

Mary Claybon

From: Fahmy Attar <FahmyA@lcaqmd.net>
Sent: Monday, March 16, 2020 3:19 PM
To: Eric Porter
Subject: [EXTERNAL]Re: UP 20-23, Malfavon / Vann Ranch - request for comments

Eric,

For a Cannabis operation site, here is a list of Air Quality requirements that may be applicable to the site:

1. Off-site odor impacts should be mitigated to minimize nuisance to nearby residences, property, and public roads.
2. Any manufacturing or delivery Cannabis operations must comply with LCAQMD rules and regulations. An application must be submitted. Contact LCAQMD for more details.
3. Any demolition or renovation is subject to the Federal National Emissions Standard for Hazardous Air Pollutants (NESHAP) for asbestos in buildings requires asbestos inspections by a Certified Asbestos Consultant for all major renovations and all demolition. An Asbestos Notification Form with the Asbestos inspection report must be submitted to the District at least 14 days prior to beginning any demolition work. The applicant must contact the District for more details and proper approvals. Regardless of asbestos content or reporting requirements all demolition and renovation activities should use adequate water/ amended water to prevent dust generation and nuisance conditions.
4. Construction activities that involve pavement, masonry, sand, gravel, grading, and other activities that could produce airborne particulate should be conducted with adequate dust controls to minimize airborne emissions. A dust mitigation plan may be required should the applicant fail to maintain adequate dust controls.
5. If construction or site activities are conducted within Serpentine soils, a Serpentine Control Plan may be required. Any parcel with Serpentine soils must obtain proper approvals from LCAQMD prior to beginning any construction activities. Contact LCAQMD for more details.
6. All engines must notify LCAQMD prior to beginning construction activities and prior to engine Use. Mobile diesel equipment used for construction and/or maintenance must be in compliance with State registration requirements. All equipment units must meet Federal, State and local requirements. All equipment units must meet RICE NESHAP/NSPS requirements including proper maintenance to minimize airborne emissions and proper record-keeping of all activities, all units must meet the State Air Toxic Control Measures for CI engines, and must meet local regulations. Contact LCAQMD for more details.
7. Site development, vegetation disposal, and site operation shall not create nuisance odors or dust. During the site preparation phase, the District recommends that any removed vegetation be chipped and spread for ground cover and erosion control. Burning is not allowed on commercial

property, materials generated from the commercial operation, and waste material from construction debris, must not be burned as a means of disposal.

8. Significant dust may be generated from increase vehicle traffic if driveways and parking areas are not adequately surfaced. Surfacing standards should be included as a requirement in the use permit to minimize dust impacts to the public, visitors, and road traffic. At a minimum, the District recommends chip seal as a temporary measure for primary access roads and parking. Paving with asphaltic concrete is preferred and should be required for long term occupancy. All areas subject to semi truck / trailer traffic should require asphaltic concrete paving or equivalent to prevent fugitive dust generation. Gravel surfacing may be adequate for low use driveways and overflow parking areas, however, gravel surfaces require more maintenance to achieve dust control, and permit conditions should require regular palliative treatment if gravel is utilized. White rock is not suitable for surfacing (and should be prohibited in the permit) because of its tendency to break down and create excessive dust. Grading and re-graveling roads should utilizing water trucks if necessary, reduce travel times through efficient time management and consolidating solid waste removal/supply deliveries, and speed limits.

Best,

Fahmy Attar

Air Quality Engineer
Lake County Air Quality Management District
2617 S. Main Street, Lakeport, CA, 95453
(707) 263-7000 | fahmya@lcaqmd.net

On Mar 16, 2020, at 12:05 PM, Eric Porter <Eric.Porter@lakecountyca.gov> wrote:

Good morning;

Attached is the 4th of 5 new commercial cannabis applications that I am requesting comments on. This is a large cultivation proposal, and as proposed involves crossing BLM (federal) lands to access the northernmost parcel.

Please have your comments to me by or before March 31, 2020 if possible.

Thank you,
Eric Porter
<UP 20-23 RFR.doc><Vann Ranch Management Plan.pdf><Vann Ranch Site Plans
3.5.20.pdf>



COUNTY OF LAKE
Health Services Department
Environmental Health Division
922 Bevins Court
Lakeport, California 95453-9739
Telephone 707/263-1090
FAX 707/263-4395

Denise Pomeroy
Health Services Director

Gary Pace, MD, MPH
Public Health Officer

Jasjit Kang
Environmental Health Director

Promoting an Optimal State of Wellness in Lake County

Memorandum

DATE: April 14, 2020
TO: Community Development Department
FROM: Kelli Hanlon, Environmental Health Division
RE: UP 20-23; IS 20-26; EA 20-27
APN: 002-021-04; 002-021-15; 002-021-16; 002-021-23 and
002-021-17

The Environmental Health Division has no concerns at this time if the project is completed according to the plans submitted.

Lake County Environmental Health requires all applicants to provide a written declaration of the chemical names and quantities of any Hazardous Material to be used on site. As a general rule, if a material has a Safety Data Sheet, that material may be considered as part of the facilities Hazardous Material Declaration.



Mary Claybon

From: Lori Baca
Sent: Friday, March 19, 2021 2:45 PM
To: Eric Porter
Subject: RE: Notice of Intent (CEQA) - file no. UP 20-23, Vann Ranch

Eric,

Parcels 002-021-15, -16, -23 and 002-021-17, and -04 are all located outside of any Special Districts service area, no impact.

Have a great day!

Lori A. Baca

Customer Service Coordinator

Lori.Baca@lakecountyca.gov

Office Number (707) 263-0119

Fax (707) 263-3836



From: Eric Porter
Sent: Friday, March 19, 2021 8:04 AM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Fahmy Attar <FahmyA@lcaqmd.net>; John Everett <John.Everett@lakecountyca.gov>; Jack Smalley <Jack.Smalley@lakecountyca.gov>; 'Wink, Mike@CALFIRE' <Mike.Wink@fire.ca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Mike Ciancio <chief800@northshorefpd.com>; Stoner, Kyle@Wildlife <Kyle.Stoner@wildlife.ca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>
Subject: Notice of Intent (CEQA) - file no. UP 20-23, Vann Ranch

Good morning all,

Please see the attached NOI / Initial Study for Vann Ranch. I need any comments you might have by April 26 please.

Thank you,
Eric Porter
Planner
County of Lake

Mary Claybon

From: John Everett
Sent: Friday, June 25, 2021 4:58 PM
To: Eric Porter
Subject: RE: Notice of Intent (CEQA) - file no. UP 20-23, Vann Ranch

No Comment.

John Everett PE
Associate Civil Engineer
County of Lake
255 N. Forbes St., Room 309
Lakeport, CA 95453
(707) 263-2719

From: Eric Porter
Sent: Friday, March 19, 2021 8:04 AM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Fahmy Attar <FahmyA@lcaqmd.net>; John Everett <John.Everett@lakecountyca.gov>; Jack Smalley <Jack.Smalley@lakecountyca.gov>; 'Wink, Mike@CALFIRE' <Mike.Wink@fire.ca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Mike Ciancio <chief800@northshorefpd.com>; Stoner, Kyle@Wildlife <Kyle.Stoner@wildlife.ca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>
Subject: Notice of Intent (CEQA) - file no. UP 20-23, Vann Ranch

Good morning all,

Please see the attached NOI / Initial Study for Vann Ranch. I need any comments you might have by April 26 please.

Thank you,
Eric Porter
Planner
County of Lake

Mary Claybon

From: Yuliya Osetrova
Sent: Monday, April 13, 2020 4:04 PM
To: Eric Porter
Subject: FW: UP 20-23, Malfavon / Vann Ranch - request for comments

Eric, I added specific sites that seemed to be in floodplain (in red)

From: Yuliya Osetrova
Sent: Monday, April 13, 2020 4:01 PM
To: Eric Porter <Eric.Porter@lakecountyca.gov>
Subject: RE: UP 20-23, Malfavon / Vann Ranch - request for comments

Eric,

I need a clarification on the canopy size.

The application (and Management Plan, MP) says, 7 licenses of A Type 3B?

I thought A-Type-3B allows maximum of 22,000 SF of canopy. Multiply by 7 gives 154,000 SF. However, the application (and MP) proposed 258,887 SF of canopy, which translates to 12 Licenses. Could you clarify with applicant?

- This properties floodplain depicts riverine flooding which is characterized by high velocities of the flows and very rapid water level risings during flood events. Request to keep the offsets of 100 feet from the flood zone boundaries for the growing site and associated facilities. Relocate cannabis growing sites/ associated facilities outside of floodplain. (sites A, B, C, F, G)
- To protect the West Fork Middle Creek –Clear Lake tributary, from wind erosion and ensure water quality control, please require silt fence and straw wattles installation on the entire perimeter of the cultivation sites.
- Well yield is missing
- Wells docs showing it's a legal source are missing
- Information on installed monitoring equipment (to monitor the flow and read water levels) is missing

Yuliya Osetrova
Water Resources Engineer III
Lake County Water Resources Department
(707) 263-2344

From: Eric Porter
Sent: Monday, March 16, 2020 12:06 PM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Fahmy Attar <FahmyA@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Dennis Keithly <Dennis.Keithly@lakecountyca.gov>; Gloria.Fong@fire.ca.gov; Gloria Gregore <Gloria.Gregore@lakecountyca.gov>; Elizabeth Martinez <Elizabeth.Martinez@lakecountyca.gov>; chief500@lakeportfire.com; chief800@northshorefpd.com; mike.wink@fire.ca.gov; kyle.stoner@wildlife.ca.gov; Kevin Ponce <Kevin.Ponce@cdfa.ca.gov>; Northwest Information Center <nwic@sonoma.edu>; Michelle Scully <Michelle.Scully@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>
Subject: UP 20-23, Malfavon / Vann Ranch - request for comments

Mary Claybon

From: Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>
Sent: Saturday, March 20, 2021 11:50 AM
To: Eric Porter
Cc: Galvez, Shane@CALFIRE; Ciancio, Mike@NorthShore FPD; Ray Kehoe; Duncan, Paul@CALFIRE; Hannan, Jake@CALFIRE
Subject: [EXTERNAL] Re: Notice of Intent (CEQA) - file no. UP 20-23, Vann Ranch

Greetings Planner Porter.

These comments and questions from CAL FIRE.

Question - The project proposes 25,000 or more square feet of container or greenhouse type of structures. The project proposes one 5,000-gallon water tank for fire use. We are requesting that the AHJ (Lake County) please check the formula from NFPA 1142 to see if 5,000 gallons of water for fire suppression meets the minimum for the proposed square feet of structure. This approval would be from the County of Lake as the AHJ who applies all Codes, Title and Regulation.

Question - The container structures indicate they will use fans. Does the electrical required to support the fan use meet the California Electrical Code? Will the containers have emergency ingress and egress added? This electrical standard is critical to help mitigate wildland fire ignitions in the wildland from an electrical source that does not meet code. This also prevents a life safety concern of access in an emergency.

Question - The project proposes 15 regular parking spaces, and three ADA parking space. The in. Is there still room for emergency apparatus to park and turn around unobstructed?

The Lake County RFR Document says that roads and access for "Emergency Vehicles" is a requirement. Below are the minimum requirements for "Emergency Vehicles". The proposal says the access will support the 75,000 pound weight requirement. I did not see it indicated how wide the access will be.

This Use Permit is in the SRA (State Responsibility Area). The requires the application of all Fire Codes, which also apply Title 14, PRC 4290 et'al.

The delay of any Fire Safe Standards is not allowed per Title, Code, Regulation et'al, and CAL FIRE does not support any delayed application of minimum Fire Safe Standards.

If the AHJ chooses to not enforce minimum fire safe standards during the permit process that is required by the State Fire Safe Regulations (Title 14, PRC 4290 et'al), they are accepting all responsibility for not requiring the applicant to follow minimum State Fire Safe Regulations required in the SRA.

The Lake County Chief Building Official is also the County Fire Marshall who shall ensure all Codes, Laws, Regulations and etcetera for this project shall be applied. This is also within the local Fire Protection Districts Boundary, where they are a cooperater in applying and enforcing all Codes, Laws, Regulations and etcetera for this project and they will also have comments.

While not in Title, Code or Regulation, CAL FIRE does support the County of Lake's "Dark Sky Initiative". This standard reduces the false reporting of a vegetation fire from light during the night. False activation of the 911 system puts the community and first responders at risk when it can be avoided.

This location is within proximity and or surrounded by a "VERY HIGH Wildland Fire Hazard Severity Zone" area. This is the most extreme and hazardous area category for wildland fire risk. (see below)

Regulations for the AHJ to follow listed below to be , but not be limited to:

- Property line setbacks for structures shall be a minimum of 30 feet. A "Greenhouse" is a structure.
- Addressing that is reflective and of contrasting colors from the public roadway to the location and at every intersection.
- On site water storage for fire protection of each structure per NFPA 1142.
- Per NFPA 1142, fire suppression water storage tanks for commercial use shall be steel or fiberglass (not plastic).
- All private property roads / access used for this project shall meet minimum Fire Safe standards for emergency vehicle ingress and egress
- A "One Way" loop road standard could be used, or a two lane road.
- A "Road" is two 10 foot lanes of travel for a total of 20 feet of derivable surface not including the shoulders.
- A "Driveway" is a 10 foot wide road with a turnout every 400 feet. This shall not be used for commercial applications, or access to more than three structures that are residences.
- A "Turnout" shall be a minimum 10 feet wide and 30 feet long, with a 25 foot taper at each end
- A "One Lane", "One Way" only loop road is 12 feet wide of derivable surface, plus shoulders. A one lane road must connect on both ends to a two lane road or County Road.
- A bridge can meet the "One Lane", "One Way" 12 feet wide road standard with appropriate signage. A bridge must be marked by the owner of the bridge that it is rated to support 75,000 pounds.
- A bridge shall not be less than 12 feet wide.
- A bridge can meet the "Road " 20 feet wide standard. A bridge must be marked by the owner of the bridge that is is rated to support 75,00 pounds.
- Existing roadways on private property shall meet, and or be improved to meet "Road" standards.
- All weather roadway surfaces shall be rated/engineered for 75,000 lb vehicles is the minimum (including bridges).

- All weather roadway surfaces do not ever have mud, standing or flowing water that vehicles have to travel through.
- Maximum roadway slope is 16%.
- Gate width is 14 foot minimum.
- Gate set backs are a minimum of 30 feet from a road to the gate.
- Gates shall have access criteria locks and alike that meet the local Fire Protection District standard "KNOX" (or similar) access program.
- Parking at the site shall allow for turnarounds, hammerhead T, or similar.
- Minimum fuels reduction of 100 feet of defensible space from all structures.
 - Some applications have mention that they may have a gasoline generator for backup power when solar is not available. If this is the case, the generator shall be placed on a minimum of a 10 foot radius of a non combustible surface. It shall have a minimum of a 3A-40B.C Fire Extinguisher within the 10 foot radius.
- This property will meet the criteria to be, or will be a CERS / CUPA reporting facility/entity to Lake County Environmental Health (see hyperlink below), it shall also comply specifically with PRC4291.3 requiring 300 feet of defensible space and fuels reduction around structures. In summary, any structure or location that stores hazardous, flammable or dangerous items shall establish and maintain 300 feet of defensible space / fuels reduction around its radius.
- While not in Title, Code or Regulation, CAL FIRE does support the County of Lake's "Dark Sky Initiative". This standard reduces the false reporting of a vegetation fire from light during the night. False activation of the 911 system puts the community and first responders at risk when it can be avoided.

http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_codes

[California's Wildland-Urban Interface Code Information - CAL FIRE - Home](http://www.fire.ca.gov)
www.fire.ca.gov

The law requires that homeowners do fuel modification to 100 feet (or the property line) around their buildings to create a defensible space for firefighters and to protect their homes from wildfires. New building codes will protect buildings from being ignited by flying embers which can travel as ...

http://www.lakecountyca.gov/Government/Directory/Environmental_Health/Programs/cupa.htm
[Hazardous Materials Management \(CUPA\)](http://www.lakecountyca.gov)

www.lakecountyca.gov

The Lake County Division of Environmental Health is the Certified Unified Program Agency for all of Lake County, dealing with hazardous waste and hazardous materials.

[Hazardous Materials Management \(CUPA\)](#)

www.lakecountyca.gov

The Lake County Division of Environmental Health is the Certified Unified Program Agency for all of Lake County, dealing with hazardous waste and hazardous materials.

<https://www.nfpa.org/assets/files/AboutTheCodes/1142/1142-A2001-ROP.PDF>

[Report of the Committee on - NFPA](#)

www.nfpa.org

351 Report of the Committee on Forest and Rural Fire Protection Richard E. Montague, Chair FIREWISE 2000, Inc., CA [SE] John E. Bunting, Secretary New Boston Fire Dept., NH [U]

[Report of the Committee on - NFPA](#)

www.nfpa.org

351 Report of the Committee on Forest and Rural Fire Protection Richard E. Montague, Chair FIREWISE 2000, Inc., CA [SE] John E. Bunting, Secretary New Boston Fire Dept., NH [U]

http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_codes

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351 Report of the Committee on Forest and Rural Fire Protection Richard E. Montague, Chair FIREWISE 2000, Inc., CA [SE] John E. Bunting, Secretary New Boston Fire Dept., NH [U]

From: Eric Porter <Eric.Porter@lakecountyca.gov>

Sent: Friday, March 19, 2021 8:04 AM

To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Fahmy Attar <FahmyA@lcaqmd.net>; John Everett <John.Everett@lakecountyca.gov>; Jack Smalley <Jack.Smalley@lakecountyca.gov>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Ciancio, Mike@NorthShore FPD <chief800@northshorefpd.com>; Stoner, Kyle@Wildlife <Kyle.Stoner@wildlife.ca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>

Subject: Notice of Intent (CEQA) - file no. UP 20-23, Vann Ranch

Warning: this message is from an external user and should be treated with caution.

Mary Claybon

From: Northwest Information Center <nwic@sonoma.edu>
Sent: Tuesday, March 17, 2020 9:04 AM
To: Eric Porter
Subject: [EXTERNAL]Re: UP 20-23, Malfavon / Vann Ranch - request for comments

Thank you for your UP 20-23, IS 20-26, EA 20-27; Omar Malfavon; 002-021-04, 002-021-15, 002-021-16, 002-021-23 and 002-021-17 request, we have added it to our queue and will be in touch if questions arise.

Your file has been assigned NWIC 19-1638

Contact our office referencing this number for any further questions or concerns regarding this project.

Thanks,
Claire Shudde
Northwest Information Center
150 Professional Center Dr., Suite E, Rohnert Park, CA 94928
T: (707) 588-8455
nwic@sonoma.edu
www.sonoma.edu/nwic

On Mon, Mar 16, 2020 at 12:07 PM Eric Porter <Eric.Porter@lakecountyca.gov> wrote:

Good morning;

Attached is the 4th of 5 new commercial cannabis applications that I am requesting comments on. This is a large cultivation proposal, and as proposed involves crossing BLM (federal) lands to access the northernmost parcel.

Please have your comments to me by or before March 31, 2020 if possible.

Thank you,

Eric Porter

CALIFORNIA
HISTORICAL
RESOURCES
INFORMATION
SYSTEM



ALAMEDA
COLUSA
CONTRA COSTA
DEL NORTE

HUMBOLDT
LAKE
MARIN
MENDOCINO
MONTEREY
NAPA
SAN BENITO

SAN FRANCISCO
SAN MATEO
SANTA CLATA
SANTA CRUZ
SOLANO
SONOMA
YOLO

Northwest Information Center
Sonoma State University
150 Professional Center Drive, Suite E
Rohnert Park, California 94928-3609
Tel: 707.588.8455
nwic@sonoma.edu
<http://www.sonoma.edu/nwic>

April 2, 2020

File No.: 19-1638

Eric Porter, Project Planner
County of Lake
Community Development Department
255 N. Forbes Street
Lakeport, CA. 95453

re: County File Numbers UP 20-23, IS 20-26, EA 20-27 / 15365, 15095, 15263, 15187, and 15525 Elk Mountain Road, Upper Lake / Omar Malfavon

Dear Mr. Porter:

Records at this office were reviewed to determine if this project could adversely affect cultural resources. **Please note that use of the term cultural resources includes both archaeological sites and historical buildings and/or structures. The review for possible historic-era building/structures, however, was limited to references currently in our office and should not be considered comprehensive.**

Project Description: The proposed project entails a total of 258,887 square feet of commercial cannabis canopy area, with a total of 259,847 square feet of cultivation area. The proposed cultivation method is via an above-grade organic soil mixture in hardware cloth planting beds in full, direct sunlight with drip irrigation systems. Proposed ancillary facilities include three 8' x 40' storage containers and fifteen 5,000-gallon water tanks. There are no offsite residences that are within 200 feet of the cultivation site.

Previous Studies:

XX Four studies (Table 1), collectively covering less than 5% of the project parcel, identified one or more cultural resources within the project parcel (*see recommendations below*). There have been no previous cultural resource studies that cover the proposed project area.

Table 1. List of previous cultural resource studies covering the project parcel.

Study #	Authors	Date	Title	Affiliation
S-001390	Ann G. King and David A. Fredrickson	1978	Archaeological Test Excavations at Archaeological Site CA-LAK-944, Middle Creek Campground, Upper Lake Ranger District, Mendocino National Forest.	The Anthropology Laboratory, Sonoma State University
S-018251	Frances Miller	1991	Archaeological Survey Report, Upper Lake OHV Events, ASR No. 05-08-75-91	U.S. Forest Service, Mendocino National Forest
S-043896	Fran Miller	1993	Jackson SUP	Mendocino National Forest
S-048305	Lori Pacheco	1994	Archaeological Survey Report, Greg Koppala Special Use Permit (SUP). ASR. No. 05-08-09-95	U.S. Forest Service, Mendocino National Forest

Archaeological and Native American Resources Recommendations:

XX The proposed project parcel contains a portion of the archaeological site P-17-000787, which consists of a Native American habitation site as well as an historic-period camp. It is recommended that a qualified professional archaeologist assess the status of this resource and provide project-specific recommendations.

XX Based on an evaluation of the environmental setting and features associated with known sites, Native American resources in this part of Lake County have been found near oak woodland, as well as near a variety of plant and animal resources. Sites are also found near watercourses and lakeshores. The proposed project area encompasses an area of wooded hills, as well as the confluence of two branches of Middle Creek. The project area is also in proximity to other watercourses and to a natural spring. Given the similarity of these environmental factors and the presence of a known site, there is a high potential for unrecorded Native American resources to be within the proposed project area.

Therefore, due to the passage of time since the previous surveys (King and Fredrickson 1978; Miller 1991, 1993; Pacheco 1994) and the changes in archaeological theory and method since that time, we recommend that a qualified archaeologist conduct further archival and field study for the entire project area to identify any unrecorded archaeological resources. Field study may include, but is not limited to, hand auger sampling, shovel test units, or geoarchaeological analyses as well as other common methods used to identify the presence of archaeological resources. Please refer to the list of consultants who meet the Secretary of Interior's Standards at <http://www.chrisinfo.org>.

XX We recommend that the lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. For a complete listing of tribes in the vicinity of the project, please contact the Native American Heritage Commission at (916) 373-3710.

Built Environment Recommendations:

XX The 1951 USGS Lake Pillsbury 15' quad, and the 1967 USGS Elk Mountain 7.5' quad, depict three buildings in the proposed project parcel. If present, these unrecorded buildings or structures meet the Office of Historic Preservation's (OHP) minimum age standard that buildings, structures, and objects that are 45 years of age or older may be of historical value. Therefore, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture and history of Lake County conduct a formal CEQA evaluation.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the California Historical Resources Information System (CHRIS) Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

For your reference, a list of qualified professionals in California that meet the Secretary of the Interior's Standards can be found at <http://www.chrisinfo.org>. If archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation. If you have any questions, please contact our office at nwic@sonoma.edu or at (707) 588-8455.

Sincerely,

Jessika Akmenkalns, Ph.D.
Researcher



Jared Blumenfeld
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D.
Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Gavin Newsom
Governor

March 19, 2021

Mr. Eric Porter
Associate Planner
Lake County California Planning Department
255 N. Forbes Street
Lakeport, CA 95453
Eric.Porter@lakecountyca.gov

MITIGATED NEGATIVE DECLARATION FOR MAJOR USE PERMIT 20-23 – DATED
MARCH 17, 2021 (STATE CLEARINGHOUSE NUMBER: 2021030364)

Mr. Porter:

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for Major Use Permit 20-23 (Project). The Lead Agency is receiving this notice from DTSC because the Project includes one or more of the following: groundbreaking activities, work in close proximity to a roadway, work in close proximity to mining or suspected mining or former mining activities, presence of site buildings that may require demolition or modifications, importation of backfill soil, and/or work on or in close proximity to an agricultural or former agricultural site.

DTSC recommends that the following issues be evaluated in the MND Hazards and Hazardous Materials section:

1. The MND should acknowledge the potential for historic or future activities on or near the project site to result in the release of hazardous wastes/substances on the project site. In instances in which releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The MND should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.
2. Refiners in the United States started adding lead compounds to gasoline in the 1920s in order to boost octane levels and improve engine performance. This practice did not officially end until 1992 when lead was banned as a fuel additive in California. Tailpipe emissions from automobiles using leaded gasoline contained lead and resulted in aerially deposited lead (ADL) being deposited in

and along roadways throughout the state. ADL-contaminated soils still exist along roadsides and medians and can also be found underneath some existing road surfaces due to past construction activities. Due to the potential for ADL-contaminated soil DTSC, recommends collecting soil samples for lead analysis prior to performing any intrusive activities for the project described in the MND.

3. If any sites within the project area or sites located within the vicinity of the project have been used or are suspected of having been used for mining activities, proper investigation for mine waste should be discussed in the MND. DTSC recommends that any project sites with current and/or former mining operations onsite or in the project site area should be evaluated for mine waste according to DTSC's 1998 Abandoned Mine Land Mines Preliminary Assessment Handbook (https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/11/aml_handbook.pdf).
4. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 *Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers* (https://dtsc.ca.gov/wpcontent/uploads/sites/31/2018/09/Guidance_Lead_Contamination_050118.pdf).
5. If any projects initiated as part of the proposed project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to *DTSC's 2001 Information Advisory Clean Imported Fill Material* (https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/SMP_FS_Cleanfill-Schools.pdf).
6. If any sites included as part of the proposed project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the MND. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 *Interim Guidance for Sampling Agricultural Properties (Third Revision)* (<https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Ag-Guidance-Rev-3-August-7-2008-2.pdf>).

DTSC appreciates the opportunity to comment on the MND. Should you need any assistance with an environmental investigation, please submit a request for Lead Agency Oversight Application, which can be found at: <https://dtsc.ca.gov/wp->

Mr. Eric Porter
March 19, 2021
Page 3

[content/uploads/sites/31/2018/09/VCP_App-1460.doc](#). Additional information regarding voluntary agreements with DTSC can be found at: <https://dtsc.ca.gov/brownfields/>.

If you have any questions, please contact me at (916) 255-3710 or via email at Gavin.McCreary@dtsc.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Gavin McCreary". The signature is fluid and cursive, with the first name "Gavin" being more prominent.

Gavin McCreary
Project Manager
Site Evaluation and Remediation Unit
Site Mitigation and Restoration Program
Department of Toxic Substances Control

cc: (via email)

Governor's Office of Planning and Research
State Clearinghouse
State.Clearinghouse@opr.ca.gov

Mr. Dave Kereazis
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov



December 7, 2023

Mary Claybon, Assistant Planner II
Lake County Community Development Department
Courthouse – 255 North Forbes Street
Lakeport, CA 95453
(707) 263-2221
mary.claybon@lakecountyca.gov

Re: Initial Study/Mitigated Negative Declaration (SCH No. 2023110212) – Major Use Permit
MUP 20-23, IS 20-26 Vann Ranch Project

Dear Ms. Claybon:

Thank you for providing the California Department of Cannabis Control (DCC) the opportunity to comment on the Initial Study/Mitigated Negative Declaration (IS/MND) prepared by Lake County for the proposed Vann Ranch Project (Proposed Project).

DCC has jurisdiction over the issuance of licenses to commercial cannabis businesses. DCC may issue a cultivation license to a business that meets all licensing requirements, and where the local jurisdiction authorizes these activities. (Bus. & Prof. Code, § 26012(a).) All commercial cannabis businesses within California require a license from DCC. For more information pertaining to commercial cannabis business license requirements, including DCC regulations, please visit: <https://cannabis.ca.gov/cannabis-laws/dcc-regulations/>.

DCC expects to be a Responsible Agency for this project under the California Environmental Quality Act (CEQA) because the project will need to obtain one or more annual cultivation licenses from DCC. In order to ensure that the amended IS/MND is sufficient for DCC's needs at that time, DCC requests that a copy of the document, revised to respond to the comments provided in this letter, and a signed Notice of Determination be provided to the applicant, so the applicant can include them with the application package it submits to DCC. This should apply not only to this Project, but to all future CEQA documents related to cannabis business applications in Lake County.

DCC offers the following comments concerning the IS/MND.

General Comments (GCs)

GC 1: Proposed Project Description

Certain comments provided in the specific comment table below relate to the need for additional detail regarding the description of the Proposed Project. In general, a more detailed project

description would be helpful to DCC. The following information would make the IS/MND more informative:

- 1) The types of equipment anticipated for operations and maintenance activities;
- 2) Description of facility operations and maintenance, including:
 - a. Any water efficiency equipment that would be used; and
 - b. Details about proposed landscaping.
- 3) The source (equipment) and amounts of energy expected to be used in operating the cultivation facility, including any energy management and efficiency features incorporated into the Proposed Project.

Additionally, the site plans that are provided in the IS/MND are not included at a resolution or scale that would allow the reviewer to understand the general location and surrounding features, or to visualize the layout of existing and proposed features of the Project.

GC 2: Acknowledgement of DCC Regulations

The IS/MND does not acknowledge that the project would require one or more cannabis cultivation licenses from DCC. The document could be improved if it acknowledged that DCC is responsible for licensing, regulation, and enforcement of commercial cannabis business activities, as defined in the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) and DCC regulations related to cannabis cultivation and distribution (Bus. & Prof. Code, § 26012(a)). In particular, the analysis could benefit from discussion of the protections for environmental resources provided by DCC's cultivation and distribution regulations. The impact analysis for each of the following resource topics could be further supported by a discussion of the effects of state regulations on reducing the severity of impacts for each applicable topic:

- Aesthetics (See 4 California Code of Regulations §16304(a).)
- Air Quality and Greenhouse Gas Emissions (See §§ 15020(e); 16304(a)(4); 16305; 16306.)
- Biological Resources (See §§ 15006(i); 15011(a)(11); 16304(a).)
- Cultural Resources (See § 16304(a)(3).)
- Energy (See §§ 15006(h)(6); 15011(a)(5); 15020(e); 16305; 16306.)
- Hazards and Hazardous Materials (See §§ 15006(h)(5)(c); 15011(a)(4); 15011(a)(12); 16304(a)(5)); 16307; 16310.)
- Hydrology and Water Quality (See §§ 15006(h); 15011(a)(3); 15011(a)(7); 15011(a)(11); 16304(a)(1); 16307; 16311.)
- Noise (See §§ 16304(a)(4); 16306.)
- Public Services (See §§15011(a)(10); 15036; 15042.)
- Utilities and Service Systems (See §§ 16311; 17223.)
- Wildfire (See § 15011(a)(10).)
- Cumulative Impacts (related to the above topics)

GC 3: Evaluation of Cumulative Impacts

It is important for CEQA analysis to consider the cumulative impacts of commercial cannabis

business activities in Lake County. Of particular importance are topics for which the impacts of individual projects may be less than significant, but where individual projects may make a considerable contribution to a significant cumulative impact. These topics include, but are not limited to:

- cumulative impacts from groundwater diversions on the health of the underlying aquifer, including impacts on other users and impacts on stream-related resources connected to the aquifer;
- cumulative impacts related to noise;
- cumulative impacts related to transportation; and
- cumulative impacts related to air quality and objectionable odors.

The IS/MND would be improved by acknowledging and analyzing the potential for cumulative impacts resulting from the Project coupled with other commercial cannabis business projects being processed by the County and any other reasonably foreseeable projects in Lake County that could contribute to cumulative impacts similar to those of the Project.

GC 4: Site-Specific Reports and Studies

The IS/MND references several project-specific plans, studies, and reports, including a Property Management Plan, Site Management Plan, Nitrogen Management Plan, Erosion and Sediment Control Site Plan, Commercial Building Site Grading and Drainage Improvement Plan, and Air Quality Management Plan. To ensure that DCC has supporting documentation for the IS/MND, DCC requests that the County advise applicants to provide copies of all project-specific plans and supporting documentation with their state application package for an annual cultivation license to DCC.

Specific Comments and Recommendations

In addition to the general comments provide above, DCC provides the following specific comments regarding the analysis in the IS/MND.

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Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	DCC Comments and Recommendations
1	N/A	4	Description of Project	The IS/MND would be improved if it provided an analysis of potential impacts resulting from Proposed Project operations. This could include an analysis of impacts resulting from increased light, noise, vehicles, or heavy machinery.
2	N/A	8	Description of Project	The IS/MND would be more informative if it listed DCC as the agency responsible for issuing a state cannabis cultivation license.
3	I.	12-13	Aesthetics	The IS/MND would be improved if it referenced DCC's requirements that all outdoor lighting for security purposes must be shielded and downward facing, and that lights used in mixed-light cultivation activities must be fully shielded from sunset to sunrise to avoid nighttime glare (Cal. Code Regs., tit. 4 §§ 16304 (6) and (7)).
4	VIII.	33-34	Greenhouse Gas Emissions	The IS/MND would be improved if it quantified the projected emissions of the Proposed Project from each phase of development and provided an analysis of how the projected emissions relate to a specific threshold of significance.
5	XVIII.	52-53	Tribal Cultural Resources	The IS/MND would be improved if it referenced state requirements that ground disturbing work must be halted in the event of inadvertent discovery of Tribal Cultural Resources. (Health and Safety Code § 7050.5; Public Resources Code §§ 5097.94, 5097.98 and 5097.99).
6	N/A	59	Source List	The Source List would be improved if it provided additional information regarding some of the references. For

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	DCC Comments and Recommendations
				<p>referenced documents, the author, title, and date of each document could be provided. For personal communications, the agency or organization, person contacted, date of contact, and method of contact should be provided. For websites, the URL and date visited should be provided. In addition, sources that are project-related studies could be made available via weblink or as attachments.</p>

Conclusion

DCC appreciates the opportunity to provide comments on the IS/MND for the Proposed Project. If you have any questions about our comments or wish to discuss them, please contact Kevin Ponce, Senior Environmental Scientist Supervisor, at (916) 247-1659 or via e-mail at Kevin.Ponce@cannabis.ca.gov.

Sincerely,

Lindsay Rains
Licensing Program Manager