

**From:** [Linda Rosas](#)  
**To:** [Rob Fitzsimmons](#); [sryan@big-valley.net](mailto:sryan@big-valley.net); [thpo@big-valley.net](mailto:thpo@big-valley.net); [cww281@gmail.com](mailto:cww281@gmail.com); [a.tyler@elemindiancolony.org](mailto:a.tyler@elemindiancolony.org); [Anthony Arroyo, Sr](mailto:Anthony Arroyo, Sr); [kn@koination.com](mailto:kn@koination.com); [tc@middletownrancheria.com](mailto:tc@middletownrancheria.com); [jsimon@middletownrancheria.com](mailto:jsimon@middletownrancheria.com); [mshaver@middletownrancheria.com](mailto:mshaver@middletownrancheria.com); [THPO@middletownrancheria.com](mailto:THPO@middletownrancheria.com); [btorres@middletownrancheria.com](mailto:btorres@middletownrancheria.com); [rpeter@middletownrancheria.com](mailto:rpeter@middletownrancheria.com); [sshope@middletownrancheria.com](mailto:sshope@middletownrancheria.com); [speter@middletownrancheria.com](mailto:speter@middletownrancheria.com); [scottg@mishewalwappotribe.com](mailto:scottg@mishewalwappotribe.com); [admin@rvrpomo.net](mailto:admin@rvrpomo.net); [drogers@robinsonrancheria.org](mailto:drogers@robinsonrancheria.org); [terre.logsdon@sv-nsn.gov](mailto:terre.logsdon@sv-nsn.gov); [thomas.jordan@sv-nsn.gov](mailto:thomas.jordan@sv-nsn.gov); [lbill@yochadehe-nsn.gov](mailto:lbill@yochadehe-nsn.gov); [jkinter@yochadehe-nsn.gov](mailto:jkinter@yochadehe-nsn.gov); [aroberts@yochadehe-nsn.gov](mailto:aroberts@yochadehe-nsn.gov); [nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)  
**Subject:** [EXTERNAL]Re: AB52 Tribal Consultation Notification for UP 19-50, Lake County Cannabis Club  
**Date:** Monday, December 23, 2019 1:51:04 PM

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Good Afternoon All,

Habematolel Pomo of Upper Lake defers to Koi Nation and Elem Indian Colony.  
I hope you all have a blessed holiday.

Respectfully,

Linda D. Rosas-Bill  
Environmental Director  
Habematolel Pomo of Upper Lake  
9470 Main Street  
P.O Box 516  
Upper Lake, California  
95485  
(707) 348-8892 - Direct line  
(707) 275-0737 - Tribal Office  
(707) 275-0757 - Fax

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**From:** Rob Fitzsimmons <Rob.Fitzsimmons@lakecountyca.gov>  
**Sent:** Friday, December 20, 2019 3:19 PM  
**To:** [sryan@big-valley.net](mailto:sryan@big-valley.net) <[sryan@big-valley.net](mailto:sryan@big-valley.net)>; [thpo@big-valley.net](mailto:thpo@big-valley.net) <[thpo@big-valley.net](mailto:thpo@big-valley.net)>; [cww281@gmail.com](mailto:cww281@gmail.com) <[cww281@gmail.com](mailto:cww281@gmail.com)>; [a.tyler@elemindiancolony.org](mailto:a.tyler@elemindiancolony.org) <[a.tyler@elemindiancolony.org](mailto:a.tyler@elemindiancolony.org)>; [Anthony Arroyo, Sr](mailto:Anthony Arroyo, Sr) <[aarroyosr@hpultribe-nsn.gov](mailto:aarroyosr@hpultribe-nsn.gov)>; [Linda Rosas](mailto:Linda Rosas) <[lrosas@hpultribe-nsn.gov](mailto:lrosas@hpultribe-nsn.gov)>; [kn@koination.com](mailto:kn@koination.com) <[kn@koination.com](mailto:kn@koination.com)>; [tc@middletownrancheria.com](mailto:tc@middletownrancheria.com) <[tc@middletownrancheria.com](mailto:tc@middletownrancheria.com)>; [jsimon@middletownrancheria.com](mailto:jsimon@middletownrancheria.com) <[jsimon@middletownrancheria.com](mailto:jsimon@middletownrancheria.com)>; [mshaver@middletownrancheria.com](mailto:mshaver@middletownrancheria.com) <[mshaver@middletownrancheria.com](mailto:mshaver@middletownrancheria.com)>; [THPO@middletownrancheria.com](mailto:THPO@middletownrancheria.com) <[THPO@middletownrancheria.com](mailto:THPO@middletownrancheria.com)>; [btorres@middletownrancheria.com](mailto:btorres@middletownrancheria.com) <[btorres@middletownrancheria.com](mailto:btorres@middletownrancheria.com)>; [rpeter@middletownrancheria.com](mailto:rpeter@middletownrancheria.com) <[rpeter@middletownrancheria.com](mailto:rpeter@middletownrancheria.com)>

<rpeterson@middletownrancheria.com>; sshope@middletownrancheria.com  
<sshope@middletownrancheria.com>; speterson@middletownrancheria.com  
<speterson@middletownrancheria.com>; scottg@mishewalwappotribe.com  
<scottg@mishewalwappotribe.com>; admin@rvrpomo.net <admin@rvrpomo.net>;  
drogers@robinsonrancheria.org <drogers@robinsonrancheria.org>; terre.logsdon@sv-nsn.gov  
<terre.logsdon@sv-nsn.gov>; thomas.jordan@sv-nsn.gov <thomas.jordan@sv-nsn.gov>;  
lbill@yochadehe-nsn.gov <lbill@yochadehe-nsn.gov>; jkinter@yochadehe-nsn.gov  
<jkinter@yochadehe-nsn.gov>; aroberts@yochadehe-nsn.gov <aroberts@yochadehe-nsn.gov>;  
nahc@nahc.ca.gov <nahc@nahc.ca.gov>

**Subject:** AB52 Tribal Consultation Notification for UP 19-50, Lake County Cannabis Club

Good afternoon,

Please find attached an AB52 Tribal Consultation Notification for UP 19-50, Lake County Cannabis Club (Cannabis Retail). Please get back to me with your comments no later than January 19th if requesting a formal consultation.

Rob Fitzsimmons

Assistant Planner

Community Development Department

Lake County, CA

**From:** [Ryan Peterson](#)  
**To:** [Rob Fitzsimmons](#)  
**Cc:** [Sally Peterson](#)  
**Subject:** [EXTERNAL]Re: AB52 Tribal Consultation Notification for UP 19-50, Lake County Cannabis Club  
**Date:** Friday, January 3, 2020 12:14:57 PM

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Good afternoon Rob,

The Middletown Rancheria of Pomo Indians of California (the “Tribe”) or (“Middletown Rancheria”) is in receipt of your notification dated 12/20/19. This project does fall within our area of concern.

Our Tribal Historic Preservation Office has reviewed the project and concluded that although it is within the aboriginal territories of the Middletown Rancheria, there is not sufficient ground disturbances at this time. Should any new information or evidence of human habitation be found as this project progresses, or any changes in the current ground disturbing activities, we respectfully ask that all work cease and that you contact the Tribe immediately. We do have a process to protect such important and sacred resources.

We thank you for providing us with this notice and the opportunity to provide comments to the referenced project(s). Nothing herein should be construed to be a waiver of or limitation of any of Middletown Rancheria’s rights in law, equity or otherwise. All rights, claims and remedies are specifically reserved. Please reference MTR THPD's File no. in future correspondence:  
19-12-005

Should you have any questions, please feel free to contact our office:

Middletown Rancheria  
Tribal Historic Preservation Department  
Office: (707) 987-1315  
Email: [THPO@middletownrancheria.com](mailto:THPO@middletownrancheria.com)

Regards,

Ryan Peterson  
Admin & Projects Coordinator  
Middletown Rancheria  
Tribal Historic Preservation Department  
PO Box 1035 Middletown, CA 95461  
Phone: (707) 987-1315  
Fax: (707) 987-9091

On Fri, Dec 20, 2019 at 3:26 PM Rob Fitzsimmons <[Rob.Fitzsimmons@lakecountyca.gov](mailto:Rob.Fitzsimmons@lakecountyca.gov)> wrote:

Project Description and Site/Floor Plans for UP 19-50 attached.

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**From:** Rob Fitzsimmons

**Sent:** Friday, December 20, 2019 3:20 PM

**To:** '[sryan@big-valley.net](mailto:sryan@big-valley.net)' <[sryan@big-valley.net](mailto:sryan@big-valley.net)>; '[thpo@big-valley.net](mailto:thpo@big-valley.net)' <[thpo@big-valley.net](mailto:thpo@big-valley.net)>; '[cww281@gmail.com](mailto:cww281@gmail.com)' <[cww281@gmail.com](mailto:cww281@gmail.com)>; '[a.tyler@elemindiancolony.org](mailto:a.tyler@elemindiancolony.org)' <[a.tyler@elemindiancolony.org](mailto:a.tyler@elemindiancolony.org)>; '[aaroyosr@hpultribe-nsn.gov](mailto:aaroyosr@hpultribe-nsn.gov)' <[aaroyosr@hpultribe-nsn.gov](mailto:aaroyosr@hpultribe-nsn.gov)>; '[lrosas@hpultribe-nsn.gov](mailto:lrosas@hpultribe-nsn.gov)' <[lrosas@hpultribe-nsn.gov](mailto:lrosas@hpultribe-nsn.gov)>; '[kn@koination.com](mailto:kn@koination.com)' <[kn@koination.com](mailto:kn@koination.com)>; '[tc@middletownrancheria.com](mailto:tc@middletownrancheria.com)' <[tc@middletownrancheria.com](mailto:tc@middletownrancheria.com)>; '[jsimon@middletownrancheria.com](mailto:jsimon@middletownrancheria.com)' <[jsimon@middletownrancheria.com](mailto:jsimon@middletownrancheria.com)>; '[mshaver@middletownrancheria.com](mailto:mshaver@middletownrancheria.com)' <[mshaver@middletownrancheria.com](mailto:mshaver@middletownrancheria.com)>; '[THPO@middletownrancheria.com](mailto:THPO@middletownrancheria.com)' <[THPO@middletownrancheria.com](mailto:THPO@middletownrancheria.com)>; '[btorres@middletownrancheria.com](mailto:btorres@middletownrancheria.com)' <[btorres@middletownrancheria.com](mailto:btorres@middletownrancheria.com)>; '[rpeterson@middletownrancheria.com](mailto:rpeterson@middletownrancheria.com)' <[rpeterson@middletownrancheria.com](mailto:rpeterson@middletownrancheria.com)>; '[sshope@middletownrancheria.com](mailto:sshope@middletownrancheria.com)' <[sshope@middletownrancheria.com](mailto:sshope@middletownrancheria.com)>; '[speterson@middletownrancheria.com](mailto:speterson@middletownrancheria.com)' <[speterson@middletownrancheria.com](mailto:speterson@middletownrancheria.com)>; '[scottg@mishewalwappotribe.com](mailto:scottg@mishewalwappotribe.com)' <[scottg@mishewalwappotribe.com](mailto:scottg@mishewalwappotribe.com)>; '[admin@rvrpomo.net](mailto:admin@rvrpomo.net)' <[admin@rvrpomo.net](mailto:admin@rvrpomo.net)>; '[drogers@robinsonrancheria.org](mailto:drogers@robinsonrancheria.org)' <[drogers@robinsonrancheria.org](mailto:drogers@robinsonrancheria.org)>; '[terre.logsdon@sv-nsn.gov](mailto:terre.logsdon@sv-nsn.gov)' <[terre.logsdon@sv-nsn.gov](mailto:terre.logsdon@sv-nsn.gov)>; '[thomas.jordan@sv-nsn.gov](mailto:thomas.jordan@sv-nsn.gov)' <[thomas.jordan@sv-nsn.gov](mailto:thomas.jordan@sv-nsn.gov)>; '[lbill@yochadehe-nsn.gov](mailto:lbill@yochadehe-nsn.gov)' <[lbill@yochadehe-nsn.gov](mailto:lbill@yochadehe-nsn.gov)>; '[jkinter@yochadehe-nsn.gov](mailto:jkinter@yochadehe-nsn.gov)' <[jkinter@yochadehe-nsn.gov](mailto:jkinter@yochadehe-nsn.gov)>; '[aroberts@yochadehe-nsn.gov](mailto:aroberts@yochadehe-nsn.gov)' <[aroberts@yochadehe-nsn.gov](mailto:aroberts@yochadehe-nsn.gov)>; '[nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)' <[nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)>

**Subject:** AB52 Tribal Consultation Notification for UP 19-50, Lake County Cannabis Club

Good afternoon,

Please find attached an AB52 Tribal Consultation Notification for UP 19-50, Lake County Cannabis Club (Cannabis Retail). Please get back to me with your comments no later than January 19th if requesting a formal consultation.

Rob Fitzsimmons

Assistant Planner

Community Development Department

Lake County, CA

**From:** [Wink\\_Mike@CALFIRE](mailto:Wink_Mike@CALFIRE)  
**To:** [Rob Fitzsimmons](#)  
**Cc:** [Ch700\\_Fd@yahoo](mailto:Ch700_Fd@yahoo); [Cory Smith](#)  
**Subject:** [EXTERNAL]Re: RFR for UP 19-50, Lake County Cannabis Club (Cannabis Retail)  
**Date:** Friday, December 20, 2019 5:57:47 PM  
**Attachments:** [image.png](#)  
[image.png](#)  
[image.png](#)

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Good afternoon Mr Fitzsimmons. These are the comments from CAL FIRE for this Use Permit. This area is represented by both the County and the local Fire District as the Cooperating AHJs. The Lake County Fire Protection District covers this area. 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 with the support of the Lake County Fire Protection Districts independent review and comment process. This includes all components of PRC4290-91 et'al.

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.

This area has burned twice in 2016. The Kugelman Fire for 62 acres, and the Clayton Fire for 3972 acres. These fires were both stopped literally feet from this property.

All Fire Safe Regulations/Laws in the State of California's Public Resource Code, Division 4, and all Sections in 4290 and 4291 (4001-4958) shall apply to this application/construction. All regulations in the California Code of Regulations Title 14, Division 1.5, Chapter 7, Sub chapter 2, Article 1 through 5 shall apply to this application / construction / activity.

**This shall include, but not be limited to:**

- Property line setbacks for structures shall be a minimum of 30 feet.
- Addressing that is reflective and of contrasting colors from the public roadway to the location.
- 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).
- Roads used for this project shall meet minimum standards for emergency vehicle ingress and egress
- A loop one way loop road standard could be used, or a two land road.
- A road is two 10 foot lanes of travel for a total of 20 feet not including the shoulders.
- A one lane, one way only loop road is 12 feet wide. A one lane road must connect on both ends to a two lane road or County Road.
- Existing roadways on private property shall meet, and or be improved to meet 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 Lake County Fire Protection District standard "KNOX" (or similar) access program.
- Parking at the site shall allow for turnarounds, hammerhead T, or similar.
- Minimum fuels reduction of 100 feet of defensible space from all structures.

Some applications have mention that they may have a gasoline generator for backup power when solar is not available. If this is the case, the generator shall be placed on a minimum of a 10 foot radius of a non combustible surface. It shall have a minimum of a 3A-40B.C Fire Extinguisher within the 10 foot radius.

- This property will meet the criteria to be, or will be a CERS / CUPA reporting facility/entity to Lake County Environmental Health (see hyperlink below), it shall also comply specifically with PRC4291.3 requiring 300 feet of defensible space and fuels reduction around structures. In summary, any structure or location that stores hazardous, flammable or dangerous items shall establish and maintain 300 feet of vegetation fuels reduction around its radius.

[http://www.fire.ca.gov/fire\\_prevention/fire\\_prevention\\_wildland\\_codes](http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_codes)

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

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[http://www.lakecountyca.gov/Government/Directory/Environmental\\_Health/Programs/cupa.htm](http://www.lakecountyca.gov/Government/Directory/Environmental_Health/Programs/cupa.htm)

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

[www.lakecountyca.gov](http://www.lakecountyca.gov)

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

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

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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](http://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]

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

[www.nfpa.org](http://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](http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_codes)

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[California's Wildland-Urban Interface Code Information - CAL FIRE - Home](#)

[www.fire.ca.gov](http://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

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[http://www.lakecountycalifornia.gov/Government/Directory/Environmental\\_Health/Programs/cupa.htm](http://www.lakecountycalifornia.gov/Government/Directory/Environmental_Health/Programs/cupa.htm)

## Hazardous Materials Management (CUPA)

www.lakecountycalifornia.gov

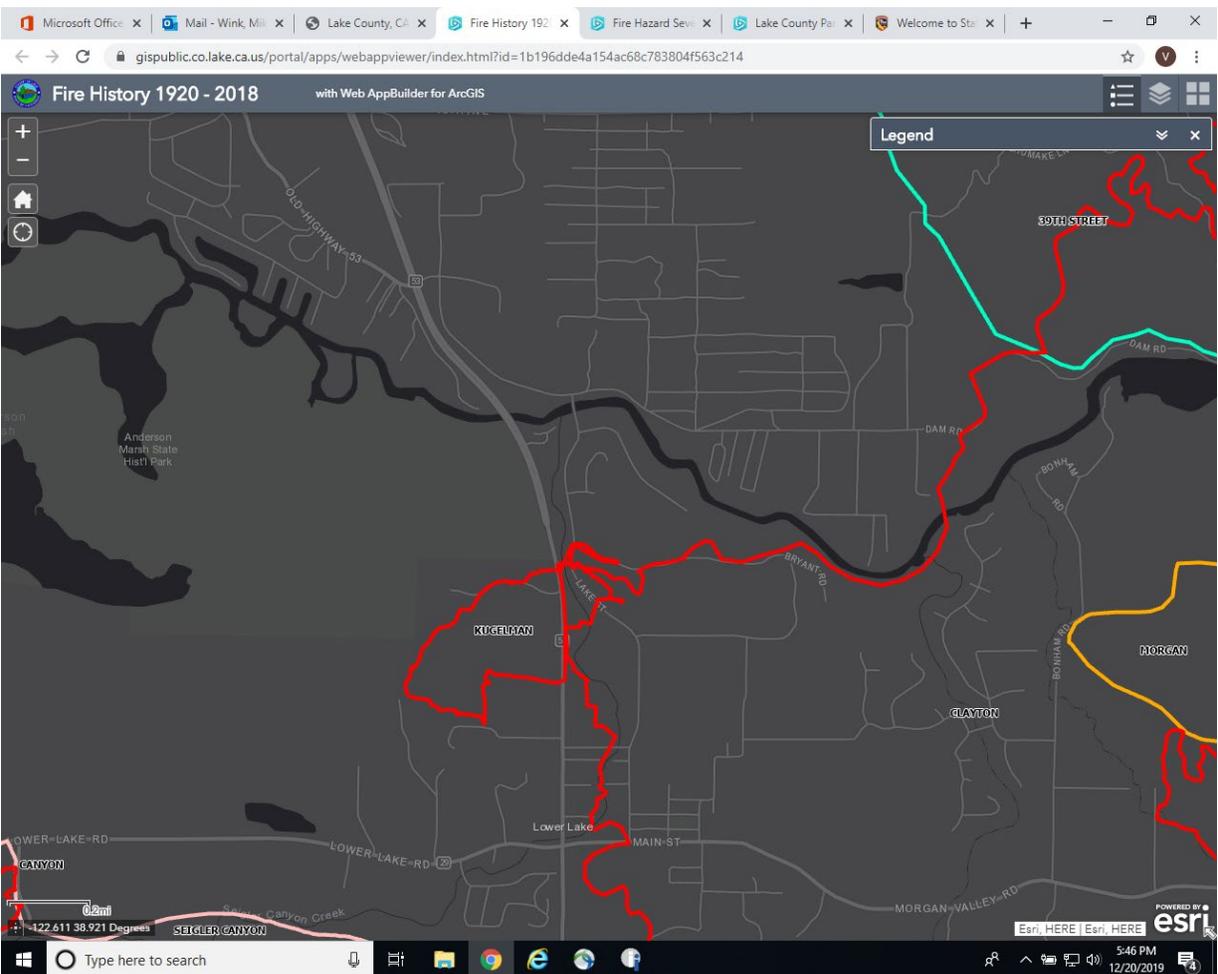
The Lake County Division of Environmental Health is the Certified Unified Program Agency for all of Lake County, dealing with hazardous waste and hazardous materials.

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

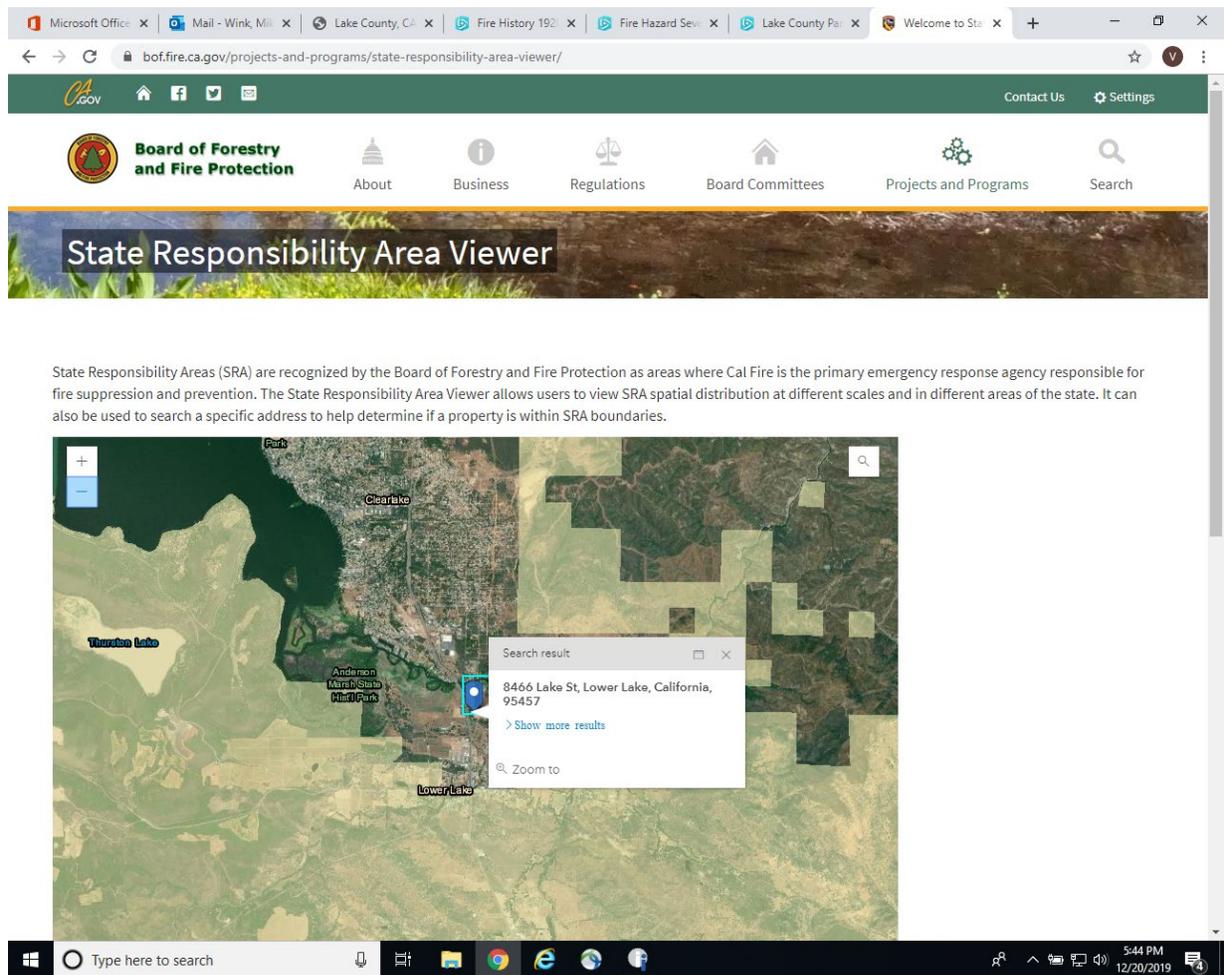
## Report of the Committee on - NFPA

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]







**From:** Rob Fitzsimmons <Rob.Fitzsimmons@lakecountyca.gov>

**Sent:** Friday, December 20, 2019 3:27 PM

**To:** Fahmy Attar <FahmyA@lcaqmd.net>; Gearhart, Doug@lcaqmd <dougg@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Richard Ford <Richard.Ford@lakecountyca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Bertelli, Greg@CALFIRE <Greg.Bertelli@fire.ca.gov>; Solinsky, Bill@CALFIRE <Bill.Solinsky@fire.ca.gov>; Sone, Kim@CALFIRE <Kim.Sone@fire.ca.gov>; aflora@clearlake.ca.us <aflora@clearlake.ca.us>; 500, chief@LKP <chief500@lakeportfire.com>; pbleuss@kelseyvillefire.com <pbleuss@kelseyvillefire.com>; Beristianos, J@NSD <chief800@northshorefpd.com>; Fong, Gloria@CALFIRE <Gloria.Fong@fire.ca.gov>; Ch700, Fd@yahoo <fdchf700@yahoo.com>; Kris Amante <Kris.Amante@lakecountyca.gov>; general.manager@mchsi.com <general.manager@mchsi.com>

**Subject:** RFR for UP 19-50, Lake County Cannabis Club (Cannabis Retail)

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

Hello,

Please find attached a Request for Review for UP 19-50, Lake County Cannabis Club (Cannabis Retail). Please get back to me with your comments no later than Friday, January 10.

Thank you,

Rob Fitzsimmons  
Assistant Planner  
Community Development Department  
Lake County, CA

**From:** [Fahmy Attar](#)  
**To:** [Rob Fitzsimmons](#)  
**Subject:** [EXTERNAL]Re: RFR for UP 19-50, Lake County Cannabis Club (Cannabis Retail)  
**Date:** Thursday, January 9, 2020 1:20:33 PM

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Rob,

Good question. This is for Cannabis operations in general.

When it comes to retail of open products or delivery of open products or packaging on site, they would likely need a permit.

When it comes to retail and delivery of pre-packaged products, then they may or may not need a permit.

I am double checking with the director to make sure, and I will get back to you with a more detailed response

Thank you for the great questions,

**Fahmy Attar**

Air Quality Engineer

Lake County Air Quality Management District

2617 S. Main Street, Lakeport, CA, 95453

(707) 263-7000 | [fahmya@lcaqmd.net](mailto:fahmya@lcaqmd.net)

On Jan 9, 2020, at 1:13 PM, Rob Fitzsimmons  
<[Rob.Fitzsimmons@lakecountyca.gov](mailto:Rob.Fitzsimmons@lakecountyca.gov)> wrote:

Good afternoon Fahmy,

To be clear, this is not a cannabis cultivation project, but instead a cannabis retail project (the first within the County's jurisdiction). No planting, manufacturing, or new structures are proposed.

Do the standard conditions you sent still apply? Are there any retail-specific items to consider, given that we are setting the precedent here?

Thank you,

Rob Fitzsimmons

Assistant Planner

Community Development Department

Lake County, CA

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**From:** Fahmy Attar [<mailto:FahmyA@lcaqmd.net>]

**Sent:** Thursday, January 9, 2020 1:09 PM

**To:** Rob Fitzsimmons <[Rob.Fitzsimmons@lakecountyca.gov](mailto:Rob.Fitzsimmons@lakecountyca.gov)>

**Subject:** [EXTERNAL]Re: RFR for UP 19-50, Lake County Cannabis Club (Cannabis Retail)

Rob,

For a Cannabis operation site, here is a list of requirements they must meet (if it applicable):

1. Any manufacturing or delivery operations must comply with LCAQMD rules and regulations. An application must be submitted. contact LCAQMD for more details.
2. Construction activities that involve pavement, masonry, sand, gravel, grading, and other activities that could produce airborne particulate should be conducted with adequate dust controls to minimize airborne emissions. A dust mitigation plan may be required should the applicant fail to maintain adequate dust controls.
3. Mobile diesel equipment used for construction and/or maintenance must be in compliance with State registration requirements. Portable and stationary diesel-powered equipment must meet the requirements of the State Air Toxic Control Measures for CI engines. The applicant should contact the District for further information if the project includes a backup generator. Installation of backup generator requires review and approval from LCAQMD.
4. Off-site odor impacts should be mitigated to minimize nuisance to nearby residences, property, and public roads.
5. Site development, site operation and vegetation disposal shall not create nuisance odors or dust. During the site preparation phase, the District recommends that any removed vegetation be chipped and spread for ground cover and erosion control. Burning is not allowed on commercial property, materials generated from the commercial operation, and waste material from construction debris, must not be burned as a means of disposal.
6. Any demolition or major renovation is subject to the Federal National Emissions Standard for Hazardous Air Pollutants (NESHAP) for asbestos in buildings requires asbestos inspections by a Certified Asbestos Consultant for all major renovations and all demolition. An Asbestos Notification must be submitted to the District at least 14 days prior to beginning any demolition work. The applicant should contact the District for details. Regardless of asbestos content, all demolition activities should use adequate water/ amended water to prevent dust generation and nuisance conditions.
7. If the construction site address contains Serpentine, approval from LCAQMD and a Serpentine control plan is required unless otherwise determined by the LCAQMD. Please contact LCAQMD for more details.
8. Significant dust may be generated from increase vehicle traffic if driveways and parking areas are not adequately surfaced. Surfacing standards should be included as a requirement in the use permit to minimize dust impacts to the public, visitors, and road traffic. At a minimum, the District recommends chip

seal as a temporary measure for primary access roads and parking. Paving with asphaltic concrete is preferred and should be required for long term occupancy. All areas subject to semi truck / trailer traffic should require asphaltic concrete paving or equivalent to prevent fugitive dust generation. Gravel surfacing may be adequate for low use driveways and overflow parking areas, however, gravel surfaces require more maintenance to achieve dust control, and permit conditions should require regular palliative treatment if gravel is utilized. White rock is not suitable for surfacing (and should be prohibited in the permit) because of its tendency to break down and create excessive dust. The applicant has indicated grading and re-graveling roads, utilizing water trucks if necessary, reduce travel times through efficient time management and consolidating solid waste removal/supply deliveries, and speed limits.

Best,

**Fahmy Attar**

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

On Dec 20, 2019, at 3:27 PM, Rob Fitzsimmons  
<[Rob.Fitzsimmons@lakecountyca.gov](mailto:Rob.Fitzsimmons@lakecountyca.gov)> wrote:

Hello,

Please find attached a Request for Review for UP 19-50, Lake County Cannabis Club (Cannabis Retail). Please get back to me with your comments no later than Friday, January 10.

Thank you,

Rob Fitzsimmons  
Assistant Planner  
Community Development Department  
Lake County, CA

<UP 19-50 Project Description and Site Plans.pdf><UP 19-50 RFR  
1.doc>

**From:** [Lori Baca](#)  
**To:** [Rob Fitzsimmons](#)  
**Subject:** RE: RFR for UP 19-50, Lake County Cannabis Club (Cannabis Retail)  
**Date:** Friday, January 10, 2020 9:06:20 AM  
**Attachments:** [image002.png](#)

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Rob,

Parcel 012-054-250 located at 8466 Lake Street in Lower Lake is an actively billed Sewer account within LACOSAN 1 service area.

Currently this parcel is being billed for one "Low Strength Commercial" base rate.

The proposed Use Permit 19-50 to allow "retail sales of cannabis" should have no impact on our ability to continue to provide service.

\*\*Be advised that any and all discharge into the wastewater collection system must be in compliance with the SEWER USE ORDINANCE\*\*

The applicant can call our office for more information regarding the Sewer Use Ordinance if needed.

Happy Friday!

**Lori A. Baca, CTA**  
**Customer Service Coordinator**  
[Lori.Baca@lakecountyca.gov](mailto:Lori.Baca@lakecountyca.gov)  
Office Number (707) 263-0119  
Fax (707) 263-3836



---

**From:** Rob Fitzsimmons  
**Sent:** Friday, December 20, 2019 3:27 PM  
**To:** Fahmy Attar <FahmyA@lcaqmd.net>; Doug Gearhart <dougg@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Richard Ford <Richard.Ford@lakecountyca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; mike.wink@fire.ca.gov; greg.bertelli@fire.ca.gov; bill.solinsky@fire.ca.gov; kim.sone@fire.ca.gov; aflora@clearlake.ca.us; chief500@lakeportfire.com; pbleuss@kelseyvillefire.com; chief800@northshorefpd.com; Gloria.Fong@fire.ca.gov; Fdchf700@yahoo.com; Kris Amante

<Kris.Amante@lakecountyca.gov>; general.manager@mchsi.com

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Assistant Planner  
Community Development Department  
Lake County, CA

**From:** [Rob Fitzsimmons](#)  
**To:** [Yuliya Osetrova](#)  
**Subject:** RE: RFR for UP 19-50, Lake County Cannabis Club (Cannabis Retail)  
**Date:** Friday, January 10, 2020 12:11:00 PM

---

Yuliya,

We've determined that the exclusion zone does not apply to retail operations. This is the first one we've processed, so we are setting the precedent here.

Rob Fitzsimmons  
Assistant Planner  
Community Development Department  
Lake County, CA

---

**From:** Yuliya Osetrova  
**Sent:** Friday, January 10, 2020 10:14 AM  
**To:** Rob Fitzsimmons <[Rob.Fitzsimmons@lakecountyca.gov](mailto:Rob.Fitzsimmons@lakecountyca.gov)>  
**Subject:** RE: RFR for UP 19-50, Lake County Cannabis Club (Cannabis Retail)

Rob,  
The project parcel in the commercial cannabis cultivation exclusion zone (I am not sure if it's applicable for the retail, if it's not – disregard)  
Yuliya

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

---

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**To:** Fahmy Attar <[FahmyA@lcaqmd.net](mailto:FahmyA@lcaqmd.net)>; Doug Gearhart <[dougg@lcaqmd.net](mailto:dougg@lcaqmd.net)>; Elizabeth Knight <[elizabethk@lcaqmd.net](mailto:elizabethk@lcaqmd.net)>; Ryan Lewelling <[Ryan.Lewelling@lakecountyca.gov](mailto:Ryan.Lewelling@lakecountyca.gov)>; Richard Ford <[Richard.Ford@lakecountyca.gov](mailto:Richard.Ford@lakecountyca.gov)>; Jim Campbell <[Jim.Campbell@lakecountyca.gov](mailto:Jim.Campbell@lakecountyca.gov)>; David Casian <[David.Casian@lakecountyca.gov](mailto:David.Casian@lakecountyca.gov)>; Scott DeLeon <[Scott.DeLeon@lakecountyca.gov](mailto:Scott.DeLeon@lakecountyca.gov)>; Kelli Hanlon <[Kelli.Hanlon@lakecountyca.gov](mailto:Kelli.Hanlon@lakecountyca.gov)>; Lucas Bingham <[Lucas.Bingham@lakecountyca.gov](mailto:Lucas.Bingham@lakecountyca.gov)>; Lori Baca <[Lori.Baca@lakecountyca.gov](mailto:Lori.Baca@lakecountyca.gov)>; Gordon Haggitt <[Gordon.Haggitt@lakecountyca.gov](mailto:Gordon.Haggitt@lakecountyca.gov)>; Greg Peters <[Greg.Peters@lakecountyca.gov](mailto:Greg.Peters@lakecountyca.gov)>; Yuliya Osetrova <[Yuliya.Osetrova@lakecountyca.gov](mailto:Yuliya.Osetrova@lakecountyca.gov)>; [mike.wink@fire.ca.gov](mailto:mike.wink@fire.ca.gov); [greg.bertelli@fire.ca.gov](mailto:greg.bertelli@fire.ca.gov); [bill.solinsky@fire.ca.gov](mailto:bill.solinsky@fire.ca.gov); [kim.sone@fire.ca.gov](mailto:kim.sone@fire.ca.gov); [aflora@clearlake.ca.us](mailto:aflora@clearlake.ca.us); [chief500@lakeportfire.com](mailto:chief500@lakeportfire.com); [pbleuss@kelseyvillefire.com](mailto:pbleuss@kelseyvillefire.com);

[chief800@northshorefpd.com](mailto:chief800@northshorefpd.com); [Gloria.Fong@fire.ca.gov](mailto:Gloria.Fong@fire.ca.gov); [Fdchf700@yahoo.com](mailto:Fdchf700@yahoo.com); Kris Amante  
<[Kris.Amante@lakecountyca.gov](mailto:Kris.Amante@lakecountyca.gov)>; [general.manager@mchsi.com](mailto:general.manager@mchsi.com)

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Rob Fitzsimmons  
Assistant Planner  
Community Development Department  
Lake County, CA

**From:** [Linda Rosas](#)  
**To:** [Rob Fitzsimmons](#); [sryan@big-valley.net](mailto:sryan@big-valley.net); [thpo@big-valley.net](mailto:thpo@big-valley.net); [cww281@gmail.com](mailto:cww281@gmail.com); [a.tyler@elemindiancolony.org](mailto:a.tyler@elemindiancolony.org); [Anthony Arroyo, Sr; kn@koination.com; tc@middletownrancheria.com; jsimon@middletownrancheria.com; mshaver@middletownrancheria.com; THPO@middletownrancheria.com; btorres@middletownrancheria.com; rpeterson@middletownrancheria.com; sshope@middletownrancheria.com; speterson@middletownrancheria.com; scottg@mishewalwappotribe.com; admin@rvrpomo.net; drogers@robinsonrancheria.org; terre.logsdon@sv-nsn.gov; thomas.jordan@sv-nsn.gov; lbill@yochadehe-nsn.gov; jkinter@yochadehe-nsn.gov; aroberts@yochadehe-nsn.gov; nahc@nahc.ca.gov](mailto:Anthony Arroyo, Sr; kn@koination.com; tc@middletownrancheria.com; jsimon@middletownrancheria.com; mshaver@middletownrancheria.com; THPO@middletownrancheria.com; btorres@middletownrancheria.com; rpeterson@middletownrancheria.com; sshope@middletownrancheria.com; speterson@middletownrancheria.com; scottg@mishewalwappotribe.com; admin@rvrpomo.net; drogers@robinsonrancheria.org; terre.logsdon@sv-nsn.gov; thomas.jordan@sv-nsn.gov; lbill@yochadehe-nsn.gov; jkinter@yochadehe-nsn.gov; aroberts@yochadehe-nsn.gov; nahc@nahc.ca.gov)  
**Subject:** [EXTERNAL]Re: AB52 Tribal Consultation Notification for UP 19-50, Lake County Cannabis Club  
**Date:** Monday, December 23, 2019 1:51:04 PM

---

Good Afternoon All,

Habematolel Pomo of Upper Lake defers to Koi Nation and Elem Indian Colony.  
I hope you all have a blessed holiday.

Respectfully,

Linda D. Rosas-Bill  
Environmental Director  
Habematolel Pomo of Upper Lake  
9470 Main Street  
P.O Box 516  
Upper Lake, California  
95485  
(707) 348-8892 - Direct line  
(707) 275-0737 - Tribal Office  
(707) 275-0757 - Fax

***This electronic message contains information generated by Habematolel Pomo of Upper Lake Environmental Department solely for the intended recipient(s). Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete email immediately.***

---

**From:** Rob Fitzsimmons <Rob.Fitzsimmons@lakecountyca.gov>  
**Sent:** Friday, December 20, 2019 3:19 PM  
**To:** [sryan@big-valley.net](mailto:sryan@big-valley.net) <[sryan@big-valley.net](mailto:sryan@big-valley.net)>; [thpo@big-valley.net](mailto:thpo@big-valley.net) <[thpo@big-valley.net](mailto:thpo@big-valley.net)>; [cww281@gmail.com](mailto:cww281@gmail.com) <[cww281@gmail.com](mailto:cww281@gmail.com)>; [a.tyler@elemindiancolony.org](mailto:a.tyler@elemindiancolony.org) <[a.tyler@elemindiancolony.org](mailto:a.tyler@elemindiancolony.org)>; [Anthony Arroyo, Sr; kn@koination.com; tc@middletownrancheria.com; jsimon@middletownrancheria.com; mshaver@middletownrancheria.com; THPO@middletownrancheria.com; btorres@middletownrancheria.com; rpeterson@middletownrancheria.com](mailto:Anthony Arroyo, Sr; kn@koination.com; tc@middletownrancheria.com; jsimon@middletownrancheria.com; mshaver@middletownrancheria.com; THPO@middletownrancheria.com; btorres@middletownrancheria.com; rpeterson@middletownrancheria.com); [Linda Rosas; lrosas@hpultribe-nsn.gov](mailto:Linda Rosas; lrosas@hpultribe-nsn.gov); [kn@koination.com](mailto:kn@koination.com) <[kn@koination.com](mailto:kn@koination.com)>; [tc@middletownrancheria.com](mailto:tc@middletownrancheria.com) <[tc@middletownrancheria.com](mailto:tc@middletownrancheria.com)>; [jsimon@middletownrancheria.com](mailto:jsimon@middletownrancheria.com) <[jsimon@middletownrancheria.com](mailto:jsimon@middletownrancheria.com)>; [mshaver@middletownrancheria.com](mailto:mshaver@middletownrancheria.com) <[mshaver@middletownrancheria.com](mailto:mshaver@middletownrancheria.com)>; [THPO@middletownrancheria.com](mailto:THPO@middletownrancheria.com) <[THPO@middletownrancheria.com](mailto:THPO@middletownrancheria.com)>; [btorres@middletownrancheria.com](mailto:btorres@middletownrancheria.com) <[btorres@middletownrancheria.com](mailto:btorres@middletownrancheria.com)>; [rpeterson@middletownrancheria.com](mailto:rpeterson@middletownrancheria.com) <[rpeterson@middletownrancheria.com](mailto:rpeterson@middletownrancheria.com)>

**From:** [Wink\\_Mike@CALFIRE](mailto:Wink_Mike@CALFIRE)  
**To:** [Rob Fitzsimmons](#)  
**Cc:** [Ch700\\_Fd@yahoo](mailto:Ch700_Fd@yahoo); [Cory Smith](#)  
**Subject:** [EXTERNAL]Re: RFR for UP 19-50, Lake County Cannabis Club (Cannabis Retail)  
**Date:** Friday, December 20, 2019 5:57:47 PM  
**Attachments:** [image.png](#)  
[image.png](#)  
[image.png](#)

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Good afternoon Mr Fitzsimmons. These are the comments from CAL FIRE for this Use Permit. This area is represented by both the County and the local Fire District as the Cooperating AHJs. The Lake County Fire Protection District covers this area. 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 with the support of the Lake County Fire Protection Districts independent review and comment process. This includes all components of PRC4290-91 et'al.

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.

This area has burned twice in 2016. The Kugelman Fire for 62 acres, and the Clayton Fire for 3972 acres. These fires were both stopped literally feet from this property.

All Fire Safe Regulations/Laws in the State of California's Public Resource Code, Division 4, and all Sections in 4290 and 4291 (4001-4958) shall apply to this application/construction. All regulations in the California Code of Regulations Title 14, Division 1.5, Chapter 7, Sub chapter 2, Article 1 through 5 shall apply to this application / construction / activity.

**This shall include, but not be limited to:**

- Property line setbacks for structures shall be a minimum of 30 feet.
- Addressing that is reflective and of contrasting colors from the public roadway to the location.
- 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).
- Roads used for this project shall meet minimum standards for emergency vehicle ingress and egress
- A loop one way loop road standard could be used, or a two land road.
- A road is two 10 foot lanes of travel for a total of 20 feet not including the shoulders.
- A one lane, one way only loop road is 12 feet wide. A one lane road must connect on both ends to a two lane road or County Road.
- Existing roadways on private property shall meet, and or be improved to meet 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 Lake County Fire Protection District standard "KNOX" (or similar) access program.
- Parking at the site shall allow for turnarounds, hammerhead T, or similar.
- Minimum fuels reduction of 100 feet of defensible space from all structures.

Some applications have mention that they may have a gasoline generator for backup power when solar is not available. If this is the case, the generator shall be placed on a minimum of a 10 foot radius of a non combustible surface. It shall have a minimum of a 3A-40B.C Fire Extinguisher within the 10 foot radius.

- This property will meet the criteria to be, or will be a CERS / CUPA reporting facility/entity to Lake County Environmental Health (see hyperlink below), it shall also comply specifically with PRC4291.3 requiring 300 feet of defensible space and fuels reduction around structures. In summary, any structure or location that stores hazardous, flammable or dangerous items shall establish and maintain 300 feet of vegetation fuels reduction around its radius.

[http://www.fire.ca.gov/fire\\_prevention/fire\\_prevention\\_wildland\\_codes](http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_codes)

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

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

---

[http://www.lakecountyca.gov/Government/Directory/Environmental\\_Health/Programs/cupa.htm](http://www.lakecountyca.gov/Government/Directory/Environmental_Health/Programs/cupa.htm)

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

[www.lakecountyca.gov](http://www.lakecountyca.gov)

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

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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](http://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]

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## Hazardous Materials Management (CUPA)

www.lakecountycalifornia.gov

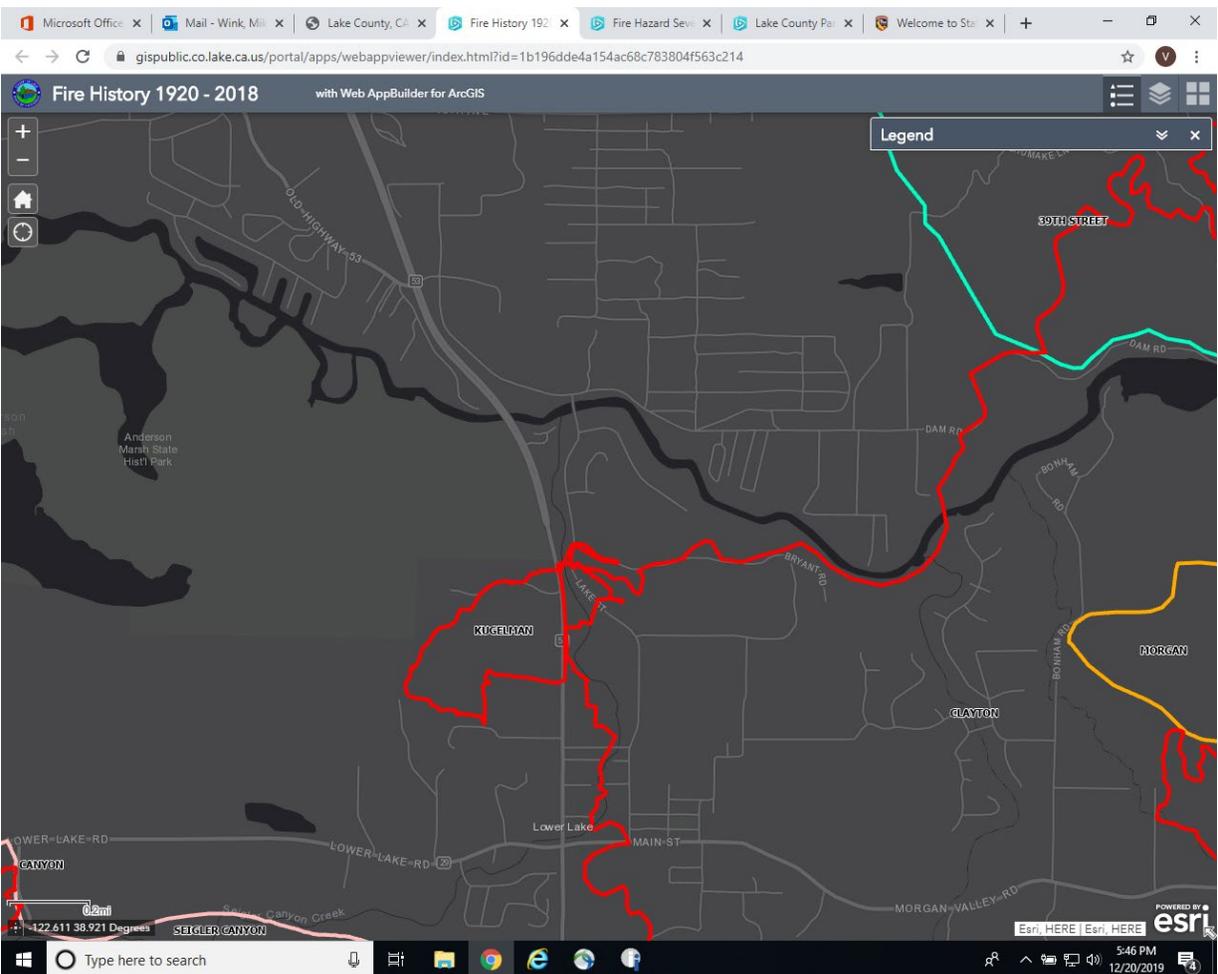
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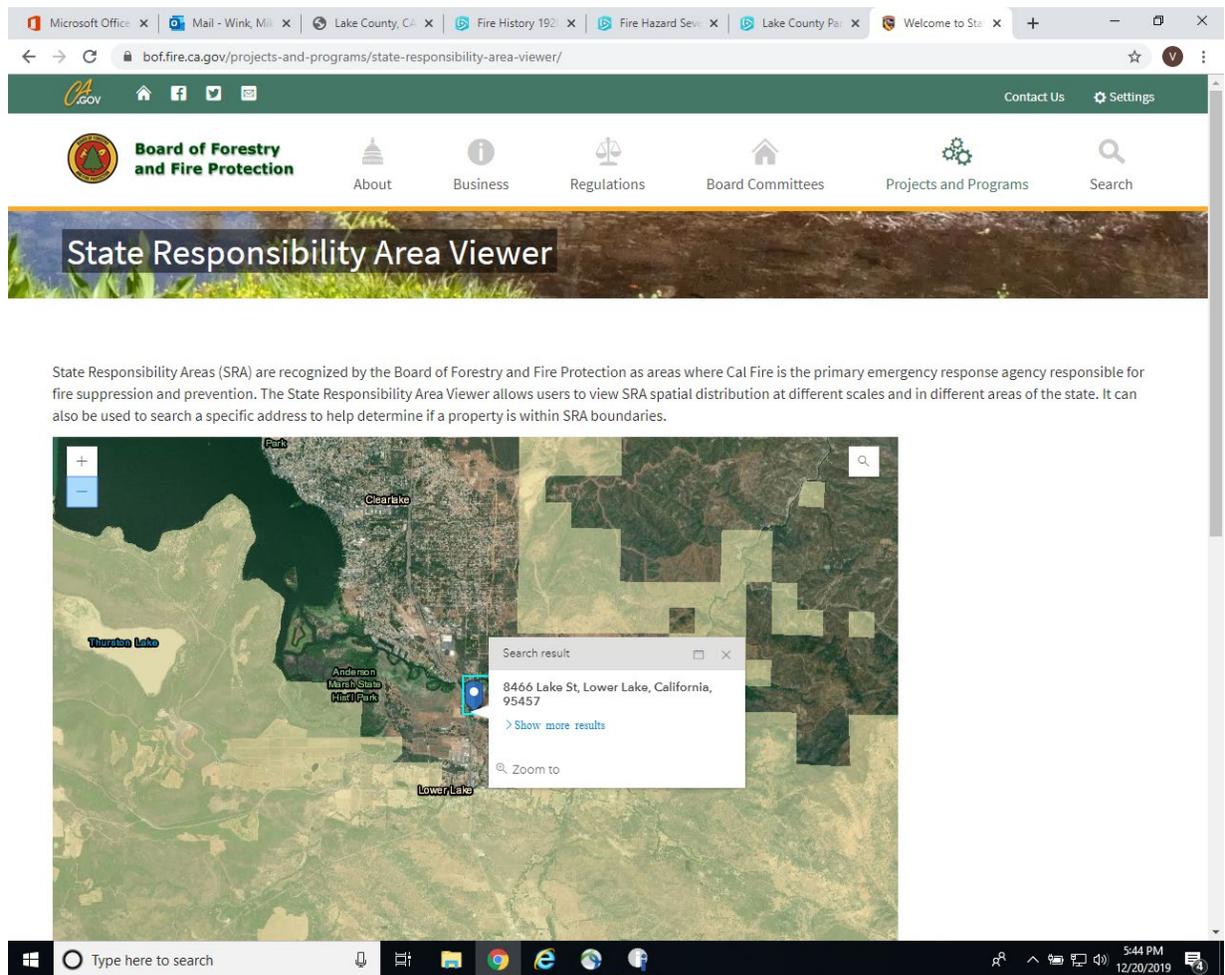
## Report of the Committee on - NFPA

www.nfpa.org

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







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**Sent:** Friday, December 20, 2019 3:27 PM

**To:** Fahmy Attar <FahmyA@lcaqmd.net>; Gearhart, Doug@lcaqmd <dougg@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Richard Ford <Richard.Ford@lakecountyca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Bertelli, Greg@CALFIRE <Greg.Bertelli@fire.ca.gov>; Solinsky, Bill@CALFIRE <Bill.Solinsky@fire.ca.gov>; Sone, Kim@CALFIRE <Kim.Sone@fire.ca.gov>; aflora@clearlake.ca.us <aflora@clearlake.ca.us>; 500, chief@LKP <chief500@lakeportfire.com>; pbleuss@kelseyvillefire.com <pbleuss@kelseyvillefire.com>; Beristianos, J@NSD <chief800@northshorefpd.com>; Fong, Gloria@CALFIRE <Gloria.Fong@fire.ca.gov>; Ch700, Fd@yahoo <fdchf700@yahoo.com>; Kris Amante <Kris.Amante@lakecountyca.gov>; general.manager@mchsi.com <general.manager@mchsi.com>

**Subject:** RFR for UP 19-50, Lake County Cannabis Club (Cannabis Retail)

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

Hello,

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**From:** [Lori Baca](#)  
**To:** [Rob Fitzsimmons](#)  
**Subject:** RE: RFR for UP 19-50, Lake County Cannabis Club (Cannabis Retail)  
**Date:** Friday, January 10, 2020 9:06:20 AM  
**Attachments:** [image002.png](#)

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Rob,

Parcel 012-054-250 located at 8466 Lake Street in Lower Lake is an actively billed Sewer account within LACOSAN 1 service area.

Currently this parcel is being billed for one "Low Strength Commercial" base rate.

The proposed Use Permit 19-50 to allow "retail sales of cannabis" should have no impact on our ability to continue to provide service.

\*\*Be advised that any and all discharge into the wastewater collection system must be in compliance with the SEWER USE ORDINANCE\*\*

The applicant can call our office for more information regarding the Sewer Use Ordinance if needed.

Happy Friday!

**Lori A. Baca, CTA**  
**Customer Service Coordinator**  
[Lori.Baca@lakecountyca.gov](mailto:Lori.Baca@lakecountyca.gov)  
Office Number (707) 263-0119  
Fax (707) 263-3836



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**To:** Fahmy Attar <FahmyA@lcaqmd.net>; Doug Gearhart <dougg@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Richard Ford <Richard.Ford@lakecountyca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; mike.wink@fire.ca.gov; greg.bertelli@fire.ca.gov; bill.solinsky@fire.ca.gov; kim.sone@fire.ca.gov; aflora@clearlake.ca.us; chief500@lakeportfire.com; pbleuss@kelseyvillefire.com; chief800@northshorefpd.com; Gloria.Fong@fire.ca.gov; Fdchf700@yahoo.com; Kris Amante

**From:** [Rob Fitzsimmons](#)  
**To:** [Yuliya Osetrova](#)  
**Subject:** RE: RFR for UP 19-50, Lake County Cannabis Club (Cannabis Retail)  
**Date:** Friday, January 10, 2020 12:11:00 PM

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Rob Fitzsimmons  
Assistant Planner  
Community Development Department  
Lake County, CA

---

**From:** Yuliya Osetrova  
**Sent:** Friday, January 10, 2020 10:14 AM  
**To:** Rob Fitzsimmons <[Rob.Fitzsimmons@lakecountyca.gov](mailto:Rob.Fitzsimmons@lakecountyca.gov)>  
**Subject:** RE: RFR for UP 19-50, Lake County Cannabis Club (Cannabis Retail)

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

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**From:** Rob Fitzsimmons  
**Sent:** Friday, December 20, 2019 3:27 PM  
**To:** Fahmy Attar <[FahmyA@lcaqmd.net](mailto:FahmyA@lcaqmd.net)>; Doug Gearhart <[dougg@lcaqmd.net](mailto:dougg@lcaqmd.net)>; Elizabeth Knight <[elizabethk@lcaqmd.net](mailto:elizabethk@lcaqmd.net)>; Ryan Lewelling <[Ryan.Lewelling@lakecountyca.gov](mailto:Ryan.Lewelling@lakecountyca.gov)>; Richard Ford <[Richard.Ford@lakecountyca.gov](mailto:Richard.Ford@lakecountyca.gov)>; Jim Campbell <[Jim.Campbell@lakecountyca.gov](mailto:Jim.Campbell@lakecountyca.gov)>; David Casian <[David.Casian@lakecountyca.gov](mailto:David.Casian@lakecountyca.gov)>; Scott DeLeon <[Scott.DeLeon@lakecountyca.gov](mailto:Scott.DeLeon@lakecountyca.gov)>; Kelli Hanlon <[Kelli.Hanlon@lakecountyca.gov](mailto:Kelli.Hanlon@lakecountyca.gov)>; Lucas Bingham <[Lucas.Bingham@lakecountyca.gov](mailto:Lucas.Bingham@lakecountyca.gov)>; Lori Baca <[Lori.Baca@lakecountyca.gov](mailto:Lori.Baca@lakecountyca.gov)>; Gordon Haggitt <[Gordon.Haggitt@lakecountyca.gov](mailto:Gordon.Haggitt@lakecountyca.gov)>; Greg Peters <[Greg.Peters@lakecountyca.gov](mailto:Greg.Peters@lakecountyca.gov)>; Yuliya Osetrova <[Yuliya.Osetrova@lakecountyca.gov](mailto:Yuliya.Osetrova@lakecountyca.gov)>; [mike.wink@fire.ca.gov](mailto:mike.wink@fire.ca.gov); [greg.bertelli@fire.ca.gov](mailto:greg.bertelli@fire.ca.gov); [bill.solinsky@fire.ca.gov](mailto:bill.solinsky@fire.ca.gov); [kim.sone@fire.ca.gov](mailto:kim.sone@fire.ca.gov); [aflora@clearlake.ca.us](mailto:aflora@clearlake.ca.us); [chief500@lakeportfire.com](mailto:chief500@lakeportfire.com); [pbleuss@kelseyvillefire.com](mailto:pbleuss@kelseyvillefire.com);

**From:** [Fahmy Attar](#)  
**To:** [Rob Fitzsimmons](#)  
**Subject:** [EXTERNAL]Re: RFR for UP 19-50, Lake County Cannabis Club (Cannabis Retail)  
**Date:** Thursday, January 16, 2020 5:32:15 PM

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Rob,

At this time and given that they only deal with pre-packaged deliveries, a permit won't be required.

However, A permit will be required if they package on site, or if the facility becomes an odor nuisance.

Fahmy

On Jan 9, 2020, at 1:20 PM, Fahmy Attar <[fahmya@lcaqmd.net](mailto:fahmya@lcaqmd.net)> wrote:

Rob,

Good question. This is for Cannabis operations in general.

When it comes to retail of open products or delivery of open products or packaging on site, they would likely need a permit.

When it comes to retail and delivery of pre-packaged products, then they may or may not need a permit.

I am double checking with the director to make sure, and I will get back to you with a more detailed response

Thank you for the great questions,

**Fahmy Attar**

Air Quality Engineer

Lake County Air Quality Management District

2617 S. Main Street, Lakeport, CA, 95453

(707) 263-7000 | [fahmya@lcaqmd.net](mailto:fahmya@lcaqmd.net)

On Jan 9, 2020, at 1:13 PM, Rob Fitzsimmons  
<[Rob.Fitzsimmons@lakecountyca.gov](mailto:Rob.Fitzsimmons@lakecountyca.gov)> wrote:

Good afternoon Fahmy,

To be clear, this is not a cannabis cultivation project, but instead a cannabis retail project (the first within the County's jurisdiction). No planting, manufacturing, or new structures are proposed.

Do the standard conditions you sent still apply? Are there any retail-specific items to consider, given that we are setting the precedent here?

Thank you,

Rob Fitzsimmons  
Assistant Planner  
Community Development Department  
Lake County, CA

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**From:** Fahmy Attar [<mailto:FahmyA@lcaqmd.net>]  
**Sent:** Thursday, January 9, 2020 1:09 PM  
**To:** Rob Fitzsimmons <[Rob.Fitzsimmons@lakecountyca.gov](mailto:Rob.Fitzsimmons@lakecountyca.gov)>  
**Subject:** [EXTERNAL]Re: RFR for UP 19-50, Lake County Cannabis Club  
(Cannabis Retail)

Rob,

For a Cannabis operation site, here is a list of requirements they must meet (if it applicable):

1. Any manufacturing or delivery operations must comply with LCAQMD rules and regulations. An application must be submitted. contact LCAQMD for more details.
2. Construction activities that involve pavement, masonry, sand, gravel, grading, and other activities that could produce airborne particulate should be conducted with adequate dust controls to minimize airborne emissions. A dust mitigation plan may be required should the applicant fail to maintain adequate dust controls.
3. Mobile diesel equipment used for construction and/or maintenance must be in compliance with State registration requirements. Portable and stationary diesel-powered equipment must meet the requirements of the State Air Toxic Control Measures for CI engines. The applicant should contact the District for further information if the project includes a backup generator. Installation of backup generator requires review and approval from LCAQMD.
4. Off-site odor impacts should be mitigated to minimize nuisance to nearby residences, property, and public roads.
5. Site development, site operation and vegetation disposal shall not create nuisance odors or dust. During the site preparation phase, the District recommends that any removed vegetation be chipped and spread for ground cover and erosion control. Burning is not allowed on commercial property, materials generated from the commercial operation, and waste material from construction debris, must not be burned as a means of disposal.
6. Any demolition or major renovation is subject to the Federal

National Emissions Standard for Hazardous Air Pollutants (NESHAP) for asbestos in buildings requires asbestos inspections by a Certified Asbestos Consultant for all major renovations and all demolition. An Asbestos Notification must be submitted to the District at least 14 days prior to beginning any demolition work. The applicant should contact the District for details. Regardless of asbestos content, all demolition activities should use adequate water/ amended water to prevent dust generation and nuisance conditions.

7. If the construction site address contains Serpentine, approval from LCAQMD and a Serpentine control plan is required unless otherwise determined by the LCAQMD. Please contact LCAQMD for more details.

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

Best,

**Fahmy Attar**

Air Quality Engineer

Lake County Air Quality Management District

2617 S. Main Street, Lakeport, CA, 95453

(707) 263-7000 | [fahmya@lcaqmd.net](mailto:fahmya@lcaqmd.net)

On Dec 20, 2019, at 3:27 PM, Rob Fitzsimmons  
<[Rob.Fitzsimmons@lakecountyca.gov](mailto:Rob.Fitzsimmons@lakecountyca.gov)> wrote:

Hello,

Please find attached a Request for Review for UP 19-50, Lake

County Cannabis Club (Cannabis Retail). Please get back to me with your comments no later than Friday, January 10.

Thank you,

Rob Fitzsimmons  
Assistant Planner  
Community Development Department  
Lake County, CA

<UP 19-50 Project Description and Site Plans.pdf><UP  
19-50 RFR 1.doc>

SR0003604



**COUNTY OF LAKE**  
COMMUNITY DEVELOPMENT DEPARTMENT  
Planning Division  
Courthouse - 255 N. Forbes Street  
Lakeport, California 95453  
Telephone 707/263-2221 FAX 707/263-2225

DISTRIBUTION DATE: December 20, 2019

**REQUEST FOR REVIEW FOR SUFFICIENCY**

- \_\_\_ AG. COMMISSIONER
- @ AIR QUALITY MGMT
- @ ASSESSOR
- @ BUILDING DIVISION
- @ DPW - ROADS
- @ ENVIRON HEALTH
- \_\_\_ LAKEBED MANAGEMENT
- \_\_\_ PUBLIC SERVICES
- @ SHERIFF
- @ SPECIAL DISTRICTS
- @ SURVEYOR
- @ TAX COLLECTOR
- \_\_\_ WASTE DISPOSAL
- @ WATER RESOURCES

- FIRE PROTECTION DIST:**
- @ Kelseyville
  - @ Lake County
  - @ Lake Pillsbury (no contact info)
  - @ Lakeport County
  - @ Northshore
  - @ South Lake County
  - @ CalFire
  - \_\_\_ GRADING: PEGGY/RON
  - @ AUDITOR
  - \_\_\_ PG&E
  - \_\_\_ HOA
  - @ LOWER LAKE MUTUAL
  - \_\_\_ OTHER

- \_\_\_ CA DEPT FISH & WDLF
- \_\_\_ CALTRANS
- \_\_\_ STATE LANDS COMM.
- \_\_\_ CRWQCB
- \_\_\_ STATE DEPT. OF HEALTH
- @ BCC
- \_\_\_ NW INFO CENTER
- \_\_\_ SIERRA CLUB
- \_\_\_ FARM BUREAU
- \_\_\_ ARMY CORPS
- \_\_\_ BLM
- \_\_\_ NRCS (USDA)
- \_\_\_ US FISH & WILDLIFE SVC
- @ CL CITY MANAGER

FROM: Rob Fitzsimmons, Assistant Planner

REQUEST: Major Use Permit, UP 19-50, Categorical Exemption, CE 19-96

OWNER: Calizonaoz LLC

APPLICANT: Richard Sereghy

APN: **012-054-25**

LOCATION: 8466 Lake Street, Lower Lake CA 95457

ZONING: "C1-AA" – Local Commercial-Airport Approach Combining

GENERAL PLAN: Local Commercial

HAZARDS: Extreme northwest portion of parcel in Flood Zone AE (rest of parcel is Flood Zone X)

SUPERVISOR DIST: 1, Simon

PROPOSAL: Major Use Permit to allow retail sales of cannabis, pursuant to Lake County Zoning Ordinance §18.5(h), in an existing 2,310 square foot building. According to the application, operating hours will be 9AM-9PM, 7 days/week, with 6 employees at peak shift. The applicant anticipates 75 customers per day, and 3-5 deliveries per week. See attached project description, site and floor plans.

Please advise us if additional information is needed, which permits are required from your agency, your environmental concerns, and if you recommend that a Negative Declaration or an Environmental Impact Report be prepared. 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 **1/10/2019**. Please email your comments to Rob Fitzsimmons at [rob.fitzsimmons@lakecountycalifornia.gov](mailto:rob.fitzsimmons@lakecountycalifornia.gov) or mail them to the address listed in the letterhead above.

COMMENTS: \_\_\_\_\_

See attached memorandum

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NAME Pina Peubi DATE 1/15/20



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

Denise Pomeroy  
Health Services Director

Gary Pace, MD, MPH  
Public Health Officer

Jasjit Kang  
Environmental Health Director

## *Promoting an Optimal State of Wellness in Lake County*

### Memorandum

**DATE:** January 15, 2020  
**TO:** Rob Fitzsimmons, Assistant Planner  
**FROM:** Tina Dawn-Rubin, Environmental Health Aide  
**RE:** UP 19-50 Major Use Permit, CE 19-96 Categorical Exemption  
**APN:** 012-054-25 8466 Lake St, Lower Lake

Environmental Health Division does not have any concerns on the wastewater treatment system or potable water since the property is connected to a public sewer & water system.

This review is in reference to Retail Sales only. Any processing of cannabis and/or cannabis products would require further review.

#### MARIJUANA EDIBLES:

##### Cannabis Edibles:

- A product intended for consumption that has cannabis in it would be considered an “edible” pursuant BPC section 26001(t), and not a food, thus it would have to be manufactured under a Manufacturer Cannabis Safety Bureau (MCSB) license and in accordance with the Medical and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) and the regulations.
- Under the California Business and Professions Code (BPC) 26130(d), if the product is not manufactured in accordance with MAUCRSA and the regulations, the cannabis in the product would be considered an adulterant.
- Pursuant to the regulations, 17 CCR section 40175, food products and edible products cannot be manufactured at the same premises.
- Pursuant to BPC 26053, any entity engaged in the commercial manufacture, possession or sale of any product containing cannabis would require a license issued under MAUCRSA.



COUNTY OF LAKE  
HEALTH SERVICES  
prevent.promote.protect.

As for the retail sale of products containing cannabis, that would require a license from the Bureau of Cannabis Control.

- Under the Controlled Substances Act, Health and Safety Code (HSC) section 11362.3, it is illegal for cannabis products to be ingested in a public place unless it is in accordance with BPC section 26200.
- BPC Section 26200(g) requires that the local jurisdiction specifically allow for such consumption and that the consumption occur on the premises of a retailer or microbusiness that is licensed under MAUCRSA.
- The retailer or microbusiness would need to be licensed by the Manufacturer Cannabis Safety Bureau and comply with all the requirements established by the Bureau.



COUNTY OF LAKE  
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