

Attachment 8

From: [Vance Ricks](#)
To: [Trish Turner](#)
Cc: [Cara Salmon](#)
Subject: RE: Request for Review for Sufficiency UP 24-01/ MIT Farms
Date: Friday, May 17, 2024 1:11:01 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image005.png](#)

Hi Trish

Surveyor's Office Comments

Set back shall be verified for the North line of Parcel "A" per 2 P/M 46 (APN 136-071-02)

The canopy cross over the South line of Parcel "A" to Parcel "B" (same ownership) is there a setback issue crossing over the Boundary line?

Thanks

Vance

From: [William Collins](#)
To: [Trish Turner](#)
Subject: RE: Request for Review for Sufficiency UP 24-01/ MIT Farms
Date: Monday, May 20, 2024 9:43:20 AM
Attachments: [image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)
[image014.png](#)

1. Areas of flood zone D have not had the significant flood hazard areas (SFHA) determined. Any construction (this includes things like grading as well as ag exempt structures such as hoophouses) in this area would need to be reviewed to determine whether proposed building sites will be reasonably safe from flooding. 44 CFR 60.3 (a) (3)
2. While only 120 sf shed structures are proposed, an ag road standard should be met to the cultivation areas to provide access to EMS.
3. Shed like structures will be required to meet WUI standards for ignition resistant construction.

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





COUNTY OF LAKE
Health Services Department
Environmental Health Division
922 Bevins Court
Lakeport, California 95453-9739
Telephone 707/263-1164
FAX 707/263-1681

Anthony Arton
Health Services Director

Noemi Doohan, MD, PhD, MPH
Public Health Officer

Craig Wetherbee
Environmental Health Director

Promoting an Optimal State of Wellness in Lake County

Memorandum

DATE: May 24, 2024
TO: Trish Turner, Assistant Planner II
FROM: Pheakdey Preciado, Senior EHS
RE: Major Use Permit, UP 24-01; IS 24-01/SR0005500
APNS: 136-071-02 and 136-071-03

Our office has no concerns with the applicant using portable toilet units will be used on the properties.

All wells shall be located an adequate horizontal distance from potential sources of contamination and pollution. The storage of hazardous materials shall be located a safe distance from any water well to prevent contamination. The applicant is required to implement measures to prevent cross-contamination of the well(s).

Hazardous materials shall not be allowed to leak onto the ground and/or contaminate surface waters. Any release of hazardous materials shall be recycled or disposed of through a registered waste hauler to an approved site authorized to accept such materials.

Industrial Waste shall not be disposed of on-site without review or permit from the Environmental Health Division or the Regional Water Quality Control Board.

If the applicant stores hazardous materials equal or greater than 55 gallons of a liquid, 500 pounds of a solid or 200 cubic feet of compressed gas, the applicant will be required to submit a Hazardous Materials Inventory Disclosure Statement/ Business Plan to the Environmental Health Division via the California Electronic Reporting System (CERS) and it shall be renewed and



updated annually or if quantities increase. Note that additional California Unified Program Agency (CUPA) requirements may apply depending on the amount of hazardous materials stored on site.

If the amount of hazardous materials is less than the above quantities, but the site generates hazardous waste in any quantity, the applicant will need to complete and submit a Hazardous Materials/Waste Declaration stating the name of the material and the quantity to be stored on site.



From: Lake County Community Development - Resource Planning <ResourcePlanning@lakecountyca.gov>

Sent: Friday, May 17, 2024 4:27 PM

To: Lake County Cannabis Agency Review <CannabisAgencyReview@lakecountyca.gov>

Cc: Lake County Community Development - Resource Planning <ResourcePlanning@lakecountyca.gov>

Subject: RE: Request for Review for Sufficiency UP 24-01/ MIT Farms

Good afternoon,

Please see the following comments for UP 24-01 MIT Farms from Resource Planning.

1. Prior to commencement of any ground disturbing activities, and post-Use Permit approval, the applicant shall submit a grading permit application, grading plans, grading description and erosion control plans as described in the attached "Grading Permits 2024" document and pursuant to Lake County Municipal Code Chapter 30-18 [Permit requirements](#). If the submitted material for the grading permit conforms to the material analyzed under this Use Permit and approved environmental document, a subsequent environmental document will not be assessed under the grading permit.
2. The total grading proposed for this project will need to be verified. From the pg. 24 of the Property Management Plan, *"Development of the proposed cultivation/canopy areas would require some grading, disturbing approximately 2 acres and the movement of approximately 200 cubic yards of earthen material"* while the Cannabis Cultivation Site Plan Areas 1, 2 & 3 collectively indicate that the amounts of cut and fill are preliminary, e.g. *"Contractor responsible for their own earthwork estimate. Contractor shall include all required earthwork hauling on or offsite in bid."* Therefore, to ascertain the total grading work required for this project, please give the applicant the attached "General Grading Questionnaire" and return to ResourcePlanning@lakecountyca.gov as part of this Request for Review process. Please have the applicant include grading for the entirety of the project, including any and all phases, road work, irrigation line work, etc. After review of the "General Grading Questionnaire" the level of grading permit needed may be identified for the project's environmental document.
3. All grading activities for this project are proposed in soil with a "Severe" erosion hazard classification. Pursuant to Lake County Municipal Code [Chapter 30-9 Watercourse Setbacks](#), grading setbacks from Class I and II Watercourses shall be labeled and amended to 100 ft. Grading setbacks from all Class III Watercourses shall be labeled and amended to 50 ft. Please have the applicant revise the Site Plans to reflect these requirements.
4. The project is proposing culverts. Pursuant to Lake County Municipal Code [Chapter 30-10 Driveways and Roads](#), stream crossings should be designed to be consistent with the Lake County Hydrology Design Standards. California Department of Fish and Game Streambed Alteration Agreements are required for diversion or obstruction of the natural flow of, or substantial change or use of any material from the bed, channel, or bank of any watercourse or lake, or the deposit or disposal of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any watercourse or lake. A 404 permit may also be required from the United States Army Corps of Engineers as well as a 401 Water Quality Certification from the California Regional Water Quality Control Board.
5. Please send the applicant and project engineer a link to [Chapters 29 \(Stormwater Management Ordinance\)](#) and [Chapter 30 \(Grading Ordinance\)](#) to ensure that all County of Lake required BMPs are followed. The grading and erosion control plans must adhere to both these chapters of the Lake County Municipal Code for all grading and stormwater management activities.
6. The plans contain approximate boundary (non-surveyed) boundary lines. As grading is proposed near the boundary between the project parcels (APNs 136-071-02 and 03), and adjacent parcels to the east (APNs 135-013-04 and 05), to adequately assess the grading for this project, surveyed boundary lines of the parcels are needed. Please have the applicant re-submit the site plans depicting surveyed parcel boundaries with accompanying site features and setbacks.
7. Parcel 136-071-03 contains serpentine soil in the southwest corner. Due to the presence of serpentine on a project parcel, the applicant is advised to begin applying for a Serpentine Dust Control Permit and any other needed permits from the Lake County Air Quality Management District as early as possible. These permits will need to be secured/approved by the District before a grading permit for this project can be issued.

8. From pgs. 23 and 24 of the Biological Resources Assessment, prepared by Greg Matuzak Consulting LLC on December 2023, a survey for nesting raptors or migratory birds is recommended to be performed by a wildlife biologist (see italics below). The submission of this survey will also be required upon submittal of the grading permit application to confirm the level of grading permit needed for this project.

The trees and vegetation within the subject parcels (see Photo Log in the appendices attached) contain marginal suitable habitat for nesting raptors and MBTA-protected nesting bird species. The breeding season for most protected birds in the vicinity of the subject parcels is generally from February 1st to August 31st. Vegetation clearing or tree removal outside of the breeding season for such bird species would not require the implementation of any avoidance, minimization, or mitigation measures. However, construction or development activities during the breeding season could disturb or remove occupied nests of migratory birds or raptors and could require the implementation of a pre-construction survey within 500 feet of the disturbance area within the subject parcels for nesting migratory birds and raptors prior to development.

If any nesting raptors or migratory birds are identified during surveys, CDFW and/or USFWS should be consulted to develop measures to avoid "take" of active nests prior to the initiation of any construction activities. Avoidance measures may include establishment of a buffer zone using construction fencing or the postponement of vegetation removal until after the nesting season, or until after a qualified biologist has determined the young have fledged and are independent of the nest site. The extent of these buffers would be determined by a wildlife biologist and would depend on the special-status species present, the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. These factors should be analyzed to make an appropriate decision on buffer distances.

Thank you,



Katherine Schaefer, MA

Resource Planner

Community Development Department

255 N. Forbes St.

Lakeport, CA 95453

Phone: (707) 263-2221

Fax: (707) 262-1843

Email: ResourcePlanning@lakecountyca.gov



March 4, 2025

Trish Turner, Assistant Planner II
Lake County Planning Department –
255 North Forbes Street
Lakeport, CA 95453
(707) 263-2221
trish.turner@lakecountyca.gov

Re: Initial Study/Mitigated Negative Declaration (SCH No. 2025020076) – Major Use Permit
MUP 24-01, IS 24-01 MIT Farms Cannabis Cultivation Project

Dear Ms. Turner:

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 MIT Farms Cannabis Cultivation 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: 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); 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); 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 2: 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.

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

GC 3: Site-Specific Reports and Studies

The IS/MND references several project-specific plans, studies, and reports, including a Site Management Plan, Nitrogen Management Plan; Letter from CDFW; Cultural Resources Evaluation, Erosion and Sediment Control Plan; and Wetland Delineation/Wetland Site Assessment. 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. that could contribute to cumulative impacts similar to those of the 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.

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Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	DCC Comments and Recommendations
1	19	12	Project Description	The IS/MND could be more current if it replaced the California Bureau of Cannabis Control with the California Department of Cannabis Control.
2	I	15-16	Aesthetics	The IS/MND would be improved if it referenced DCC's requirements that all outdoor lighting for security purposes must be shielded <i>and</i> 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)).
3	III	19-21	Air Quality	The IS/MND would be improved if it provided a description or summary of proposed operation equipment that is anticipated to generate air pollutant emissions, including ROG, NOx, PM10, and PM2.5, and provided estimates of such emissions.
4	III	19-21	Air Quality	The analysis of air quality impacts and proposed mitigation measures would be improved if it evaluated the pollutant emissions associated with operation of the Proposed Project.
5	IV	22-28	Biological Resources	The IS/MND would be improved if it provided an analysis of potential impacts to biological impacts resulting from Proposed Project operations. This could include an analysis of impacts resulting from increased light, noise, vehicles, or heavy machinery.
6	V	28-30	Cultural	The IS/MND could be improved by including the following mitigation:

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	DCC Comments and Recommendations
				"Suspend Cultivation Immediately if Cultural Resources Are Discovered, Evaluate All Identified Cultural Resources for California Register of Historical Resources Eligibility, and Implement Appropriate Mitigation Measures for Eligible Resources."
7	IX	37-40	Hazards and Hazardous Materials	The IS/MND would be improved if it clearly identified and analyzed potential impacts resulting from the routine transport, use, and disposal of any hazardous materials during operations or routine maintenance at the site. This may include disclosure and discussion of anticipated hazardous materials to be used on site, predicted risk of upset conditions, and/or nearby sensitive receptors (e.g., schools, residences).
8	X	41-46	Hydrology and Water Quality	The IS/MND could be improved if it noted that applicants are required to provide a final copy of proof of a lake and streambed alteration agreement issued by CDFW or written verification that an agreement is not needed. (Cal. Code Regs., tit. 4 § 15011(a)(8).)
9	X	41-46	Hydrology and Water Quality	The IS/MND would be improved if it provided an analysis of potential impacts resulting from agricultural runoff related to cultivation activities. The document should provide information about the volume of agricultural runoff, how runoff would be managed, and whether runoff would result in significant impacts to water quality.
10	X	41-46	Hydrology and Water Quality	The IS/MND would be improved if it referenced the state's requirements regarding proposed water sources and groundwater use. (Cal. Code Regs., tit. 4 § 16311)

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	DCC Comments and Recommendations
11	XIX	56-58	Utilities and Service Systems	The IS/MND would be more informative if it included the water conservation plan for the Proposed Project. To ensure that DCC has supporting documentation for the IS/MND, DCC requests that the County advise the applicant to provide a copy of the plan with its state application package for an annual cultivation license to DCC.
12			Cumulative Impacts	The IS/MND could be more informative if it identified whether any other cannabis growing operations exist or have been proposed in the vicinity of the Proposed Project, and whether the Proposed Project could make a considerable contribution to any cumulative impacts from these other projects.

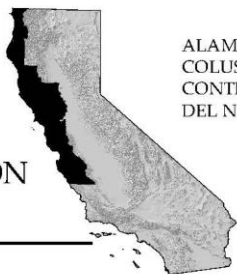
Conclusion

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,

Kevin Ponce
Licensing Program Manager

CALIFORNIA
HISTORICAL
RESOURCES
INFORMATION
SYSTEM



ALAMEDA
COLUSA
CONTRA COSTA
DEL NORTE

HUMBOLDT
LAKE
MARIN
MENDOCINO
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SAN BENITO

SAN FRANCISCO
SAN MATEO
SANTA CLARA
SANTA CRUZ
SOLANO
SONOMA
YOLO

Northwest Information Center
Sonoma State University
1400 Valley House Drive, Suite 210
Rohnert Park, California 94928-3609
Tel: 707.588.8455
nwic@sonoma.edu
<https://nwic.sonoma.edu>

June 3, 2024

File No.: 23-1687

Trish Turner, Project Planner
Lake County
Community Development Department
255 N. Forbes Street
Lakeport, CA. 95453

re: UP 24-01 / APNs: 136-071-02 and 136-071-03 / MIT Farms

Dear Trish Turner,

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:

According to the applicant's application package, the proposed project will include the following:

- Area # 1: 12,544 sq. ft. of outdoor canopy area within a cultivation area of 23,086 sq. ft. in above ground raised garden beds.
- Area # 2: 22,819 sq. ft. of outdoor canopy area within a cultivation area of 39,639 sq. ft. in above ground raised garden beds.
- Area # 3: 6,703 sq. ft. of outdoor canopy area within a cultivation area of 14,374 sq. ft. in above ground raised garden beds.
- Four (4) 5,000-gallon water storage tanks, with one dedicated to fire suppression made of steel or fiberglass with the 2.5-inch hose connector.
- 120 sq. ft. stormproof shed for Pesticides & Agricultural Chemical Storage Area
- 120 sq. ft. stormproof shed for Security Center
- 20' by 20' composting area

Previous Studies:

XX This office has no record of any previous cultural resource studies by a professional archaeologist or architectural historian for 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 site(s). A field study by a qualified professional archaeologist is recommended prior to commencement of project activities.

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.

_____ The proposed project area has a low possibility of containing unrecorded archaeological site(s). Therefore, no further study for archaeological resources is recommended.

Built Environment Recommendations:

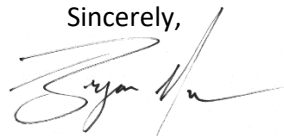
XX Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, if the project area contains such properties, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture 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 give us a call (707) 588-8455.

Sincerely,

A handwritten signature in black ink, appearing to read "Bryan Much", with a stylized flourish at the end.

Bryan Much
Coordinator



May 22, 2024

Trish Turner
County of Lake
255 N Frobes St
Lakeport, CA 95453

Ref: Gas and Electric Transmission and Distribution

Dear Trish Turner,

Thank you for submitting the UP 24-01 plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page.
2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851 filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team
Land Management



Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: <https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf>

1. **Standby Inspection:** A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.
2. **Access:** At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.
3. **Wheel Loads:** To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. **Grading:** PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.
5. **Excavating:** Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 24 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch



wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [$24/2 + 24 + 36/2 = 54$] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 24 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible ($90^\circ \pm 15^\circ$). All utility lines crossing the gas pipeline must have a minimum of 24 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.



11. Cathodic Protection: PG&E pipelines are protected from corrosion with an “Impressed Current” cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E’s facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.



Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. **Buildings and Other Structures:** No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as **"RESTRICTED USE AREA – NO BUILDING."**
2. **Grading:** Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
3. **Fences:** Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E's facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
4. **Landscaping:** Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 10 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
5. **Reservoirs, Sumps, Drainage Basins, and Ponds:** Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.
6. **Automobile Parking:** Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
7. **Storage of Flammable, Explosive or Corrosive Materials:** There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.



8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<https://www.dir.ca.gov/Title8/sb5g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.

From: [Lori Baca](#)
To: [Trish Turner](#)
Subject: RE: Request for Review for Sufficiency UP 24-01/ MIT Farms
Date: Friday, May 17, 2024 4:09:51 PM
Attachments: [image008.png](#)
[image009.png](#)
[image011.png](#)
[image001.png](#)

Trish,

The proposed parcels are outside of any Special Districts service area, no impact.

Have a great weekend!!

Lori A. Baca
Customer Service Supervisor
Lori.Baca@lakecountyca.gov
Office Number (707) 263-0119
Fax (707) 263-3836



Central Valley Regional Water Quality Control Board

4 March 2025

Trish Turner
Lake County, Community Development Department
255 North Forbes Street
Lakeport, CA 95453
trish.turner@lakecountyca.gov

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, MIT FARMS PROJECT, SCH#2025020076, LAKE COUNTY

Pursuant to the State Clearinghouse's 4 February 2025 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 MIT Farms 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 2023-0102-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:

centralvalley.cannabis@waterboards.ca.gov or (530) 224-4845. 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/

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

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

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

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 G. Minkel
Engineering Geologist

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



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

Rob Howe
Sheriff / Coroner

Lake County Community Development

RE: UP 24-01
22368 & 22430 Jerusalem Grade
Lower Lake / Middletown, CA

In review of the Security Management Plan submitted for UP 24-01 via the Lake County Community Development Department in May 2024, 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.

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.

Lieutenant Ben Moore
Lake County Sheriff's Office
1220 Martin St.
Lakeport, CA 95453
707 262 4200