

Eric Porter

From: Jack Smalley
Sent: Tuesday, May 23, 2023 10:10 AM
To: Eric Porter; William Collins; Simone Hingston; Scott DeLeon; John Everett; Pheakdey Preciado; Dennis Keithly; Vance Ricks; Yuliya Osetrova; Cara Salmon; Autumn Lancaster; Wink, Mike@CALFIRE; Mike Ciancio; Newell, Justin; R2CEQA@wildlife.ca.gov; Andrew Amelung; Mary Claybon; Katherine Schaefer
Subject: RE: 2nd RFR - Knapp Farms (Cannabis); file no. UP 20-77 - possible access issues

Eric,

The 4290 checklist was done by Simone and only lays out what has to be compliant. Looking at it I have concerns as well, if there is no 4290/91 inspection to verify there should be one conducted. Along with all the appropriate building permits required for the structures listed in the project.



Jack Smalley

Plans Examiner II

Department of Community Development
 255 N. Forbes St.
 Lakeport, CA 95453
 Phone: (707) 263-2382
 Fax: (707) 262-1843
 Email: jack.smalley@lakecountyca.gov

STAY CONNECTED:



CONFIDENTIAL OR PRIVILEGED:

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

Sent: Tuesday, May 23, 2023 9:19 AM

To: William Collins <William.Collins@lakecountyca.gov>; Jack Smalley <Jack.Smalley@lakecountyca.gov>; Simone Hingston <Simone.Hingston@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; John Everett <John.Everett@lakecountyca.gov>; Pheakdey Preciado <Pheakdey.Preciado@lakecountyca.gov>; Dennis Keithly <Dennis.Keithly@lakecountyca.gov>; Vance Ricks <Vance.Ricks@lakecountyca.gov>; Yuliya Osetrova

<Yuliya.Osetrova@lakecountyca.gov>; Cara Salmon <cara.salmon@lakecountyca.gov>; Autumn Lancaster <ALancaster@lakecountyfire.com>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Mike Ciano <chief800@northshorefpd.com>; Newell, Justin <J2NF@pge.com>; R2CEQA@wildlife.ca.gov; Andrew Amelung <Andrew.Amelung@lakecountyca.gov>; Mary Claybon <Mary.Claybon@lakecountyca.gov>; Katherine Schaefer <Katherine.Schaefer@lakecountyca.gov>

Subject: 2nd RFR - Knapp Farms (Cannabis); file no. UP 20-77 - possible access issues

Importance: High

Hi all,

Sateur Ham sent out this RFR in Sept. 2020. There were only a few agency responses received by our department, and more are needed, particularly regarding the adequacy of the access into this site. There are concerned neighbors who believe that the access route is severely inadequate. A PRC 4290 and 4291 checklist was filled out, but I don't recognize the signature on it.

Thanks for your time,
Eric Porter

Sateur Ham

From: Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>
Sent: Thursday, October 22, 2020 9:39 PM
To: Sateur Ham
Subject: [EXTERNAL] Re: Use Permit, UP 20-77; Initial Study, IS 20-92; Early Activation, EA 20-94

Greetings Planner Ham.

These comments are from CAL FIRE.

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 cooperator 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 combustibile 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.lakecountycalifornia.gov/Government/Directory/Environmental_Health/Programs/cupa.htm www.lakecountycalifornia.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.

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[Hazardous Materials Management \(CUPA\)](http://www.lakecountycalifornia.gov) www.lakecountycalifornia.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> 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](http://www.nfpa.org) www.nfpa.org

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

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http://www.lakecountycalifornia.gov/Government/Directory/Environmental_Health/Programs/cupa.htm

Hazardous Materials Management (CUPA)

www.lakecountycalifornia.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.

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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]

Mike Wink

Battalion Chief

Middletown Battalion

CAL FIRE

Sonoma - Lake - Napa Unit

21095 Hwy 175 - P.O.Box 1360

Middletown, Ca. 95461

Office: 707.987-3089 ext 3

Cell: 707.889.4225

Fax: 707.987.9478

Email Mike.Wink@fire.ca.gov

From: Sateur Ham <Sateur.Ham@lakecountycalifornia.gov>

Sent: Friday, September 4, 2020 3:33 PM

Subject: RE: Use Permit, UP 20-77; Initial Study, IS 20-92; Early Activation, EA 20-94

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

I apologize for the last e-mail, I did not attach the documents. Have a great weekend!

Best,

From: Sateur Ham

Sent: Friday, September 4, 2020 3:25 PM

Subject: Use Permit, UP 20-77; Initial Study, IS 20-92; Early Activation, EA 20-94

Good afternoon,

Please review and respond to the attachments no later than September 18, 2020. Thank you

Best,

Sateur Ham

Assistant Planner I

Department of Community Development

Planning Division

Eric Porter

From: William Collins
Sent: Wednesday, May 31, 2023 10:59 AM
To: Eric Porter; Andrew Amelung; John Everett; Mary Claybon
Cc: Jack Smalley
Subject: RE: Knapp Farms (Cannabis); file no. UP 20-77 - possible access issues

This will need 4290 access.

Sincerely

Bill Collins, CBO, CASp
Chief Building Official
County of Lake
255 N. Forbes St.
Lakeport, CA 95453
707-263-2221 ex 38123 (Office)
william.collins@lakecountyca.gov



From: Eric Porter <Eric.Porter@lakecountyca.gov>
Sent: Wednesday, May 31, 2023 10:42 AM
To: William Collins <William.Collins@lakecountyca.gov>; Andrew Amelung <Andrew.Amelung@lakecountyca.gov>; John Everett <John.Everett@lakecountyca.gov>; Mary Claybon <Mary.Claybon@lakecountyca.gov>
Cc: Jack Smalley <Jack.Smalley@lakecountyca.gov>
Subject: RE: Knapp Farms (Cannabis); file no. UP 20-77 - possible access issues

Hi all,

Here is the scope of the Knapp project. It involves buildings...

Cannabis cultivation operation at 4457 New Long Valley Road near Clearlake Oaks, CA on Lake County APNs 006-009-23 & 53 (Project Property). The proposed commercial cannabis cultivation operation would be developed in two stages. During the first stage of site development, the proposed cultivation operation would be composed of four acres (174,240 ft²) of outdoor cultivation/canopy area, a 6,000 ft² Processing

Facility (metal building), and a 120 ft² Pesticides & Agricultural Chemicals Storage Area (wooden shed). During the second stage of site development, twelve 3,000 ft² greenhouses and twenty-two 1,000 sq. ft. hoop houses will be constructed within the footprint of two of the four acres of outdoor cultivation/canopy area established in the first stage of site development. The proposed cultivation operation would contain up to 174,240 ft² of Outdoor Canopy after the first stage of site development, and up to 87,120 ft² of Outdoor Canopy and 44,000 sq. ft. of Mixed-Light Canopy after the second stage of site development.

From: William Collins <William.Collins@lakecountyca.gov>

Sent: Wednesday, May 31, 2023 10:39 AM

To: Andrew Amelung <Andrew.Amelung@lakecountyca.gov>; Eric Porter <Eric.Porter@lakecountyca.gov>; John Everett <John.Everett@lakecountyca.gov>; Mary Claybon <Mary.Claybon@lakecountyca.gov>

Cc: Jack Smalley <Jack.Smalley@lakecountyca.gov>

Subject: RE: Knapp Farms (Cannabis); file no. UP 20-77 - possible access issues

I think even a hoophouse would require fire apparatus 75,000 pound access at lease at a driveway standard with pullouts..

Sincerely

Bill Collins, CBO, CASp

Chief Building Official

County of Lake

255 N. Forbes St.

Lakeport, CA 95453

707-263-2221 ex 38123 (Office)

william.collins@lakecountyca.gov



From: Andrew Amelung <Andrew.Amelung@lakecountyca.gov>

Sent: Wednesday, May 31, 2023 8:53 AM

To: Eric Porter <Eric.Porter@lakecountyca.gov>; John Everett <John.Everett@lakecountyca.gov>; Mary Claybon <Mary.Claybon@lakecountyca.gov>; William Collins <William.Collins@lakecountyca.gov>

Cc: Jack Smalley <Jack.Smalley@lakecountyca.gov>

Subject: RE: Knapp Farms (Cannabis); file no. UP 20-77 - possible access issues

Hi Eric,

Thanks,
Eric

From: John Everett <John.Everett@lakecountyca.gov>
Sent: Tuesday, May 30, 2023 5:35 PM
To: Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Eric Porter <Eric.Porter@lakecountyca.gov>
Cc: Andrew Amelung <Andrew.Amelung@lakecountyca.gov>
Subject: RE: 2nd RFR - Knapp Farms (Cannabis); file no. UP 20-77 - possible access issues

Eric,
As the boss states below, it is the responsibility of the applicant to show Lake County that the bridge structure across Long Valley Creek is adequate for their intended use. That would include a structural analysis by a licensed civil/structural engineer. Their private access roads will need to meet the typical commercial development requirements:

1. All weather access roads; gravel roadway as a minimum (no dirt roads).
2. Commercial driveway, per standard 231-D at their driveways intersection with New Long Valley Road.
3. ADA compliance for on-site parking and facilities.

You should inquire as to the amount of traffic this proposed development will be generating, so that DPW can adequately evaluate the need for further measures per Scott's email below. We don't need a traffic study, just a bit more information, that should be provided by the applicant. Call me if you need to discuss.

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

From: Scott DeLeon <Scott.DeLeon@lakecountyca.gov>
Sent: Thursday, May 25, 2023 5:13 PM
To: John Everett <John.Everett@lakecountyca.gov>; Eric Porter <Eric.Porter@lakecountyca.gov>
Cc: Andrew Amelung <Andrew.Amelung@lakecountyca.gov>
Subject: RE: 2nd RFR - Knapp Farms (Cannabis); file no. UP 20-77 - possible access issues

John, we don't check private structures to determine their adequacy for fire truck loading because we cannot take on the responsibility or liability of the structure. It should be the responsibility of the developer to hire an engineer to determine if the structure is suitable.
The driveway to this site should be improved to meet county commercial road access standards and depending on the amount of truck traffic the project is expected to add to New Long Valley Road, we may want to consider having them enter into an Extraordinary Use Agreement with us which allows us to make them responsible for any damages to the County road as a result of their operation.

Scott De Leon
Director of Public Works

From: John Everett <John.Everett@lakecountyca.gov>
Sent: Tuesday, May 23, 2023 1:21 PM
To: Eric Porter <Eric.Porter@lakecountyca.gov>

Cc: Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Andrew Amelung <Andrew.Amelung@lakecountyca.gov>

Subject: RE: 2nd RFR - Knapp Farms (Cannabis); file no. UP 20-77 - possible access issues

Eric,
The County's maintained roads end at New Long Valley Road (CR 221). A private shared roadway, from it's intersection with New Long Valley Road, crosses Long Valley Creek, and reaches the subject property about a quarter mile from the main road. The bridge across Long Valley Creek has a wooden deck from what I can see on google earth. I have not had an opportunity to visit the private bridge structure to determine its viability for fire engines. I will check with my boss to see how he wishes to follow up on this.
Access roads should be all-weather gravel roads at a minimum.

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

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

Sent: Tuesday, May 23, 2023 9:19 AM

To: William Collins <William.Collins@lakecountyca.gov>; Jack Smalley <Jack.Smalley@lakecountyca.gov>; Simone Hingston <Simone.Hingston@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; John Everett <John.Everett@lakecountyca.gov>; Pheakdey Preciado <Pheakdey.Preciado@lakecountyca.gov>; Dennis Keithly <Dennis.Keithly@lakecountyca.gov>; Vance Ricks <Vance.Ricks@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Cara Salmon <cara.salmon@lakecountyca.gov>; Autumn Lancaster <ALancaster@lakecountyfire.com>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Mike Ciancio <chief800@northshorefpd.com>; Newell, Justin <J2NF@pge.com>; R2CEQA@wildlife.ca.gov; Andrew Amelung <Andrew.Amelung@lakecountyca.gov>; Mary Claybon <Mary.Claybon@lakecountyca.gov>; Katherine Schaefer <Katherine.Schaefer@lakecountyca.gov>

Subject: 2nd RFR - Knapp Farms (Cannabis); file no. UP 20-77 - possible access issues

Importance: High

Hi all,

Sateur Ham sent out this RFR in Sept. 2020. There were only a few agency responses received by our department, and more are needed, particularly regarding the adequacy of the access into this site. There are concerned neighbors who believe that the access route is severely inadequate. A PRC 4290 and 4291 checklist was filled out, but I don't recognize the signature on it.

Thanks for your time,
Eric Porter



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

Jonathan Portney
Health Services Director

Craig Wetherbee
Environmental Health Director

Promoting an Optimal State of Wellness in Lake County

Memorandum

DATE: August 23, 2023
TO: Eric Porter, Associate Planner
FROM: Pheakdey Preciado, Senior EHS
RE: UP 20-77, Private Bridge/SR0005254
APN: 006-009-55

Environmental Health Division has no comments regarding the construction of the private bridge going onto this property.

However, when the applicant is ready to develop this property, the applicant will need to apply and pay for a Field Clearance to validate the existing septic system, structures, well (if there is any), etc. on the property.





**Department of
Cannabis Control**
CALIFORNIA

Gavin Newsom
Governor

Nicole Elliott
Director

June 2, 2023

Eric Porter, Associate Planner
Lake County Community Development Department
Courthouse – 255 North Forbes Street
Lakeport, CA 95453
CannabisCEQA@lakecountyca.gov

Re: Initial Study/Mitigated Negative Declaration for Knapp Farms; Major Use Permit UP 20-77, Initial Study IS 20-92 (SCH No. 2023050079)

Dear Mr. Porter:

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 the County of Lake for the proposed Knapp Farms project (Proposed Project).

DCC has jurisdiction over the issuance of licenses to cultivate, propagate, and process commercial cannabis in California. DCC issues licenses to outdoor, indoor, and mixed-light cannabis cultivators, cannabis nurseries, cannabis processor facilities, and distribution facilities, 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 IS/MND is sufficient for DCC's needs at that time, DCC requests that a copy of the IS/MND, 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 Proposed Project, but to all future CEQA documents related to cannabis cultivation 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) Description of the size and location of any existing natural features, such as vegetation, water features, and topography of the Proposed Project site; and
- 2) Detailed description of existing and proposed infrastructure and operational activities that would occur within these facilities, as well as any other structures that may be existing or constructed as part of the Proposed Project.
- 3) Detailed description of the 12 proposed greenhouses, 22 hoop houses, and other ancillary buildings, including height, materials, and assembly processes; and
- 4) Description of facility operations and maintenance including:
 - a. Any heavy equipment that will be used for cultivation operations, including tractors, forklifts, mowers, etc.;
 - b. Source(s) and amounts of energy expected to be used in operating the project, including any generators that may be used, as well as any energy management and efficiency features incorporated into the Proposed Project.

The IS/MND should include local street maps, topographic maps, aerial photographs, site plans, property diagrams, and/or other graphics to show the existing site conditions, the Proposed Project, and the surrounding area. The site plans that are provided in the IS/MND are not included at a resolution 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: Phasing/Staging

The Project Description indicates that the Proposed Project would be constructed in two distinct phases (also referred to as “stages”). The initial phase of the Proposed Project would include four acres of outdoor cultivation. The second phase of the Project would include the construction and use of 12 greenhouses, and 22 hoop houses within the footprint of the initial phase cultivation area, while retaining up to 87,120 square feet of outdoor cultivation area.

Because the potential impacts of outdoor cultivation could vary substantially from the potential impacts related to mixed-light cultivation, the IS/MND should clearly identify which aspects of its project description and analysis apply to each of the respective project phases. The analysis should account for variations in the number of employees hired, vehicle trips, equipment usage, and/or requirements for physical resources (e.g., water, energy).

GC 3: Acknowledgement of DCC Regulations

The IS/MND does not acknowledge that the Proposed Project requires one or more cultivation licenses from DCC. The IS/MND could be improved if it acknowledged that DCC is responsible for licensing, regulation, and enforcement of commercial cultivation activities, as defined in the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) and DCC regulations related to cannabis cultivation (Bus. & Prof. Code, § 26102(a)).

Additionally, the IS/MND's analysis could benefit from discussion of the protections for environmental resources provided by DCC's cultivation regulations, similar to the discussion provided with regard to County regulations. In particular, 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 4: Impact Analysis

Several comments provided in the specific comment table below relate to the absence of information or support for impact conclusions in the document. CEQA requires that Lead Agencies evaluate the environmental impacts of proposed projects and support factual conclusions with "substantial evidence." Substantial evidence includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. In general, the IS/MND would be improved if additional evidence (e.g., regulatory setting, environmental setting, impact analysis and methodology) was provided to support all impact conclusions in the checklist, including clear identification of the sources of information relied upon to make conclusions.

GC 5: Requirements for Mitigation Measures

When a CEQA document identifies impacts that are potentially significant, CEQA requires the Lead Agency to propose mitigation measures, where feasible, that may avoid, reduce, and/or minimize these impacts. According to the CEQA Guidelines, mitigation measures must be practical, specific, enforceable, effective, and roughly proportional to project impacts. This requires a Lead Agency to clearly disclose potential impacts and be sufficiently specific about prescribed mitigation measures. In several instances throughout the document, mitigation measures are not sufficiently specific to establish how such measures would minimize significant adverse impacts resulting from Proposed Project activities.

GC 6: Site-Specific Reports and Studies

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

GC 7: Evaluation of Cumulative Impacts

It is important for the CEQA analysis to consider the cumulative impacts of cannabis cultivation in Lake County as a whole. 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 transportation;
- cumulative impacts related to noise; 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 Proposed Project along with other cannabis cultivation 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 Proposed Project.

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.

THIS SPACE INTENDED TO BE LEFT BLANK

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
1	Project Description	2	Figure 1	N/A (General Comment)	Figure 1 would be improved if the site plans provided were at a resolution and orientation that would allow the reader to discern the text and features depicted as well as existing and proposed facilities, staging areas, and other relevant features. A separate figure showing environmental resources such as waterways, access routes, and structures on surrounding properties would be useful as well.
2	Project Description	2	Figure 1	N/A (General Comment)	Figure 1 appears to show the site plan as the Proposed Project would appear at the end of Stage II construction. The document would be more informative if it included an additional figure that showed the relevant features that would be included in the first stage of the Proposed Project. It should include the locations and scale of existing and proposed structures, cultivation locations, and the location and relative distance of the wetlands and watercourses on the Proposed Project site.
3	Project Description	3	16. Description of Project	Construction during the first stage of site development is projected to last up to eight weeks primarily to build the	The IS/MND would be improved if it clearly stated the dimensions of each of the proposed structures (including the processing building, greenhouses, and hoop houses) and provided a detailed description of

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
				6,000 sq. ft. metal processing building.	each structure, including materials and surface appearances.
4	Project Description	4	16. Description of Project	Report #2 projects the annual water demand from the Knapp Farm as being about 7.92 acre-feet per year, or about 2,580,700 gallons per year.	The IS/MND should identify anticipated water use for each stage of development of the Proposed Project.
5	Project Description	4	16. Description of Project	The plants will be in fabric pots or raised beds; the drip irrigation systems are typically used for this type of outdoor cultivation.	The project description would be improved if it described the watering systems and equipment that would be used during Phase II of the Project, for both greenhouse and hoop house cultivation activities.
6	Project Description	4	16. Description of Project	the project would have twelve 3,000 sq. ft. greenhouses in interior lighting and carbon filtration systems during the second stage of site development, which will increase the power demand by an estimated 600 amps.	The document would be more informative if it described the existing capacity of the electrical system.
7	Project Description	6-7	18. Other public agencies whose approval is required	N/A (General Comment)	<p>The IS/MND would be more informative if it identified the permit(s) or approval(s) required from each of the agencies listed.</p> <p>In addition, please take note that commercial cannabis regulation and licensing previously under the responsibility of the California Department of Food and Agriculture, the Bureau of Cannabis Control, and the Office of Manufactured Cannabis</p>

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
					Safety have been consolidated into a new agency, the California Department of Cannabis Control.
8	Project Description	7	19. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1?	Lake County sent an AB52 notice to 11 Lake County-based Tribes on September 4, 2020, informing tribes of the proposed project and offering consultation under AB-52.	The document would be improved if it contained a list of the tribes that were notified.
9	I(a)	10	Aesthetics	N/A (General Comment)	The document would be improved if it identified County-designated scenic vistas within the vicinity of the Proposed Project.
10	I(a)	10	Aesthetics	AES-1: Prior to cultivation, the applicant shall install a minimum 6' tall screening fence around the cultivation area. Fabric screening shall not be used due to poor durability; the screening material shall be chain link with slats, or a solid wood or metal fence. This shall occur prior to any cultivation occurring on site.	<p>The document would be improved if it provided an analysis of the potential aesthetic impacts of the fence.</p> <p>The document would be further improved if it described the height and appearance of the 12 proposed greenhouses and the processing building, and provided an analysis of the overall aesthetic impacts of the fence, greenhouses, and other structures to scenic vistas</p>

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
11	I(c)	11	Aesthetics	The four acre cultivation site will not adversely impact the scenic quality of this area if it is screened as is required by mitigation measure AES-1	The document would be strengthened if it included a discussion of how AES-1 would reduce the visual impact of the Proposed Project as well as identified potential viewpoints from adjacent public areas for reference.
12	I(d)	10	Aesthetics	N/A (General Comment)	The IS/MND would be strengthened if it referenced DCC's requirements that lights used in mixed-light cultivation activities must be fully shielded from sunset to sunrise to avoid nighttime glare. The document could also cite DCC's requirements that all outdoor lighting for security purposes must be shielded and downward facing. (Cal. Code Regs., tit. 4 §§ 16304(a)(6), 16304(a)(7)).
13	III(b)	13	Air Quality	The Project area is in the Lake County Air Basin, which is designated as in attainment for state and federal air quality standards for criteria pollutants (CO ₂ , SO ₂ , NO _x , O ₃ , PM ₁₀ , PM _{2.5} , VOC, ROG, Pb).	The IS/MND would be improved by providing a description of applicable air quality standards, including BAAQMD thresholds of significance and LCAQMD Rules and Regulations; proposed equipment required for project operations (e.g., employee vehicles and supply trucks, road and vegetation maintenance equipment, cultivation equipment); and a quantitative assessment of impacts to air quality.
14	III(b)	13-15	Air Quality	N/A (General Comment)	The document would be improved if it summarized or provided the inputs used to determine the emissions

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
					represented in the tables on page 14.
15	III(c)	16	Air Quality	Implementation of mitigation measures would reduce air quality impacts to less than significant. Dust during site preparation would be limited during periods of high winds (over 15 mph). All visibly dry, disturbed soil and road surfaces would be watered to minimize fugitive dust emissions	The document does not specify any mitigation measures that include restricting activities in high winds or watering to mitigate fugitive dust impacts. According to the CEQA Guidelines, mitigation measures must be practical, specific, enforceable, effective, and roughly proportional to project impacts. The IS/MND would be strengthened if it specified what mitigation measures would be used to mitigate airborne dust emissions, the standards the mitigation measures are designed to achieve, and how such mitigation would be enforced. (See GC 5.)
16	III(c)	16	Air Quality	AQ-6: All areas subject to infrequent use of driveways, overflow parking, etc., shall be surfaced with gravel, chip seal, asphalt, or an equivalent all weather surfacing. Applicant shall regularly use and/or maintain graveled area to reduce fugitive dust generations.	Mitigation Measure AQ-6 appears to contain one or more errors that make it difficult to understand the requirements of the mitigation measure. The document would be improved if the language were corrected to clarify the actions that would be required. In addition, Mitigation Measure AQ-6 would be strengthened if it stated what specific maintenance activities would be used to mitigate airborne dust emissions and how such mitigation would be enforced.

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
17	III(c)	17	Air Quality	AQ-7: Prior to greenhouse and/or hoop house cultivation, and prior to use of the 6,000 sq. ft. metal building for cannabis drying and packaging, the applicant shall install carbon or similar air filters in each structure.	Outdoor cannabis cultivation activities typically produce odors, particularly during plant flowering cycles, that may adversely affect nearby sensitive receptors. The document should identify the type and location of nearby sensitive receptors that could be affected and provide an analysis, supported by data, of whether the Proposed Project operations would result in significant odor impacts related to outdoor cultivation activities. The analysis should also include a discussion of potential cumulative impacts.
18	III(d)	17	Air Quality	[T]he dust has been addressed in mitigation measures.	Item III(b) discusses the potential for the Project to produce fugitive dust emissions during construction and operation and identifies mitigation measures to reduce the impact to a less-than-significant level. This information should be reflected in the discussion of item III(d), and the conclusion should be revised to "Less than Significant Impact with Mitigation Measures AQ-5 and AQ-6 incorporated" in the text and the checkbox.
19	IV(a)	18	Biological Resources	N/A (General Comment)	The IS/MND does not contain any list of special-status species that are known or have the potential to occur at the Proposed Project site. The

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
					<p>IS/MND would be improved if it summarized relevant life history and occurrence information for such species within the impact analysis discussion. In addition, the document would be strengthened if it indicated whether the BA included a review of the California Natural Diversity Database (CNDDDB) and the special status species lists maintained by the US Fish and Wildlife Service and the California Department of Fish and Wildlife and specified the parameters for those searches (e.g., what was the radius specified for the search, what quadrants were searched).</p> <p>The document should contain an analysis, supported by data, of whether the Project would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species.</p>
20	IV(a)	18	Biological Resources	BIO-1: In order to avoid impacts passerines and raptors protected under the Migratory Bird Treaty Act and California Fish and Wildlife Code, the following recommendation	The project description does not include a description of tree removal related to the Proposed Project. The document would be improved if it identified which trees have the potential to be removed and included descriptions of their locations, species, and size. If

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
				is made: Removal of trees during the nesting season (February 1 to August 31) must be preceded by a survey for nesting birds conducted by a qualified biologist.	removal of trees would cause potentially significant impacts to aesthetics, biological resources, or other resources, the document should contain mitigation measures to reduce or avoid such impacts. In addition, the document would be improved if the discussion included a list of the potential bird species that could be affected by tree removal.
21	IV(a)	18	Biological Resources	BIO-2: In order to avoid incidental take of bats, the following recommendation is made: If work is proposed within woodland habitat during the maternity roosting season for bats (April 1 through September 15), trees with features capable of supporting roosting bats shall be surveyed for bat roosts or evidence of bat roosting (guano, urine staining and scent, dead bats) within 14 days of the start of project activities or removal of vegetation.	The document would be improved if it identified the location of woodland habitat within the vicinity of the Proposed Project and discussed the Proposed Project's potential to impact roosting bats. In addition, the document would be improved if the discussion included a list of the potential bat species that would be affected.
22	IV(a)	18	Biological Resources	BIO-3: In order to avoid impacts to sensitive herptiles, any project-related work within the riparian zones of Sulphur Canyon or Long Valley creeks	The document would be improved if it discussed the Proposed Project's potential to impact sensitive herptiles.

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
				should be preceded by a survey for foothill yellow-legged frog and western pond turtle.	
23	IV(a)	18	Biological Resources	BIO-4: All work should incorporate extensive erosion control measures consistent with Lake County Grading Regulations. Coverage under the National Pollutant Discharge Elimination System (NPDES), General Permit for Storm Water Discharges associated with a Construction Activity (General Permit) and a Storm Water Pollution Prevention Plan (SWPPP) may be required.	The document should include a discussion of the Proposed Project's potential to require a General Permit for Storm Water Discharge or Storm Water Pollution Prevention Plan. This mitigation measure would be improved if it included measurable actions and specific requirements.
24	IV(b)	18-19	Biological Resources	No removal of riparian vegetation is proposed as part of this project. The applicant will be required to remove some shrubs and grasses in order to meet CALFIRE's Public Resource Code requirements for commercial driveways (primarily widening the existing driveway), however the applicant is not proposing any removal of vegetation; the proposed buildings are to be placed on flat portions of the site that are already cleared of vegetation.	The document would be strengthened if it included analysis of all components of the Proposed Project, including components required by the Public Resource Code. In addition, the document would be improved if it included a discussion of the potential for the Proposed Project to affect the riparian zones of Sulphur Canyon or Long Valley creeks.

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
25	IV(d)	19	Biological Resources	The Study concluded that “no critical habitat for any Federally-protected species occurs in the Project Area or surrounding Study Area during the field survey other than ephemeral watercourses”.	The document would be improved if it included a discussion of the Proposed Project’s potential impact to ephemeral watercourses.
26	IV(d)	19	Biological Resources	N/A (General Comment)	The IS/MND would be strengthened if it identified the species that might use the Proposed Project site as a migration corridor, then provided an analysis, supported by data, that supports its conclusion that the Project would not interfere with the movement of migratory species.
27	IV(e)	19	Biological Resources	The proposed project would not affect any wetlands, ephemeral drainages, or other sensitive habitats protected by the Lake County Zoning Ordinance	As noted in Specific Comment 25, the IS/MND identified that the Proposed Project could have impacts on ephemeral watercourses. The document would be improved if it clearly identified whether the ephemeral watercourses would be impacted.
28	IV(e)	19	Biological Resources	The proposed project would be consistent with all Lake County ordinances related to the protection of biological resources, because there are no protected biological resources present on the project site.	The document would be strengthened if it identified any local policies protecting biological resources and described how the Proposed Project would be in conformance with the policies.

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
29	V(a)	20	Cultural Resources	N/A (General Comment)	The IS/MND would be strengthened if it included a description of the CHRIS records search submission and results.
30	V(c)	21	Cultural Resources	If the Coroner determines the remains to be Native American, the California Native American Heritage Commission must be contacted and the Native American Heritage Commission must then immediately notify the “most likely descendant(s)” of receiving notification of the discovery.....	The IS/MND would be strengthened if the requirements listed in the discussion of V(c) were included in Mitigation Measure CUL-1.
31	VI(a)	22	Energy	N/A (General Comment)	The document would be improved if it provided an estimate of the energy that would be used for the Proposed Project on a monthly or annual basis. The IS/MND would be further strengthened if it described all power needs during Project operations (including lighting, ventilation, and filtration systems) and provided an analysis of whether the Proposed Project would result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources.

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
32	VII(f)	25	Geology and Soils	According to the Wolf Creek Archaeological Services survey, the project site does not contain any known unique geologic feature or paleontological resources that might otherwise require protection or avoidance.	Mitigation measure CUL-1 includes measures in the event of accidental discovery of a paleontological resource. The document would be improved if this section was revised to include this mitigation and the finding were revised to less than significance with mitigation measures.
33	IX(a)	28-29	Hazards and Hazardous Materials	N/A (General Comment)	The document would be improved if it provided an analysis of potential impacts to the environment as a result of agricultural runoff, including pesticides and fertilizers.
34	IX(b)	29	Hazards and Hazardous Materials	N/A (General Comment)	The IS/MND would be strengthened if it referenced DCC's pesticide use requirements (Cal. Code Regs., tit. 4 § 16307.)
35	IX(f)	30	Hazards and Hazardous Materials	Hunter Point Road to Elk Mountain Road would be used to evacuate the site if an evacuation were needed.	Hunter Point Road and Elk Mountain Road are not located in the vicinity of the Proposed Project site. The document would be improved if it accurately described the Proposed Project's evacuation route, and provided an analysis of whether the Proposed Project would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
36	X(a)	31-32	Hydrology and Water Quality	N/A (General Comment)	The document would be improved if it provided an analysis of potential

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
					impacts to the environment as a result of agricultural runoff, including pesticides and fertilizers.
37	XIII(a)	37	Noise	N/A (General Comment)	The document would be improved if it described the sources of noise (e.g., cultivation equipment, fans, HVAC, odor control equipment, pumps, generators, operation and maintenance activities) expected to occur during Proposed Project operations, the levels of noise those sources are likely to generate, and how the decibel limits in Mitigation Measure NOI-2 would be met. In addition, the document should describe the location and distance of any sensitive receptors from the Project and whether noise impacts to those receptors would be potentially significant.
38	XIII(a)	37	Noise	NOI-1: ...This mitigation does not apply to night work.	The document would be improved if it specified why the mitigation measure would not apply to night work.
39	XX(b)	45	Wildfire	WDF-3: Prior to cultivation, the applicant shall schedule a site visit with the Building Official or designee to verify that the roads, gates and site are PRC 4290 and 4291 compliant.	The document would be improved if it specified what mitigation must be completed if the Building Official determines that the roads, gates, and site are not PRC 4290 and 4291 compliant.
40	XXI(b)	46-47	Mandatory Findings of	N/A (General Comment)	The IS/MND would be more informative if it identified any other

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
			Significance (Cumulative Impacts)		cannabis growing operations that exist or have been proposed in the vicinity of the Proposed Project, and whether the Proposed Project would make a considerable contribution to any cumulative impacts from these other projects. (See GC 6.)
41	N/A	47	Source List	N/A (General Comment)	The Source List would be improved if it provided additional information regarding some of the references. For referenced documents, the author, title, and date of each document should 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 accessed should be provided. In addition, sources that are project-related studies could be made available via weblink or as attachments to the IS/MND.

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,

Rains, Lindsay@Cannabis Digitally signed by Rains, Lindsay@Cannabis
Date: 2023.06.05 07:16:13 -07'00'

Lindsay Rains
Licensing Program Manager



LAKE COUNTY SHERIFF'S DEPARTMENT

1220 Martin Street • Lakeport, California 95453

Administration
(707) 262-4200

Central Dispatch
(707) 263-2690

Coroner
(707) 262-4215

Corrections
(707) 262-4240

Patrol/Investigation
(707) 262-4230

Substation
(707) 994-6433

Brian L. Martin
Sheriff / Coroner

Lake County Community Development

RE: MUP 20-77
4379 & 4457 New Long Valley Rd
Clearlake Oaks, CA

In review of the Security Management Plan submitted for revised MUP 20-77 via the Lake County Community Development Department in August 2020. The Lake County Sheriff's Office has determined the submitted security plan meets the requirements of the County of Lake as set forth in Lake County Ordinance 3084 / 3073.

The Lake County Sheriff's Office's review of the Security Plan is not an endorsement or recommendation of the Security Plan. It is a determination the Security Plan meets the minimum requirements as outlined in Lake County Ordinance 3084 / 3073.

The original, official document is retained by the Lake County Community Development Department. All inquiries regarding the status of cannabis permits or the application process should be directed to the Community Development Department.

L. Bingham
Lieutenant Luke Bingham
Lake County Sheriff's Office
1220 Martin St.
Lakeport, CA 95453
707 262 4200



NORTHSHORE FIRE PROTECTION DISTRICT

6257 Seventh Avenue • Post Office Box 1199 • Lucerne, California 95458
(707) 274-3100 • (707) 274-3102 Fax
District Fire Chief Mike Ciancio

Station 75
(707) 998-3294

Station 80
(707) 274-3100

Station 85
(707) 274-8834

Station 90
(707) 275-2446

July 18, 2023

Northshore Fire Protection District has the following comments regarding the proposed project.

Raphael Knapp

APN, 006-009-23 & 006-009-53

4379 & 4457 New Long Valley Road, Clearlake Oaks, CA

The Northshore Fire Protection District provides year-round fire protection services to the project area. Our closest staffed station to the project is at 12655 E. Hwy 20 Clearlake Oaks about 10 miles from the project area.

The project area is also in State Responsibility Area (SRA). California Department of Forestry and Fire Protection (Cal Fire) has primary responsibility for wildland fire protection during the fire season which generally runs from June to October. Cal Fire may require the project to meet state Public Resource Codes. Your Cal Fire contact will be at the St. Helena Station which is the Lake/ Napa and Sonoma Unit Headquarters for Cal Fire.

A proposed Use Permit may will require a Change of Occupancy and will be subject to the requirements of the California Fire Code and NFPA standards and the Public Resource Code. The need for fire hydrants and supporting water storage will be determined by the Lake County Building official and/or Cal Fire. Sprinkler systems, fire alarm systems, portable fire extinguishers, fire hose reels and other fire protection methods may need to be provided as required by the California Fire Code and the Lake County Building official.

The project will be subject to Fire Mitigation Fees. Based on the proposed plans mitigation fees will be as follows; The proposed ancillary facilities include a 120 square feet pesticide and fertilizer storage shed, a 120 square feet ADA restroom, a 120 square feet security shed, two 120 square feet storage sheds. A total of 600 square feet @ \$1.00 per sq. foot.

Fire Access Roads shall be meet the requirements of CCR 1273/PRC 4290.

Premises Identification- approved address numbers shall be placed on all buildings and or driveways in such a position as to be plainly visible and legible from the street or road fronting the property. Numbers shall contrast with their background.

Key Box- a rapid entry lock box, approved by this fire district will be required if a gate is installed.

Thank you for your consideration in this matter. Please feel free to contact me if you have any questions or concerns regarding these comments.

Respectfully,

Fire Chief
NorthShore Fire Protection District

CALIFORNIA
HISTORICAL
RESOURCES
INFORMATION
SYSTEM



ALAMEDA
COLUSA
CONTRA COSTA
DEL NORTE

HUMBOLDT
LAKE
MARIN
MENDOCINO
MONTEREY
NAPA
SAN BENITO

SAN FRANCISCO
SAN MATEO
SANTA CLARA
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>

September 17, 2020

File No.: 20-0447

Sateur Ham, Assistant Planner
County of Lake
Community Development Department
255 N. Forbes Street
Lakeport, CA. 95453

re: County File Numbers UP 20-77, IS 20-92, EA 20-94 / 4379 & 4457 New Long Valley Road / Valerie Peng

Dear Sateur Ham:

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: Applicant is requesting approval of a major use permit to allow four (4) A type 3: "Outdoor": Cultivation for outdoor adult use cannabis to allow up to a total of 174,240 square feet of canopy area within an approximately 174,840 square feet of cultivation area. The proposed ancillary facilities include a 120 square feet pesticide and fertilizer storage shed, a 120 square feet ADA restroom, a 120 square feet security shed, two 120 square feet storage sheds, and six 2,5000-gallon water storage tank (one will be made of steel or fiberglass per SRA fire suppression).

Previous Studies:

XX Study #54123 (Parker 2017), covering approximately 75% of the proposed project area, identified no cultural resources within the proposed project area(see recommendation below).

Archaeological and Native American Resources Recommendations:

XX The proposed project area has the possibility of containing unrecorded archaeological sites. Based on a review of the proposed site plans (Sheet 5 of 7, specifically), compared with the survey area in S-54123 (Parker 2017:9), portions the areas to be disturbed fall outside of Parker's 2017 survey.

Given the archaeological sensitivity of this area, we recommend that a qualified archaeologist conduct further archival and field study to identify cultural resources in those portions of proposed ground disturbance not previously surveyed. 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 Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, if the project area contains such properties, 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,

Bryan Much
Coordinator



May 31, 2023

Eric Porter
County of Lake
255 N Forbes St
Lakeport, CA 95453

Re: UP 20-77; IS 20-92; EA 20-94 Knapp Farms
4379 & 4457 New Long Valley Road, Clearlake Oaks, CA 95423

Dear Eric:

Thank you for giving us the opportunity to review the subject plans. The proposed UP 20-77; IS 20-92; EA 20-94 Knapp Farms is within the same vicinity of PG&E's existing facilities that impact this property.

The UP 20-77; IS 20-92; EA 20-94 Knapp Farms project proposes a processing building and 5,000-gallon metal fire water storage tank within proximity to PG&E's existing overhead pole line and conductor. Both of these proposed structures must maintain a minimum horizontal clearance of six feet (6') from PG&E's existing overhead conductor to comply with the clearances set forth in California Public Utility Commission (CPUC) General Order 95 (G.O. 95). No structures are permitted to be constructed within six feet (6') of PG&E's existing overhead conductor.

Please contact the Building and Renovation Center (BRSC) for facility map requests by calling 1-877-743-7782 and PG&E's Service Planning department at www.pge.com/cco for any modification or relocation requests, or for any additional services you may require.

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding our response, please contact me at Justin.Newell@pge.com.

Sincerely,

Justin Newell
Land Management
916-594-4068

Sateur Ham

From: Lori Baca
Sent: Friday, September 4, 2020 3:46 PM
To: Sateur Ham
Subject: RE: Use Permit, UP 20-77; Initial Study, IS 20-92; Early Activation, EA 20-94

Sateur,

Parcels 006-009-23 and -53 are both outside of any Special District service area, no impact.

Have a wonderful weekend!

Lori A. Baca, CTA
Customer Service Coordinator
Lori.Baca@lakecountycalifornia.gov
Office Number (707) 263-0119
Fax (707) 263-3836



From: Sateur Ham
Sent: Friday, September 04, 2020 3:33 PM
Subject: RE: Use Permit, UP 20-77; Initial Study, IS 20-92; Early Activation, EA 20-94

I apologize for the last e-mail, I did not attach the documents. Have a great weekend!

Best,

From: Sateur Ham
Sent: Friday, September 4, 2020 3:25 PM
Subject: Use Permit, UP 20-77; Initial Study, IS 20-92; Early Activation, EA 20-94

Good afternoon,

Please review and respond to the attachments no later than September 18, 2020. Thank you

Best,

Sateur Ham

Assistant Planner I
Department of Community Development
Planning Division
255 N. Forbes Street
Lakeport, CA 95453

Central Valley Regional Water Quality Control Board

5 June 2023

Eric Porter
Lake County Planning Department
255 North Forbes Street
Lakeport, CA 95453
eric.porter@lakecountyca.gov

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, KNAPP FARMS, UP 20-77 PROJECT, SCH#2023050079, LAKE COUNTY

Pursuant to the State Clearinghouse's 3 May 2023 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Knapp Farms, UP 20-77 Project, located in Lake County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore, our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of

Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Cannabis General Order

Cannabis cultivation operations are required to obtain coverage under the State Water Resources Control Board's *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities Order No. WQ 2017-0023-DWQ* (the Cannabis General Order). Cultivators that divert and store surface water (stream, lake, subterranean stream, etc.) to irrigate cannabis also need a valid water right.

The Water Boards Cannabis Cultivation Programs offer an easy-to-use online Portal for cultivators to apply for both Cannabis General Order coverage and a Cannabis Small Irrigation Use Registration (SIUR) water right, if needed. Visit the Water Boards Cannabis Cultivation Programs Portal at:

<https://public2.waterboards.ca.gov/CGO>

Additional information about the Cannabis General Order, Cannabis SIUR Program, and Portal can be found at: www.waterboards.ca.gov/cannabis

For questions about the Cannabis General Order, please contact the Central Valley Water Board's Cannabis Permitting and Compliance Unit at: centralvalleysacramento@waterboards.ca.gov or (916) 464-3291. For questions about Water Rights (Cannabis SIUR), please contact the State Water Board's Division of Water Rights at: CannabisReg@waterboards.ca.gov or (916) 319-9427.

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality/certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: [https://www.waterboards.ca.gov/centralvalley/water issues/waste to surface water/](https://www.waterboards.ca.gov/centralvalley/water%20issues/waste%20to%20surface%20water/)

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:

[https://www.waterboards.ca.gov/board decisions/adopted orders/water quality/2004/wqo/wqo2004-0004.pdf](https://www.waterboards.ca.gov/board%20decisions/adopted%20orders/water%20quality/2004/wqo/wqo2004-0004.pdf)

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/board decisions/adopted orders/water quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board%20decisions/adopted%20orders/water%20quality/2003/wqo/wqo2003-0003.pdf)

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board decisions/adopted orders/waivers/r5-2018-0085.pdf](https://www.waterboards.ca.gov/centralvalley/board%20decisions/adopted%20orders/waivers/r5-2018-0085.pdf)

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat*

Discharges to Surface Water (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

Peter Minkel

Peter Minkel
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,
Sacramento

Sateur Ham

From: Yuliya Osetrova
Sent: Tuesday, September 15, 2020 12:47 PM
To: Sateur Ham
Subject: RE: Use Permit, UP 20-77; Initial Study, IS 20-92; Early Activation, EA 20-94

Sateur,

For the project the comments are as follows:

- The configuration of proposed structure B – Shed for Fertilizers and Pesticide Storage is now shown on the drawing, instead the letter – B - has been used. It's not feasible to determine whether the structure had the 100-feet offset from the surface water source. To protect the water quality request the structure B to be moved.
- Request the silt fences installation on the site perimeter to ensure the water quality of the creek
- The creek on the drawings ends abruptly near the proposed driveway which is physically impossible. Please confirm the proposed (or existing) driveway is not crossing the creek. In the case of crossing, a culvert shall be proposed. The culvert should be sized to meet the hydrology design standards or Cal State BMPs for cannabis cultivation whichever is more conservative.
- Well production rate – missing
- Water availability analysis – incomplete
- Prior to issuing the permit for this operations confirm that proposed monitoring equipment is installed and functioning(sample data should be provided)

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

From: Sateur Ham
Sent: Friday, September 4, 2020 3:33 PM
Subject: RE: Use Permit, UP 20-77; Initial Study, IS 20-92; Early Activation, EA 20-94

I apologize for the last e-mail, I did not attach the documents. Have a great weekend!

Best,

From: Sateur Ham
Sent: Friday, September 4, 2020 3:25 PM
Subject: Use Permit, UP 20-77; Initial Study, IS 20-92; Early Activation, EA 20-94

Good afternoon,

Please review and respond to the attachments no later than September 18, 2020. Thank you

Best,