGY: Would the project: a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐

No, the project is a commercial cannabis cultivation facility. It will not require large amounts of energy and is required to meet California Building Standards including Green and Title 24 Standards.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

No, although the project is located in one of the County's Solar Energy Development Areas (SEDA), as identified by the General Plan, it represents a very small percentage of that particular SEDA. The SEDA is 2,400-acre. The proposed project is only 2.5acres, when developed would represent less than a percent of the entire SEDA, leaving plenty of land for subsequent solar energy development.

VII. GEOLOGY AND SOILS: Would the project: a) Directly or indirectly cause substantial adverse effects, including the risk of loss injury, or death involving:	☐	☐	☒	☐
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.				

No, the project is not in an Alquist-Priolo zone. Also, since anywhere in California can be subject to earthquakes, subsequent to the approval of the CUP, the applicant shall work with the Inyo County Department of Building and Safety to implement the proper structural specifications.

ii) Strong seismic ground shaking?	☐	☐	☒	☐

No, the California Building Code ensures that structures be built according to required seismic standards, designed to withstand such events.

iii) Seismic-related ground failure, including	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact

liquefaction?

No, the project site is not in an area known to be prone to ground failure. Also, as part of Inyo County Building and Safety Code, the site will be assessed, and a determination will he made if a soils report is necessary to avoid ground failure impacts to the built structures.

iv) Landslides? ☐ ☐ ☒ ☐

No, the project area is primarily level, with the proposed facility built on a slope of less than five percent.

b) Result in substantial soil erosion or the loss of topsoil? ☐ ☐ ☒ ☐

No, the proposed project will result in the disturbance of soil due to pre-construction grading. Temporary construction impacts will result. from excavation, grading, and re-deposition of fill material. Future development will require compliance with the California Building Standards that require Best Management Practices be implemented to minimize erosion and keep all site materials from leaving the site.

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? ☐ ☐ ☒ ☐

No, the proposed project is not located in an area with a geologic unit or soil that is known to be unstable. If any questions arise about the quality of the soil during the development of the property, the applicant/developer shall work with Inyo County's Building and Safety Department to employ the proper design standards that mitigate for expansive soils.

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? ☐ ☐ ☒ ☐

No, the proposed project is not located in an area with a known expansive soil type. If any questions arise about the quality of the soil during the development of the property, the applicant/developer shall work with Inyo County's Building and Safety Department to employ the proper design standards that mitigate for expansive soils.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water? ☐ ☐ ☒ ☐

No, the project will require a County approved waste handling system, in the form of an underground septic system. Septic systems are common in the area and the soils are capable of supporting them. Any proposed septic system for the site shall be re-viewed and approved by the Inyo County Environmental Health Department.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? ☐ ☐ ☐ ☒

No, the project site does not include a unique paleontological or geologic feature.

VIII. GREENHOUSE GAS EMISSIONS: Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? ☐ ☐ ☒ ☐

No, the proposed cannabis cultivation project will not generate greenhouse gas emissions that will have a significant impact. Temporary construction-related emissions will occur, but such dust related impacts will be minimized through best management practices.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? ☐ ☐ ☒ ☐

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact

No, the proposed project will not cause conflicts with a plan, policy or regulation adopted for the purpose of reducing greenhouse gasses

IX. HAZARDS AND HAZARDOUS MATERIALS: Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐

No, the project, a cannabis cultivation facility will use some fertilizers and possibly pesticides in the cultivation activities. The use of fertilizers and/or pesticides will be regulated by the County Department of Environmental Health and will be required to follow all State and local regulations regarding hazardous materials.

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?.	☐	☐	☒	☐

No, the project, a cannabis cultivation facility will use some fertilizers and possibly pesticides in the cultivation activities. The use of fertilizers and/or pesticides will be regulated by the County Department of Environmental Health and will be required to follow all State and local regulations regarding hazardous materials.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒

No, the proposed project is not within one-quarter mile of an existing or proposed school, nor will it emit hazardous emissions, or handle acutely hazardous materials, substances or waste.

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?	☐	☐	☐	☒

No, the proposed project is not located on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. There are no DTSC sites mapped within or adjacent to the project area and no additional sites are identified in the site vicinity on Geotracker and EnviroStor databases (SWRCB 2014, DTCS, 2014).

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?	☐	☐	☐	☒

No, the project is not included in an airport land use plan or within two miles of a public or public use airport.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒

No, the proposed project will not physically interfere with an adopted emergency plan or emergency evacuation plan.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires,?	☐	☐	☒	☐

No, risk of loss, injury, and death involving wild/and fires is minimal from this project. Fire risks are moderate at the project site, and

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact

no areas in proximity to it can be considered urbanized. Land surrounding the project site is sparsely vegetated and there are few residences in proximity of the project; therefore, the risk of loss, injury or death involving wild/and fires is less than significant at this site, and any potential risk is farther mitigated by compliance with California Building Standards. The project site is also located within the Southern Inyo Fire Protection District.

X. HYDROLOGY AND WATER QUALITY: Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? ☐ ☐ ☒ ☐

No, the project will not violate any water quality standards or waste discharge requirements. The applicant will coordinate with Inyo County's Environmental Health Department, the Inyo County Building and Safety Department, as well as the Regional Water Quality Board, to determine what is required in terms of the NPDES/SWPPP process (waste discharge requirements for the project), based on regulatory criteria and site characteristics (soils, slopes, etc.).

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? ☐ ☐ ☒ ☐

No, the project proposes to use apx 0.46 acre-feet of water annually for cultivation. the land designated for the project is zoned for residential use. In California, the average water usage per person is approximately 108 gallons per day (US EPA), and the typical household size is about 2.9 people (US Census). Since the residential lot may accommodate two units, approximately 0.70 acre-feet of water could be utilized within the same project area without requiring discretionary review. Additionally, the project is situated in an area classified as a low and very low priority basin, according to the State Sustainable Groundwater Management Act Basin Prioritization Map (May 2020).
The applicant plans to install two water tanks on the property: a 6,000-gallon tank to be filled monthly with non-potable water supplied by a licensed company, Water Pros of Las Vegas, for cultivation purposes, and a 250-gallon tank for potable water intended for handwashing. The applicant will also be required to obtain a well permit within one year of the Conditional Use Permit (CUP) approval, which must be approved by the County Environmental Health Department and comply with all state regulations regarding wells and groundwater.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) result in a substantial erosion or siltation on- oroff-site; ☐ ☐ ☒ ☐

No, the project is proposed in an area that is virtually flat and there are no streams in the area that will be affected by the increase of impervious surface from the project. The project has been reviewed by the County Public Works Department and they found no issues regarding grading and runoff." In the unlikely event issues are found at pre-construction, they will be addressed during building review.

ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; ☐ ☐ ☒ ☐

No, potential impacts related to flood hazards for the area are less than significant

iii) 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; or ☐ ☐ ☒ ☐

No, the project is not anticipated to generate additional surface flows. Impacts related to capacity of existing or planned storm drain systems are expected to be less than significant. There will be no accumulated runoff from the proposed grow system. There will be no nutrient or pesticide runoff from crop production.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
iv) impede or redirect flood flows? No, the project is not in a flood hazard area.	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
No, the project is proposed in an area that is not included in a flood hazard, seiche or tsunami zone.				
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐
No, the project is not proposed in an area that is included in a water quality control or sustainable ground water management plan.				

XI. LAND USE AND PLANNING: Would the project:

a) Physically divide an established community?				
No, the proposed project will not physically divide an established community	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
No, the applicant is requesting a conditional use permit grow commercial cannabis, which is required by the County's zoning code. The project site is located in the Rural Residential zoning designation, with a Resort Recreational (REC) General Plan designation. Both allow for agriculture uses and more specifically cannabis.				

XII. MINERAL RESOURCES: Would the project:

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?	☐	☐	☐	☒
No, the project makes use of undeveloped land, and no known mineral resources are located on it. No extraction of known mineral resources is being foregone by this project.				
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?	☐	☐	☐	☒
No, there are no known locally-important mineral resources being foregone as a result of this project				

XIII. NOISE: Would the project result in the:

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
No, there will be some construction related noise .from grading activities, engine noise from trucks, and building construction. This noise will not exceed acceptable levels. Also, Occupational Safety and Health Administration (OSHA) allows for decibels o/90 for an 8-hour day and I00 for a limit of 2 hours. Effects to sensitive receptors will be minimized with construction being conditioned with during daytime business hours' only.				

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐

No, exposure to noise levels will be primarily airborne, and groundborne vibrations if any would be brief.

c) For a project located within the vicinity of a private airstrip or, 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?	☐	☐	☐	☒

No, the proposed project is not located within an airport land use plan, or within 2-miles of a public airport.

XIV. POPULATION AND HOUSING: Would the project: 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)?	☐	☐	☐	☒

No, the proposed project is not likely to induce population growth. Workers will be hired, to the extent possible, from the local area. Given the lack of residential infrastructure and services, employee housing will likely be found in neighboring Pahrump Nevada.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

No, the proposed project will not displace existing housing or create a situation where replacement housing will be necessary. It is in an area of very sparse residential development.

XV. PUBLIC SERVICES: Would the project: a) 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:				
Fire protection?	☐	☐	☒	☐

No, the Southern Inyo Fire Protection District was consulted on the project. No concerns related to the project area were given.

Police protection?				
No, no new police service will be required because of this project. Onsite private security will be used at the project location.	☐	☐	☒	☐
Schools?				
No, no new schools will be required because of the project	☐	☐	☐	☒
Parks?				
No, no new parks will be required because of this project.	☐	☐	☐	☒
Other public facilities?				
No, the proposed project will not create a need for additional public services.	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI. RECREATION: Would the project: a) 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?	☐	☐	☐	☒

No, the proposed project will not increase the use of existing recreational facilities. No portion of this project anticipates any change in the level of service required.

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?	☐	☐	☐	☒

No, the proposed project does not include, nor will it cause, a need for an increase in recreational facilities /that might have an adverse physical effect on the environment.

XVII. TRANSPORTATION: a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☒

No, the proposed project will not significantly increase Traffic, and therefore, will not affect public transit, bicycle, or pedestrian facilities. Because of the extremely remote nature of the project location, few alternative transportation opportunities exist, but those that do would be unchanged by this project.

b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?.	☐	☐	☒	☐

No, the project consists of a cannabis cultivation business. It will not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). The applicant estimates that this cultivation project will generate approximately 3-5 daily trips (arrivals and departures) by employees and 1-2 deliveries per month. Based on this information, it can be determined that the average daily trips are less than the 100 trips that would require a detailed traffic analysis on the project. Therefore, the Project will result in less than significant impacts to this resource. The subject site is not within one-half mile of either an existing major transit stop or high-quality transit corridor

c) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐

No, the proposed project will not result in any design features for transportation that increase hazard. Autos and trucks will be accommodated on a parking lot on the project site.

d) Result in inadequate emergency access?	☐	☐	☐	☒

No, the project is proposed on a site that is about ½ mile off a major road via a local road. Also, proof of access/Or emergency vehicles will be required as part of the project's final design.

XVIII. TRIBAL CULTURAL RESOURCES: Would the project: Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) 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	☐	☐	☒	☐

No, a cultural study was conducted by Cogstone Resource Management on the project site including a records request to the California Historical Resources Information System and the Native American Heritage Commission. A field survey was also conducted on December 8, 2023. No archaeological resources as defined in Section 15064.5 that includes resources as defined in Public Re-sources Code Section 5020.1(k) were found. If any archaeological or cultural resource is discovered on the site during any future development, work shall immediately stop and Inyo County staff shall immediately be notified per Inyo County Code (ICC) Chapter 9.52, Disturbance of Archaeological, Paleontological and Historical Features of the Inyo County Code. Therefore, the project will not cause an adverse change in the significance of an archaeological resource if by chance one is discovered, pursuant to Public Resources Code Section 5020.I(k)

b) 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 § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☒	☐

No, the proposed project does not encompass a resource determined by the lead agency to be significant pursuant to criteria set forth in subdivision (c) of the Public Resource Code section 5024.1. See also the response to XVII a)

XIX UTILITIES AND SERVICE SYSTEMS: Would the project:

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒

No, the proposed project will not result in the construction of new or expanded utility or service systems. The project will use ground solar for electricity and water will be obtained through a licensed water hauler for potable and non-potable water. Wastewater will be treated by an on-site septic system.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	☒

Yes, all water necessary for the project will be hauled in by a licensed water hauler for both potable and non-potable water that will be stored in two water tanks on-site. The proposed conditional use permit will not result in a need for new entitlements of water resources. The applicant will be conditioned to put in a well within one year of the approval of the project and will be subject to obtaining a well permit from the County Environmental Health Department and meet all State regulations pertaining to wells and groundwater. Also, the project is located in an area identified as a "low and very low priority" basin (State Sustainable Groundwater Management Act Basin Prioritization Map, May 2020).

c) 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?	☐	☐	☐	☒

No, the proposed project's wastewater treatment will not unduly burden the commitments of any potential treatment provider. Wastewater disposal will utilize on-site septic systems that will be reviewed and approved by the Inyo County Environmental Health Department.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	☒

No, the proposed project will not create a need for additional solid waste capacity. Solid waste needs for the project will be minimal. Must of the volume of solid waste (biomass refuse) will be collected and recycled for further use. Impacts from future development would be minimal and consistent with the sanitation system.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

No, the proposed project and any subsequent development will comply with Inyo County's solid waste standards, as required by the Inyo County Department of Environmental Health.

XX. WILDFIRE:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒

No, there is not an adopted emergency response or evacuation plan for the area the project is proposed.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒

No, there are no extenuating factors that will expose project occupants to pollutant concentrations from wildfire. Fire risks are moderate at the project site. The project site and land surrounding the project site is sparsely vegetated. The proposed project does little to add to the wildfire risk in the area. The risk of loss, injury or death involving wild/and fires is less than significant at this site, and any potential risk is farther mitigated by compliance with California Building Standards. The project site is also located within the Southern Inyo Fire Protection District.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒

No, the project will not cause the need for additional wildfire associated infrastructure. The project site is also located within the Southern Inyo Fire Protection District.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

No, the proposed project location is on flat land and will not create downslope or downstream flooding or landslides.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE:

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?	☐	☒	☐	☐

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact

No, the project will not impact or degrade the quality of the environment. The limited impacts to resources on the project area can be mitigated to less than significant. Minimization measures have been written into the Conditions of Approval for the permit & include the following: the applicant shall conduct additional surveys (pre-construction) to ensure the absence of sensitive plant or animal species; the applicant shall follow the County's General Plan Visual Resources Policy 1.6- Light and Glare; sewage disposal & odors will be addressed per the Inyo County Environmental Health Department requirements; the applicant shall consult with the County Environmental Health Department to assure that all septic requirements and water hauling, and storage standards are met; the applicant will work with the Great Basin Unified Air Pollution Control District to develop practices for crop applications that control for the terpenes from cannabis plants that cause odors, as well as fugitive dust during construction; and, the applicant shall work with the Lahontan Regional Water Quality Control Board to determine if an application/or a Stormwater Pollution Prevention Plan (S.W.P.P.P) permit is necessary.

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)?	☐	☐	☐	☒

No, the proposed project does not have impacts that are individually limited, but cumulatively considerable. The nearest cannabis cultivation site is approximately two miles away, located across Old Spanish Trail Highway. While both projects are in somewhat close proximity, their similar impacts are not significant. Given the area's sparse natural environment and minimal disturbance to local plant and animal habitats, this location is well-suited for the proposed developments.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

No, the proposed project has no known environmental effects which will cause substantial adverse effects on human beings either directly or indirectly. The proposed project would not adversely impact the residents in the vicinity and may have positive impacts resulting from employment opportunities.