

Posted 7/15/21 THM 8/16/21



TOWN OF MAMMOTH LAKES
P.O. Box 1609, Mammoth Lakes, CA 93546
Phone (760) 965-3630 | Fax (760) 934-7493
<http://www.townofmammothlakes.ca.gov/>

Notice of Exemption

To: State Clearinghouse
Office of Planning and Research
P.O. Box 3044, 1400 Tenth Street
Sacramento, CA 95812-3044

County Clerk
County of Mono
P.O. Box 237
Bridgeport, CA 93517

Project Title: Elevation Green LLC (Use Permit Application 21-002)

Project Location – Specific: 312 Commerce Drive, Units A and B (APN: 037-200-053-000)

Project Location – City: Mammoth Lakes **Project Location – County:** Mono

Description of Nature, Purpose, and Beneficiaries of Project: The proposed project is a commercial cannabis cultivation, manufacturing, and distribution business in an existing building in accordance with the Town's cannabis regulations. The facility will utilize automated valves and automatic shutoffs to ensure excess water is not produced. The solid waste management plan included with the application states waste will be processed into unusable, unrecognizable, and not-retrievable substances, which will then be considered standard waste and will be disposed of either through a service provider or self-hauling to a fully permitted facility. Additionally, odor control measures and filtration systems will be used to prevent any odors associated with Elevation Green LLC's commercial cannabis operations from leaving the premises. 312 Commerce Drive is a developed site with no additional disturbance occurring from Elevation Green LLC. The project is considered an industrial use and will be located in an industrial zoned area. The Planning and Economic Development Commission Approved the project on July 14, 2021.

Name of Public Agency Approving Project: Town of Mammoth Lakes

Name of Person or Agency Carrying Out Project: Peter Sheldon, Elevation Green

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):** Guidelines Section 15301, Existing Facilities
- Statutory Exemptions (State code number):

Reason why project is exempt: The project has been determined to be categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities) of Title 14 of the California Code of Regulations. The categorical exemption described in CEQA Guidelines Section 15301 applies to projects that consist of 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 or use beyond that existing at the time of the lead agencies determination, for which the State has determined to be a class of projects that will not have a significant effect on the environment. The project qualifies for this exemption because it involves the leasing of an existing private structure for the operation of a commercial cannabis cultivation, manufacturing, and distribution facility and does not include any expansion of the structure beyond that existing at the time of review. Additionally, none of the exceptions set forth in CEQA Guidelines Section 15300.2, which would preclude a project from using a categorical exemption, are applicable.

Therefore, the project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(2) since the project meets the criteria for use of the Existing Facilities categorical exemption (Class 1) and the application of that categorical exemption is not barred by one of the exceptions set forth in Section 15300.2. No additional environmental review is warranted or necessary.

Lead Agency Contact Person: Michael Peterka, Assistant Planner **Phone:** (760) 965-3669

Signature: Michael Peterka

- Signed by Lead Agency
- Signed by Applicant

RECEIVED

Date: July 14, 2021

Title: Assistant Planner

Date received for filing at OPR:

JUL 15 2021

OFFICE OF THE CLERK

TM 21-022



State of California - Department of Fish and Wildlife
2021 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (REV. 01/01/21) Previously DFG 753.5a

Print **StartOver** **Save**

RECEIPT NUMBER:
 26 — 07/15/2021 —

STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY Town of Mammoth Lakes	LEAD AGENCY EMAIL mpeterka@townofmammothlakes.ca.gov	DATE 07/15/2021
COUNTY/STATE AGENCY OF FILING Mono	DOCUMENT NUMBER TM 21-022	

PROJECT TITLE
Elevation Green LLC

PROJECT APPLICANT NAME Peter Sheldon	PROJECT APPLICANT EMAIL mpeterka@townofmammothlakes.ca.gov	PHONE NUMBER (760) 965-3669
PROJECT APPLICANT ADDRESS 312 Commerce Drive Units A & B - 037-200-053-000	CITY Mammoth Lakes	STATE CA
		ZIP CODE 93517

PROJECT APPLICANT (Check appropriate box)

Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

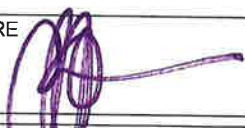
<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,445.25	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,480.25	\$	0.00
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,171.25	\$	0.00
<input checked="" type="checkbox"/> Exempt from fee			
<input type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)			

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	0.00
<input type="checkbox"/> County documentary handling fee		\$	
<input type="checkbox"/> Other		\$	

PAYMENT METHOD:

Cash Credit Check Other

TOTAL RECEIVED \$ 0.00

SIGNATURE X 	AGENCY OF FILING PRINTED NAME AND TITLE Danielle Espinosa Patrick - Deputy Clerk Recorder
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State of California - Department of Fish and Wildlife
2021 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (REV. 01/01/21) Previously DFG 753.5a

NOTICE

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

COUNTY DOCUMENTARY HANDLING FEE

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS

Filing Notice of Determination (NOD):

- Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- Issue cash receipt to project applicant.
- Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- Mail filing fees for CRP document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a **No Effect Determination** signed by CDFW, also:

- Attach No Effect Determination to NOD *(no environmental filing fee is due).*

Filing Notice of Exemption (NOE) (Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))

- Issue cash receipt to project applicant.
- Attach copy of cash receipt to NOE *(no environmental filing fee is due).*

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

The county clerk shall mail the following documents to CDFW on a monthly basis:

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

DOCUMENT RETENTION

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

RECEIPT NUMBER

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.

Mail to:

California Department of Fish and Wildlife
 Accounting Services Branch
 P.O. Box 944209
 Sacramento, California 94244-2090