

Eric Porter

From: William Collins
Sent: Tuesday, October 4, 2022 11:07 AM
To: Lake County Cannabis Agency Review
Subject: RE: Request for Review for Sufficiency; UP 21-27 Sky High Farms Commercial Cannabis Project

Please make sure they get Building permits for the greenhouses, grading work, electrical and plumbing. This project will need to comply with 4290 access and CBC chapter 11B accessibility.

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: Lake County Cannabis Agency Review [mailto:CannabisAgencyReview@lakecountyca.gov]
Sent: Monday, October 3, 2022 2:53 PM
To: Katherine Vanderwall <Katherine.Vanderwall@lakecountyca.gov>; Douglas Gearhart <dougg@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; William Collins <William.Collins@lakecountyca.gov>; Tina Rubin <Tina.Rubin@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Vance Ricks <Vance.Ricks@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; R2CEQA@wildlife.ca.gov; mike.wink@fire.ca.gov; jesse.robertson@dot.ca.gov; csmith@lakecountyfire.com; localverification@cannabis.ca.gov; Laura Hall <Laura.Hall@lakecountyca.gov>; nwic@sonoma.edu; bperry@ncoinc.org; Janae.Fried@Waterboards.ca.gov; Jason.Schroeder@Waterboards.ca.gov
Cc: Moke Simon <Moke.Simon@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>
Subject: Request for Review for Sufficiency; UP 21-27 Sky High Farms Commercial Cannabis Project

Hello Fellow Agencies,

This email is a request for review for a commercial cannabis cultivation project as referenced above. Due to the size



**Department of
Cannabis Control**
CALIFORNIA

Gavin Newsom
Governor

Nicole Elliott
Director

May 16, 2023

Andrew Amelung, Program Manager
Lake County Community Development Department
Courthouse - 255 North Forbes Street
Lakeport, CA 95453
CannabisCEQA@lakecountycalifornia.gov

Re: Initial Study/Mitigated Negative Declaration for Sky High Farms; Use Permit (UP 21-27),
Initial Study IS 21-27 (SCH No. 2023040523)

Dear Mr. Amelung:

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 Sky High Farms (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) Description of facility operations and maintenance including:
 - a. Any heavy equipment that will be used for cultivation operations, including tractors, forklifts, mowers, etc.;
 - b. Utilities that would serve the project; and
 - c. 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.
 - d. Source(s) and amounts of water expected to be used in operating the project, including any irrigation or other water 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: 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 3: 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 4: 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 5: Site-Specific Reports and Studies

The IS/MND references several project-specific plans, studies, and reports, including a Property Management Plan; Site Management Plan; Blackout Film/Materials Plan; Biological Assessment; Odor Control Plan; and Cultural Resources Evaluation; Grading and Erosion Control Plan; Drainage and Erosion Control Plan; Nitrogen Management Plan; and Hydrology and Drought 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 6: 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.

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Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
1	Project Description	4	8. Other public agencies whose approval is required	N/A (General Comment)	The IS/MND would be more informative if it identified the permit(s) or approval(s) required from each of the agencies listed. 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 Safety have been consolidated into a new agency, the California Department of Cannabis Control.
2	Project Description	5	9. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1?	Notification of the project was sent to local tribes on October 3, 2022 via 'AB 52' notification	The document would be improved if it contained a list of the tribes that were notified.
3	Project Description	5	Figure 3	N/A (General Comment)	Figure 3 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

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
					features. In addition, the site plans should include additional detail regarding Proposed Project features, including cultivation locations and location of the water storage tanks and water cistern, as well as the location and relative distance of the wetlands and watercourses on the Proposed Project site. A separate figure showing environmental resources such as waterways, access routes, and structures on surrounding properties would be useful as well.
4	I(a)	8	Aesthetics	The site is not located within a Scenic Combining overlay district and is not a mapped scenic vista.	The document would be improved if it identified County-designated scenic vistas within the vicinity of the Proposed Project.
5	I(c)	8	Aesthetics	The existing six-foot screening fence will reduce visual impacts to surrounding properties and from Sky High Ridge Road.	The document would be strengthened if it included a discussion of how the existing six-foot fence would reduce the visual impact of the construction of a 12-foot tall greenhouse as well as identified potential viewpoints from adjacent public areas for reference.
6	I(d)	8	Aesthetics	N/A (General Comment)	The IS/MND would be strengthened if it referenced DCC's requirements that lights used in mixed-light

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
7	III(b)	11	Air Quality	Although the Lake County Air Basin is not required to have an air quality plan, the proposed project has the potential to result in short- and long-term air quality impacts from construction and operation of the proposed project.	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)).
8	III(b)	11-12	Air Quality	N/A (General Comment)	The IS/MND would be improved if it provided estimated air quality emissions that would be emitted during Proposed Project operation. Additionally, the document would be improved if it summarized or provided the inputs used to determine the emissions.
9	III(b)	11-12	Air Quality	N/A (General Comment)	The document would be strengthened if it provided a clearer distinction between the analysis of

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
10	III(b)	11-12	Air Quality	The generation of dust (fugitive PM ₁₀ and PM _{2.5}) during construction activities could adversely affect sensitive receptors and construction workers by exacerbating existing respiratory problems such as asthma. The project also has some potential to release fumes from organic compounds used. This is a potentially significant impact.	<p>potential construction impacts and operation impacts.</p> <p>The analysis should also include an examination of potential cumulative impacts to air quality.</p> <p>The document would be strengthened if it provided a quantitative analysis of the PM_{2.5} and PM₁₀ emissions that would be generated by site preparation and by vehicle travel on dirt and gravel roads during project operations.</p> <p>In addition, the IS/MND indicates that fumes from organic compounds could create a potentially significant impact. The IS/MND should provide an analysis of whether a significant impact would occur, and include feasible mitigation measures to lessen such impacts.</p> <p>The analysis should also include an examination of potential cumulative impacts</p>
11	10	III(b)	12-13	N/A (General Comment)	Mitigation Measures AQ-3 and AQ-4 are nearly identical, but slightly different. The document would be improved if it specified why there are two mitigation measures that are nearly identical. If this is an error, the mitigation measure that should not

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
12	III(d)	13	Air Quality	The Property Management Plan, which is a component of the proposed project, requires the Applicant to prepare an Odor Response Program and submit to the Community Development Department for review and approval	apply to the Proposed Project should be deleted. The document would be improved if it identified specific components in the Property Management Plan that would address air quality and provided an analysis of how such elements would ensure that the Proposed Project would have a less than significant impact.
13	III(d)	13	Air Quality	As part of the Program, property owners and residents of property within a 1,000-foot radius of the proposed project would be provided with the contact information of the individual responsible for responding to odor complaints.	The document would be improved if it specified what actions would be taken by the applicant or the County in the event of odor complaints. In addition, the analysis should include a discussion of potential cumulative odor impacts.
14	III(d)	13	Air Quality	N/A (General Comment)	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.

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15	IV(a)	14-15	Biological Resources	N/A (General Comment)	<p>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 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 (CNDDB) 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>
16	IV(b)	14-15	Biological Resources	N/A (General Comment)	<p>The impact analysis provides no information to indicate that the Proposed Project would have a significant impact related to special-</p>

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
					status species. However, the IS/MND contains several mitigation measures to reduce potential impacts to special-status species. The IS/MND would be strengthened if it contained a description of potential impacts to each identified special-status species, indicated which mitigation measures are proposed to address each of those impacts, and analyzed whether and how the proposed mitigation measures would reduce impacts to less-than-significant levels.
17	IV(b)	14-15	Biological Resources	BIO-2: Prior to construction all workers on the crew shall be trained by a qualified biologist as to the sensitivity of the turtle potentially occurring in the project area.	The IS/MND does not contain any description of a sensitive turtle species. The document would be improved if it described the species and provided an analysis of how Proposed Project construction and operations could impact the species. The Mitigation Measure should also identify what measures should be taken by workers to avoid impacts to the species. In addition, the IS/MND should specify whether mitigation would be required during Project operations as well as construction.
18	IV(b)	15	Biological Resources	The Biological Assessment provided states that all Biological impacts can be mitigated using Avoidance and	The analysis would be strengthened if it identified riparian habitats and sensitive natural communities at the site, the potential impact of the Proposed Project, the proposed

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
19	IV(d)	15	Biological Resources	<p>The Biological Assessment provided states that all biological impacts can be mitigated to less than significant levels using avoidance and protection measures as described within mitigation measures BIO-1 through BIO-5</p>	<p>Avoidance and Protection measures, and discussed how the measures would ensure a less than significant impact.</p> <p>The analysis would be strengthened if it identified the potential impact of the Proposed Project and discussed how the measures would ensure a less than significant impact.</p> <p>Further, 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.</p>
20	IV(e)	15	Biological Resources	<p>The project would not conflict with any local policies protecting biological resources. There are no significant biological resources present on the site and no vegetation removal is proposed.</p>	<p>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.</p>
21	IV(c)	20	Biological Resources	<p>The Biological Assessment concluded that the impacts to wetlands and watercourses would not occur as the result of this project.</p>	<p>The IS/MND would be strengthened if it included the reasonings and findings of the Biological Assessment to support the no impact determination.</p>

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
22	V(a)	16	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.
23	VII(c)	19	Geology and Soils	The applicant has submitted an engineered Grading and Erosion Control Plan that shows mitigation measures for stormwater runoff, primarily straw wattles and fiber rolls.	The document would be strengthened if the mitigation measures included in the Grading and Erosion Control Plan were included as mitigation as part of the IS/MND.
24	IX(a)	22	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.
25	IX(b)	22	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.)
26	X(a)	24	Hydrology and Water Quality	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.
27	X(b)	24-26	Hydrology and Water Quality	N/A (General Comment)	The IS/MND would be strengthened if it described the overdraft status of the groundwater basin, if known. The document would also be improved if it contained a figure showing the location of existing and

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
28	XIII(a)	28-29	Noise	N/A (General Comment)	<p>proposed groundwater wells on the Project site.</p> <p>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 Measures NOI-1 and NOI-3 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.</p>
29	XVIII(b)	33-34	Tribal Cultural Resources	N/A (General Comment)	<p>The checkbox for this topic is marked as Less than Significant with Mitigation Incorporated; however, no mitigation measures are specified. If mitigation is required to reduce potential impacts to less-than-significant levels, such measures should be specified.</p>
30	XIX (d)	35	Utilities	The amount of solid waste expected to be generated by the project is minimal and negligible in the context of the capacity of the landfill, which	<p>The document would be improved if it identified the landfill that would receive material from the Proposed Project.</p>

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
31	XX(b)	36	Wildfire	<p>was at 53% capacity in year 2020 with plans for expansion.</p> <p>WILD-1: Prior to or concurrently with site development, the applicant shall improve the interior driveway in a manner that it complies with Public Resource Code 4290 and 4291 standards for commercial driveways. The applicant shall call the Building Official / Fire Marshal for a site inspection once the interior driveway is brought into PRC 4290 and 4291 compliance at 707-263-2221.</p>	<p>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.</p>
32	XXI(b)	37	Mandatory Findings of Significance (Cumulative Impacts)	N/A (General Comment)	The IS/MND would be more informative if it identified any other 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.)
33	N/A	38-39	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

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					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: 2023.05.17 07:56:24 -07'00'

Lindsay Rains
Licensing Program Manager

Eric Porter

From: Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>
Sent: Monday, October 17, 2022 11:41 AM
To: Lake County Cannabis Agency Review; Katherine Vanderwall; Douglas Gearhart; Elizabeth Knight; Ryan Lewelling; William Collins; Tina Rubin; Lucas Bingham; Lori Baca; Vance Ricks; Scott DeLeon; Yuliya Osetrova; Greg Peters; R2CEQA@wildlife.ca.gov; ROBERTSON, JESSE GRAHAM@DOT; csmith@lakecountyfire.com; Local Verification@Cannabis; Laura Hall; nwc@sonoma.edu; bperry@ncoinc.org; Fried, Janae@Waterboards; Schroeder, Jason@Waterboards
Cc: Moke Simon; Susan Parker; Galvez, Shane@CALFIRE; Duncan, Paul@CALFIRE; York, Brian@CALFIRE; Ch700, Fd@yahoo
Subject: [EXTERNAL] Re: Request for Review for Sufficiency; UP 21-27 Sky High Farms Commercial Cannabis Project

Greetings Planner Claybon

These comments are from CAL FIRE

Road Standard shall be applied. That standard shall be applied from the County Road to the Project site as the access.

Greenhouses are Structures and require 100 feet of defensible space to be established and maintained.

Greenhouses are Structures and require water supply on site per NFPA 1142. Any amount of water storage identified shall be supported by an exhibit with the NFPA 1142 formula.

Question - Will commercial power be provided at the site by a utility provider? Generator pose a separate wildland fire ignition source to be identified. As well a LCAQMD approval.

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 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.t

- 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

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

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

Report of the Committee on - NFPA

www.nfpa.org

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

Report of the Committee on - NFPA

www.nfpa.org

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

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

California's Wildland-Urban Interface Code Information - CAL FIRE -

Home

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

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

Sent: Monday, October 3, 2022 2:53 PM

To: katherine.vanderwall@lakecountycalifornia.gov <katherine.vanderwall@lakecountycalifornia.gov>;

doug.gearhart@lakecountycalifornia.gov <doug.gearhart@lakecountycalifornia.gov>; elizabethk@lcaqmd.net

<elizabethk@lcaqmd.net>; ryan.lewelling@lakecountycalifornia.gov <ryan.lewelling@lakecountycalifornia.gov>;

william.collins@lakecountycalifornia.gov <william.collins@lakecountycalifornia.gov>; Tina.Rubin@lakecountycalifornia.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

Jonathan Portney
Health Services Director

Jennifer Baker
Deputy Health Services Director

Craig Wetherbee
Environmental Health Director

MEMORANDUM

DATE: October 17, 2022
TO: Mary Claybon, Assistant Planner
FROM: Tina Dawn-Rubin, Environmental Health Aide
RE: UP 21-27 Major Use Permit, IS 21-27
Commercial Cannabis
APN: 122-340-02 10788 Sky High Ridge, Lower Lake

Lake County Division of Environmental Health (EH) has on file for the subject parcel:

APN: 122-340-02 – a 2022 well permit (WE 5736) for AG well; a 2022 field clearance to locate septic. EH does not have record of the original septic installation.

The applicant must meet the EH requirements regarding Onsite Wastewater Treatment System (OWTS) and potable water. EH may require a field clearance to validate septic or well locations prior to site plan approval.

For any proposed building permits or projects where the parcel is serviced by an OWTS or well, the applicant may need to demonstrate the location of any proposed or existing structures including residential or commercial dwellings, garages, driveways, shed, barns, green houses, non-perimeter fences, well houses, etc., *and* the location of the proposed project on a to-scale site plan prior to building permit issuance and/or project approval.

If the applicant is proposing a commercial cannabis operation and the operation will be constructing or utilizing an existing structure (i.e., processing facility) that will have plumbing for a restroom, sink, etc., that structure will be required to have its own OWTS, separate from any existing or new OWTS designed to service a residential structure.

If the applicant is proposing an OWTS, then applicant must apply for a site evaluation and, if the site is acceptable to support an OWTS, apply for a permit.

EH requires all applicants to provide a written declaration of the chemical names and quantities of any hazardous material to be used on site. As a general rule, if a material has a Safety Data Sheet, that material may be considered as part of the facilities hazardous materials declaration. ***This should be submitted separately from the Management Plan to Environmental Health for review.***

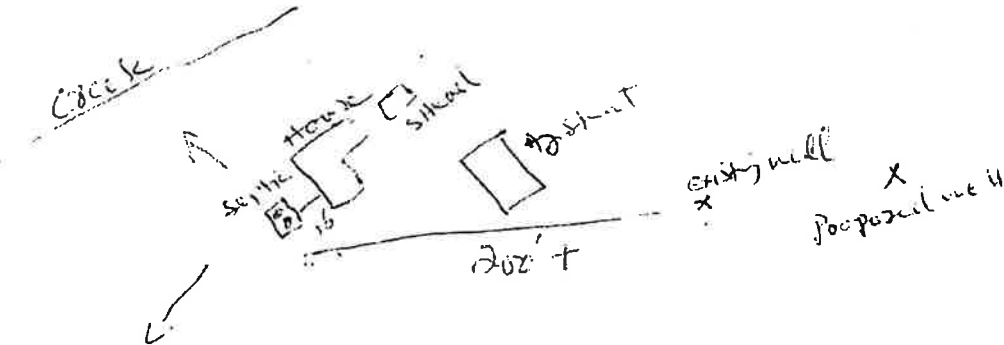
Promoting an Optimal State of Wellness in Lake County

County of Lake, Department of Health Services
Environmental Health Division
922 Bevins Court, Lakeport, CA 95453 (707) 263-1164

FIELD LOCATION/CLEARANCE

Purpose: Office has no record of septic & well.
Property Owner: Katharine Christ
APN: 122 - 340 - 02 Community _____
Site Address: 10788 Skyhigh Ridge Rd, Lakeview
Last Permit No.: WE-5736-AR ☒ Approved ☐ Standard
Date Issued: 3-22-22 ☐ Alternative
Tank Size: _____ gals. Total Lineal Feet: _____ ☒ Existing ☐ Experimental
System designed to serve 2 bedrooms
Comments: Existing Septic System.

PLOT PLAN



This notice acknowledges that the on-site sewage disposal system located on the property identified above has been found adequate by:

☒ Inspection and/or ☒ Record Review on: 122-340-02 to serve 2 bedrooms

☐ This notice does not guarantee satisfactory or continuous operation of the on-site system identified. Please be advised that should this system ever fail, a permit from the Environmental Health Division is required prior to any repair work.

☐ We Recommend that the septic tank be pumped every four years.

☒ Other: Pipes are recommended. existing well & Proposed well is

Environmental Health Specialist

Date



LAKE COUNTY HEALTH SERVICES DEPARTMENT
ENVIRONMENTAL HEALTH DIVISION
922 BEVINS COURT, LAKEPORT, CA 95453
PHONE: (707) 263-1164 FAX: (707) 263-1681

WELL PERMIT APPLICATION

SEE LAKE COUNTY ORDINANCE NO. 1823 FOR WELL
CONSTRUCTION, DESTRUCTION & REPAIR REQUIREMENTS

JOB LOCATION ADDRESS: <u>10788 Skyhigh Ridge RD Loma Linda</u>	
Assessor's Parcel Number: <u>122-340-02</u>	Phone: _____
Property Owner: <u>Kathrene Crist</u>	City: <u>Loma Linda</u>
Mailing Address: <u>10788 Skyhigh Ridge RD</u>	State/Zip: <u>CA 95457</u>
WELL DRILLER: <u>Will Petersen Well Drilling</u>	
Mailing Address: <u>PO Box 695</u>	City/State/Zip: <u>Helsville CA 95651</u>
CA C-57 License Number: <u>1009053</u>	Phone: <u>(907) 277-0103</u>
Well Driller Print Name: <u>Will Petersen</u>	I HEREBY AFFIRM UNDER PENALTY OF PERJURY that I am licensed under the provisions of Chapter 9 of Division 2 of the Business and Professions Code, and my license is in full force and effect.
WELL DRILLER'S SIGNATURE: <u>[Signature]</u>	Date: <u>9/17/21</u>
TYPE OF WORK: <input checked="" type="checkbox"/> New Well <input type="checkbox"/> Reconstruction <input type="checkbox"/> Destruction <input type="checkbox"/> Test Well <input type="checkbox"/> Soil Boring/Hydropunch <input type="checkbox"/> Other: _____	
PROPOSED USE: <input checked="" type="checkbox"/> Domestic <input type="checkbox"/> Public <input type="checkbox"/> Monitoring <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Test Well <input type="checkbox"/> Other: _____	
CONSTRUCTION: <input type="checkbox"/> Cable Tool <input checked="" type="checkbox"/> Mud Rotary <input checked="" type="checkbox"/> Air Rotary <input type="checkbox"/> Other: _____	
Casing Type & Standard: <u>F480 PRC</u>	Wall Thickness: <u>1/4"</u> Diameter: <u>4 1/2"</u>
Proposed Depth of Seal: <u>20'</u>	Bore Hole Diameter: <u>9"</u> Variance: _____
SEAL MATERIAL: <input checked="" type="checkbox"/> Concrete <input checked="" type="checkbox"/> Bentonite Clay <input type="checkbox"/> Sand-Cement Grout <input type="checkbox"/> Neat Cement <input type="checkbox"/> Other: _____	

PLEASE COMPLETE ALL ATTACHMENTS.

THIS PERMIT IS VALID FOR ONE YEAR FROM DATE OF ISSUANCE
Drillers please provide a minimum of 12-hour notice prior to sealing the annular space.

FOR OFFICE USE ONLY

Date Received: <u>9-24-21</u>	Fee Paid: <u>319.00</u>	Receipt Number: <u>RP00014940</u>
<input checked="" type="checkbox"/> Well Driller License # Verified By: <u>CSLB</u>	<u>IN00015773</u>	
100 Year Flood Plain? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Zone: <u>D</u>	Elevation: _____
Water Resources: <u>GIS Mapping</u> Minimum Casing Height: <u>≥ One foot above the elevation of the 100-year flood plain elevation or above any known condition of flooding by drainage or runoff from the surrounding land.</u>		
Issued By: <u>[Signature]</u>	Date: <u>3-22-22</u>	

Site #1 Seal Depth: _____	Feet Total Feet Below Ground Surface: _____	<input type="checkbox"/> Well <input type="checkbox"/> Boring
Site #2 Seal Depth: _____	Feet Total Feet Below Ground Surface: _____	<input type="checkbox"/> Destruct <input type="checkbox"/> Boring
Site #3 Seal Depth: _____	Feet Total Feet Below Ground Surface: _____	<input type="checkbox"/> Destruct <input type="checkbox"/> Boring
Annular Seal Verified By: _____	Date: _____	
Destruction Verified By: _____	Date: _____	
Well Completion Report (Well Log) Date Received: _____	Initials: _____	

WP0003872

WELL PERMIT NUMBER: WE-5736-AG

Eric Porter

From: Autumn Lancaster <ALancaster@lakecountyfire.com>
Sent: Friday, October 21, 2022 1:49 PM
To: Lake County Cannabis Agency Review
Cc: Willie Sapeta; Marc Hill; Miasha Rivas; Tiffany Franklin
Subject: [EXTERNAL] SKY HIGH FARMS COMMENTS

Good Afternoon Planner Claybon,

As Chief Wink noted this project falls within our (Lake County Fire Protections') jurisdiction. And we will be enforcing all California State Fire codes, along with locally adopted ordinances which may pertain to this project. As well as charging mitigation fees, requiring plan submittals, inspections, etcetera.

In concurrence with CAL FIRE's response, we the AHJ will be requiring at least, but not limited to, the following listed standards,

- 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.
- 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 "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.
- 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.

And again, to reiterate CAL FIRES response this project is in close proximity to the most extreme and hazardous area for wildland fire risk. Our jurisdiction routinely experiences critical wildland fire behavior, and mitigating future fire risk is of the highest importance to us.

Respectfully,

Autumn Lancaster LCFPD Fire Marshal

Eric Porter

From: Laura Hall
Sent: Tuesday, October 4, 2022 7:12 AM
To: Lake County Cannabis Agency Review
Subject: RE: Request for Review for Sufficiency; UP 21-27 Sky High Farms Commercial Cannabis Project

Mary,

All earth moving activities have to be in compliance with Chapter 30 of the Lake County Municipal Code.

Thank you,

Laura

From: Lake County Cannabis Agency Review [mailto:CannabisAgencyReview@lakecountyca.gov]
Sent: Monday, October 3, 2022 2:53 PM
To: Katherine Vanderwall <Katherine.Vanderwall@lakecountyca.gov>; Douglas Gearhart <doug@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; William Collins <William.Collins@lakecountyca.gov>; Tina Rubin <Tina.Rubin@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Vance Ricks <Vance.Ricks@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; R2CEQA@wildlife.ca.gov; mike.wink@fire.ca.gov; jesse.robertson@dot.ca.gov; csmith@lakecountyfire.com; localverification@cannabis.ca.gov; Laura Hall <Laura.Hall@lakecountyca.gov>; nwic@sonoma.edu; bperry@ncoinc.org; Janae.Fried@Waterboards.ca.gov; Jason.Schroeder@Waterboards.ca.gov
Cc: Moke Simon <Moke.Simon@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>
Subject: Request for Review for Sufficiency; UP 21-27 Sky High Farms Commercial Cannabis Project

Hello Fellow Agencies,

This email is a request for review for a commercial cannabis cultivation project as referenced above. Due to the size of the attachments I have utilized this file share system and the attachments will be located below for download.

Please advise us if additional information is needed, which permits are required from your agency (if any), and of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than October 17, 2022. Please email your comments to CannabisAgencyReview@lakecountyca.gov or mail them to the address listed in the letterhead above.

Sincerely,

Mary Claybon
Assistant Planner
Community Development Department
County of Lake

CALIFORNIA
HISTORICAL
RESOURCES
INFORMATION
SYSTEM



ALAMEDA
COLUSA
CONTRA COSTA
DEL NORTE

TULUMBOI.DT
LAKE
MARIN
MENDOCINO
MONTEREY
NAPA
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>

October 17, 2022

File No.: 22-0548

Mary Claybon, Assistant Planner
Lake County
Community Development Department
255 N. Forbes Street
Lakeport, CA. 95453

re: UP 21-27; IS 21-27 / APN 122-340-02 at 10788 Sky High Ridge, Lower Lake/ Kathy Crist

Dear Mary Claybon,

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

Project Description:

The applicant is requesting approval of a Major Use Permit to allow the following licenses: One (1) A- Type 3B "Mixed-light": Cultivation for adult use cannabis in a greenhouse, glasshouse, conservatory, hothouse, or other similar structure using light deprivation and/or artificial lighting below a rate of 25 watts per square foot between 10,001 and 22,000 square feet, inclusive, of total canopy size on one premises. One (1) A-Type 1C "Specialty Cottage": Cultivation for adult use cannabis of 2,500 square feet or less of total canopy size for mixed-light cultivation using light deprivation and/or artificial lighting below a rate of 25 watts per square foot, up to 25 mature plants for outdoor cultivation without the use of light deprivation and/or artificial lighting in the canopy area at any point in time, or 500 square feet or less of total canopy size for indoor cultivation within a permanent structure using exclusively artificial light or within any type of structure using artificial light at a rate above twenty-five watts per square foot, on one premises.

Previous Studies:

XX This office has no record of any previous cultural resource field survey for the proposed project area conducted by a professional archaeologist or architectural historian (*see recommendation below*).

Archaeological and Native American Resources Recommendations:

XX The proposed project area has the possibility of containing unrecorded archaeological site(s). A 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:

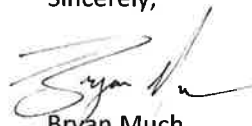
XX Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, if the project area contains such properties, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture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



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 21-27
10788 Aky High Ridge Road.
Lower Lake, CA

In review of the Security Management Plan submitted for revised MUP 21-27 via the Lake County Community Development Department in October 2022. 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

Eric Porter

From: Lori Baca
Sent: Tuesday, October 4, 2022 2:18 PM
To: Lake County Cannabis Agency Review
Subject: RE: Request for Review for Sufficiency; UP 21-27 Sky High Farms Commercial Cannabis Project

Mary,

The parcel 122-340-02 located at 10788 Sky High Ridge in Lower lake is outside of any Special Districts service area, no impact.

Have a beautiful day!

Lori A. Baca

Customer Service Supervisor

Lori.Baca@lakecountyca.gov

Office Number (707) 263-0119

Fax (707) 263-3836



From: Lake County Cannabis Agency Review [mailto:CannabisAgencyReview@lakecountyca.gov]
Sent: Monday, October 3, 2022 2:53 PM
To: Katherine Vanderwall <Katherine.Vanderwall@lakecountyca.gov>; Douglas Gearhart <dougg@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; William Collins <William.Collins@lakecountyca.gov>; Tina Rubin <Tina.Rubin@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Vance Ricks <Vance.Ricks@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; R2CEQA@wildlife.ca.gov; mike.wink@fire.ca.gov; jesse.robertson@dot.ca.gov; csmith@lakecountyfire.com; localverification@cannabis.ca.gov; Laura Hall <Laura.Hall@lakecountyca.gov>; nwic@sonoma.edu; bperry@ncoinc.org; Janae.Fried@Waterboards.ca.gov; Jason.Schroeder@Waterboards.ca.gov
Cc: Moke Simon <Moke.Simon@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>
Subject: Request for Review for Sufficiency; UP 21-27 Sky High Farms Commercial Cannabis Project

Hello Fellow Agencies,

This email is a request for review for a commercial cannabis cultivation project as referenced above. Due to the size of the attachments I have utilized this file share system and the attachments will be located below for download.

Please advise us if additional information is needed, which permits are required from your agency (if any), and of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than October 17, 2022. Please email your

Central Valley Regional Water Quality Control Board

23 May 2023

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

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, SKY HIGH FARMS - FILE NO. UP 21-27 PROJECT, SCH#2023040523, LAKE COUNTY

Pursuant to the State Clearinghouse's 20 April 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 Sky High Farms - File No. UP 21-27 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.

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

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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