

Notice of Exemption

Appendix E

To: Office of Planning and Research
 P.O. Box 3044, Room 113
 Sacramento, CA 95812-3044

County Clerk
 County of: Solano
 675 Texas Street, Suite 2700
 Fairfield, CA 94533

From: (Public Agency): City of Rio Vista
One Main Street
Rio Vista, CA 95471

FILED

(Address)

APR 11 2024

Bill Emlen, Clerk of the
 Board of Supervisors of
 the County of Solano,
 State of California

Deputy Amel Johnson

Project Title: Pacific Coast Botanicals Extraction Facility Project

Project Applicant: Pacific Coast Botanicals, LLC.

Project Location - Specific:

Located in an existing 17,000 SF structure at 1000 St. Francis Way in the City of Rio Vista

Project Location - City: Rio Vista Project Location - County: Solano

Description of Nature, Purpose and Beneficiaries of Project:

Pacific Coast Botanicals, LLC. proposes to develop and operate a legal Type 7 Cannabis Manufacturing business within approximately 4,538 SF of first floor space and 1,755 SF of mezzanine space, of an existing building.

Name of Public Agency Approving Project: City of Rio Vista

Name of Person or Agency Carrying Out Project: Robin Borre

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Section 15301 Class 1 and Section 15303 Class 3
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The proposed project includes minor interior modifications to the existing structure. The proposed work does not include any exterior modifications and would not result in any exterior work, ground disturbing construction, or off-site improvements. The proposed project is consistent with State CEQA Exemptions Class 1 - Existing Facilities, and Class 3 - New Construction or Conversion of Small Structures in accordance with Cal. Code Regs., tit. 14, § 15300 et seq. (See Attachment A)

Lead Agency
 Contact Person: Robin Borre Area Code/Telephone/Extension: (707) 374-6451 ext. 1116

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ■ Yes No

Signature: Robin Borre Date: 4/8/24 Title: Director of Public Works

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code. Date Received for filing at OPR: _____
 Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Document Posted From
04-11-2024 to _____

Deputy Clerk of the Board



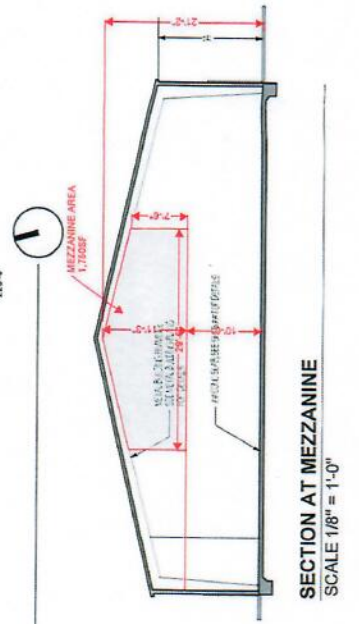
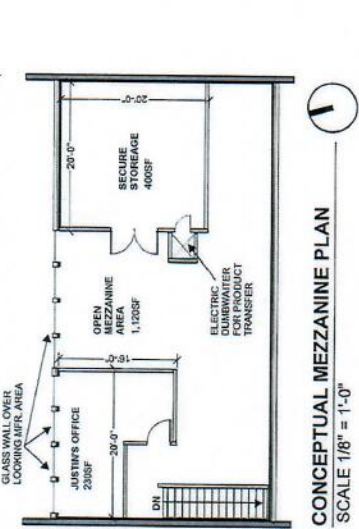
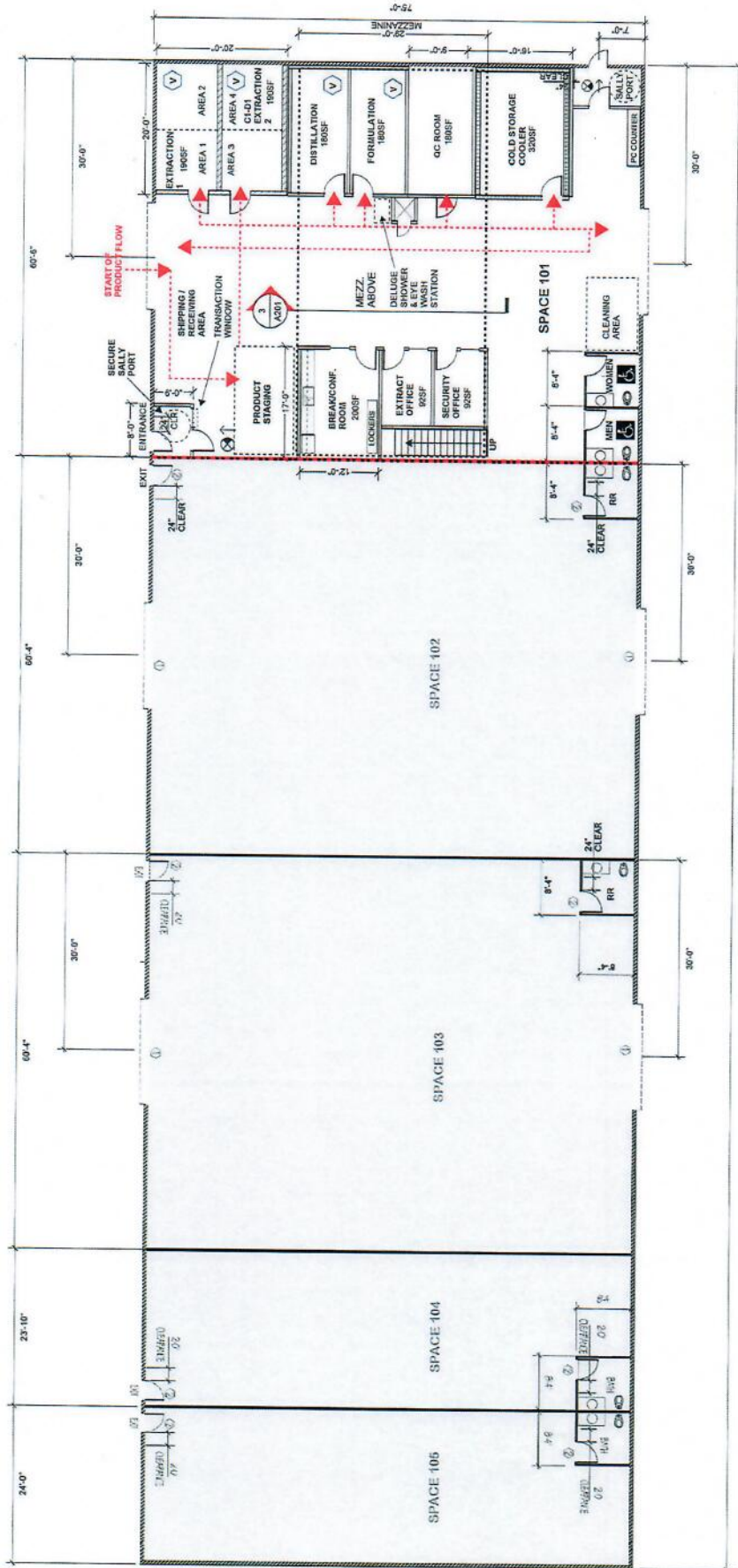
Source: Google Earth Imagery, 2024

Figure 1: Local Vicinity Map

The Pacific Coast Botanicals Extraction Facility Project
Notice of Exemption



Not to scale



- FLOOR PLAN LEGEND**
- INDICATES EXISTING EXTERIOR CONCRETE BR LETHO WALL
 - INDICATES NEW 4" REINFORCED CONCRETE WALL (FOR FIRE RATION)
 - INDICATES NEW 1/2" METAL STUD INTERIOR WALL
 - INDICATES NO WORK THIS AREA
 - INDICATES EXISTING FIRE RATED TYPICAL PER IBC WALL (FOR FIRE RATION)
 - INDICATES PRODUCTION FLOW DIRECTION

Source: 541 Architecture Inc., Condition Use Permit Submittal, 2019

Figure 2: Conceptual Site Plan

The Pacific Coast Botanicals Extraction Facility Project
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Attachment A

Pacific Coast Botanicals Extraction Facility Project

City of Rio Vista

Project Overview

The Pacific Coast Botanicals Extraction Facility Project (proposed project or project) would facilitate the operations of a cannabis related business in an existing structure at 1000 St. Francis Way, Rio Vista, CA 94571 (APN 0178230020). The project area would occupy approximately 4,538 SF of first floor space and 1,755 SF of mezzanine space, within the existing 17,000 SF building. The project would consist of minor modifications to the interior of the existing building. The modifications would include, but is not limited to, new hydrocarbon extraction areas, cold storage space, distribution and loading area, office areas, breakroom, and restroom. The Project does not include any exterior work, ground disturbing construction, or off-site improvements.

Project Location and Existing Setting

The proposed project is located in the City of Rio Vista Business Park and has a General Plan (GP) designation of Industrial/Employment Limited (I/E L) with a zoning designation of Business Park (B-P). The Business Park occupies an area previously used as an airport but that is now undergoing redevelopment and improvement efforts. The proposed project is consistent with the land use designations and zoning ordinance and City intent. The work that would occur as part of the proposed project is an allowable use. **Figure 1: Local Vicinity Map**, shows the project location and surrounding uses and **Figure 2: Conceptual Site Plan** show the proposed improvements.

Surrounding Land Uses

The proposed project is primarily surrounded by vacant land and other industrial uses within the Business Park. The proposed project site is located on land previously used as an airport. The proposed project site is at the northeast terminus of the previous main runway. Based on aerial images, the runway was largely intact until 2019 and the project site has a history of heavy disturbance. Land uses immediately abutting the project site include existing roadways, Industrial Court to the northwest, and St. Francis Way to the southeast. Existing land uses adjacent to the proposed project site include industrial development, commercial uses, areas undergoing redevelopment, and heavily disturbed undeveloped land designated for industrial uses.

Existing land uses to the east consist of industrial uses, vacant land, and the Sacramento River which is approximately 0.25 miles southeast of the project. To the northeast land uses are consistent with the industrial designations and consist of vacant and industrial uses, a closed landfill, and an area designated as a preserve. The preserve is separated from the Business Park by Airport Road. To the northwest land uses consist of vacant and industrial uses. There is a residential development with single family uses approximately 0.40 miles to the northwest north of Sullivan Street and at the northwest terminus of the previously main runway. To the west land uses consist of vacant and industrial designated and zoned properties. There is a residential development approximately 0.43 miles away adjacent to Rolling Green Drive.

Project Description

The proposed project includes minor interior modifications to the existing 17,000 sf structure. The proposed project does not include any exterior modifications and would not result in any exterior work, ground disturbing construction, or off-site improvements. The project area would occupy approximately 4,538 SF of first floor space and 1,755 SF of mezzanine space in the southern most area of the existing building, see **Figure 1**. Interior modifications would include the installation of walls and a mezzanine level to separate the interior into useable spaces. See **Table 1: Proposed Interior Room Outline**, below for a summary of proposed rooms and **Figure 2** for the proposed layout.

Table 1: Proposed Interior Room Outline

Room Type	Approximate Area (SF)
First Floor	
Extraction Area 1	95
Extraction Area 2	95
Extraction Area 3	95
Extraction Area 4	95
Distillation Room	180
Formulation Room	180
QC Room	180
Cold Storage Cooler	320
Break Room/Conference Room (Employee lockers)	200
Extraction Office	92
Security Office	92
Mezzanine Level	
Office Space	230
Secure Storage	400
Notes: Areas per room type are approximate SF = square feet	

Additionally, bathrooms, shipping/receiving area, product staging area, and utilities would be provided to support on site operations. The proposed improvements would enable permitted use of the facility for cannabis manufacturing, which would include extraction, production of cannabis products through infusion, and packaging and labeling cannabis products.

As noted above, all improvements would be located within the existing building. Mechanical equipment including heating, ventilation and air conditioning (HVAC), an engineered odor control system, and lighting would be installed. The project would utilize ventilation and filtration systems that would prevent cannabis plant odors from exiting the interior of the structures on site. The proposed project would include a hazardous materials business plan, and a security plan, both verified by the City. The proposed project would use the existing on-site water lines with service by the City of Rio Vista. Electricity and natural gas would be provided from Pacific Gas & Electric Company (PG&E), and solid waste needs would be serviced by Mt. Diablo Resource Recovery (MDRR). All utility services would be provided using existing utility lines and through existing sources.

Project Operations

Vegetative mass would be brought in by authorized transporter, such as a distributor or transport-only distribution license holders via secure sprinter vans, or their equivalent. Mass would be unloaded after the van has pulled inside the front roll up door and the weight of the delivery has been verified on a scale located in the loading/unloading area before signing off on the transport receipt. After receiving the product, the vegetative mass would be stored in the cold-storage room until it is ready for processing.

After visual inspection the vegetative mass would be passed through a hammer mill to create a consistent particulate size, packed into jacketed sleeves and carted into the C1D1/ Hydrocarbon extraction areas. The active ingredient and any other unique cannabinoids would be extracted and collected in food grade laboratory equipment and entered into the facility enterprise resource planning (ERP) system. The active ingredient would be moved to vacuum-ovens to be purged of residual solvents. After residual solvents have been purged, the remaining concentrate would be weighed, packaged and moved into secure storage. The active ingredient mass would be recorded in the facility ERP system and transposed to METRC.

The proposed project would have nine (9) employees and two (2) security guards on the site premise, at least 21 years of age. Operating hours of the project site would be from approximately 8:00 a.m. to 5:00 p.m. The proposed project does not include retail sales but would Transfer cannabis concentrate products and packaged flower products to a distributor. Transportation of cannabis goods would only be conducted by the manger or employees or contracted transportation services. Shipment pickup would be scheduled by the facility manager, where sealed containers with validated product counts would be loaded on secured vans.

The proposed project is anticipated to receive deliveries of vegetative mass at 1-5 times per week and ship products 1-5 times per week. All transportation would occur using a licensed driver and registered motor vehicle or trailer in conformance with all vehicle code requirements.

Project Site Access, Parking, and On-Site Circulation

Primary access to the project site is via an existing driveway off St. Francis Way, approximately 360 feet southeast of the St. Francis Way and Airport Road intersection. The project would utilize the existing 31 general parking spaces and 1 ADA parking space associated with the existing building. No additional parking spaces would be required or constructed.

All employees and authorized personnel would enter the building at the designated security entry area after checking in with the 24-hour security personnel at the site entrances. At this time on-site security would grant authorization into the facility. All doors that allow access to the exterior of the building may be used for ingress and egress so long as they are equipped with access control devices. Initial entry to the facility would be through the 24-hour security entrance.

Solid Waste

The proposed project would result in the generation of solid waste defined in PRC §40191 including, non-putrescible waste produced during renovation of the interior of the space. The proposed project would generate garbage, trash, refuse, paper, and rubbish during operations. The proposed project would be serviced by Mt. Diablo Resource Recover (MDRR). Solid waste would be transported by MDRR to the Keller Canyon Landfill (KCLF) near Pittsburg. Both MDRR and KCLF have adequate capacity to serve the proposed project. The proposed project would recycle all green waste through MDRR. Green waste stored on-site would be in a green waste bin or in compostable bags if bags are used. The green waste would be collected

by MDRR and transported to Contra Costa Waste Service to be sorted before being transported to the Recology Recycling and compost facility in Vacaville. Cannabis waste would be scheduled by the project applicant for pickup by a locally authorized 3rd party cannabis waste disposal service provider.

Water and Wastewater

Water and wastewater/sewer services would be supplied to the proposed project by the City of Rio Vista. The proposed project would use water for the restroom facilities and handwashing, and sanitizing and cleaning needs. Wastewater generated by the proposed project would be collected by the existing sewer systems would flow to the City of Rio Vista Beach Wastewater Treatment Plant (WWTP). The Beach WWTP has adequate capacity to serve the project. No wastewater discharge permit is required. The proposed project would be eligible for an exemption from the Central Valley Regional Water Quality Control Board.

The applicant would not be permitted to introduce any chemical waste or solvents into the local waste stream. Any product containing any trace of THC would require the proper disposal of said product using a hazardous waste hauler. All hazardous waste and/or chemicals shall be documented and disposed of in accordance with state and regional laws.

Energy

The proposed project would require the use of energy for the extraction equipment, distillation equipment, formulation equipment, cold storage cooler, and other cannabis production equipment in addition to interior lighting, heating and air conditional and heating (HVAC), and small appliances such as a refrigerator. The proposed would be served by Pacific Gas & Electric Company (PG&E).

Transportation

The proposed project would not conflict with any existing program, plan, ordinance, or policy related to non-motorized or public transit, and the proposed project would not have an effect on public transit, bicycle, or pedestrian facilities. There are no designated bus routes adjacent to the project site and there are no pedestrian facility or designated bike lane within St. Francis Drive that would be affected. The proposed project does not include any roadway improvements, nor would it change any roadway alignment. Further, vehicle trips would not exceed the 110 trip per day threshold presented by the Office of Planning and Research (OPR) technical advisory for evaluating transportation impacts in CEQA.

Hazards

The project would not include on-site storage of insecticides, fertilizers, or pesticides. Cleaning chemicals would be stored in locked cabinets in the cleaning areas and would be used and stored in compliance with all manufacturer's specifications. Manufacturing inputs would be stored in secured locking cabinets in sealed containers. Cannabis consumables would be kept in sealed jars or bottles in small individual quantities to reduce the likelihood and impact of a potential spill. No materials would be stored and/or used within the building in exceedance of quantities listed in most current version of the California Building Code and Fire Code. Should materials requiring approval be used, approval from the Community Development Director/Building Official and Fire Chief would be required.

The project would use, store, and consume some volatile chemicals used in the extraction process. The project would require a Type 7 cannabis manufacturing license which could use volatile solvents for the extraction processes. Volatile solvents are chemicals that are or produce a flammable gas or vapor that may ignite or explode when present in sufficient qualities in the air. In order to decrease the risk of the uncontrolled dispersal of volatile solvents during a power outage at the business premises the City's

Cannabis/Hemp Ordinance requires cannabis/Hemp manufacturing businesses using volatile solvents to have a back-up power generator.

Occupancies seeking to utilize volatile solvents are highly regulated by the Rio Vista Fire Department and are subject to quarterly Fire & Life Safety Inspections. Volatile solvents generally refer to the use of butane and propane to extract, or divide, the cannabis (or hemp) plant into parts. This process uses heat and pressure in a closed loop system with vacuum to remove the butane or propane solvents. This system is highly regulated under the California Fire Code (Chapter 50 & 57) for quantities of storage on-site. The equipment, or systems, used in these facilities requires specific Fire Department approval. The employees are subject to additional education and training, delivered by the Fire Department, at the discretion of the Fire Chief's Marshal. The City's Building Division and Fire Department would inspect the building to ensure proper installment of hydrocarbon extraction machines, proper ventilation for the air compressor and chiller/heater unit, and to ensure potential fire hazards are minimized. All hazardous waste and/or chemicals shall be documented and disposed of in accordance with state and regional laws. The project would comply with applicable City's Cannabis/Hemp Ordinances, California Building Code and Fire Code, the Rio Vista Fire Department, and applicable state and regional laws and regulations for storage, use, and combustion of volatile solvents.

Project Permitting/Approvals

The proposed project would be permitted through the City with the permits listed below:

- Conditional Use Permit (CUP) from the City of Rio Vista;
- Development Agreement with the City of Rio Vista;
- Project Approval by City of Rio Vista Planning Commission;

Reasons Why Project is Exempt

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301 (Class 1) and Section 15303 (Class 3).

Section 15301, Class 1, Existing Facilities

This exemption permits the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. (Cal. Code Regs., tit. 14, § 15303.)

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301, Class 1. The key consideration for a Class 1 CE is whether the project involves negligible or no expansion of an existing use. The proposed project would be permitted by the City of Rio Vista for operations of a cannabis related business. Issuance of the permit would be consistent with all applicable land use policy and guidance documents. The proposed project would not require any ground disturbance within the building or outside the building, the site is flat and paved. The proposed project would occur entirely within an existing 17,000 sf privately owned industrial building within a business park zoned for industrial uses. The proposed project would use approximately 4,538 SF of first floor space and 1,755 SF of mezzanine space within the existing building. Mechanical equipment including heating, ventilation and air conditioning (HVAC), an engineered odor control system, and lighting would be installed.

Section 15303, Class 3, New Construction or Conversion of Small Structures

The exemption permits the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. (Cal. Code Regs., tit. 14, § 15303.)

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15303, Class 3. The key consideration for a Class 3 CE is whether the project involves installation of small new equipment or conversions of uses. The proposed project would occur within a small portion of the existing structure and convert the use from vacant to cannabis related activity. This would require installation of new equipment including walls and a mezzanine level, a (HVAC) system, an engineered odor control system, and lighting system.

Exceptions to Exemptions

The project does not meet any of the exceptions listed in CEQA Section 15300.2 per the following:

(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may be in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The project does not occur within a hazardous waste site and the proposed project would not use, handle, store, or dispose of any acutely hazardous materials. Review of the State Water Resources Control Board Geotracker tool or the Department of Toxic Substances Control (DTSC) EnviroStor Database revealed no evidence of hazardous materials site on or near the project site.

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

As stated above, the project would not have an impact on surrounding areas, adjoining the site, or result in a cumulative impact over time. The proposed project is consistent with the existing planning and intent of the City for redevelopment of the site and industrial uses. The proposed project includes design features such as engineered systems to control odor, and would be adequately served by existing services. All other projects, as they are proposed, in the Business Park area also would undergo the CEQA environmental review process. The proposed project would not result in any impacts to the environment and would not make a cumulative contribution to an environmental impact.

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

The project would not have a significant effect on the environment as it would occur in an existing building and there is habitat for federal or state listed species. The project includes no ground disturbance and would not affect any historic, cultural, or tribal cultural resources.

(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.

The proposed project would occur within an existing building, and there are no scenic resources on site, in proximity to the site, and it would not affect a scenic highway.

(e) *Hazardous Waste Sites.* A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

See response to (a) above.

(f) *Historical Resources.* A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The proposed project occurs in a recently constructed metal building on concrete slab. The proposed project would not result in any ground disturbance or excavation that could disturb an unknown buried resource. The proposed project would not alter any historic structure. The proposed project would not affect any historic, cultural, or tribal cultural resources.

Conclusion

The proposed project is consistent with State CEQA Exemptions Class 1 - Existing Facilities, and Class 3 - New Construction or Conversion of Small Structures in accordance with Cal. Code Regs., tit. 14, § 15300 et seq. No exceptions to either Exemption detailed in §15300.2 would be applicable.

The proposed project is not located in an area with sensitive resources; cumulative impacts would not occur; significant impacts would not occur; there are no scenic resources or scenic highway in proximity; the project is not on a hazardous waste site; and the project would not affect a historical resource.

The proposed project would not affect any agricultural land or forested land, biological, cultural or tribal cultural resources, alter any existing hydrology, exacerbate any geologic hazard, generate substantial noise, reduce access to mineral resources, or substantially increase demand for recreational resources. The proposed project would not result in changes to any existing views or scenic resources, result in substantial population growth or divide any area, or be inconsistent with land use and planning documents. The proposed project would be served by existing utilities and public services and no off-site improvements would be needed. The proposed project would not generate substantial vehicle trips, or be located in an area susceptible to wildfires. The proposed project would not handle, store, or generate substantial amounts of hazardous materials or be located on a hazardous materials site, and would conform to all applicable environmental regulations, laws, and standards related to the cannabis manufacturing.