

PROJECT REPORT

TO: ENVIRONMENTAL EVALUATION COMMITTEE

AGENDA DATE: March 14, 2019

FROM: PLANNING & DEVELOPMENT SERVICES

AGENDA TIME 1:30 PM / No. 1

PROJECT TYPE: Conditional Use Permits #18-0031, 32, 33 and 34 SUPERVISOR DIST 3 & 4

LOCATION: 3971 A, B, D & E Austin Rd, Brawley, CA APN: 040-180-045-000

Seeley, CA 92273 PARCEL SIZE: 80 ac of 193.67 ac parcel

GENERAL PLAN (existing) Agriculture GENERAL PLAN (proposed) N/A

ZONE (existing) M-1 Light Industrial ZONE N/A

GENERAL PLAN FINDINGS CONSISTENT INCONSISTENT MAY BE/FINDINGS

PLANNING COMMISSION DECISION:

HEARING DATE: _____

APPROVED DENIED OTHER

PLANNING DIRECTORS DECISION:

HEARING DATE: _____

APPROVED DENIED OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 03/14/2019

INITIAL STUDY: 18-0022

NEGATIVE DECLARATION MITIGATED NEG. DECLARATION EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS	<input checked="" type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
AG	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
APCD	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
E.H.S.	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
FIRE / OES	<input type="checkbox"/>	NONE	<input checked="" type="checkbox"/>	ATTACHED
SHERIFF.	<input type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED
OTHER	<input type="checkbox"/>	NONE	<input type="checkbox"/>	ATTACHED

IID _____

REQUESTED ACTION:

(See Attached)

- NEGATIVE DECLARATION**
- MITIGATED NEGATIVE DECLARATION**

*Initial Study & Environmental Analysis
For: Initial Study #18-0022*

**Conditional Use Permits # 18-0031, 32, 33 and 34 for the
Imperial Gold Cultivation, Paragon West LLC's Virtual Store Front., Manufacturing & Distribution
Cannabis projects.**



Prepared By:

COUNTY OF IMPERIAL
Planning & Development Services Department
801 Main Street
El Centro, CA 92243
(760) 482-4236
www.icpds.com

March 2019

TABLE OF CONTENTS

	<u>PAGE</u>
<u>SECTION 1</u>	
I. INTRODUCTION	1-1
<u>SECTION 2</u>	
II. ENVIRONMENTAL CHECKLIST	2-1
PROJECT SUMMARY	2-5
ENVIRONMENTAL ANALYSIS	2-6
I. AESTHETICS	2-08
II. AGRICULTURAL AND FOREST RESOURCES	2-09
III. AIR QUALITY	2-10
IV. BIOLOGICAL RESOURCES	2-11
V. CULTURAL RESOURCES	2-12
VI. GEOLOGY AND SOILS	2-13
VII. GREENHOUSE GAS EMISSIONS	2-16
VIII. HAZARDS AND HAZARDOUS MATERIALS	2-16
IX. HYDROLOGY AND WATER QUALITY	2-18
X. LAND USE AND PLANNING	2-20
XI. MINERAL RESOURCES	2-20
XII. NOISE	2-21
XIII. POPULATION AND HOUSING	2-22
XIV. PUBLIC SERVICES	2-22
XV. RECREATION	2-23
XVI. TRANSPORTATION / TRAFFIC	2-24
XVII. TRIBAL CULTURAL RESOURCES	2-25
XVIII. UTILITIES AND SERVICE SYSTEMS	2-26
<u>SECTION 3</u>	
III. MANDATORY FINDINGS OF SIGNIFICANCE	3-1
IV. PERSONS AND ORGANIZATIONS CONSULTED	3-2
V. REFERENCES	3-3
VI. NEGATIVE DECLARATION -COUNTY OF IMPERIAL	3-4
VII. FINDINGS	3-5
<u>SECTION 4</u>	
VIII. COMMENTS RECEIVED	4-1
IX. RESPONSE TO COMMENTS (IF ANY)	4-2

SECTION 1 INTRODUCTION

A. PURPOSE

This document is a policy-level; project level Initial Study for evaluation of potential environmental impacts resulting with the proposed Conditional Use Permit #18-0031 through CUP #18-0034 (Refer to Exhibit "A" & "B"). For purposes of this document, the Conditional Use Permit will be called the "proposed project".

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REQUIREMENTS AND THE IMPERIAL COUNTY'S GUIDELINES FOR IMPLEMENTING CEQA

As defined by Section 15063 of the State California Environmental Quality Act (CEQA) Guidelines and Section 7 of the County's Rules and Regulations to Implement CEQA, as Amended, an **Initial Study** is prepared primarily to provide the Lead Agency with information to use as the basis for determining whether an Environmental Impact Report (EIR), Negative Declaration, or Mitigated Negative Declaration would be appropriate for providing the necessary environmental documentation and clearance for any proposed project.

According to Section 15065, an **EIR** is deemed appropriate for a particular proposal if the following conditions occur:

- The proposal has the potential to substantially degrade quality of the environment.
- The proposal has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- The proposal has possible environmental effects that are individually limited but cumulatively considerable.
- The proposal could cause direct or indirect adverse effects on human beings.

According to Section 15070(a), a **Negative Declaration** is deemed appropriate if the proposal would not result in any significant effect on the environment.

According to Section 15070(b), a **Mitigated Negative Declaration** is deemed appropriate if it is determined that though a proposal could result in a significant effect, mitigation measures are available to reduce these significant effects to insignificant levels.

This Initial Study has determined that the proposed application will may result in any potentially significant environmental impacts and therefore, a Negative Declaration is deemed as the appropriate document to provide necessary environmental evaluations and clearance as identified hereinafter.

This Initial Study and Mitigated Negative Declaration are prepared in conformance with the California Environmental Quality Act of 1970, as amended (Public Resources Code, Section 21000 et. seq.); Section 15070 of the State & County of Imperial's CEQA Regulations, Guideline for the Implementation of CEQA, as Amended (California Code of Regulations, Title 14, Chapter 3, Section 15000, et. seq.); applicable requirements of the County of Imperial; and the regulations, requirements, and procedures of any other responsible public agency or an agency

with jurisdiction by law.

Pursuant to the County of Imperial CEQA Regulations, Guideline for the Implementation of CEQA, as Amended, depending on the project scope, the County of Imperial Board of Supervisors, Planning Commission and/or Planning Director is designated the Lead Agency, in accordance with Section 15050 of the CEQA Guidelines. The Lead Agency is the public agency, which has the principal responsibility for approving the necessary environmental clearances and analyses for any project in the County.

C. INTENDED USES OF INITIAL STUDY AND NEGATIVE DECLARATION

This Initial Study and Mitigated Negative Declaration are informational documents, which are intended to inform County of Imperial decision makers, other responsible or interested agencies, and the general public of potential environmental effects of the proposed applications. The environmental review process has been established to enable public agencies to evaluate environmental consequences and to examine and implement methods of eliminating or reducing any potentially adverse impacts. While CEQA requires that consideration be given to avoiding environmental damage, the Lead Agency and other responsible public agencies must balance adverse environmental effects against other public objectives, including economic and social goals.

The Initial Study and Mitigated Negative Declaration, prepared for the project will be circulated for a period of 20 days (30-days if submitted to the State Clearinghouse for a project of area-wide significance) for public and agency review and comments. At the conclusion, if comments are received, the County Planning Department will prepare a document entitled "Responses to Comments" which will be forwarded to any commenting entity and be made part of the record within 10-days of any project consideration.

D. CONTENTS OF INITIAL STUDY & NEGATIVE DECLARATION

This Initial Study is organized to facilitate a basic understanding of the existing setting and environmental implications of the proposed applications.

SECTION 1

I. INTRODUCTION presents an introduction to the entire report. This section discusses the environmental process, scope of environmental review, and incorporation by reference documents.

SECTION 2

II. ENVIRONMENTAL CHECKLIST FORM contains the County's Environmental Checklist Form. The checklist form presents results of the environmental evaluation for the proposed applications and those issue areas that would have either a significant impact, potentially significant impact, or no impact.

PROJECT SUMMARY, LOCATION AND ENVIRONMENTAL SETTINGS describes the proposed project entitlements and required applications. A description of discretionary approvals and permits required for project implementation is also included. It also identifies the location of the project and a general description of the surrounding environmental settings.

ENVIRONMENTAL ANALYSIS evaluates each response provided in the environmental checklist form. Each response checked in the checklist form is discussed and supported with sufficient data and analysis as necessary. As appropriate, each response discussion describes and identifies specific impacts anticipated with project implementation.

SECTION 3

III. **MANDATORY FINDINGS** presents Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

IV. **PERSONS AND ORGANIZATIONS CONSULTED** identifies those persons consulted and involved in preparation of this Initial Study and Negative Declaration.

V. **REFERENCES** lists bibliographical materials used in preparation of this document.

VI. MITIGATED NEGATIVE DECLARATION – COUNTY OF IMPERIAL

VII. FINDINGS

E. SCOPE OF ENVIRONMENTAL ANALYSIS

For evaluation of environmental impacts, each question from the Environmental Checklist Form is summarized and responses are provided according to the analysis undertaken as part of the Initial Study. Impacts and effects will be evaluated and quantified, when appropriate. To each question, there are four possible responses, including:

1. **No Impact:** A “No Impact” response is adequately supported if the impact simply does not apply to the proposed applications.
2. **Less Than Significant Impact:** The proposed applications will have the potential to impact the environment. These impacts, however, will be less than significant; no additional analysis is required.
3. **Less Than Significant With Mitigation Incorporated:** This applies where incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact”.
4. **Potentially Significant Impact:** The proposed applications could have impacts that are considered significant. Additional analyses and possibly an EIR could be required to identify mitigation measures that could reduce these impacts to less than significant levels.

F. POLICY-LEVEL or PROJECT LEVEL ENVIRONMENTAL ANALYSIS

This Initial Study and Negative Declaration will be conducted under a policy-level, project level analysis.

Regarding mitigation measures, it is not the intent of this document to “overlap” or restate conditions of approval that are commonly established for future known projects or the proposed applications. Additionally, those other standard requirements and regulations that any development must comply with, that are outside the County’s jurisdiction, are also not considered mitigation measures and therefore, will not be identified in this document.

G. TIERED DOCUMENTS AND INCORPORATION BY REFERENCE

Information, findings, and conclusions contained in this document are based on incorporation by reference of tiered documentation, which are discussed in the following section.

1. Tiered Documents

As permitted in Section 15152(a) of the CEQA Guidelines, information and discussions from other documents can be included into this document. Tiering is defined as follows:

"Tiering refers to using the analysis of general matters contained in a broader EIR (such as the one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project."

Tiering also allows this document to comply with Section 15152(b) of the CEQA Guidelines, which discourages redundant analyses, as follows:

"Agencies are encouraged to tier the environmental analyses which they prepare for separate but related projects including the general plans, zoning changes, and development projects. This approach can eliminate repetitive discussion of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review. Tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan, policy or program to an EIR or negative declaration for another plan, policy, or program of lesser scope, or to a site-specific EIR or negative declaration."

Further, Section 15152(d) of the CEQA Guidelines states:

"Where an EIR has been prepared and certified for a program, plan, policy, or ordinance consistent with the requirements of this section, any lead agency for a later project pursuant to or consistent with the program, plan, policy, or ordinance should limit the EIR or negative declaration on the later project to effects which:

- (1) Were not examined as significant effects on the environment in the prior EIR; or
- (2) Are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means."

2. Incorporation By Reference

Incorporation by reference is a procedure for reducing the size of EIRs/MND and is most appropriate for including long, descriptive, or technical materials that provide general background information, but do not contribute directly to the specific analysis of the project itself. This procedure is particularly useful when an EIR or Negative Declaration relies on a broadly-drafted EIR for its evaluation of cumulative impacts of related projects (*Las Virgenes Homeowners Federation v. County of Los Angeles* [1986, 177 Ca.3d 300]). If an EIR or Negative Declaration relies on information from a supporting study that is available to the public, the EIR or Negative Declaration cannot be deemed unsupported by evidence or analysis (*San Francisco Ecology Center v. City and County of San Francisco* [1975, 48 Ca.3d 584, 595]). This document incorporates by reference appropriate information from the "Final Environmental Impact Report and Environmental Assessment for the "County of Imperial General Plan EIR" prepared by Brian F. Mooney Associates in 1993 and updates.

When an EIR or Negative Declaration incorporates a document by reference, the incorporation must comply with Section 15150 of the CEQA Guidelines as follows:

- The incorporated document must be available to the public or be a matter of public record (CEQA Guidelines Section 15150[a]). The General Plan EIR and updates are available, along with this document, at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.

- This document must be available for inspection by the public at an office of the lead agency (CEQA Guidelines Section 15150[b]). These documents are available at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.

- These documents must summarize the portion of the document being incorporated by reference or briefly describe information that cannot be summarized. Furthermore, these documents must describe the relationship between the incorporated information and the analysis in the tiered documents (CEQA Guidelines Section 15150[c]). As discussed above, the tiered EIRs address the entire project site and provide background and inventory information and data which apply to the project site. Incorporated information and/or data will be cited in the appropriate sections.

- These documents must include the State identification number of the incorporated documents (CEQA Guidelines Section 15150[d]). The State Clearinghouse Number for the 'County of Imperial General Plan EIR is SCH #93011023.

- The material to be incorporated in this document will include general background information (CEQA Guidelines Section 15150[f]). This has been previously discussed in this document.

II. Environmental Checklist

1. **Project Title:** Imperial Gold Cultivation and Paragon West Virtual Store, Manufacturing & Distribution for APN 040-180-045-000
2. **Lead Agency:** Imperial County Planning & Development Services Department
3. **Contact person and phone number:** Patricia Valenzuela, Planner IV, (442) 265-1746
4. **Address:** 801 Main Street, El Centro CA, 92243
5. **E-mail:** patriciavalenzuela@co.imperial.ca.us
6. **Project location:** 3971 Austin Road, Suite A, B, D & E, Brawley, California 92227
7. **Project sponsor's name and address:** Sutton Morgan
3971 Austin Road
Brawley, CA 92227
8. **General Plan designation:** Agriculture
9. **Zoning:** M-1 (Light Industrial)
10. **Description of project:** The Applicant proposes Conditional Use Permits #18-0031, #18-0032, #18-0033, & #18-0034 to allow for the operation of a virtual retail store for virtual sales of cannabis, distribution of cannabis, manufacturing of cannabis and cultivation of cannabis on APN # 040-180-045-000. The legal description for this parcel is "a Portion of Lot C, LLA #00291, also being the North portion of Tract 82 & a portion of Parcel 1, PM #1586, Township 14 South Range 13 East, a 193.67 acre parcel, in the unincorporated Brawley area of the County of Imperial, State of California.

Currently, Sutton Morgan (Permittee) is proposing a 20,000 square foot existing structure to be remodeled to house the cannabis virtual retail space, cannabis manufacturing, cannabis cultivation and cannabis distribution. The Permittee also proposes to install a new parking lot for employees and contractors. The facility has preexisting plumbing and electrical services. Whenever possible, the Permittee intends to utilize solar energy from their on-site solar facility.

Imperial Gold and Paragon West will have standard hours of operation from 9:00 AM to 5:00 PM, Sunday through Saturday, with limited employees on the weekend. At the cultivation premises, Imperial Gold will be growing cannabis flower for retail sale, as well as flower for use in manufactured cannabis products. The cannabis from the cultivation facility will be transported to the manufacturing premises, where it will either be extracted for further processing in manufactured cannabis products or packaged and labeled in the form of dried cannabis or pre-rolled joints. Products packaged and labeled well be transported to the distribution premises where a licensed testing laboratory agent will arrive and take samples of the products ready for retail sale. Once the "Certificate of Analysis" is received, Imperial Gold's distribution license will transport the cannabis product to other retailers or to Paragon West non-storefront retail premises to be delivered by car to consumers, who are 21 years of age and older and have placed an order online or by phone

11. **Surrounding land uses and setting:** The project site is surrounded by agricultural production, however, the project site is zoned M-1 (Light Industrial). This allows the existing cold-storage agriculture facility to operate in an existing facility on site.

12. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement.): Planning Commission, Imperial County Air Pollution Control District, Imperial County Environmental Health Services, and Imperial County Fire Department.

13. **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?** The AB 52 Notice of Opportunity to consult on the Imperil Gold and Paragon West Cannabis development letter was mailed via certified mail to President Keeny Escalanti, Sr. of the Quechan Indian Tribe and Michael Mirelez, Culture Resource Coordinator of the Torres Martinez Desert Cahuilla Indian Tribe on July 17, 2019 for their review and comment.

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 type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Tribal Cultural Resources | | |

ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION

After Review of the Initial Study, the Environmental Evaluation Committee has:

- Found that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- Found 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.
- Found that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- Found 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.
- Found 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.

CALIFORNIA DEPARTMENT OF FISH AND GAME DE MINIMIS IMPACT FINDING: Yes No

<u>EEC VOTES</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
PUBLIC WORKS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENVIRONMENTAL HEALTH	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OFFICE EMERGENCY SERVICES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
APCD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
AG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SHERIFF DEPARTMENT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ICPDS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Jim Minnick, Director of Planning/EEC Chairman

Date:

PROJECT SUMMARY

- A. **Project Location:** The Imperial Gold and Paragon West projects are located in the unincorporated area of Brawley, CA, along Austin Road, east of State Highway 86, South of the New River and Southeast of Carter Road. The approximately 80 acres of the project site is located on Imperial County Assessor Parcels (APN) 040-180-045-000 that is 193.67.
- B. **Project Summary:** The Applicant proposes Conditional Use Permits #18-0031, #18-0032, #18-0033, & #18-0034 to allow for the operation of a virtual retail store for sale of cannabis, distribution of cannabis, manufacturing of cannabis and cultivation of cannabis on APN # 040-180-045-000. The legal description for this parcel is "a Portion of Lot C, LLA#0291, also being the North portion of Tract 82 & a portion of Parcel 1, PM 1586, Township 14 South Range 13 East, the 193.67 acre parcel, an unincorporated Brawley area of the County of Imperial. State of California.

Currently, Permittee, Sutton Morgan is proposing a 20,000 square foot existing structure to be remodeled to house the cannabis virtual retail space, cannabis manufacturing, cannabis cultivation and cannabis distribution. The Permittee also proposes to install a new parking lot for employees and contractors. The facility has preexisting plumbing and electrical services. Whenever possible the Permittee intends to utilize solar energy from their on-site solar facility.

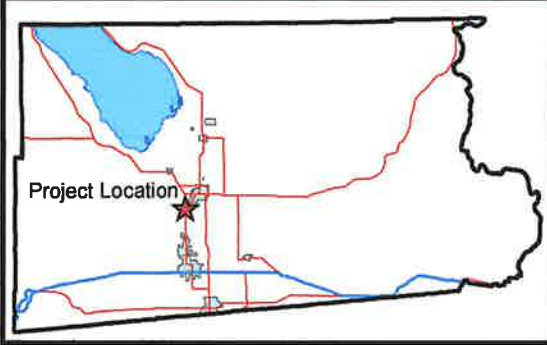
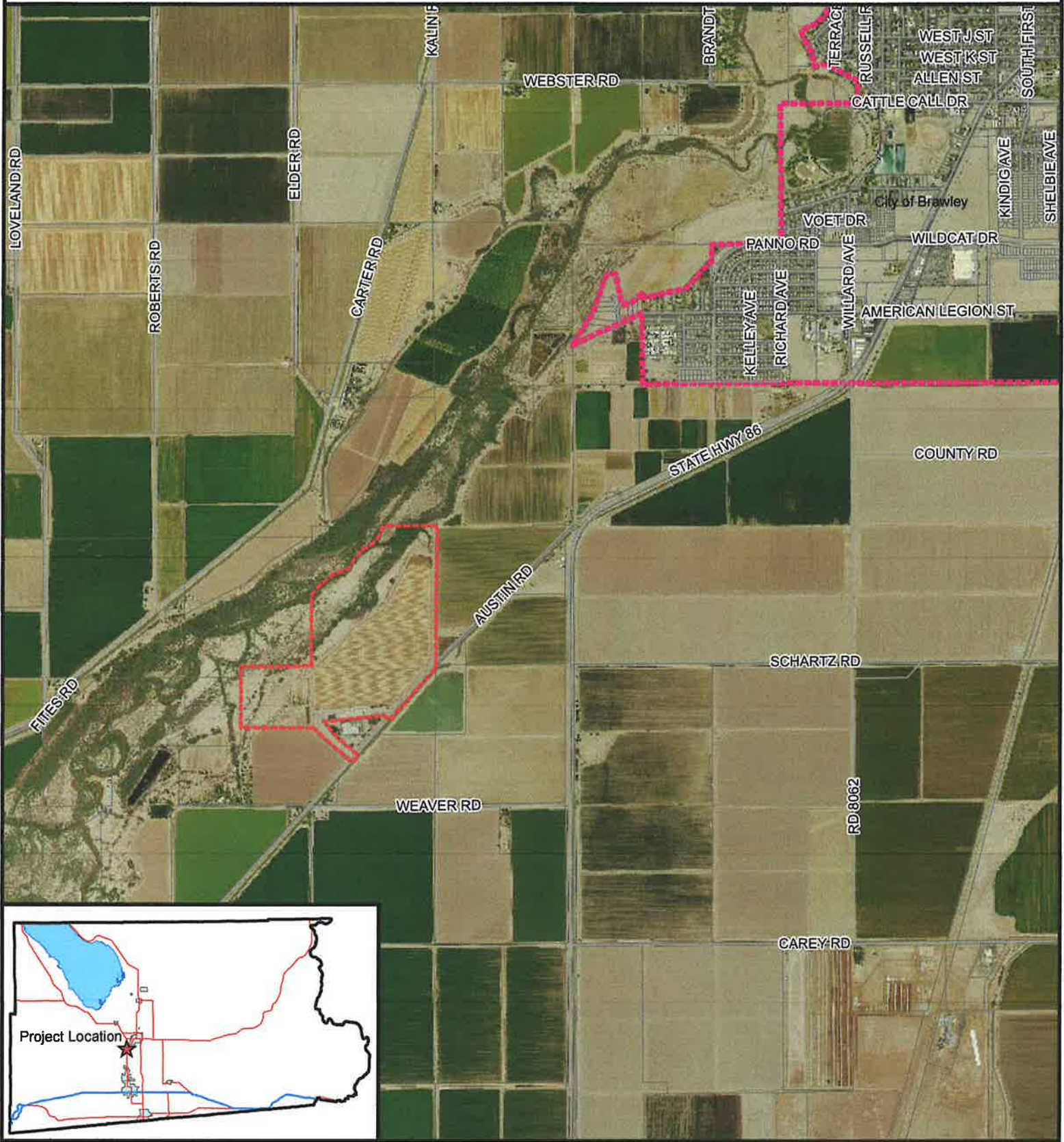
Imperial Gold and Paragon West will have standard hours of operation from 9:00 AM to 5:00 PM, Sunday through Saturday, with limited employees on the weekend. At the cultivation premises, Imperial Gold will be growing cannabis flower for retail sale, as well as flower for use in manufactured cannabis products. The cannabis from the cultivation facility will be transported to the manufacturing premises, where it will either be extracted for further processing in manufactured cannabis products or packaged and labeled in the form of dried cannabis or pre-rolled joints. Products packaged and labeled well be transported to the distribution premises where a licensed testing laboratory agent will arrive and take samples of the products ready for retail sale. Once the "Certificate of Analysis" is received, Imperial Gold's distribution license will transport the cannabis product to other retailers or to Paragon West non-storefront retail premises to be delivered by car to consumers, who are 21 years of age and older and have placed an order online or by phone

- C. **Environmental Setting:** The proposed projects are located within an M-1 Light Industrial Zone with the General Plan Designation of Agriculture. The proposed projects are allowed within this zone with an approved conditional use permit. The Applicant has submitted conditional use permits for the above-proposed projects.
- C. **Analysis:** An Initial Study #18-0022 will analyze any impacts associated with the proposed uses within this zone. The proposed project site has been used for agriculture; and light industrial uses over 20 years. The site contains two metal buildings, which one is currently being used for agriculture industrial uses.
- D. **General Plan Consistency:** The project is located within the Agricultural designation and the zone is designated as Light Industrial.





Potentially Significant Impact (PSI) Potentially Significant Unless Mitigation Incorporated (PSUMI) Less Than Significant Impact (LTSI) No Impact (NI)

Exhibit "A" Vicinity Map

PROJECT LOCATION MAP



**PARAGON WEST, LLC
AND IMPERIAL GOLD, LLC
CUP #18-0031, #18-0032,
#18-0033 & #18-0034
APN 040-180-045**

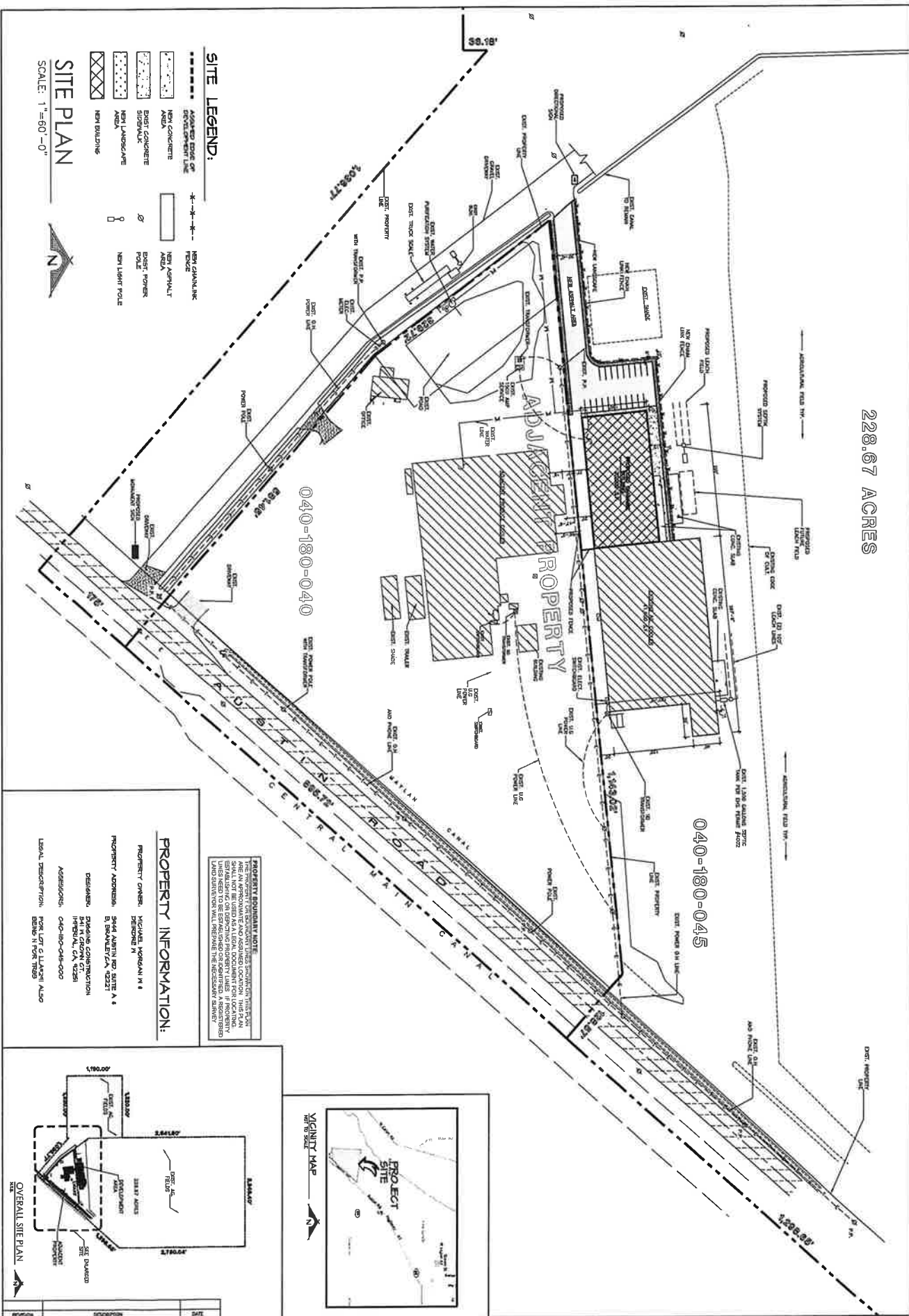
-  Project Location
-  Centerline
-  City Limit
-  Parcels



Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
---	--	--	----------------------

Exhibit "B"
Site Plan/Tract Map/etc.

228.67 ACRES



- SITE LEGEND:**
- ADJACENT EDGE OF DEVELOPMENT LINE
 - NEW CONCRETE AREA
 - EXIST CONCRETE SIDEWALK AREA
 - NEW LANDSCAPE AREA
 - NEW BUILDING
 - NEW GRANITE LINK FENCE
 - NEW ASPHALT AREA
 - EXIST POWER POLE
 - NEW LIGHT POLE
 - NEW GRANITE LINK FENCE
 - NEW ASPHALT AREA
 - EXIST POWER POLE
 - NEW LIGHT POLE

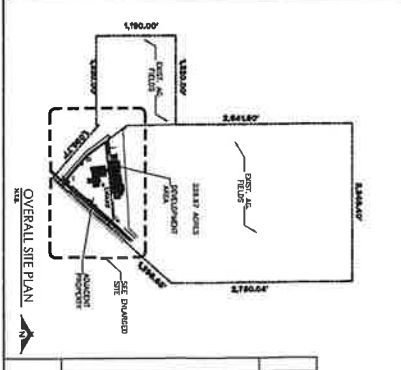
SITE PLAN
SCALE: 1"=60'-0"



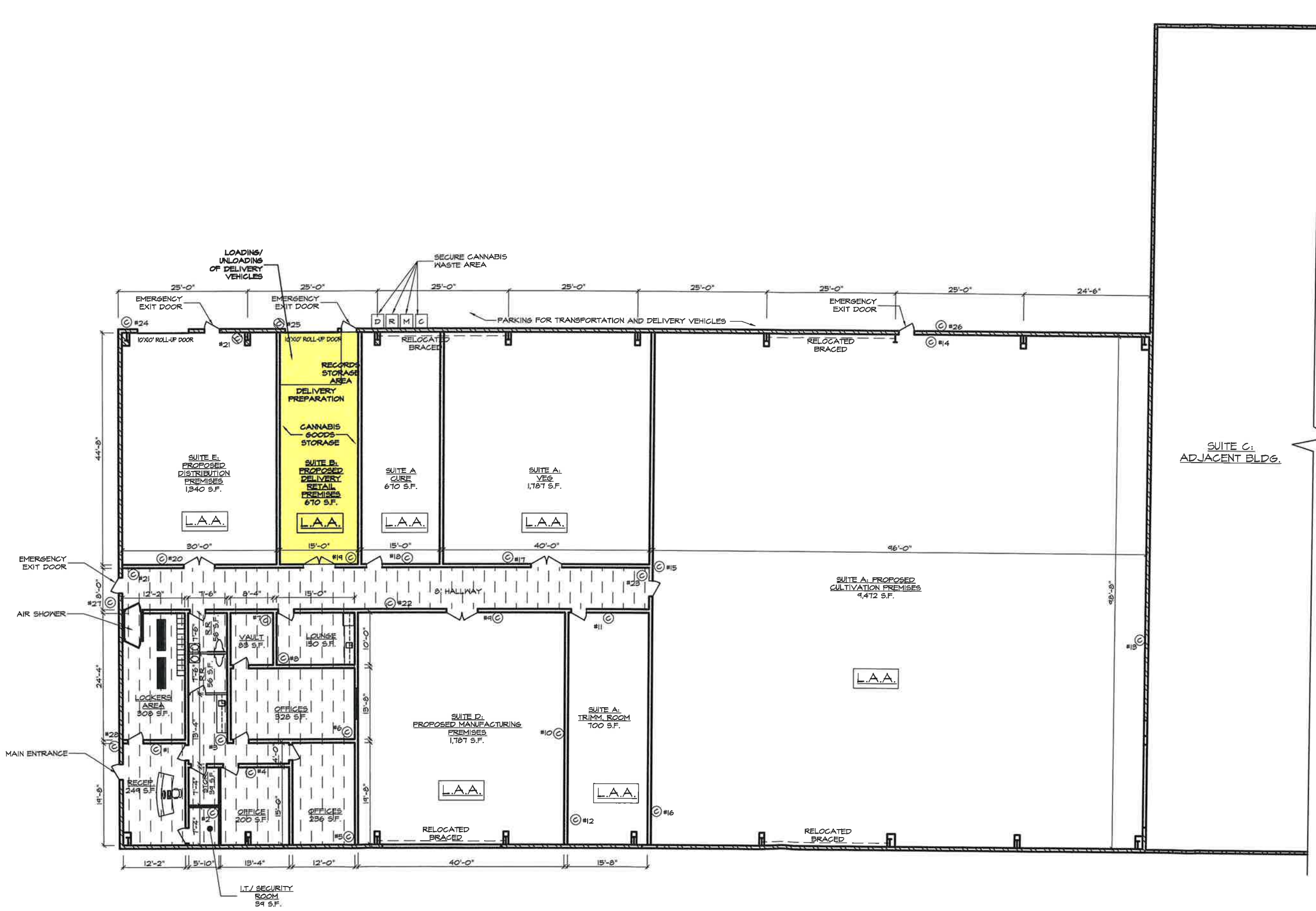
PROPERTY INFORMATION:









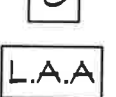
PROPERTY OWNER: MICHAEL MORGAN III
PROPERTY ADDRESS: 3444 ALBION RD. SITE A & B, BRAWLEY, CA 92227
DEVELOPER: DUGGINS CONSTRUCTION
ADDRESS: 11500 N. GARDEN ST., HESPERIA, CA 92343
LEGAL DESCRIPTION: BSN LOT 2 CLAYSON ALSO BSN LOT 10N100

PROPERTY BOUNDARY NOTE:
 THIS PROJECT IS LOCATED WITHIN THE SOUTHWESTERN REGIONAL WATER TREATMENT PLANT AND ASSOCIATED FACILITIES. THE PLANNING AND DESIGN OF THIS PROJECT IS SUBJECT TO THE REQUIREMENTS OF THE REGIONAL WATER TREATMENT PLANT AND ASSOCIATED FACILITIES. THE PLANNING AND DESIGN OF THIS PROJECT IS SUBJECT TO THE REQUIREMENTS OF THE REGIONAL WATER TREATMENT PLANT AND ASSOCIATED FACILITIES. THE PLANNING AND DESIGN OF THIS PROJECT IS SUBJECT TO THE REQUIREMENTS OF THE REGIONAL WATER TREATMENT PLANT AND ASSOCIATED FACILITIES.



<p>PROWOOD HOLDINGS INC. 14500 S. GARDEN ST. SUITE 200 BRAWLEY, CA 92227</p>	<p>DUGGINS CONSTRUCTION 11500 N. GARDEN ST. HESPERIA, CA 92343 (760) 932-8888 FAX: (760) 932-8889</p>	<p>DISCLAIMER: THE ABOVE INFORMATION IS NOT A GUARANTEE OF ACCURACY. THE USER OF THIS INFORMATION SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION. THE USER OF THIS INFORMATION SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION.</p>
<p>DATE: 2-2-2018 SHEET NO.: 2018-11 PROJECT: C.U.P. SITE PLAN</p>	<p>SCALE: AS SHOWN DRAWN BY: K.B. CHECKED BY: K.B.</p>	<p>PROJECT NO.: 2018-11 DATE: 2-2-2018</p>

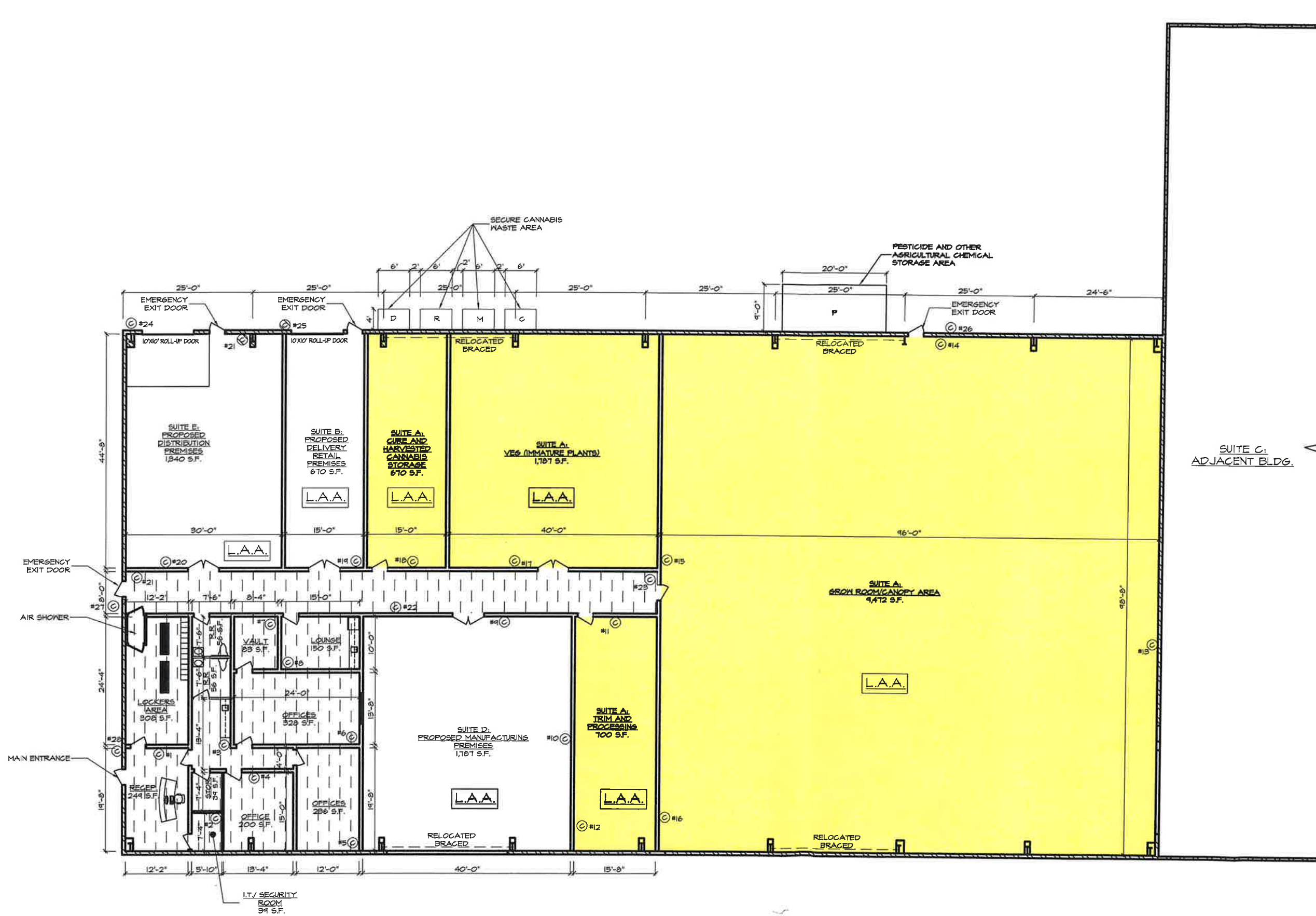












- LEGEND:**
-  COMMON AREA (ACCESSIBLE TO ALL LICENSES)
 -  EXIST. WALL
 -  NEW WALL
 -  SECURITY CAMERAS
 -  DISTRIBUTION WASTE
 -  RETAIL WASTE
 -  MANUFACTURING WASTE
 -  CULTIVATION WASTE
 -  LIMITED ACCESS AREA

SUITE C:
ADJACENT BLDG.

RECEIVED
FEB 25 2019
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

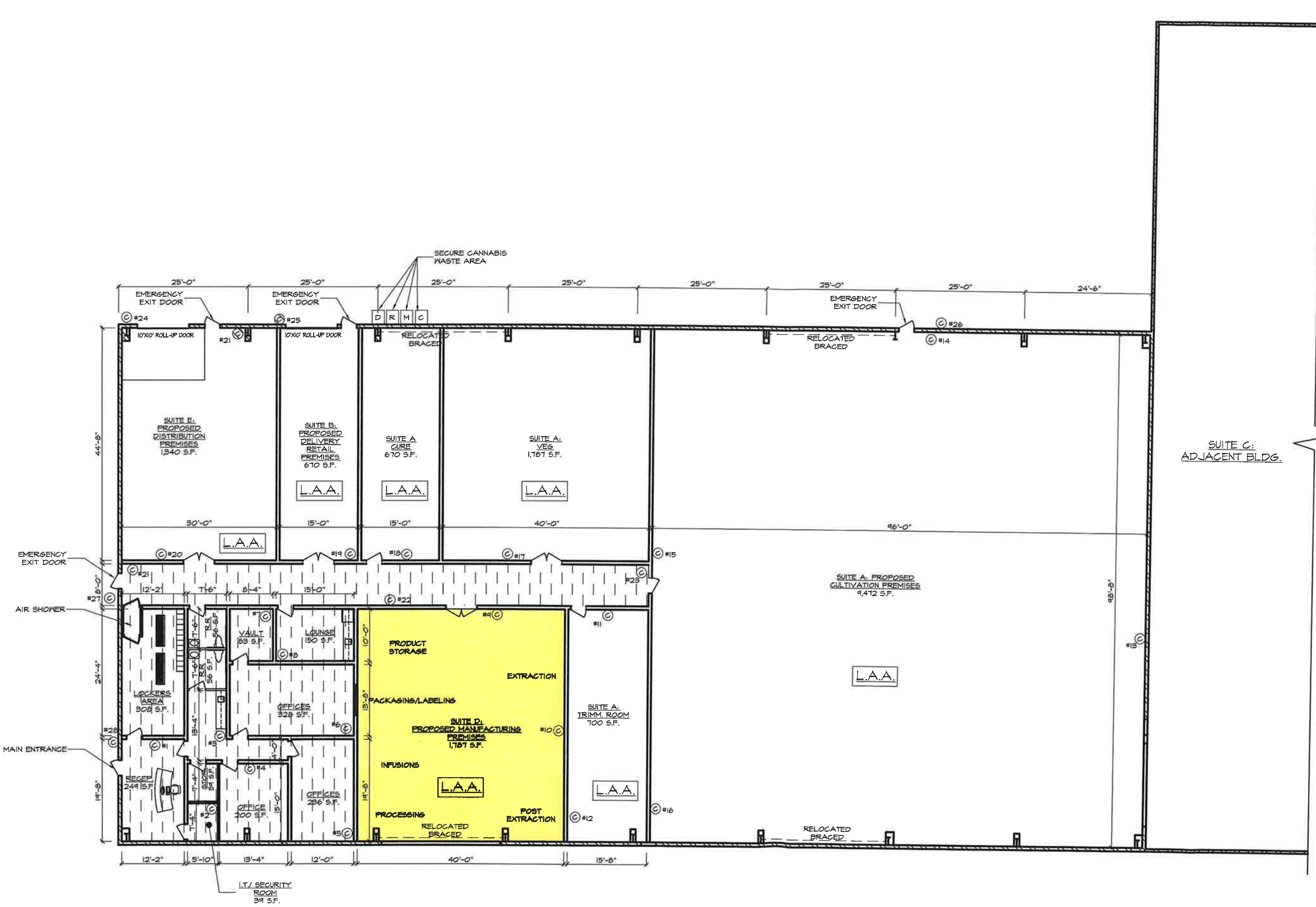
PARAGON WEST, LLC'S NON-STOREFRONT RETAIL PREMISES



- LEGEND:**
-  COMMON AREA (ACCESSIBLE TO ALL LICENSES)
 -  EXIST. WALL
 -  NEW WALL
 -  SECURITY CAMERAS
 -  DISTRIBUTION WASTE
 -  RETAIL WASTE
 -  MANUFACTURING WASTE
 -  CULTIVATION WASTE
 -  PESTICIDE AND OTHER AGRICULTURAL CHEMICAL STORAGE AREA
 -  LIMITED ACCESS AREA

RECEIVED
 FEB 25 2019
 IMPERIAL COUNTY
 PLANNING & DEVELOPMENT SERVICES

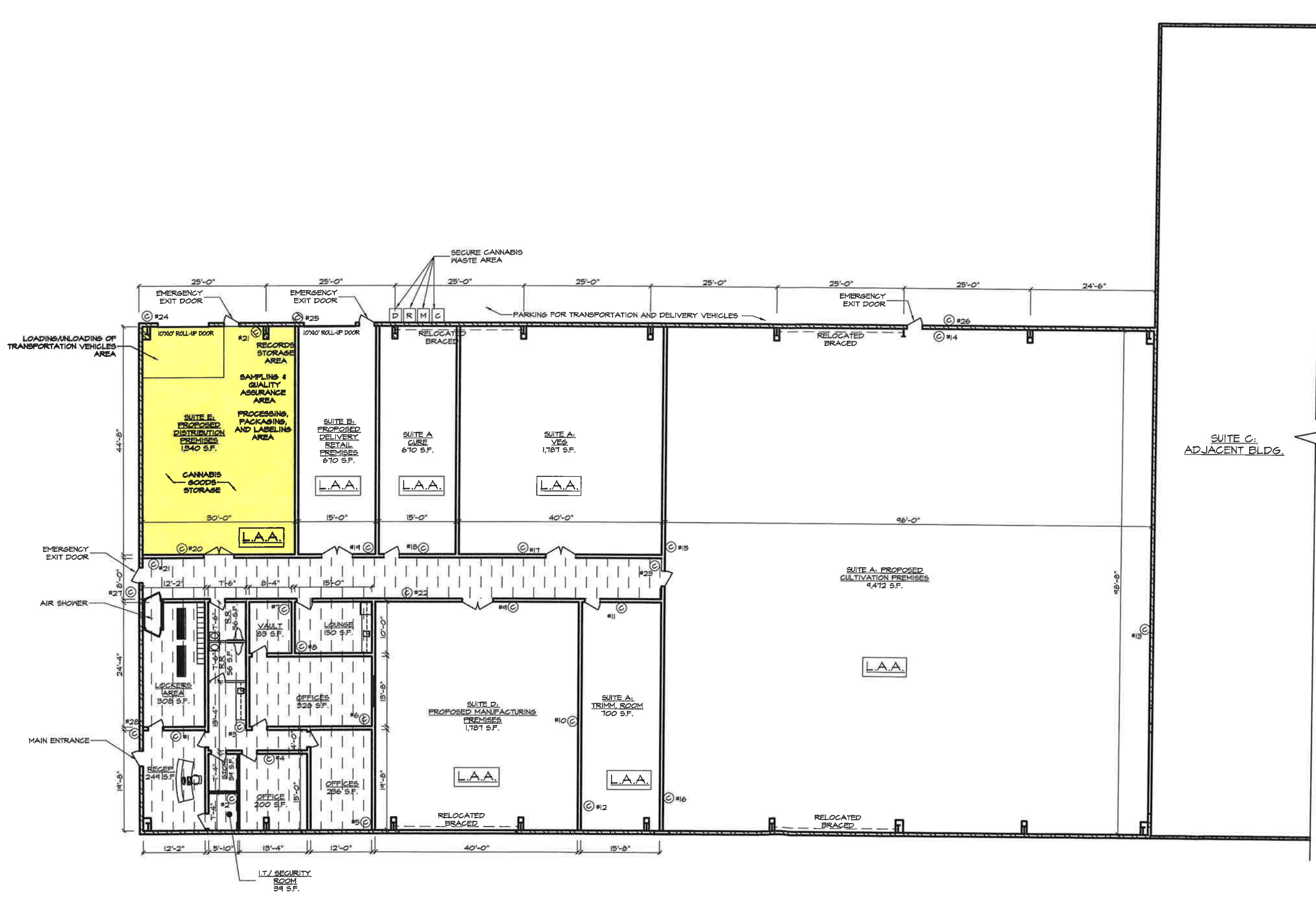
IMPERIAL GOLD, LLC'S CULTIVATION PREMISES












- LEGEND:**
- COMMON AREA (ACCESSIBLE TO ALL LICENSES)
 - EXIST. WALL
 - NEW WALL
 - SECURITY CAMERAS
 - DISTRIBUTION WASTE
 - RETAIL WASTE
 - MANUFACTURING WASTE
 - CULTIVATION WASTE
 - LIMITED ACCESS AREA

RECEIVED
 FEB 25 2019
 IMPERIAL COUNTY
 PLANNING & DEVELOPMENT SERVICES

IMPERIAL GOLD, LLC'S MANUFACTURING PREMISES



LEGEND:

-  COMMON AREA (ACCESSIBLE TO ALL LICENSEES)
-  EXIST. WALL
-  NEW WALL
-  SECURITY CAMERAS
-  DISTRIBUTION WASTE
-  RETAIL WASTE
-  MANUFACTURING WASTE
-  CULTIVATION WASTE
-  LIMITED ACCESS AREA

IMPERIAL GOLD, LLC'S DISTRIBUTION PREMISES

RECEIVED
 FEB 25 2019
 IMPERIAL COUNTY
 PLANNING & DEVELOPMENT SERVICES

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
--------------------------------------	--	-------------------------------------	----------------

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 "Earlier Analyses," as described in (5) below, 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

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
--------------------------------------	--	-------------------------------------	----------------

I. AESTHETICS Would the project:

- a) Have a substantial adverse effect on a scenic vista or scenic highway?
- a) Austin Road is not designated as a scenic highway in the Imperial County General Plan Circulation and Scenic Highways Element (Imperial County 2008) nor is it identified on the California Scenic Highway Mapping System (Caltrans 2016). No scenic vistas or areas with high visual quality would be adversely affected by development of the proposed projects. Additionally, this facility will install landscaping, paved parking lots and landscaping along portions of existing building thereby enhancing the visual character of this area. Any impacts would appear to less than significant.
- b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?
- b) The proposed project is not near a state scenic highway; therefore, it will not damage scenic resources including trees, outcropping, and historical buildings within a state scenic highway. Therefore, no impact is expected.
- c) Substantially degrade the existing visual character or quality of the site and its surrounding?
- c) The proposed uses are consistent with current zoning and land uses in the surrounding parcels, with an approved conditional use permit. The site is zoned for industrial uses and has been used for industrial uses for at least 20 years. The proposed project will add to the industrial uses however, it will not degrade the existing visual character. Therefore, less than significant impacts are expected.
- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?
- d) All on-site lighting will be required to be shielded from adjacent properties and roads. The proposed site would continue to be zoned as light Industrial. A less than significant impact is expected.

II. AGRICULTURE AND FOREST RESOURCES Would the project:

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 Department 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

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
--------------------------------------	--	-------------------------------------	----------------

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?

a) The proposed project site is currently zoned for light industrial uses. The proposed uses appear consistent with light industrial type uses and would not appear to further impact this parcel of land. The parcel is currently being used for light industrial uses and has been for over 20 years. No impacts are expected.

b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

b) There are no Williamson Act contract lands on this parcel. Therefore, no impact is expected.

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))?

c) This existing zoning allows for light industrial uses and the proposed project will not have an impact on forestland. The proposed uses will not conflict with existing zoning or cause rezoning of forestland, timberland or timberland zoned, or Timberland Production. There are no existing forestlands on or in the immediate vicinity of the Project site. Development of the proposed Project would not result in the loss of forestland or conversion of forestland to non-forest use. Therefore, no impact is expected.

d) Result in the loss of forestland or conversion of forestland to non-forest use?

d) As explained under item c) above, the proposed uses are consistent with previous light industrial uses and past uses on site and the proposed project will not result in the loss of forestland or conversion of forestland to non-forest use. Therefore, no impact is expected.

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?

e) The proposed site is zoned for Light Industrial. There are no existing forestlands on site or in the immediate vicinity of the Project site; however, the site is surrounded by agriculture. Development of the proposed Project would not result in the loss of forestland or conversion of agriculture land to non-agriculture use. Therefore, no impact is expected.

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
--------------------------------------	--	-------------------------------------	----------------

III. AIR QUALITY Would the project:

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to the following determinations. Would the Project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?

a) The landowners are proposing a 20,000 square foot space for cannabis products to be cultivated, assembled, branded, marketed and sold through virtual retail. The building space will be equipped with an inline charcoal exhaust system in every space that contains cannabis goods, including storage spaces. The project does not appear to conflict with any air quality plan or violate any air quality standard, nor will it expose sensitive receptors to pollutants or create objectionable odors. The project will adhere to the Air District's Fugitive Dust Rules (Regulation VIII- Fugitive Dust Rules) submitting a "Construction " Dust Control Plan and written notification of earthmoving activities 10 days prior to the commencement of construction to the Air Pollution Control District. Therefore, impacts appear to be less than significant.

- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

b) The landowners are proposing a 20,000 square foot space for cannabis products to be cultivated, assembled, branded and marketed. The building space will be equipped with an inline charcoal exhaust system in every space that contain cannabis goods, including storage spaces. These filters contain activated carbon, which through the process of adsorption, traps impurities and odor particles in microscopic carbon pores. Carbon filters are naturally ideal for odor mitigation and the only filters with the capacity to remove ninety-nine percent (99%) of odor will be use in Imperial Gold, LLC's Facility. Filters will be replaced regularly to ensure the continued effectiveness of the odor mitigation system. Additionally, the project must adhere to the Air District's Fugitive Dust Rules (Regulation VIII- Fugitive Dust Rules). Therefore, impacts appear to be less than significant.

- 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)?

c) During any grading and construction of property site:

- The Permittee will comply with "Anti- Idling" rule for all diesel powered engines during both construction and operations of the facility.
- Limit Visible Dust Emissions (VDE) below 20% opacity at all times.
- Speed limit signs, with 5-mile per hour speed limit shall be posted to reduce speed and dust during all construction,
- The project must adhere to Regulation VIII- Fugitive Dust Rules, in particular: Rule 803 Carry Out and Tract-Out requirements,
- The applicant shall submit a Construction Dust Control Plan and Construction Notification Form two weeks prior to any earth moving activity. Therefore, Impacts

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
--------------------------------------	--	-------------------------------------	----------------

appear to be less than significant.

- d) Expose sensitive receptors to substantial pollutants concentrations?

d) The proposed project will be entirely enclosed inside an existing structure on site and is not expected to expose sensitive receptors to substantial pollutants concentrations. Furthermore, with the continued adherence to the ICACPD requirements as shown above, any impacts would remain at a level less than significant.

- e) Create objectionable odors affecting a substantial number of people?

e) The project will be fully enclosed inside an existing structure and monitoring will be included for any objectable odors that may be present. The structure to the south is an existing agricultural vegetable and melon operation, where agricultural employees are working, however, with the odor control and air quality plan, the impacts appear less than significant.

IV. BIOLOGICAL RESOURCES *Would the project:*

- 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?

a) The proposed project area is currently impacted by light industrial uses. The proposed uses are confined inside an existing industrial structure. The parcel appears to have minimal impacts to any biological resources, therefore, the impacts appear to be less than significant.

- 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 U.S. Fish and Wildlife Service?

b) Previously, the proposed site was being used for trucking and light industrial uses and the proposed project will not further affect the site. Less than significant impacts are projected.

- 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?

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
--------------------------------------	--	-------------------------------------	----------------

c) There are no federally protected wetlands, marshes on project site, As explained in Item a) above, the proposed projects will not have an 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. Therefore, any impacts would be less than significant.

d) Interfere substantially with the movement of any 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?

d) There are no federally protected wetlands, resident or migratory fish or wildlife species or corridors for wildlife on the existing site. As explained Item a) above, the proposed project will not have an adverse effect on migratory fish or wildlife species. Therefore, any impacts would be less than significant.

e) Conflict with any local policies or ordinance protecting biological resource, such as a tree preservation policy or ordinance?

e) The proposed project is zoned for industrial type uses and not subject to and does not conflict with any local policy or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Therefore, no impact is expected.

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?

f) The proposed project site is not part of any adopted Habitat Conservation Plan, Natural Community Conservation Plan or local Plans and would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, therefore, no impacts are expected.

V. CULTURAL RESOURCES *Would the project:*

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

a) The proposed project site is currently being used for light industrial uses, which is located within disturbed land. The project (which includes minor improvements) will not appear to cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5; therefore, any impacts are considered less than significant.

b) Cause a substantial adverse change in

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
--------------------------------------	--	-------------------------------------	----------------

the significance of an archaeological resource pursuant to §15064.5?

b) As mentioned under Item a) above, the proposed project is located on disturbed land and it is not likely that any historical, archaeological or human remains will be discovered. Therefore, any impacts would be less than significant.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

c) As mentioned under Item a) above, the proposed project and facility is located on disturbed land zoned for industrial type uses and is not expected to directly or indirectly destroy a unique paleontological resource or unique geologic feature. Therefore, any impacts should be less than significant.

d) Disturb any human remains, including those interred outside of dedicated cemeteries?

d) As mentioned under Item a) above, the project site is on disturbed land and is not expected to result in the disturbance of any human remains, including those interned outside of dedicated cemeteries. Therefore, any impact would be less than significant.

VI. GEOLOGY AND SOILS *Would the project:*

a) Expose people or structures to potential substantial adverse effects, including risk of loss, injury, or death involving:

a) The project as proposed does not appear to conflict with the geology and soils of adjacent properties. The project will be required to perform a grading and drainage plan/study acceptable to the Imperial County Public Works Department. Therefore, any impacts would be less than significant.

1) 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?

1) The proposed projects are planned to be located in an existing light industrial structure on site, which has been located on the property site for a number of years. Per Figure 2.4-3 Seismic Hazards of the County General Plan Conservation Element, the project is not located with the Brawley Fault Zone and does not indicate any active faults in or near the project area. Therefore, any impacts are considered less than significant.

2) Strong Seismic ground shaking?

2) The proposed project is not located in a "Special Studies Zone"; however, the site would still be affected by the occurrence of seismic activity to some degree, but no more than surrounding properties. Additionally, Imperial County is classified as Seismic Zone 4 by the Uniform Building Code, which requires that any structures

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
--------------------------------------	--	-------------------------------------	----------------

constructed would be built to incorporate the most stringent earthquake resistant measures. Taking into account the above discussion and because seismic risk is associated with occupancy of future buildings regardless of its size which will require geotechnical review done on building permits. Any impacts would be considered less than significant.

- 3) Seismic-related ground failure, including liquefaction and seiche/tsunami?

3) The proposed project is not located in a "Special Studies Zone"; however, the site could still be affected by the occurrence of seismic activity to some degree, but no more than surrounding properties. Additionally, Imperial County is classified as Seismic Zone 4 by the Uniform Building Code, which requires that any structures constructed would be built to incorporate the most stringent earthquake resistant measures. Detailed soil investigations shall be conducted prior to issuance of the initial building permits to assure that the proposed building is designed to withstand potential problems related to geology/soils/seismicity. Any Impacts are considered less than significant.

- 4) Landslides?

4) The project site lies within a generally flat topography and therefore will not be directly or indirectly affected by a landslide. Therefore, no impacts are anticipated.

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

b) The project site is not located within an erosion susceptible area according to the Imperial County, Seismic and Public Safety Element, Figure 3; therefore, no impact is expected.

- 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 landslides, lateral spreading, subsidence, liquefaction or collapse?

c) The proposal is not expected to have a significant adverse environmental impact on the existing geology and soils nor would it result in any direct geology/soils/seismicity impacts. The project site is located in an area of high seismic activity, however it is not located in a fault zone. The site would still be affected by the occurrence of seismic activity to some degree, but no more than surrounding properties. Additionally, Imperial County is classified as Seismic Zone 4 by the Uniform Building Code (Sections 1626 through 1635), which requires that any structures constructed would be built to incorporate the most stringent earthquake resistant measures. A less than significant impact is anticipated.

- d) Be located on expansive soil, as defined in the latest Uniform Building Code, creating substantial risk to life or property?

d) The project as proposed does not appear to conflict with the geology and soils of adjacent properties. The project will be required to perform a grading and drainage

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
--------------------------------------	--	-------------------------------------	----------------

plan/study and geotechnical work acceptable to the Imperial County Public Works Department. Additionally no new structures are proposed, only remodel of the interior of the existing structure. A less than significant impact is anticipated.

- 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 wastewater?

e) The facility will be required to install a septic system strictly for the use of the cannabis operations. The Division of Environmental Health recommends that the system shall be designed by an engineer familiar with Imperial County's OWTS requirements. Therefore, any impacts are considered to be less than significant with the use of a septic system.

VII. GREENHOUSE GAS EMISSION Would the project:

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

a) The landowners are proposing a 20,000 square foot structure for cannabis products to be assembled, branded and marketed. The project does not appear to conflict with any air quality plan or violate any air quality standard, nor will it expose sensitive receptors to pollutants or create objectionable odors. The proposed project is not proposing any additional expansion of structures and construction activities would appear to be for remodeling inside current structure. Minimal grading for parking and landscaping. The project does not appear to impact greenhouse gas emissions, however, any Impacts appear to be less than significant.

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

b) The proposed project will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The facility site is currently being used for light industrial uses and the proposed cannabis uses will be located inside an existing building located on site; therefore, no impacts are expected.

VIII. 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?

a) The proposed project operations may use propane, CO2, alcohol and fuel. If so the Permittee will be required to submit a "Hazardous Materials Business Emergency Response Plan" and inventory of the facility which handles hazardous materials or waste in amounts greater than 55 gallons for liquids, 500 pounds for solids and 200 cubic feet for compressed gases. (Please refer to comment letter from DTSC, dated November 29,

2018). Therefore, any impacts are considered less than significant.

b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

b) All future development shall provide proof of a hazardous materials business plan and that appropriate permits have been obtained for any hazardous materials to be kept on-site or hauled. A less than significant impact is projected.

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

c) The proposed projects will not handle hazardous materials or waste within a one-quarter mile of an existing or proposed school site. No impact is anticipated

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?

d) The project site is not located on a site included on a list of hazardous material sites; therefore, no impact expected.

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?

e) The project site is not within two miles of a public/military airport; therefore, no impact is expected.

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?

f) The project site is not located in the vicinity of any known private airstrip which would result in a safety hazard for people residing or working in the project area; therefore, no impact is expected

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
--------------------------------------	--	-------------------------------------	----------------

g) The proposed projects would not interfere with any adopted emergency response plan or emergency evacuation plan; therefore, no impact is expected. The permittee will meet any requirements requested by the Fire/OES Department for emergency responses and plans. No impacts are anticipated.

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?

h) The project site is not located in areas susceptible to wildland fires; therefore, no impact is expected.

IX. HYDROLOGY AND WATER QUALITY *Would the project:*

a) Violate any water quality standards or waste discharge requirements?

a) The project does not appear to violate any water quality standards or waste discharge orders. The proposed project does not propose to sufficiently alter the existing drainage or the existing drainage pattern, nor create significant runoff water, nor degrade water quality, and is not within a flood zone, nor impede flood flows, nor expose people to a substantial risk of loss, injury, or death from flooding, nor be subject to a seiche, tsunami, or mudflow. Prior to issuance of any additional initial building permits, the landowners/permittees shall provide detailed soil investigation reports to ensure that the retention basin and proposed structures are designed to withstand problems related to any potential flooding and drainage into the existing IID drainage system. A less than significant impact is projected.

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)?

b) The proposed projects are not using any groundwater, and will not substantial deplete groundwater; therefore, no impacts are expected.

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?

c) Future development within the proposed project would not result in significant impacts

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
--------------------------------------	--	-------------------------------------	----------------

to hydrology and water quality. The project site will not alter the course of a stream or river or create any substantial erosion or siltation on or off site. The projects will be using an existing building on site and no additional structures are anticipated. Any proposed grading will require drainage reviews and approval from Public Works. Therefore, and impacts are considered less than significant

- d) Substantially alter the existing drainage patterns 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?

d) The Permittee will be required to prepare a grading and drainage plan or a letter address to IC Public Works indicating that surface run-off will remain on site. Therefore, any impacts are considered less than significant.

- e) Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

e) Future development within the proposed project would not result in significant impacts to hydrology and water quality. Surface runoff quantities are a function of the impermeable surface area and land use types that will be created by development. The project site will not alter the course of a stream or river or create any substantial erosion or siltation on or off site. The projects will be using an existing building on site and no additional structures are anticipated. The current site has an existing structure on site, which will be remodeled to accommodate the cannabis cultivation, distribution and manufacturing, a virtual retail store, and no additional structures are planned. Therefore, any impacts are considered less than significant.

- f) Otherwise substantially degrade water quality?

f) The project does not appear to violate any water quality standards or waste discharge orders. The proposed project does not propose to sufficiently alter the existing drainage or the existing drainage pattern, nor create significant runoff water, nor degrade water quality. Prior to issuance of any future building construction, the landowners/permittees shall provide detailed soil investigation reports to ensure that the retention basin and proposed structures are designed to withstand problems related to any potential flooding and drainage into the existing IID drainage system. Therefore, any impacts appear to be less than significant.

- g) Place housing within a 100-year flood hazard area as mapped on a Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

g) Per FEMA Flood Map #06025 C1375C, the project site is located within Zone X and does not appear to be located within a flood area. No housing is expected within the

project area or surrounding area. No impacts are anticipated.

- h) Place within a 100-year flood hazard area structures which would impede or redirect the flood flows?

h) No buildings will be located in the 100-year flood hazard area. The proposed projects will be located in an existing structure; therefore, no impacts are anticipated.

- 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?

i) The proposed project is located In Zone X, which is an area of minimal flood and therefore, would appear to not be impacted by flooding as a result of failure from a levee or dam. No impact expected.

- j) Inundation by seiche, tsunami, or mudflow?

j) The proposed expansion would not expose people or structures to a significant risk or lost, injury or death involving inundation by seiche, tsunami, or mudflow, therefore, no impact is expected. The site is mostly flat and would not appear to be impacted by seiche, twunami or mudflow. No impact is anticipated.

X. LAND USE AND PLANNING *Would the project:*

- a) Physically divide an established community?

a) The proposed project is consistent with the intent of the County General Plan, Cannabis operations are allowed with an approved Conditional Use Permit in an M-1 Light Industrial zone, therefore once approved, no impact is expected.

- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (include, 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?

b) The proposed project is consistent with the intent of the County General Plan, and the County's Land Use Ordinance. The project is not located in or conflict with habitat conservation or natural community conservations area or plans. The proposed project is located south of the City of Brawley and will not physically divide an established community. Therefore, no impacts are expected.

- c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

c) The proposed operations not within any applicable habitat conservation plan or natural

community conservation plan. No impacts are anticipated.

XI. 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| a) The proposed projects will not remove mineral resources on-site; therefore, no impact expected. | | | | |
| 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"/> |
| b) The proposed facility will not result in the loss of a locally important mineral resources recovery site; therefore, no impact is expected. | | | | |

XII. NOISE *Would the project:*

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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"/> |
| a) The proposed projects will be located in an existing remodeled facility. There will be some new noise onsite; however, the proposed operation is not expected to exceed applicable noise standards. Therefore, any impacts are considered less than significant. | | | | |
| 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"/> |
| b) The proposed projects are not expected to exceed applicable noise standards on local landowners. The proposed project will be located within an existing remodeled structure and the proposed activities appear to not generate any excessive groundborne vibration or noise. A less than significant impact is expected. | | | | |
| 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"/> |
| c) The proposed operation is not expected to exceed any applicable noise standards on local landowners because the facilities shall be within existing remodeled facility. The parking areas will be paved and site will be fenced. Areas around parking and building will be landscaped. The proposed activities would not appear to generate any ambient noise levels in the vicinity. Therefore, any impacts are considered less than significant. | | | | |

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
<p>d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</p> <p>d) During the remodel of the existing structure there will be a slight increase in the noise level, however, the proposed operation is not expected to exceed any applicable noise standards on local landowners. The nature of the business activities will be within the existing structure. Therefore, any impacts are considered less than significant.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>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?</p> <p>e) The proposed expansion site is not located within an airport land use plan and the proposed project will not result in any additional impacts. The proposed project is not within two miles of a public airport or public use airport; therefore, no impacts are expected.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>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?</p> <p>f) The proposed expansion site is not within the vicinity of a private airport nor is it within the close vicinity of a private airstrip. Therefore, no impact is expected for the proposed facility.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIII. POPULATION AND HOUSING *Would the project:*

<p>a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?</p> <p>a) The proposed facility will not appear to induce substantial population growth in the area, either directly or indirectly; therefore, no impact is expected.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?</p> <p>b) The proposed expansion will not displace substantial numbers of exiting housing, necessitating the construction of replacement housing elsewhere; therefore, no impact is expected.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c) Displace substantial numbers of people necessitating the construction of replacement housing elsewhere?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
--------------------------------------	--	-------------------------------------	----------------

c) The proposed facility will not displace substantial numbers of people necessitating the construction or replacement housing elsewhere; therefore, no impact is expected.

XIV. PUBLIC SERVICES Would the project:

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:

a) This project should have a less than a significant impact on fire and police protection services and other public facilities. As the project is non-residential in nature, there does not appear to be significant impacts to schools or parks. The facility will have less than 12 workers on site at any one time. Less than significant impacts are expected.

1) Fire Protection?

a1) An approved water supply capable of supplying the required fire flow determined by the Appendix B in the California Fire Code shall be installed and maintained. Pressurized private fire service mains and appurtenance will be installed in accordance with NFPA 24.

- The projects shall have an approved automatic fire detection system
- The facilities will have an approved automatic fire suppression system.
- All fire detection systems will be installed and maintained to the current adapted fire code and regulations. Gates and fire department access will be in accordance with the current adapted fire code and the facility will maintain a Knox Box for access on site. The Permittee shall follow the recommendation from Imperial County Fire, therefore, any impacts should be less than significant. (Please refer to the Imperial County Fire Comment Letter dated November 30, 2018.)

2) Police Protection?

a2) The project site will be fenced and gated on a 24-hour basis for security. The site will be lighted for security and for safety purposes. The facilities will have a security plan approved by the County and therefore, any impacts should be less than significant.

3) Schools?

a3) The proposed projects are not expected to have an impact on schools; therefore, no impact is expected. All persons entering the site must be over the age of 21. Security will be on site 24 hours a day. Therefore, no impact is expected.

4) Parks?

a4) The proposed projects are not expected to have any impacts on parks; therefore, no impact is expected.

5) Other Public Facilities?

a5) The project will submit plans that include food sales, retail food facility, to the Imperial County Health Department, Division of Environmental Health (DEH) for their review for approval. The applicant will abide by all County Agriculture Department requirements regarding the virtual retail, distribution, and manufacturing operations. The type of scales will be approved by Dept. of AG and the California Department of Food and Agriculture and Agriculture Division of Measurement Standards Weighs and Measures Considerations. The applicant will apply for a weighmaster license and label requirements for cannabis. A less than significant impact is expected. (Please refer to Agricultural Commissioner Comment letter dated November 27, 2018 and Div. of Environmental Health Comment Letter dated November 30, 2018)

XV. RECREATION Would the project:

a) Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

a) The proposed project CUP's would not increase the use of the existing neighborhood and regional parks or other recreational facilities; therefore, no impact is expected.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?

b) The proposed project would not appear to include or require the construction of recreational facilities; therefore, no impacts are expected.

XVI. TRANSPORTATION / TRAFFIC Would the project:

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?

a.)The Permittee for the Conditional Use Permits #18-0031, CUP#18-0032, CUP#18-0033, and CUP #18-0034 shall comply will all applicable conditions and regulations with the County's circulation plan, land use ordinance, and transportation planning. A less than significant impact anticipated.

- b) Conflict with an applicable congestion management program, including but not limited to level of service standard and travel demand measures, or other standards established by the county congestions/management agency for designated roads or highways?

b) The Permittee will be using Austin Road, which is a north-south two-lane undivided roadway with a posted speed limit of 55 mph. The proposed uses would not appear to rise above any level of services for the Austin Road. Therefore, a less than significant impact is anticipated.

- 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?

c) The proposed project will not cause a change in air traffic patterns that would not result in safety risks; therefore, no impact is expected.

- d) Substantially increases hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

d) A transportation permit shall be required for any heavy equipment and /or large vehicles, which impose greater than legal loads on riding surface, including bridges. The Transportation Permit will outline acceptable uses; therefore, a less than significant impact is expected.

- e) Result in inadequate emergency access?

e) All on-site traffic area shall be hard surfaced to provide all weather access for fire protection vehicles. The surfacing shall meet the Department of Planning & Development Services, Department of Public Works and Fire/OES Standards as well as those of the Air Pollution Control District (APCD). (Per Imperial County Code of Ordinances, Chapter 12.10.020(A). No impacts are anticipated.

- f) Conflicts with adopted policies, plans, programs, regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

f) The project would not appear to affect any public transit, bicycle or pedestrian facility. The parcel has an enclosed industrial type structure on site. The applicant is proposing improvement for ingress and egress and may make improvements as requested by Public Works for encroachment to site. A new parking plan with paved parking and landscaping will improve site for traffic onto Austin Road. Impacts are expected to be less than significant.

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
--------------------------------------	--	-------------------------------------	----------------

XVII. TRIBAL CULTURAL RESOURCES *Would the project:*

a) Would the project 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. The project would not appear to cause an adverse change in the significance of a tribal cultural resource. Based on Figure 6 Known Areas of Native American Sensitivity of the Conservation and Open Space Element of the Imperial County General Plan, the project site does not appear to be located within any sensitive areas. The property site was been impacted by past agricultural and light industrial uses in the past. Therefore, no impact is expected.

1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as define in Public Resources Code Section 5020.1(k), or

1) The project site would not appear to cause any substantial change in the significance of a tribal cultural resource and no historical resources have been identified as significant in the previous agricultural and industrial uses in the project area; therefore, any impact is considered less than significant.

2) 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 is subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.

2) The project site is zoned for light industrial uses and over 20 years, the project site has been used and is currently being used for agricultural light industrial uses. The project site has an existing industrial structure and to date no evidence of cultural resources have been seen on site. Therefore, no resources as defined in the Public Resources Code Section 5024.1 appear to be impacted. No impacts are expected.

XVIII. UTILITIES AND SERVICE SYSTEMS *Would the project:*

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
<p>a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</p> <p>a) The property owners shall install a new septic system for the remodeled structure that will house all four cannabis operations. Therefore, the Project should not exceed wastewater treatment requirements of the Regional Board and therefore, any impacts are considered less than significant.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>b) Require or result in the construction of new water or water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</p> <p>b) The Permittee intends to filtrate water using an agricultural filtration system as well as utilize either UV or Reverse Osmosis Treatment Systems. Therefore, any impacts should be less than significant.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>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?</p> <p>c) The Permittee will utilize the existing IID drains and therefore, new construction of drainage facilities will not be required and no impact is expected.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?</p> <p>d) The Permittee intends to truck-in water for the cannabis operations. Imperial Irrigation water will be used for non-cannabis operations. Any impacts should be less than significant.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>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?</p> <p>e) The Permittee shall install a new septic system to treat wastewater, therefore any impacts should be less than significant.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?</p> <p>f) The proposed facility currently will have solid waste services with a locally licensed waste hauler and the proposed uses would be minimal and any impacts are considered less than significant.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>g) Comply with federal, state, and local</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
--------------------------------------	--	-------------------------------------	----------------

statutes and regulations related to solid waste?

g) The proposed project shall comply with federal, state and local statutes and regulations related to solid waste; any impacts are expected to be less than significant.

Reference 7 APCD letter dated June 19, 2018
 Reference 8 & OES letter dated June 28, 2018
 Reference 11 letter dated June 6, 2018

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; Sundstrom v. County of Mendocino, (1988) 202 Cal.App.3d 296; Leonoff v. Monterey Board of Supervisors, (1990) 222 Cal.App.3d 1337; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.

Revised 2009- CEQA
 Revised 2011- ICPDS
 Revised 2016 – ICPDS
 Revised 2017 - ICPDS

SECTION 3

III. MANDATORY FINDINGS OF SIGNIFICANCE

The following are Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|
| 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, eliminate tribal cultural resources or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input 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 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 type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

IV. PERSONS AND ORGANIZATIONS CONSULTED

This section identifies those persons who prepared or contributed to preparation of this document. This section is prepared in accordance with Section 15129 of the CEQA Guidelines.

A. COUNTY OF IMPERIAL

- Jim Minnick, Director of Planning & Development Services
- Michael Abraham, AICP, Assistant Director of Planning & Development Services
- Patricia Valenzuela, Project Planner
- Imperial County Air Pollution Control District
- Department of Public Works
- Fire Department
- Ag Commissioner
- Environmental Health Services

B. OTHER AGENCIES/ORGANIZATIONS

Imperial Irrigation District

(Written or oral comments received on the checklist prior to circulation)

V. REFERENCES

1. "County of Imperial General Plan EIR", prepared by Brian F. Mooney & Associates in 1993; and as Amended by County in 1996, 1998, 2001, 2003, 2006 & 2008, 2015, 2016.
 2. County of Imperial Land Use Ordinance (Title 9) originally Enacted in 1998 and Revised in 2003 and 2004, and as Amended by the County in 2006, 2008, 2009, 2013 and 2016
 3. Williamson Act map created in 2012 by the Imperial County Planning & Development Services Department for the Imperial County Board of Supervisors Order
 4. Imperial County Air Pollution Control District's Air Quality Handbook (November 2007)
 5. State of California's, Alquist-Priolo Earthquake Fault Zone Maps, Revised January 1, 1980, Special Studies Map
 6. U.S. Department of Homeland Security, Federal Emergency Management Agency's Flood Insurance Rate Maps, effective September 26, 2008.
 7. Comment letter APCD dated December 3, 2018
 8. Comment letter Imperial County Fire and OES Department dated November 30, 2018
 9. Comment letter Imperial County Ag Commissioner Office dated November 27, 2018
 10. Comment letter Health Dept. dated November 30, 2018
-

SECTION 4

VIII. RESPONSE TO COMMENTS

(ATTACH DOCUMENTS, IF ANY, HERE)





Office of the
Agricultural Commissioner
Sealer of Weights & Measures

Carlos Ortiz
Agricultural Commissioner
Sealer of Weights & Measures

Jolene Dessert
Asst. Agricultural Commissioner
Asst. Sealer of Weights & Measures

November 27, 2018

Patricia Valenzuela, Planner IV
Imperial County
Planning & Development Services
801 Main Street
El Centro, CA 92243

RECEIVED

NOV 27 2018

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

Re: Conditional Use Permits #18-0031, 18-0032, 18-0033 & 18-0034

Dear Ms. Valenzuela:

Our department has reviewed the documents pertaining to Conditional Use Permits #18-0031, 18-0032, 18-0033 and 18-0034 for applicant Sutton Morgan who proposes a cannabis cultivation facility, manufacturing facility, distribution facility and virtual retail facility at 3971 Austin Road in Brawley, California with an existing M-1 Light Industrial zone.

As it is required by Title 9 Division 3 Section 90302.3 – Landscaping standards – Industrial uses, to landscape, our office asks that if plant material is not sourced from a nursery within Imperial County, the applicant must follow the requirements for movement of plant material into Imperial County from other counties or from out of state. The applicant can contact our Pest Detection and Eradication Division for any questions regarding the quarantines of movement of plant material, as there are several quarantines that must be observed.

Please refer to the Commercial Cannabis Activities Checklist attached. Our office has prepared the checklist of potential regulatory concerns under our jurisdiction. The checklist includes activities dealing with nursery stock, pesticide use and weights and measures. Please review the list and consult with our office regarding any items listed. Failure to do so may result in violation of state and local laws and regulations. The applicant was provided several handouts at the multi-agency Project Meeting held on May 17, 2018 that will help the applicant understand several requirement in connection with their cannabis cultivation licenses.

If you or the applicant have any questions, please feel free to contact our office at (442) 265-1500.

Regards,

Carlos Ortiz
Agricultural Commissioner
Sealer of Weights & Measures



Office of the
Agricultural Commissioner
Sealer of Weights & Measures

Carlos Ortiz
 Agricultural Commissioner
 Sealer of Weights & Measures

Jolene Dessert
 Asst. Agricultural Commissioner
 Asst. Sealer of Weights & Measures

Commercial Cannabis Activities Checklist

(May 9, 2018)

To Whom It May Concern:

For those that wish to obtain a license from the County of Imperial for the commercial production of *Cannabis sativa*, the Agricultural Commissioner's office has prepared the following checklist of potential regulatory concerns under our jurisdiction. Please review this list and consult with our office regarding those items for which a 'yes' is checked. Failure to do so may result in violations of local laws and regulations.

Description	Questions	Yes	No
Nursery Stock/Seeds - Incoming shipments of plant parts for production (including seed) typically require inspection by this office for plant pests/diseases and will be profiled for compliance with plant quarantines.	Do you intend to bring plants or other propagative plant parts (excluding seeds) into Imperial County?		
	Do you intend to bring seeds into Imperial County?		
Pesticide Use – All pesticide use is required to comply with California and Federal laws and regulations. All those that use pesticides in Imperial County for agricultural production are required to obtain an operator ID number (OIN) with our office and report pesticide usage. This OIN must be obtained prior to purchasing pesticides from a licensed pesticide dealer. Disclaimer: An OIN is not equivalent to a license to produce cannabis or a business license. The purpose is solely to come into compliance with California laws and regulations regarding pesticide use and allow for pesticide use reporting.	Do you intend to use any pesticides (including 'organic' pesticides) on your Cannabis crop?		
Weights and Measures – Any product sold by weight or measure is subject to state laws regarding that sale. Commercial weighing and measuring devices are required to be type approved for commercial use (please call for information prior to purchasing devices), registered, inspected, and sealed by our office. Point of Sale devices or Scanners used in retail sale transactions are also required to be registered and inspected. Furthermore, packaged products sold by weight or measure are also subject to periodic inspection by our office for compliance with state laws and regulations. https://www.cdfa.ca.gov/dms/CannabisWM.html	Do you intend to sell Cannabis products by weight over a scale?		
	Do you intend to sell Cannabis products by measure other than weight (for instance volume)?		
	Do you intend to sell Cannabis products with a point of sale system or scanner?		
	Do you intend to package a Cannabis product for sale by weight or measure?		

Laryssa Alvarado

RECEIVED

From: Victoria, Matthew@DTSC <Matthew.Victoria@dtsc.ca.gov>
Sent: Thursday, November 29, 2018 2:30 PM
To: Laryssa Alvarado
Cc: Krug, Robert@DTSC; Vintze, Roger@DTSC
Subject: Request for Comments for Conditional Use Permits (CUP) #18-0031, 18-0032, 18-0033, 18-0034 due by December 1st, 2018

NOV 29 2018

**IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES**

Good afternoon,

I am the cannabis lead for the Imperial CUPA office here in El Centro. After reviewing the applications, our official comments are as follows:

In general, cannabis grow facilities have onsite large quantities of propane, CO2, alcohol to clean/sterilize, and perhaps fuel for generators in the case of a power loss. A Hazardous Materials Business Emergency Response Plan and Inventory is required of any facility which handles hazardous materials or waste in amounts greater than:

- 55 gallons for liquids
- 500 pounds for solids
- 200 cubic feet for compressed gases

In addition, all grow lamps, ballasts, full spectrum fluorescents, mercury and sodium lamps, etc. have specific waste disposal requirements.

Regulatory Authority

Law: California Health and Safety Code, Chapter 6.95, Article 1, Sections 25500 - 25520

Regulation: California Code of Regulations, Title 19, Division 2, Chapters 4 and 4.1, Sections 2620 - 2734

A link to guidance documents and assistance in preparing a Hazardous Materials Business Plan can be found here:

https://dtsc.ca.gov/hazardouswaste/CUPA/upload/Imperial_BusPlan_Guidance.pdf

Or, contact the local CUPA office:

DTSC Imperial CUPA Office
627 Wake Avenue
El Centro, California 92243
Phone: (760) 352-0381
FAX: (760) 352-1641

This ends the official comments from me as an employee of DTSC. However?

I have been to multiple trainings over the past three years to educate and assist me in regulating cannabis. Reading the application, I developed the following list of questions I would ask if I were involved more in the proposal for the facility:

- In order for the attached proposal to be legitimate, it must incorporate a dual licensing arrangement. I assume Imperial County is reviewing comments to grant local approval? None of the attached pages depict or display a cultivation license issued by CalCannabis, and a license issued by the Office of Manufactured Cannabis Safety (Consumer Affairs) to extract oils and concentrate them. A review these State licenses would assure the square footage, size and scope of the operation is not in conflict with the application to the County. Also, either or both of the State-issued license may impose further restrictions.
- Will a Department inspect and verify the facility is within the square footage and canopy requirements specified in the application and dictated by the State licenses?
- With any indoor grow, there are always questions of pest control, bio security and mold suppression. How are these to be accomplished? Also, odor mitigation is mentioned but not detailed how it will occur.
- What chemical or method is to be employed to extract the cannabis oil? CO2 under pressure? A volatile solvent? I would think the method and chemical inventory would be of interest for County Fire and Building Inspection staff regarding possible explosions, electrical needs, and safety (Class 1 Div 1, etc.)

My contact information is below. I typically work weekday from 7-4pm. Thank you for the opportunity to contribute,



Matt Victoria
DTSC Imperial CUPA
627 Wake Avenue
El Centro, Ca 92243
Phone 760-352-0855
Fax 760-352-1641



IID

A century of service.

www.iid.com

Since 1911

November 29, 2018

RECEIVED

DEC 04 2018

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

Ms. Patricia Valenzuela
Planner IV
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

SUBJECT: Imperial Gold, LLC (Cannabis Operation) CUP Applications No.18-0031 through -0034

Dear Ms. Valenzuela:

On November 16, 2018, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, a request for agency comments on Conditional Use Permit applications no. 18-0031 through -0034. The applicant, Imperial Gold, LLC; proposes to establish a fully integrated commercial cannabis operation (cultivation, manufacturing, distribution and retail) at 3971 Austin Road, Brawley, CA.

The Imperial Irrigation District has reviewed the information and has the following comments:

1. The property where the project will be developed has pre-existing electrical service and a photovoltaic system to serve the power needs of current on-site agricultural activities. If the cannabis project necessitates a modification of the electrical load, the applicant should contact Ignacio Romo, Customer Project Development Planner, at (760) 482-3426 or e-mail Mr. Romo at igromo@iid.com to review the project's scope of work and initiate the electrical service application process. The application is available at <http://www.iid.com/home/showdocument?id=12923>.
2. IID facilities that may be impacted include the Malan Canal.
3. A planning review will be required for the project in accordance with IID Water Department developer guidelines. IID's Developer Project Guide is available at <http://www.iid.com/home/showdocument?id=2328>. For information regarding project planning reviews, contact Frank Fiorenza with IID Water Department Engineering Services at (760) 339-9507
4. IID's Colorado River supply is obtained through a federal water contract, diverted through Imperial Dam and delivered through the All-American Canal (all federal

facilities operated by IID are under contract with the Bureau of Reclamation). IID staff is developing a water use policy for cannabis consistent with the federal Reclamation policy dated May 14, 2018 (see attachment) that will be presented to the IID board of directors for consideration and direction. In summary, the federal policy precludes the "use of Reclamation facilities or water in the cultivation of marijuana."

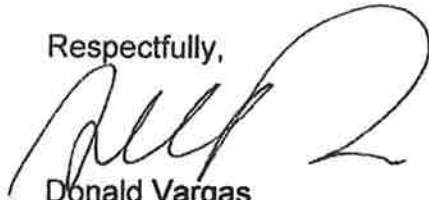
5. The applicant is proposing the use of IID water for the non-cultivation aspects of the project and "ship water in for cultivation operation". What is the source of the applicant's shipped water?
6. Per California Safe Drinking Water Act, applicant will need to contract with a state-approved water provider for the drinking water.
7. The applicant may not use IID's canal or drain banks to access the project site. Any abandonment of easements or facilities shall be approved by IID based on systems (irrigation, drainage, power, etc.) needs.
8. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). A copy of the IID encroachment permit application and instructions for its completion are available at <http://www.iid.com/departments/real-estate>. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements. No foundations or buildings will be allowed within IID's right of way.
9. In addition to IID's recorded easements, IID claims, at a minimum, a prescriptive right of way to the toe of slope of all existing canals and drains. Where space is limited and depending upon the specifics of adjacent modifications, the IID may claim addition secondary easements/prescriptive rights of ways to ensure operation and maintenance of IID's facilities can be maintained and re not impacted and if impacted mitigated. Thus, IID should be consulted prior to the installation of any facilities adjacent to IID's facilities. Certain conditions may be place on adjacent facilities to mitigate or avoid impacts to IID's facilities.
10. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and distribution lines, etc.) need to be included as part of the project's CEQA and/or NEPA documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or modification of IID facilities until such time as the environmental documentation is amended and environmental impacts are fully analyzed. **Any and all mitigation necessary as**

Patricia Valenzuela
November 29, 2018
Page 3

a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.

Should you have any questions, please do not hesitate to contact me at 760-482-3609 or at dargas@iid.com. Thank you for the opportunity to comment on this matter.

Respectfully,



Donald Vargas
Compliance Administrator II

Enclosure

Kevin Kelley – General Manager
Mike Pacheco – Manager, Water Dept.
Enrique B. Martinez – Manager, Energy Dept.
Jamie Asbury – Deputy Manager, Energy Dept., Operations
Enrique De Leon – Asst. Mgr., Energy Dept., Distr., Planning, Eng. & Customer Service
Vance Taylor – Asst. General Counsel
Robert Laurie – Asst. General Counsel
Michael P. Kemp – Superintendent, Regulatory & Environmental Compliance
Randy Gray – Supervisor, Real Estate
Jessica Lovecchio – Environmental Project Mgr. Sr., Water Dept.



COUNTY OF IMPERIAL
PUBLIC HEALTH DEPARTMENT

ROBIN HODGKIN, M.P.A.
Director

STEPHEN W. MUNDAY, M.D., M.P.H.
Health Officer

November 30, 2018

RECEIVED

DEC 24 2018

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

Patricia Valenzuela, Planner IV
IC Planning & Development Services
801 Main Street
El Centro, CA 92243

Subject: CUP #18-0031, #18-0032, #18-0033, #18-0034

Dear Ms. Valenzuela:

The Imperial County Public Health Department, Division of Environmental Health (DEH), is providing the comments below, in response to the November 16, 2018 request for review and comments. Based on the documentation provided, the parcel undergoing this process APN #040-180-045, proposes to operate a commercial cannabis operation consisting of distribution (CUP 18-0031), cultivation (CUP 18-0032), virtual retail (CUP 18-0033), and manufacturing (CUP 18-0034).

Our agency is providing the following comments for consideration by the project applicant:

Wastewater Disposal

Proposed plans to utilize the existing building on parcel 040-180-045 will trigger the requirement for the installation of an on-site waste water treatment system (septic system). While it has been noted that an existing OWTS has been set in place on a neighboring parcel, the use of an existing building for a commercial cannabis operation will require its own septic system. In such case, a septic system permit must be obtained, from DEH and therefore, a qualified professional (as defined in County Ordinance 8.80.030) shall design each OWTS. It is suggested that applicant consult with an engineer, familiar with Imperial County's on-site OWTS standards, to discuss the feasibility, location, and size of the septic system that would serve this facility. DEH suggests this be done early in the site planning process, in order to allow applicant to dedicate ample space, on the parcel, to the OWTS' leach field and the required contingent leach field replacement area.

Any product testing throughout the life of this operation that may create or develop industrial waste through the use of lab chemicals is strictly prohibited from being disposed of into the OWTS. If such matter will occur, the application must contact the Regional Board to determine disposal options.

Potable Water

DEH is unable to determine whether the proposed project and the existing business immediately to the south (APN: 040-430-013) share a water supply line from the canal. If a line is shared the total amount of people used to determine whether this project is subject to the California Safe Drinking Water Act (SDWA) is taken from both businesses. If the number of people exceeds 25, a public water system permit will be required. However, if each parcel/business has their own water supply line, each parcel/business is looked at individually when determining if they are subject to the SDWA. Based on the project description, the proposed project would not be subject to the SDWA if they do not share a water supply line. Therefore, clarification from the applicant showing existing and proposed water supply lines for both properties is required.

Solid Waste

All proposed projects within Imperial County shall contract with a locally licensed waste hauler to provide collection bins and for waste hauling services during operation. All solid waste generated by a facility must be taken to a permitted solid waste disposal and/or recycling facility. If it is the intent to compost, the operator will be responsible for obtaining the appropriate composting permit. A waste management plan providing insight as to where generated waste will be held and disposed must be submitted to DEH.

This letter is being provided as a guide for project planning. DEH reserves the right to provide specific comments concerning your project at any time during the environmental review process. DEH encourages the applicant to visit our office to discuss the project in detail.

If you have any questions, please do not hesitate to contact me at 442-265-1888.

Sincerely,



Vanessa R. Martinez, MPH
Environmental Health Compliance Specialist I

ADMINISTRATION / TRAINING

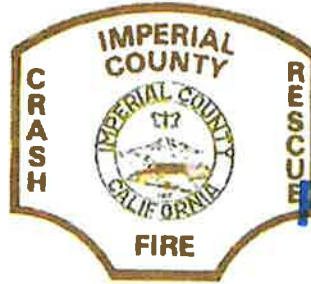
1078 Dogwood Road
Heber, CA 92249

Administration

Phone: (442) 265-6000
Fax: (760) 482-2427

Training

Phone: (442) 265-6011

**OPERATIONS/PREVENTION**

2514 La Brucherie Road
Imperial, CA 92251

Operations

Phone: (442) 265-3000
Fax: (760) 355-1482

Prevention

Phone: (442) 265-3020

RECEIVED**DEC 04 2018**

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

November 30, 2018

RE: CUP18-0031: Cannabis Distribution, CUP18-0032: Cannabis Cultivation, CUP18-0033: Virtual Retail, CUP18-0034: Manufacturing

Imperial County Fire Department would like to thank you for the chance to review and comments on the project located at 3971 Austin Road, Brawley, CA 92227.

Imperial County Fire Department has the following comments and/or requirements for Cannabis operations.

- An approved water supply capable of supplying the required fire flow determined by appendix B in the California Fire Code shall be installed and maintained. Pressurized private fire service mains and appurtenance shall be installed in accordance with NFPA 24.
- All cannabis facilities shall have an approved automatic fire suppression system. All fire suppression systems will be installed and maintained to the current adapted fire code and regulations.
- All cannabis facilities shall have an approved automatic fire detection system. All fire detection systems and will be installed and maintained to the current adapted fire code and regulations.
- All cannabis facilities will have approved filtration and smoke removal system installed and maintained to the current adapted fire code and regulations.
- Fire department access and gates will be in accordance with the current adapted fire code and the facility will maintain a Knox Box for access on site. Access shall be all weather roadway capable of supporting fire apparatus loads.
- Compliance with all required sections of the fire code.
- Fiscal Impacts will remain open until meeting the department head(s) and developer(s), which may include but not limited to:
 - Capital purchases which may be required to assist in servicing this project
 - Costs for services during construction and life of the project
 - Training

Imperial County Fire Department reserves the right to comment at a later time as we feel necessary.

If you have any questions, please contact the Imperial County Fire Prevention Bureau at 442-265-3020 or 442-265-3021.

Sincerely
Andrew Loper
Lieutenant/Fire Prevention Specialist
Imperial County Fire Department
Fire Prevention Bureau



AIR POLLUTION CONTROL DISTRICT



December 3, 2018

Jim Minnick
Planning & Development Services
801 Main Street
El Centro, CA 92243

RECEIVED

DEC 03 2018

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

SUBJECT: Conditional Use Permit (CUP) 18-0031 for Cannabis Distribution, CUP 18-0032 for Cannabis Cultivation, CUP 18-0033 for Virtual Retail, CUP 18-0034 for Manufacturing, located at 3971 Austin Road for Sutton Morgan, owner and CEO of Paragon West, LLC and Imperial Gold, LLC

Dear Mr. Minnick,

The Imperial County Air Pollution Control District ("Air District") would like to thank you for the opportunity to review the Conditional Use Permit (CUP) applications submitted by Sutton Morgan, owner and CEO of Paragon West, LLC and Imperial Gold, LLC. The CUP 18-0031, CUP 18-0032, CUP 18-0033, and CUP 18-0034 collectively would allow for the Cannabis Distribution, Cannabis Cultivation, Virtual Retail, and Manufacturing at 3971 A and B Austin Road in Brawley, California (APN 040-180-045)(Project).

Project Description

The proposed Project would allow for a fully integrated commercial cannabis operation consisting of a business headquarters and distribution operations. CUP 18-0031 would allow Cannabis Distribution; CUP 18-0032 would allow Cannabis Cultivation; 18-0033 would allow Virtual Retail; and CUP 18-0034 would allow Manufacturing. The applicant intends to house all four operations in one large vertically integrated facility at 3971 A and B Austin Road in Brawley, California (APN 040-180-045) as a co-located site with an existing agricultural vegetable and melon operation. Within the large existing building, the applicant will grow process, manufacture, package, and label, arrange for product testing, distribute, and home deliver cannabis and manufactured cannabis products produced at the facility.

ICAPCD Comments

- 1) The proposed improvements to the existing agricultural operations, including the installation of a new parking lot, a new septic tank system with a leech field, and other construction activities must follow the requirements of Regulation VIII. Because construction is occurring within an already existing Agricultural Operation, the Air District is requesting the submittal of a "Construction" Dust Control Plan (CDCP) and written notification of earthmoving activities 10 days prior to the commencement of such activities.
 - a) Other construction activities that need to be addressed within the CDCP include but are not limited to the applicant's proposal (ref: Proposed Improvements, letter 4823-3706-7122, v.2) to create gravel-laden street access. Because the applicant has implied that water trucks will be used to maintain the gravel access then the Air District is requesting the applicant keep records of the implementation of the control measure for a minimum of three years for each application. The record of control implementation is found under "Section H—Record of Control Implementation" of Rule 800 (General Requirements for Control of Fine Particulate Matter—PM₁₀).
 - b) The CDCP will also need to address the traffic impact onto paved roadways given that this facility will be operationally co-locating with an already existing seasonally high volume agricultural operation. Although the applicant has indicated that there would be no increase in traffic (ref: Business and Operations Plan, letter 4823-3706-7122, v.2) and given that water for the facility will be sourced from a nearby locality and transported to the site (ref: Proposed Improvements, letter 4818-3440-6002, v.1), both carry-out and Track-out will need to be addressed in the CDCP. Should the applicant insist that there will not be an impact to paved roadways, the Air District is requesting the study or analysis utilized to conclude that no increase in traffic to paved roadways would occur.
- 2) The proposed operations of the facility once fully constructed may require an "Operational Dust Control Plan (ODCP) and/or and Air District permit. Due to the applicant's proposal (ref: Environmentally Conscious Approach, letter 4823-3706-7122, v.2) to implement odor mitigation strategies to minimize cannabis odor emitting from the facility and the composting of "unrecognizable" cannabis, the Air District is requesting consultation with the applicant. Both the methods and equipment intended to be utilized for both processes, odor control, and composting need to be explained in detail with supporting documentation that such methods or equipment will function. The Air District permit process must commence prior to any earthmoving activity and the submittal and approval of an ODCP must occur prior to the issuance of a Certificate of Occupancy.
 - a) The Air District permit will also need to address the installation of manufacturing equipment (ref: Proposed Improvements, letter 4814-6360-3314, v.3), including a nonvolatile CO₂ Extraction Machine, and other light physical extraction and packaging equipment.

- b) The ODCP will need to include measures that will help reduce or mitigate any affect to the City of Brawley, a potential sensitive receptor, during windy days. The High Wind Event Mitigation Plan published by the Air District as required by USEPA contains important information regarding the effect of fugitive emissions to neighboring localities during high wind event days.
- 3) Finally, the Air District notes that three documents labelled Lot Line Adjustment No. LLA 00291 are enclosed in the body of the document. The Air District wants to confirm that LLA 00291 is simply a supporting document and not a new proposed lot line adjustment.

For the reasons listed above, the Air District respectfully asks that the applicant contact and arrange for a meeting with Air District engineers and compliance staff at 442.265.1800. The Air District Rules and Regulations are available via the web at www.co.imperial.ca.us/AirPollution under Resources.

Sincerely,



Curtis Blondell
ICAPCD Environmental Coordinator

National Flood Hazard Layer FIRMette

32°56'37.81"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) Zone A, V, AG9
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard. Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone
- Future Conditions 1% Annual Chance Flood Hazard Zone X
- Area with Reduced Flood Risk due to Levee. See Notes. Zone X
- Area with Flood Risk due to Levee Zone L

OTHER AREAS

- Area of Minimal Flood Hazard Zone X
- Effective LOMRs
- Area of Undetermined Flood Hazard Zone

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 2/26/2019 at 2:44:06 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

115°34'32.74"W

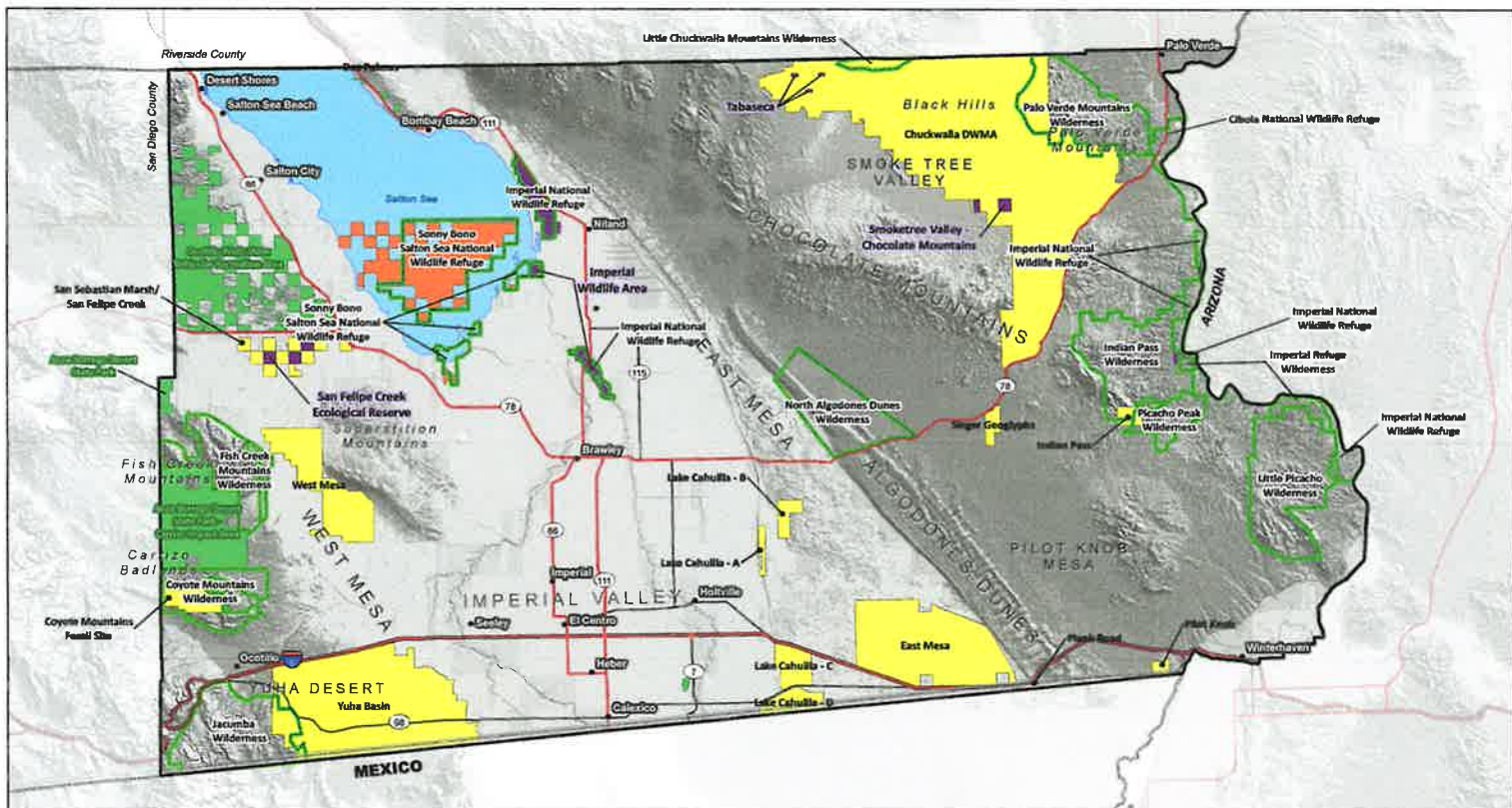


USGS The National Map: Orthoimagery. Data refreshed October, 2017.



1:6,000

32°56'37.81"N



0 7.5 15
Miles

Source: CPAD, CDFW, BLM, Imperial County

- | | | |
|----------------|--|---|
| Major Highways | Imperial County Boundary | Protected Areas |
| Highways | Wilderness or Wildlife Area | California Department of Fish and Wildlife |
| Major Roads | BLM Area of Critical Environmental Concern | California Department of Parks and Recreation |
| | | US Fish and Wildlife Service |

Figure 2.2-4

**Imperial County
Agency-Designated Habitats**

February 2015

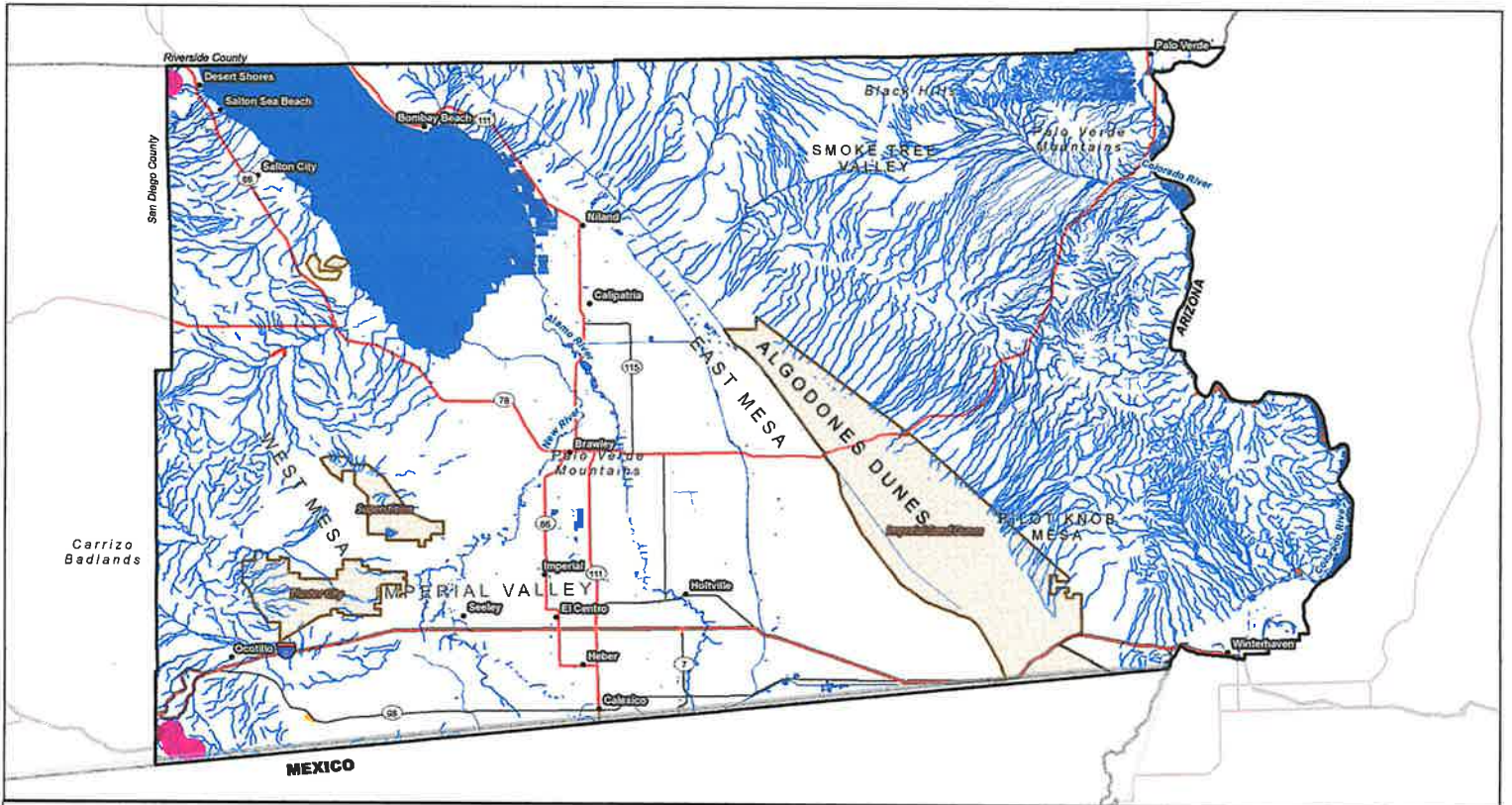
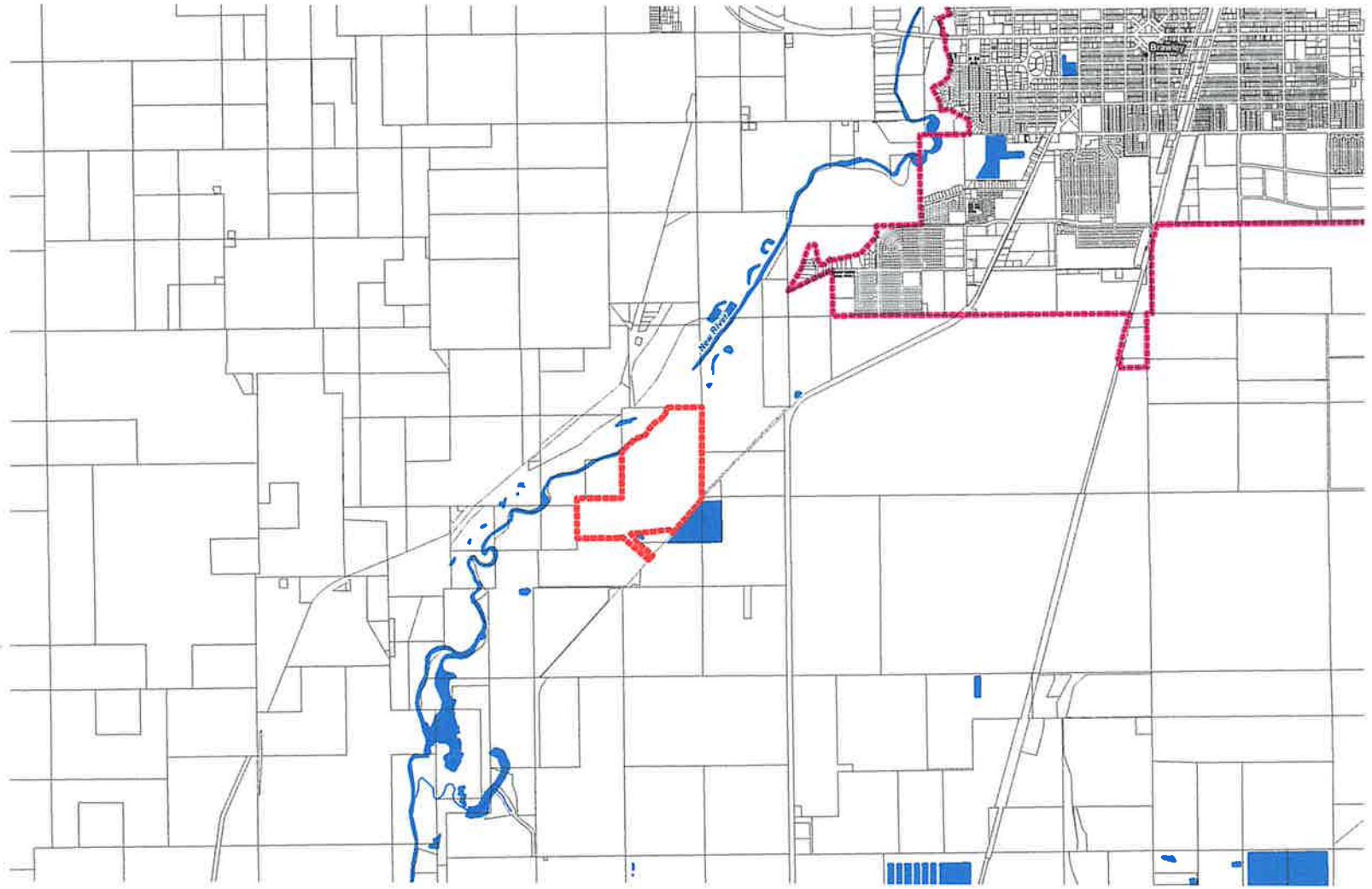
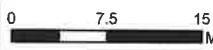
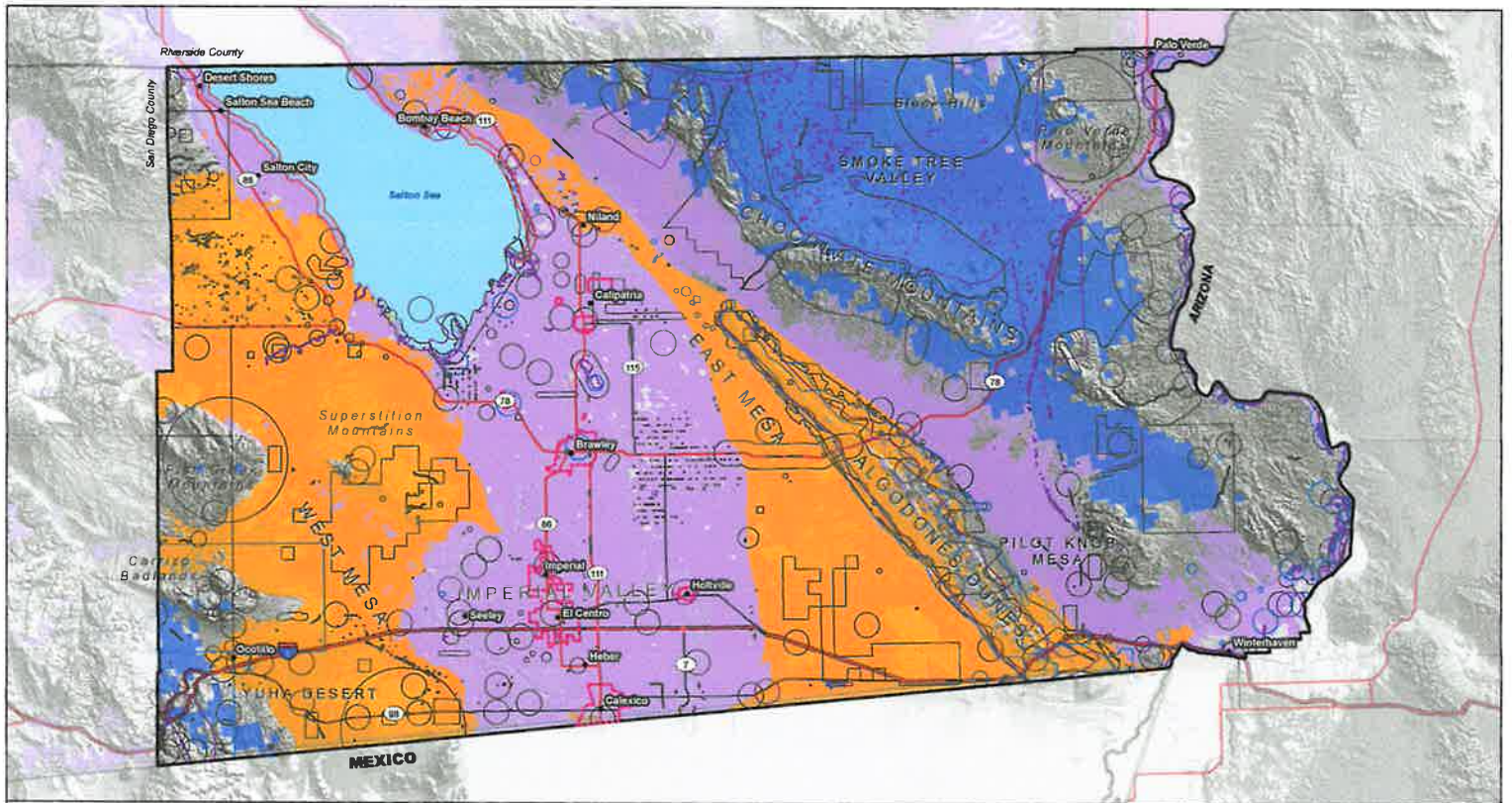


Figure 1
Imperial County Sensitive Habitats
 March 2016

0 7.5 15 Miles
 Source: CDFW, USGS, USFWS

■ Imperial County Boundary
 ■ Major Highways
 ■ Highways
 ■ Major Roads
 ■ Crucifixion Thorn Woodland
 ■ Desert Fan Palm Oasis Woodland
 ■ Sonoran Cottonwood Willow Riparian Forest
 ■ Transmontane Alkali Marsh
 ■ Active and Stabilized/Partially Stabilized Desert Dunes
 ~ Stream/River
 ■ USFWS National Wetlands Inventory





Source: DREPC, CDFW, USGS

Figure 2.2-3

Imperial County Sensitive Species

February 2015



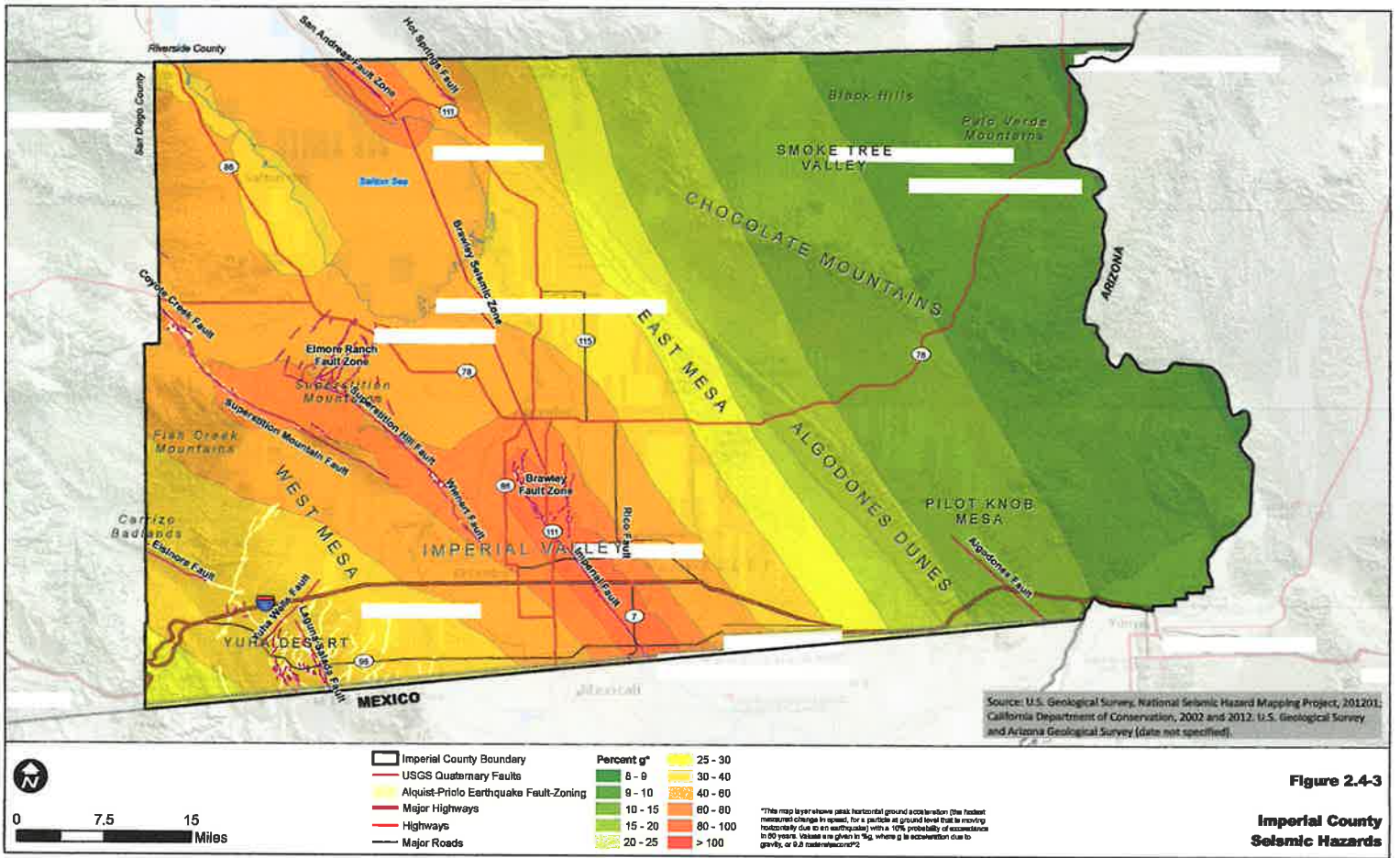
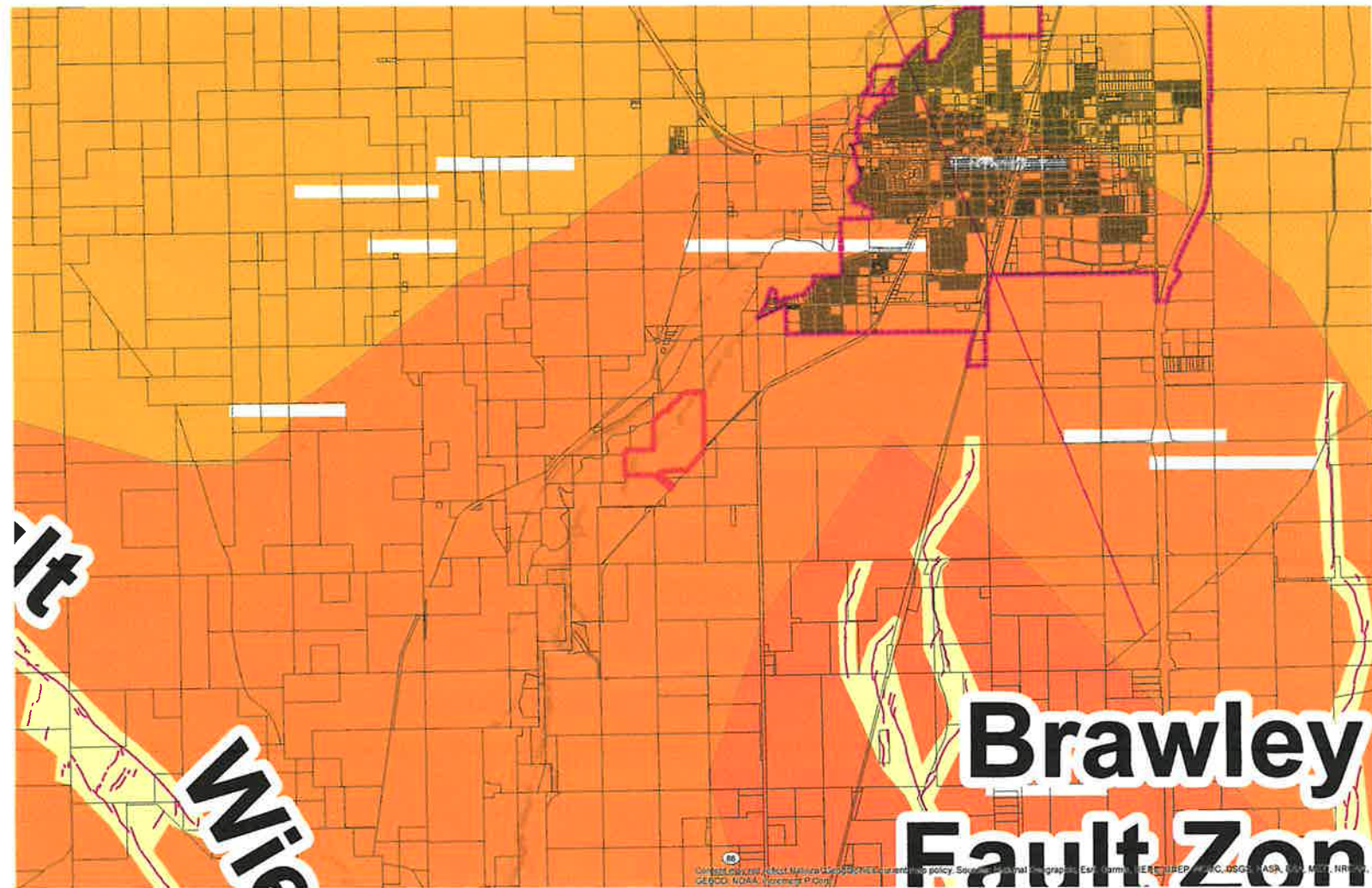


Figure 2.4-3

Imperial County Sismic Hazards

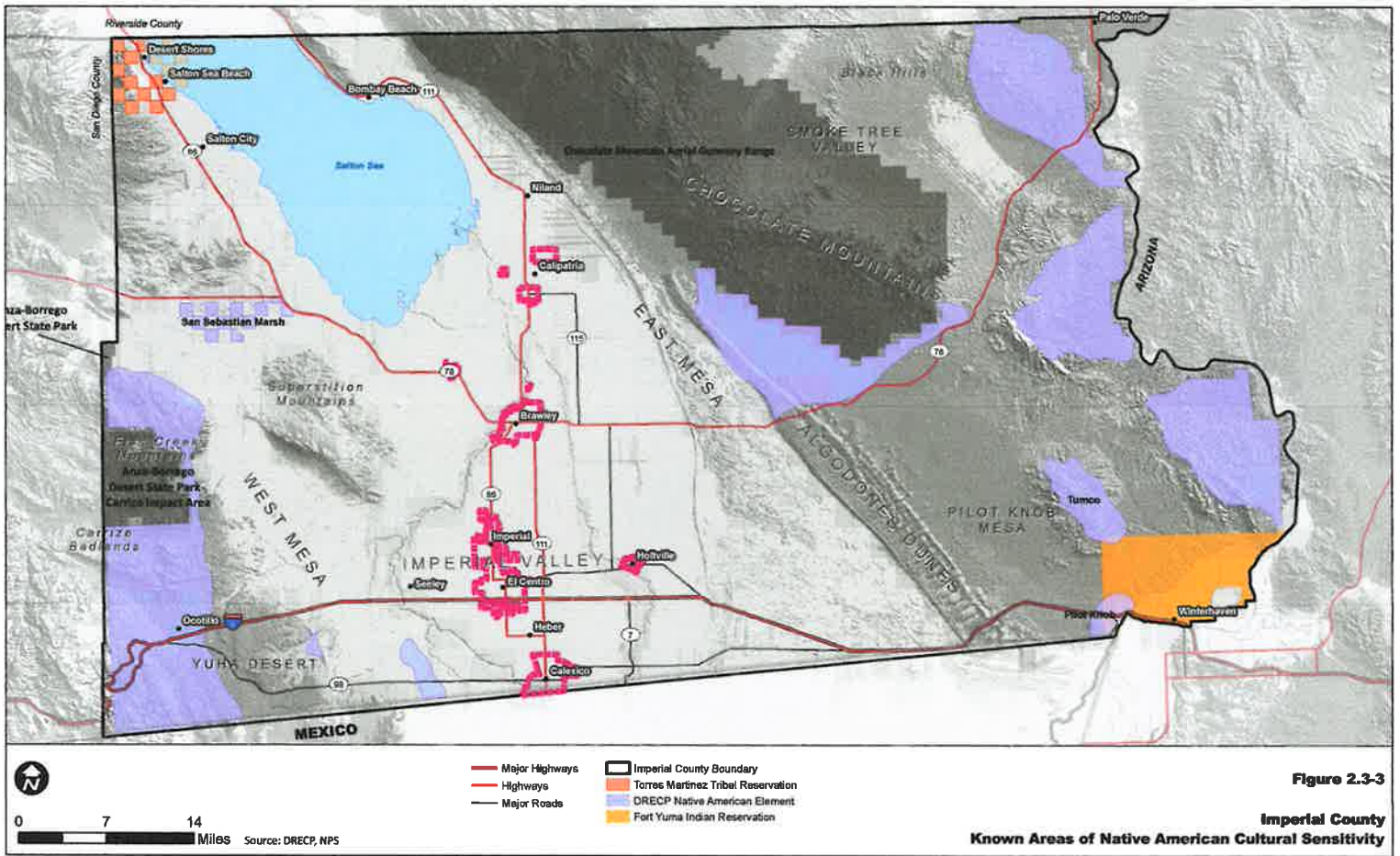
February 2015

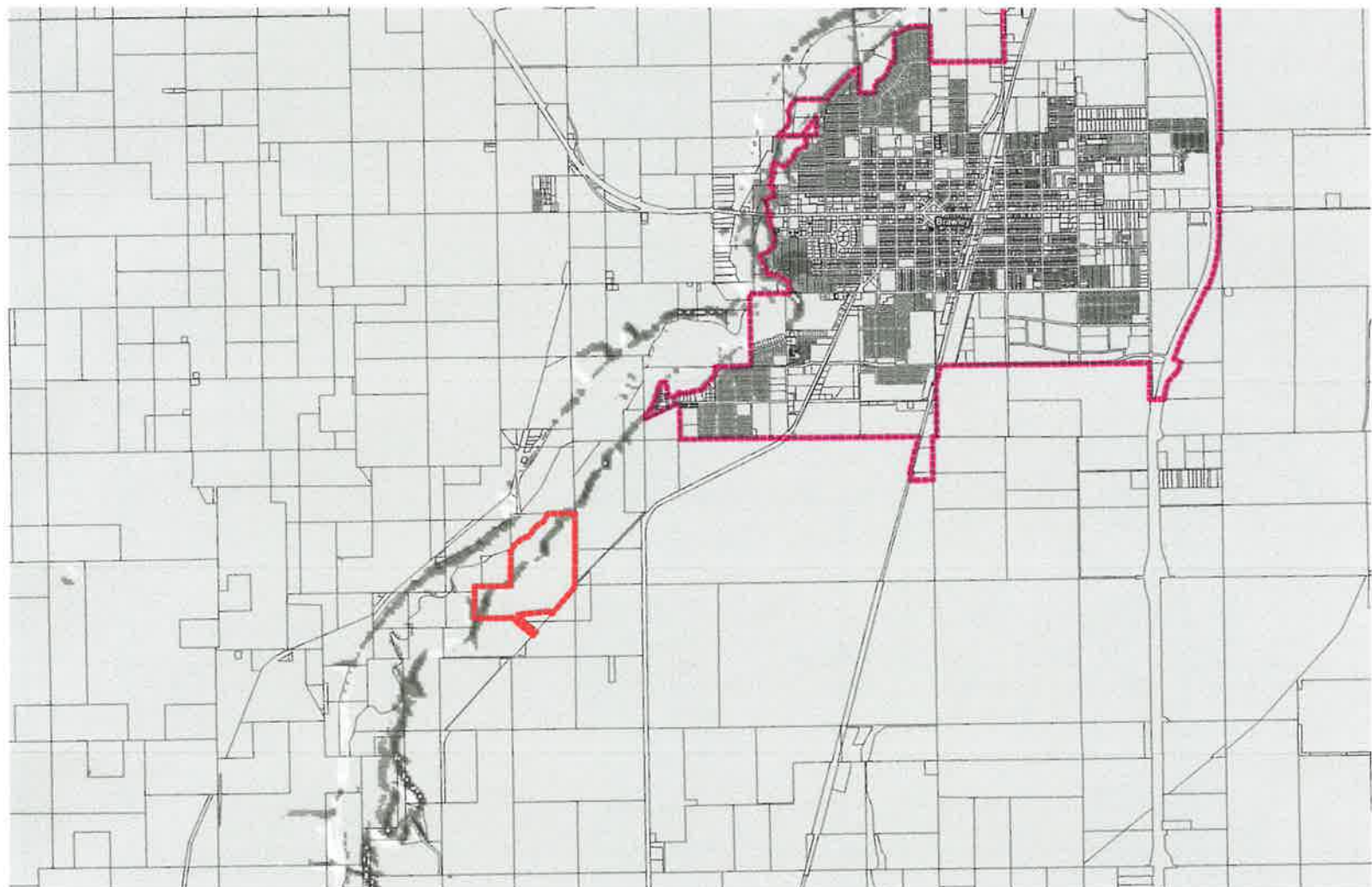


Brawley Fault Zone

Fault
Wic

16
Copyright 2011 by the National Geographic Society. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage or retrieval system, without the prior written permission of the National Geographic Society.





VI. FINDINGS

This is to advise that the County of Imperial, acting as the lead agency, has conducted an Initial Study to determine if the project may have a significant effect on the environmental and is proposing this Negative Declaration based upon the following findings:

- The Initial Study shows that there is no substantial evidence that the project may have a significant effect on the environment and a **NEGATIVE DECLARATION** will be prepared.

- The Initial Study identifies potentially significant effects but:
 - (1) Proposals made or agreed to by the applicant before this proposed Mitigated Negative Declaration was released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.
 - (2) There is no substantial evidence before the agency that the project may have a significant effect on the environment.
 - (3) Mitigation measures are required to ensure all potentially significant impacts are reduced to levels of insignificance.

A **NEGATIVE DECLARATION** will be prepared.

If adopted, the Negative Declaration means that an Environmental Impact Report will not be required. Reasons to support this finding are included in the attached Initial Study. The project file and all related documents are available for review at the County of Imperial, Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 (442) 265-1736.

NOTICE

The public is invited to comment on the proposed Negative Declaration during the review period.

Date of Determination Jim Minnick, Director of Planning & Development Services

The Applicant hereby acknowledges and accepts the results of the Environmental Evaluation Committee (EEC) and hereby agrees to implement all Mitigation Measures, if applicable, as outlined in the MMRP.

Applicant Signature

Date

SECTION 4

VIII. RESPONSE TO COMMENTS

(ATTACH DOCUMENTS, IF ANY, HERE)



Imperial County Fire Department
1078 Dogwood, Suite 105
El Centro, CA 92243-2839

RE: CUP18-0031: Cannabis Distribution, CUP18-0032: Cannabis Cultivation, CUP18-0033: Virtual Retail;
CUP18-0034: Manufacturing

To Andrew Loper:

Sutton Morgan ("Morgan") is owner and CEO of Paragon West, LLC ("Paragon West") which will obtain CUP18-0033 and Imperial Gold, LLC ("Imperial Gold") which will obtain the remaining CUPs (CUP18-0031, CUP18-0032, and CUP18-0034). Morgan thanks the Imperial County Fire Department ("ICFD") for its review of Morgan's CUP applications and comments on the proposed vertically integrated cannabis project at 3971 Austin Road, Brawley, CA 92227 (the "Facility").

Morgan has reviewed the comment letter from ICFD and plans to comply with the requirements listed in the response letter by the ICFD. Specifically, Morgan plans to utilize an approved water supply capable of supplying the required fire flow as determined in the California Fire Code, install and maintain an approved automatic fire suppression system and an approved automatic fire detection system to comply with the current fire code and regulations. The Facility (which will house all 4 cannabis operations) will have an approved filtration and smoke removal system as well as a Knox Box onsite for ICFD access. The driveway and parking lot onsite will be capable of supporting fire apparatus loads.

Morgan is engaged with Duggins Construction, Inc. ("Duggins") and works primarily with Duggins' Vice President, Oscar Grijalva. Together, Morgan and Duggins are already working to address ICFD's requirements for the cannabis Facility. All required and necessary documentation evidencing compliance of ICFD's requirements will be submitted and processed during the project's building permit process. In past discussions with the ICFD, Mr. Grijalva understands the ICFD wants all cannabis facilities to have sprinklers installed. If this is still the ICFD's position, Morgan will comply.

Morgan and all onsite commercial cannabis operations at the Facility will be compliant with all required and applicable sections of the California Fire Code. Morgan is anxious to comply with all local requirements for the cannabis project and is happy to meet with or further discuss ICFD's requirements as needed.

Best,

Sutton Morgan



Imperial County Agricultural Commissioner
Sealer of Weights & Measures
852 Broadway Street
El Centro, CA 92243

RECEIVED
FEB 28 2019
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

RE: Conditional Use Permits #18-0031, 18-0032, 18-0033 & 18-0034

To Carlos Ortiz:

Sutton Morgan (“Morgan”) is owner and CEO of Paragon West, LLC (“Paragon West”) which will obtain CUP18-0033 and Imperial Gold, LLC (“Imperial Gold”) which will obtain the remaining CUPs (CUP18-0031, CUP18-0032, and CUP18-0034). Morgan thanks the Imperial County Office of the Agricultural Commissioner Sealer of Weights and Measures (“Office”) for its review of Morgan’s CUP applications and comments on the proposed vertically integrated cannabis project at 3971 Austin Road, Brawley, CA 92227 (the “Facility”).

Morgan has reviewed the comment letter from the Office. In our landscaping efforts on the property and surrounding the Facility, if Morgan sources any plant material from a nursery outside of Imperial County (the “County”), we will comply with the Office’s requirements for movement of plant material into the County from other counties or out of state. Our landscaping onsite will be compliant with the County Code Section Title 9 Division 3 Section 90302.3 – Landscaping Standards – Industrial Uses.

Thank you for providing the Commercial Cannabis Activities Checklist. Morgan understands the Office’s potential regulatory concerns related to the authority of the Office and will comply with applicable County and state of California (the “State”) laws and regulations.

As the Planning Department has not yet decided to issue nursery cultivation licensees, Morgan’s cultivation operation will require obtaining cannabis seeds and immature cannabis plants from cannabis nurseries licensed elsewhere in the State. When propagative plant parts are brought into the County for the cultivation operation, Morgan will contact the Office so the Office may complete its inspection and quarantine the plants, as necessary.

Morgan will comply with State and federal laws and regulations regarding use of pesticides on cannabis plants. Morgan will obtain an operator identification number (“OIN”) with the Office and report pesticide usage as required by the County. Morgan will obtain the OIN prior to purchasing any pesticides from a licensed pesticide dealer. Below is a list of products Morgan may use on the cannabis plants:

Product Name	Active Ingredient(s)
Gnatrol	Bacillus thuringiensis, subsp. israeliensis, strain AM 65-52-7-F
Grandevo WDG	Chromobacterium substugae strain PRAA4-1T and spent fermentation media
Zero Tol 2.0	Hydrogen Dioxide, Peroxyacetic Acid
PFR-97	Isaria fumosoroseus strain 97
Nukem	Citric Acid
Safer Brand 3-in-1 Liquid Sulfur	Potassium Salts of Fatty Acids, Sulfur

Regalia PTO	Extract of Reynoutria sachalinensis
Azaguard	Azadirachtin
Botanigard Maxx	Pyrethrins, Beauveria Bassiana Strain GHA

The vertically integrated cannabis operations will include growing, processing, manufacturing, packaging, and preparing cannabis products to be sold by weight or volume or count. The Facility will require commercial weighing and measuring devices. Morgan will register the weighing device(s) with the Office and have them inspected and sealed by the Office prior to use. Prior to purchasing any weighing devices, Morgan will contact the Office for further guidance to ensure Morgan obtains the Office's preferred or required specific brands or weighing device(s).

Morgan and all onsite commercial cannabis operations will be compliant with all requirements of the Office. Morgan is happy to meet with or further discuss the Office's requirements as needed.

Best,

Sutton Morgan

VICENTE SEDERBERG

BOSTON | DENVER | JACKSONVILLE | LOS ANGELES

LLC

5514 WILSHIRE BLVD., 7TH FLOOR
LOS ANGELES, CA 90036
TEL: 310.684.2016

RECEIVED

FEB 28 2019

**IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES**

February 28, 2019

Imperial County Air Pollution Control District
150 South Ninth Street
El Centro, CA 92243-2850

RE: Conditional Use Permits (“CUP” or “CUPS”) #18-0031, 18-0032, 18-0033 & 18-0034

To Whom It May Concern,

Sutton Morgan (“Morgan”) is owner and CEO of Paragon West, LLC (“Paragon West”) which will obtain CUP18-0033 and Imperial Gold, LLC (“Imperial Gold”) which will obtain the remaining CUPs (CUP18-0031, CUP18-0032, and CUP18-0034). Morgan thanks the Imperial County Air Pollution Control District (“District”) for its review of Morgan’s CUP applications and comments on the proposed vertically integrated cannabis project at 3971 Austin Road, Brawley, CA 92227 (the “Facility”).

Morgan has reviewed the comment letter from the District. Please see our responses to the District’s letter below:

1. Fulfilling Regulation VIII requirements: Morgan plans to submit a Dust Control Plan, if required. We respectfully request that the District confirms a Dust Control Plan is required in this case as Morgan is not constructing a new building but, instead, remodeling an existing building.

- a) Gravel-laden Street Access: Morgan plans to use water trucks to maintain the gravel access and agrees to keep records of the implementation of any control measures for a minimum of three (3) years.
- b) Traffic Impacts: Morgan maintains there will not be a significant increase in traffic as any traffic will occur during times that do not coincide with other seasonally high agricultural periods. The actual number of trucks entering and leaving the facility will vary day to day and will stay on the property for approximately ten minutes.

2. Operational Dust Control Plan and/or an Air District Permit: Morgan welcomes the opportunity to meet for a consultation to better understand the processes for odor control and

composting. This consultation can occur now or once the CUPs are processed. Further, Morgan agrees to meet with the District anytime in the future should additional requirements be necessary.

- a) Manufacturing Equipment Installation: Upon installation of manufacturing equipment, Morgan will acquire the proper certification required by the state of California (the “State”). This certification can be provided to the District upon request.
- b) Wind Event Mitigation Measures: Morgan does not anticipate that the activities at the Facility will require further mitigation measures due to compliance with the State’s odor mitigation requirements that eliminate fugitive emissions. This includes the use of carbon filtered power exhausts with 100% return air.

3. Lot Line Adjustment: Morgan submitted a legal description of the property as part of the required documentation for the CUPs. The legal description marked Exhibit C-1, although containing the language “Lot Line Adjustment No. LLA 00291”, is meant to provide a detailed description of the property and not information regarding a proposed lot line adjustment.

Morgan and all onsite commercial cannabis operations will be compliant with all requirements of the District. Morgan looks forward to working with you further to assuage any additional or future concerns.

Best,

VICENTE SEDERBERG, LLC

Amanda Kilroe, Esq.

County of Imperial Public Health Department
Division of Environmental Health (DEH)
797 Main Street, Suite B
El Centro, CA 92243

RECEIVED
FEB 28 2019
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

RE: CUP #18-0031, #18-0032, #18-0033, #18-0034

To Vanessa Martinez:

Sutton Morgan ("Morgan") is owner and CEO of Paragon West, LLC ("Paragon West") which will obtain CUP18-0033 and Imperial Gold, LLC ("Imperial Gold") which will obtain the remaining CUPs (CUP18-0031, CUP18-0032, and CUP18-0034). Morgan thanks the Imperial County Public Health Department, Division of Environmental Health (DEH) for its review of Morgan's CUP applications and comments on the proposed vertically integrated cannabis project at 3971 Austin Road, Brawley, CA 92227 (the "Facility").

Morgan has reviewed the comment letter from the DEH and has addressed your feedback below.

Wastewater Disposal

Morgan understands that the building will require the installation of an on-site waste water treatment system (septic system). Morgan will obtain a septic system permit for the project site and a qualified professional will design the onsite waste water treatment system.

Morgan is engaged with Duggins Construction, Inc. ("Duggins") and works primarily with Duggins' Vice President, Oscar Grijalva. Together, Morgan and Duggins are already working to address DEH's requirements for the on-site waste water treatment system. All required and necessary documentation evidencing compliance of DEH's requirements will be submitted and processed during the project's building permit process.

Regarding discharge from the cannabis cultivation premises, Morgan will work with the regional water board on any specific requirements or considerations. Morgan is already working with Jeff Lyon of Landmark Consultants, Inc. on this issue. LandMark Consultants, Inc. offers a broad range of consulting services on diverse projects, specializing in geotechnical engineering, engineering geology, soils and construction materials testing, and inspection services.

Potable Water

The existing building immediately to the south of the proposed project site building currently share a water supply line from the canal, but Morgan intends to keep the water supply line to the cannabis project separate. We will provide drawings indicating the existing and proposed water supply lines for both properties during the permitting process.

Morgan intends to implement a reverse osmosis water filtration system to make the water potable for employees. At this time, Morgan's cannabis project will not require 25 employees to be onsite on a regular basis. If and when, Morgan's operations require 25 employees to be regularly at the Facility,

Morgan will inform the DEH to determine if the project is subject to the California Safe Drinking Water Act.

Solid Waste

Morgan will contract with a locally licensed waste hauler, Republic Services, to provide collection bins for waste hauling services during operations. Waste generated at the Facility will be taken to a permitted solid waste disposal and/or recycling facility. Morgan does not intend to compost onsite, but if composting in the future is desired, Morgan will first obtain the appropriate composting permit.

Cannabis waste for each licensed business activity (cultivation, manufacturing, distribution, and delivery retail sales) will be securely kept and stored in its own cannabis waste bin on the north side of the project Facility. Please see attached for a copy of the building's floor plan, including the site of the secure cannabis waste receptacles on the building's north side. Republic Services will come by weekly to pick up the cannabis waste.

Please see attached for a copy of Imperial Gold's Cannabis Waste Procedures submitted as part of the state annual application as a sample Waste Management Plan for the project site. Cannabis waste for all licenses will be similarly treated, including making the cannabis good unrecognizable and unusable and securely storing cannabis waste onsite until the authorized waste hauler comes to pick up the waste.

Morgan and all onsite commercial cannabis operations will be compliant with all requirements of the DEH. Morgan is happy to meet with or further discuss the DEH's requirements as needed.

Best,

Sutton Morgan

CONDITIONAL USE PERMIT

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.
801 Main Street, El Centro, CA 92243 (760) 482-4236

- APPLICANT MUST COMPLETE ALL NUMBERED (black) SPACES - Please type or print -

1. PROPERTY OWNER'S NAME Michael and Deirdre Morgan		EMAIL ADDRESS pirate@kelomar.com	
2. MAILING ADDRESS (Street / P O Box, City, State) 3949 Austin Road, Brawley, CA		ZIP CODE 92227	PHONE NUMBER (760) 996-2713
3. APPLICANT'S NAME Sutton Morgan		EMAIL ADDRESS suttonmorgan@gmail.com	
4. MAILING ADDRESS (Street / P O Box, City, State) 3949 Austin Road, Brawley, CA		ZIP CODE 92227	PHONE NUMBER (760) 554-5999
4. ENGINEER'S NAME Duggins Construction, Inc.	CA. LICENSE NO. #290934	EMAIL ADDRESS greg@dugginsconstruction.com	
5. MAILING ADDRESS (Street / P O Box, City, State) 341 West Crown Court, Imperial, CA		ZIP CODE 92251	PHONE NUMBER 760-355-5600
6. ASSESSOR'S PARCEL NO 040-180-045	SIZE OF PROPERTY (in acres or square foot) 80+ acres	ZONING (existing) M1-N (light industrial)	
7. PROPERTY (site) ADDRESS Cultivation: 3971 A Austin Road, Brawley, CA 92227			
8. GENERAL LOCATION (i.e. city, town, cross street) Austin Road- Brawley			
9. LEGAL DESCRIPTION <u>Please refer to attached Legal Description</u>			

PLEASE PROVIDE CLEAR & CONCISE INFORMATION (ATTACH SEPARATE SHEET IF NEEDED)

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail) Commercial cannabis operations consisting of business headquarters, and fully integrated cannabis operations, including cultivation operations.	
11. DESCRIBE CURRENT USE OF PROPERTY Agricultural production ground, cooling, shipping, and produce packaging.	
12. DESCRIBE PROPOSED SEWER SYSTEM Septic	
13. DESCRIBE PROPOSED WATER SYSTEM Will ship water in for cultivation operation.	
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM Sprinklers, Fire road access	
15. IS PROPOSED USE A BUSINESS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE? 12 employees at full operations for all 4 licensed businesses.

I / WE THE LEGAL OWNER (S) OF THE ABOVE PROPERTY CERTIFY THAT THE INFORMATION SHOWN OR STATED HEREIN IS TRUE AND CORRECT.

Michael Morgan Date 9/18/18
Print Name Date
Michael Morgan
Signature
Deirdre Morgan Date 9/18/18
Print Name Date
Deirdre Morgan
Signature

REQUIRED SUPPORT DOCUMENTS

A. SITE PLAN	
B. FEE	<u>500.</u>
C. OTHER	
D. OTHER	

APPLICATION RECEIVED BY: <u>[Signature]</u>	DATE <u>10/18/2018</u>	REVIEW / APPROVAL BY
APPLICATION DEEMED COMPLETE BY: <u>[Signature]</u>	DATE <u>7/25/2018</u>	<input type="checkbox"/> OTHER DEPT'S required.
APPLICATION REJECTED BY: _____	DATE _____	<input type="checkbox"/> P. W.
TENTATIVE HEARING BY: _____	DATE _____	<input type="checkbox"/> E. H. S.
FINAL ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	DATE _____	<input type="checkbox"/> A. P. C. D.
	DATE _____	<input type="checkbox"/> O. E. S.
	DATE _____	<input type="checkbox"/> _____
	DATE _____	<input type="checkbox"/> _____

CUP #
18-0032

CONDITIONAL USE PERMIT

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.
801 Main Street, El Centro, CA 92243 (760) 482-4236

- APPLICANT MUST COMPLETE ALL NUMBERED (black) SPACES - Please type or print -

1. PROPERTY OWNER'S NAME Michael and Deirdre Morgan		EMAIL ADDRESS pirate@kelomar.com	
2. MAILING ADDRESS (Street / P O Box, City, State) 3949 Austin Road, Brawley, CA		ZIP CODE 92227	PHONE NUMBER (760) 996-2713
3. APPLICANT'S NAME Sutton Morgan		EMAIL ADDRESS suttonmorgan@gmail.com	
4. MAILING ADDRESS (Street / P O Box, City, State) 3949 Austin Road, Brawley, CA		ZIP CODE 92227	PHONE NUMBER (760) 554-5999
4. ENGINEER'S NAME Duggins Construction, Inc.	CA. LICENSE NO. #290934	EMAIL ADDRESS greg@dugginsconstruction.com	
5. MAILING ADDRESS (Street / P O Box, City, State) 341 West Crown Court, Imperial, CA		ZIP CODE 92251	PHONE NUMBER 760-355-5600
6. ASSESSOR'S PARCEL NO 040-180-045		SIZE OF PROPERTY (in acres or square foot) 80+ acres	ZONING (existing) M1-N (light industrial)
7. PROPERTY (site) ADDRESS Virtual Retail: 3971 B Austin Road, Brawley, CA 92227			
8. GENERAL LOCATION (i.e. city, town, cross street) Austin Road- Brawley			
9. LEGAL DESCRIPTION <u>Please refer to attached Legal Description</u>			

PLEASE PROVIDE CLEAR & CONCISE INFORMATION (ATTACH SEPARATE SHEET IF NEEDED)

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail) <u>Commercial cannabis operations consisting of business headquarters, and fully integrated cannabis operations, including virtual retail (delivery) operations.</u>	
11. DESCRIBE CURRENT USE OF PROPERTY	<u>Agricultural production ground, cooling, shipping, and produce packaging.</u>
12. DESCRIBE PROPOSED SEWER SYSTEM	<u>Septic</u>
13. DESCRIBE PROPOSED WATER SYSTEM	<u>the water supply system will be provided by the Imperial Irrigation District ("IID") to a reservoir system via Central Main canal gate 21</u>
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM	<u>Sprinklers, Fire road access</u>
15. IS PROPOSED USE A BUSINESS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE? 12 employees at full operations for all 4 licensed businesses.

I / WE THE LEGAL OWNER (S) OF THE ABOVE PROPERTY CERTIFY THAT THE INFORMATION SHOWN OR STATED HEREIN IS TRUE AND CORRECT.

Michael Morgan 9/18/18
Print Name Date
Michael Morgan
Signature
DEIRDRE MORGAN 9/18/18
Print Name Date
Deirdre Morgan
Signature

REQUIRED SUPPORT DOCUMENTS

- A. SITE PLAN
- B. FEE 5,500.
- C. OTHER _____
- D. OTHER _____

APPLICATION RECEIVED BY: _____
APPLICATION DEEMED COMPLETE BY: _____
APPLICATION REJECTED BY: _____
TENTATIVE HEARING BY: _____
FINAL ACTION: APPROVED DENIED

DATE 10/28/18 REVIEW / APPROVAL BY OTHER DEPT'S required.
DATE 2/25/19 P. W.
DATE _____ E. H. S.
DATE _____ A. P. C. D.
DATE _____ O. E. S.
DATE _____ _____

CUP #
18-0033

CONDITIONAL USE PERMIT

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.
801 Main Street, El Centro, CA 92243 (760) 482-4236

- APPLICANT MUST COMPLETE ALL NUMBERED (black) SPACES - Please type or print -

1. PROPERTY OWNER'S NAME Michael and Deirdre Morgan		EMAIL ADDRESS pirate@kelomar.com	
2. MAILING ADDRESS (Street / P O Box, City, State) 3949 Austin Road, Brawley, CA		ZIP CODE 92227	PHONE NUMBER (760) 996-2713
3. APPLICANT'S NAME Sutton Morgan		EMAIL ADDRESS suttonmorgan@gmail.com	
4. MAILING ADDRESS (Street / P O Box, City, State) 3949 Austin Road, Brawley, CA		ZIP CODE 92227	PHONE NUMBER (760) 554-5999
4. ENGINEER'S NAME Duggins Construction, Inc.	CA. LICENSE NO. #290934	EMAIL ADDRESS greg@dugginsconstruction.com	
5. MAILING ADDRESS (Street / P O Box, City, State) 341 West Crown Court, Imperial, CA		ZIP CODE 92251	PHONE NUMBER 760-355-5600
6. ASSESSOR'S PARCEL NO 040-180-045		SIZE OF PROPERTY (in acres or square foot) 80+ acres	ZONING (existing) M1-N (light industrial)
7. PROPERTY (site) ADDRESS Manufacturing: 3971 Austin Road, Brawley, CA 92227			
8. GENERAL LOCATION (i.e. city, town, cross street) Austin Road- Brawley			
9. LEGAL DESCRIPTION Please refer to attached Legal Description			

PLEASE PROVIDE CLEAR & CONCISE INFORMATION (ATTACH SEPARATE SHEET IF NEEDED)

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail) Commercial cannabis operations consisting of business headquarters, and fully integrated cannabis operations, including manufacturing operations.	
11. DESCRIBE CURRENT USE OF PROPERTY Agricultural production ground, cooling, shipping, and produce packaging.	
12. DESCRIBE PROPOSED SEWER SYSTEM Septic	
13. DESCRIBE PROPOSED WATER SYSTEM the water supply system will be provided by the Imperial Irrigation District ("IID") to a reservoir system via Central Main canal gate 21	
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM Sprinklers, Fire road access	
15. IS PROPOSED USE A BUSINESS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE? 12 employees at full operations for all 4 licensed businesses.

I / WE THE LEGAL OWNER (S) OF THE ABOVE PROPERTY CERTIFY THAT THE INFORMATION SHOWN OR STATED HEREIN IS TRUE AND CORRECT.

Michael Morgan 9/18/18
Print Name Date
Signature
Deirdre Morgan 9/18/18
Print Name Date
Signature

REQUIRED SUPPORT DOCUMENTS

A. SITE PLAN	
B. FEE	500. —
C. OTHER	
D. OTHER	

APPLICATION RECEIVED BY:	DATE <u>10/18/2018</u>	REVIEW / APPROVAL BY OTHER DEPT'S required.
APPLICATION DEEMED COMPLETE BY:	DATE <u>2/25/2019</u>	<input type="checkbox"/> P. W.
APPLICATION REJECTED BY:	DATE _____	<input type="checkbox"/> E. H. S.
TENTATIVE HEARING BY:	DATE _____	<input type="checkbox"/> A. P. C. D.
FINAL ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	DATE _____	<input type="checkbox"/> O. E. S.
	DATE _____	<input type="checkbox"/> _____
	DATE _____	<input type="checkbox"/> _____

CUP #
18-0034

CONDITIONAL USE PERMIT

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.
801 Main Street, El Centro, CA 92243 (760) 482-4236

- APPLICANT MUST COMPLETE ALL NUMBERED (black) SPACES - Please type or print -

1. PROPERTY OWNER'S NAME Michael and Deirdre Morgan		EMAIL ADDRESS pirate@kelomar.com	
2. MAILING ADDRESS (Street / P O Box, City, State) 3949 Austin Road, Brawley, CA		ZIP CODE 92227	PHONE NUMBER (760) 996-2713
3. APPLICANT'S NAME Sutton Morgan		EMAIL ADDRESS suttonmorgan@gmail.com	
4. MAILING ADDRESS (Street / P O Box, City, State) 3949 Austin Road, Brawley, CA		ZIP CODE 92227	PHONE NUMBER (760) 554-5999
4. ENGINEER'S NAME Duggins Construction, Inc.	CA. LICENSE NO. #290934	EMAIL ADDRESS greg@dugginsconstruction.com	
5. MAILING ADDRESS (Street / P O Box, City, State) 341 West Crown Court, Imperial, CA		ZIP CODE 92251	PHONE NUMBER 760-355-5600
6. ASSESSOR'S PARCEL NO 040-180-045	SIZE OF PROPERTY (in acres or square foot) 80+ acres	ZONING (existing) M1-N (light industrial)	
7. PROPERTY (site) ADDRESS Distribution: 3971 Austin Road, Brawley, CA 92227			
8. GENERAL LOCATION (i.e. city, town, cross street) Austin Road- Brawley			
9. LEGAL DESCRIPTION <u>Please refer to attached Legal Description</u>			

PLEASE PROVIDE CLEAR & CONCISE INFORMATION (ATTACH SEPARATE SHEET IF NEEDED)

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail) <u>Commercial cannabis operations consisting of business headquarters, and fully integrated cannabis operations, including distribution operations.</u>	
11. DESCRIBE CURRENT USE OF PROPERTY <u>Agricultural production ground, cooling, shipping, and produce packaging.</u>	
12. DESCRIBE PROPOSED SEWER SYSTEM <u>Septic</u>	
13. DESCRIBE PROPOSED WATER SYSTEM <u>the water supply system will be provided by the Imperial Irrigation District ("IID") to a reservoir system via Central Main canal gate 21</u>	
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM <u>Sprinklers, Fire road access</u>	
15. IS PROPOSED USE A BUSINESS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE? 12 employees at full operations for all 4 licensed businesses.

I / WE THE LEGAL OWNER (S) OF THE ABOVE PROPERTY CERTIFY THAT THE INFORMATION SHOWN OR STATED HEREIN IS TRUE AND CORRECT.

Michael Morgan 9/18/18
 Print Name Date
Michael Morgan
 Signature
DEIRDRE MORGAN 9/18/18
 Print Name Date
Deirdre Morgan
 Signature

REQUIRED SUPPORT DOCUMENTS

A. SITE PLAN	<u>1</u>
B. FEE	<u>\$ 5,500</u>
C. OTHER	_____
D. OTHER	_____

APPLICATION RECEIVED BY: _____	DATE <u>10/18/2018</u>	REVIEW / APPROVAL BY _____
APPLICATION DEEMED COMPLETE BY: <u>PN</u>	DATE <u>2/25/2019</u>	OTHER DEPT'S required. <input type="checkbox"/> P. W. <input type="checkbox"/> E. H. S. <input type="checkbox"/> A. P. C. D. <input type="checkbox"/> O. E. S.
APPLICATION REJECTED BY: _____	DATE _____	<input type="checkbox"/> _____
TENTATIVE HEARING BY: _____	DATE _____	<input type="checkbox"/> _____
FINAL ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	DATE _____	<input type="checkbox"/> _____

CUP #
18-0031

VICENTE SEDERBERG LLC

BOSTON | DENVER | JACKSONVILLE | LOS ANGELES

5514 WILSHIRE BLVD., 7TH FLOOR
LOS ANGELES, CA 90036
TEL: 310.684.2016

September 13, 2018

Jim Minnick, Director
Imperial County Planning and Development Services (ICPDS)
801 Main Street
El Centro, CA 92243

Dear Mr. Minnick:

Sutton Morgan (“Morgan”), owner and CEO of Paragon West, LLC (“Paragon West”) and Imperial Gold, LLC (“Imperial Gold”), intends to be one of Imperial County’s (“County”) completely vertically integrated cannabis businesses. Through the lottery, Paragon West was awarded a virtual retail license and Imperial Gold was awarded a distribution license. Imperial Gold has since submitted a complete application for separate cultivation and manufacturing licenses. Morgan intends to house all four operations in one large vertically integrated facility on his property, at 3971 A and B Austin Road, Brawley, CA 92227 (APN: 040-180-045). Within the large building, Morgan will grow, process, manufacture, package, label, arrange for product testing, distribute, and home deliver cannabis and manufactured cannabis products produced at the facility.

Conditional Use Permit Required: Commercial cannabis activities require a Conditional Use Permit in light and medium industrial zones outside of the Gateway of the Americas and Keystone Planning area specific plan within the unincorporated County per Title 9, Division 4, Chapter 6 of the County Code (See Sec. 90406.05(A)). In order to continue the County’s commercial cannabis licensing process, Paragon West and Imperial Gold will be collectively applying for a total of four conditional use permits to conduct commercial cannabis activities and establish a vertically integrated legal and compliant cannabis operation.

The Existing Property and Use: The existing property is zoned as Light Industrial (M1N) which matches the proposed uses for the cannabis operations. The property is currently used as agricultural production ground and for agricultural handling operations, including activities such as produce cooling, packaging, and shipping. Largely, the proposed cannabis packaging, distributing, and delivery activities will be similar to the existing use.

Proposed Improvements: The integrated cannabis operation will include remodeling the existing building, providing interior improvements, installation of a new parking lot (for employee and contractor parking), use of an existing gravel driveway, and use of existing electrical services. The cannabis operation will not be open to the public.

Environmentally Conscious Approach: The vertically integrated cannabis operation will require the use of utilities and likely require some improvements to the existing facilities. Morgan intends to maintain and preserve Imperial Valley's environment and standard of living for all its residents while making the necessary improvements and structural modifications. The cannabis industry, both its operators and consumers, are a particularly environmentally conscious crew and Imperial Gold and Paragon West intend to stand out as conscious operators in the County and the industry as a whole. Co-locating all of its cannabis operations in one large facility is, in part, an environmentally conscious decision too. Co-locating our operations increases production efficiency and reduces excess resources and energy consumption needs that would otherwise be necessary in maintaining and managing operations in separate facilities.

The facility has preexisting electrical and plumbing services, thus utility use for the cannabis businesses that will eventually be housed in the same facility will not further tax the County's existing electrical supply and demand. The facility will use high efficiency LEDs whenever possible. Morgan Solar is providing solar on a net metering system back to the Imperial Irrigation District's grid. When possible, Morgan intends to internalize solar production and use it directly for the power needs on the property.

Imperial Gold intends to implement additional mitigation strategies to decrease the operations' impact on the waste systems, ideally limiting the sewage related byproduct of the operations to human waste. The facility's design will include septic tanks, creating no need to extend the existing sewer line.

Imperial Gold and Paragon West intend to responsibly rid the facility of cannabis and non-cannabis waste streams. The facility will recycle all permitted recyclable materials and partner with local agency waste haulers to remove waste at weekly or bi-weekly intervals. Cannabis waste will be made unrecognizable and reusable and combined with materials such as newspaper and dirt in order to be composted. Imperial Gold and Paragon West will obtain all relevant composting permits from the County after receipt of the Conditional Use Permits.

As long-time residents of Imperial County, Morgan and other local owners, are conscious and concerned regarding the need to mitigate dust and air pollutants. As part of the improvements to the site, Imperial Gold and Paragon West will create gravel laden street access. Water trucks may also be used as a precautionary measure to ensure operations do not create excess dust issues for neighbors and adjacent properties. Imperial Gold and Paragon West will implement odor mitigation strategies to minimize cannabis odor emitting from any of the facility's operations both to avoid nuisance and security concerns.

Any vehicles used in the cannabis operations, including transportation and delivery vehicles, will be State emission compliant vehicles.

Imperial Gold and Paragon West will be on the lookout for ways to exceed local and state environmental requirements and concerns as soon as is feasible and practical in order to minimize the operations' footprint and impact to our neighbors and surrounding community.

Business and Operations Plan: Imperial Gold and Paragon West will have fairly standard hours of operation, 9am to 5pm, Sunday through Saturday, with fewer employees at the facility on the weekend. At the cultivation premises, Imperial Gold will be growing cannabis flower for retail sale as well as flower for use in manufactured cannabis products. The cannabis from the cultivation facility will be transported to the manufacturing premises where it will either be extracted or further processed to be included in manufactured cannabis products or packaged and labeled in the form of dried cannabis or pre-rolled joints. The packaged and labeled cannabis products will then be transported to the distribution premises where a licensed testing laboratory agent will arrive at the facility and take samples of the products ready for retail sale. Upon receiving a passing Certificate of Analysis, Imperial Gold's distribution license will transport the cannabis products to other retailers or to Paragon West's non-storefront retail premises where it will be delivered by car to consumers.

The vertically integrated cannabis businesses will be secure, and all safety concerns will be mitigated by Imperial Gold and Paragon West's security features including onsite security guards monitoring the premises both during and after normal business hours, video surveillance cameras inside and outside the facility, and alarm systems. The facility will not be publicly accessible, except for perhaps the main entrance or lobby. Any visitors to the facility, including local and state regulators or other agency representatives or contractors may gain access to the facility after completing the visitor check-in procedure and verification process. While within limited access areas of the facility, all visitors will always be accompanied by an authorized employee.

The site will not be open to the public, so there will not be an increase in traffic demand on Austin Road or the access roads on the property. Imperial Gold and Paragon West will consolidate trips as much as possible, conducting multiple transfers of product and components or deliveries to consumer at once, in order to minimize fuel resources, noise and air pollution, and traffic impact.

Imperial Gold and Paragon West do not foresee issues or complaints from neighbors, community members, or adjacent properties. Morgan has presented his cannabis venture plans to most nearby parties who are largely supportive of his project. He believes if there are issues or concerns that arise, they will address it with him, so he and his team can respond and if necessary, mitigate immediately.

Sutton Morgan is excited to move forward on this project and welcomes feedback and guidance from the County and its relevant departments for improvements to the facility and site.

Best,

VICENTE SEDERBERG, LLC

Amanda Kilroe, Esq.

EXHIBIT C-2
LOT C - IMPERIAL COUNTY LLA No. 00291
POR. SECTION 11-14, T14S, R13E, SBM.

