

Eric Porter

From: William Collins
Sent: Thursday, April 6, 2023 5:01 PM
To: Lake County Cannabis Agency Review
Subject: RE: Request for review for Sufficiency: UP 22-14 Blackwell Capital Management, LLC Commercial Cannabis Cultivation Project

The 2 harvest storage area sound like processing facilities, if that is what they are they will need to comply with F1 occupancy requirements.
4290 access will be required.
Security center office will require a permit and need to comply with CBC 11B accessibility requirements.
Needs to comply with WUI requirements.

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: Wednesday, April 5, 2023 2:35 PM
To: William Collins <William.Collins@lakecountyca.gov>; Douglas Gearhart <dougg@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Katie Carpenter <Katie.Carpenter@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Vance Ricks <Vance.Ricks@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; PGEPlanReview@pge.com; Janae.Fried@Waterboards.ca.gov; Jason.Schroeder@Waterboards.ca.gov; nwic@sonoma.edu; Ryan_olah@fws.gov; localverification@cannabis.ca.gov; R2CEQA@wildlife.ca.gov; mike.wink@fire.ca.gov; Gloria.Fong@fire.ca.gov; Rex.Jackman@dot.ca.gov; amber.mccall@dot.ca.gov; jesse.robertson@dot.ca.gov; jacob.rightnar@dot.ca.gov; Laura Hall <Laura.Hall@lakecountyca.gov>
Cc: lcfarmbureau@sbcglobal.net; dave.rosenthal@sbcglobal.net; robert@mtkonocitwines.com; pkicenski77@gmail.com; roberta.lyons@att.net; redbud.audubon@gmail.com; donnammackiewicz@gmail.com;



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

Jonathan Portney
Health Services Director

Craig Wetherbee
Environmental Health Director

Promoting an Optimal State of Wellness in Lake County

Memorandum

DATE: August 3, 2023
TO: Mary Claybon, Associate Planner II
FROM: Christina Gearhart, EHS
RE: Major Use Permit UP 22-14; Initial Study IS 22-13;
Applicant: Blackwell Capital Management, LLC
APN: APN: 012-069-25/SR0005114

The applicant is using an ADA portable restroom facility. If the commercial cannabis processing facilities have plumbing (such as restrooms, showers, etc.), then the applicant needs to discuss options for sewage disposal for the new structures. This may include a site evaluation and new septic permit, depending on increase in flow and location of structure relative to the existing septic system.

This property has a 2016 septic repair permit (#R-17259) designed to service a 2-bedroom residence (or up to 300 gallons per day of sewage flow). A certificate of Satisfactory Completion was never issued for this permit, and the permit has now expired. The applicant must apply to renew the permit, provide an as-built and our office will need to perform an inspection to verify the setback from the septic system to the closest structure(s)/dwelling.

There are also three issued well permits (June 2021 for an agricultural well, June 2020 for a domestic well, and April 1991 for a domestic well). The June 2021 well is the only well that has documentation of a well seal and a completed well log. The April 1991 well may or may not be on this property as there was a lot split after the permit was issued. The applicant needs to verify if there is only one well on the property, or if there are additional well(s), then this must be



COUNTY OF LAKE
HEALTH SERVICES
prevent.promote.protect.

demonstrated on the site plan. Should validation of well location(s) be necessary, it can be done at the same time as the visit to complete the septic permit.

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

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

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

If the applicant stores hazardous materials equal to or greater than 55 gallons of a liquid, 500 pounds of a solid or 200 cubic feet of compressed gas, the applicant will be required to submit a Hazardous Materials Inventory Disclosure Statement/ Business Plan to the Environmental Health Division via the California Electronic Reporting System (CERS) and it shall be renewed and updated annually or if quantities increase. Note that additional California Unified Program Agency (CUPA) requirements may apply depending on the amounts of hazardous materials stored on site.

If the amounts of hazardous materials is less than the above quantities, the applicant will need to complete and submit a Hazardous Materials/Waste Declaration stating the names of the materials and the quantities to be stored on site.



Eric Porter

From: Laura Hall
Sent: Thursday, April 6, 2023 8:29 AM
To: Lake County Cannabis Agency Review
Subject: RE: Request for review for Sufficiency: UP 22-14 Blackwell Capital Management, LLC Commercial Cannabis Cultivation Project

Follow Up Flag: Follow up
Flag Status: Completed

Mary,

According to the Property Management Plan (PMP) this project will include grading, however, the PMP fails to give grading details which are needed for the CEQA analyses (cubic yards of cut, fill, and/or imported soils and vegetation removal).

Additionally, this site has soils with a severe erosion hazard rating. Therefore, if moving 1,000 cubic yards or more of soil, a geotechnical report will need to be submitted with the grading plans. All grading will need to comply with the Lake County Municipal Code Chapter 30.

Thank you,

Laura

From: Lake County Cannabis Agency Review <CannabisAgencyReview@lakecountyca.gov>
Sent: Wednesday, April 5, 2023 2:35 PM
To: William Collins <William.Collins@lakecountyca.gov>; Douglas Gearhart <dougg@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Katie Carpenter <Katie.Carpenter@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Vance Ricks <Vance.Ricks@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; PGEPlanReview@pge.com; Janae.Fried@Waterboards.ca.gov; Jason.Schroeder@Waterboards.ca.gov; nwic@sonoma.edu; Ryan_olah@fws.gov; localverification@cannabis.ca.gov; R2CEQA@wildlife.ca.gov; mike.wink@fire.ca.gov; Gloria.Fong@fire.ca.gov; Rex.Jackman@dot.ca.gov; amber.mccall@dot.ca.gov; jesse.robertson@dot.ca.gov; jacob.rightnar@dot.ca.gov; Laura Hall <Laura.Hall@lakecountyca.gov>
Cc: lcfarmbureau@sbcglobal.net; dave.rosenthal@sbcglobal.net; robert@mtkonocitwines.com; pkicenski77@gmail.com; roberta.lyons@att.net; redbud.audubon@gmail.com; donnammackiewicz@gmail.com; wshock@mchsi.com; debsal14@gmail.com; Susan Parker <Susan.Parker@lakecountyca.gov>; Moke Simon <Moke.Simon@lakecountyca.gov>
Subject: Request for review for Sufficiency: UP 22-14 Blackwell Capital Management, LLC Commercial Cannabis Cultivation Project



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 22-14
22004 Morgan Valley Rd
Lower Lake, CA

In review of the Security Management Plan submitted for MUP 22-14 via the Lake County Community Development Department in April 2023. 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

CALIFORNIA
HISTORICAL
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INFORMATION
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ALAMEDA
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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>

April 18, 2023

File No.: 22-1552

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

re: UP 22-14; IS 22-13 / APN 012-069-25 at 22004 Morgan Valley Road / Blackwell Capital Management, LLC

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 A – Type 3 “outdoor”: Outdoor Cultivation for adult use cannabis without the use of light deprivation and/or artificial lighting in the canopy area at any point in time from 100,001 square feet to one acre, inclusive, of total canopy size on one premises.

Two A-Type 1 “Specialty outdoor”: “: Outdoor cultivation for adult use cannabis without the use of light deprivation and/or artificial lighting in the canopy area at any point in time of less than or equal to 5,000 square feet of total canopy size on one premises, or up to 50 mature plants on noncontiguous plots.

One Type 13: “Cannabis Distributor Transport Only, Self-distribution”: The transport of cannabis goods between entities licensed pursuant to California Code.

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

Outdoor Cultivation: 51,060 sq. ft. of outdoor canopy area within 54,760 sq. ft. cultivation area.

Proposed Structures: Two 40’Lx8’W harvest storage areas, one 120 sq. ft. pesticide and agricultural chemicals storage, one 120 sq. ft. security center/office, six 5,000-gallon water tanks.

Previous Studies:

XX Study # 54393 (Parker 2020), covering approximately 100% of the proposed project area, recorded no cultural resources (see recommendation below).

Archaeological and Native American Resources Recommendations:

- XX Based on the results of the Parker (2020) report, the proposed project area has a low possibility of containing unrecorded archaeological site(s). Therefore, no further study for archaeological resources is recommended. If archaeological resources are encountered during construction, work should be temporarily halted in the vicinity of the discovered materials and workers should avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations.
- XX We recommend the lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. For a complete listing of tribes in the vicinity of the project, please contact the Native American Heritage Commission at 916/373-3710.

Built Environment Recommendations:

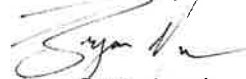
- XX Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, if the project area contains such properties, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture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

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

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

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

Sincerely, /



Bryan Much
Coordinator



April 24, 2023

County of Lake
Cannabis Agency Review
255 N Forbes St
Lakeport, CA 95453

Re: UP 22-14
Blackwell Capital Management

Dear Lake County Cannabis Agency Review,

Thank you for providing PG&E the opportunity to review the proposed plans for UP 22-14 dated 4/5/2023. Our review indicates the proposed improvements do not appear to directly interfere with existing PG&E facilities or impact our easement rights.

Please note this is our preliminary review and PG&E reserves the right for additional future review as needed. This letter shall not in any way alter, modify, or terminate any provision of any existing easement rights. If there are subsequent modifications made to the design, we ask that you resubmit the plans to the email address listed below.

If the project requires PG&E gas or electrical service in the future, please continue to work with PG&E's Service Planning department: <https://www.pge.com/cco/>.

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

If you have any questions regarding our response, please contact the PG&E Plan Review Team at pgeplanreview@pge.com.

Sincerely,

PG&E Plan Review Team
Land Management

Eric Porter

From: Lori Baca
Sent: Wednesday, April 5, 2023 3:48 PM
To: Lake County Cannabis Agency Review
Subject: RE: Request for review for Sufficiency: UP 22-14 Blackwell Capital Management, LLC Commercial Cannabis Cultivation Project

Mary,

The property located at 22004 Morgan Valley Rd 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: Wednesday, April 5, 2023 2:35 PM
To: William Collins <William.Collins@lakecountyca.gov>; Douglas Gearhart <dougg@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Katie Carpenter <Katie.Carpenter@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Vance Ricks <Vance.Ricks@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; PGEPlanReview@pge.com; Janae.Fried@Waterboards.ca.gov; Jason.Schroeder@Waterboards.ca.gov; nwic@sonoma.edu; Ryan_olah@fws.gov; localverification@cannabis.ca.gov; R2CEQA@wildlife.ca.gov; mike.wink@fire.ca.gov; Gloria.Fong@fire.ca.gov; Rex.Jackman@dot.ca.gov; amber.mccall@dot.ca.gov; jesse.robertson@dot.ca.gov; jacob.rightnar@dot.ca.gov; Laura Hall <Laura.Hall@lakecountyca.gov>
Cc: lcfarmbureau@sbcglobal.net; dave.rosenthal@sbcglobal.net; robert@mtkonocitiwines.com; pkicenski77@gmail.com; roberta.lyons@att.net; redbud.audubon@gmail.com; donnammackiewicz@gmail.com; wshock@mchsi.com; debsal14@gmail.com; Susan Parker <Susan.Parker@lakecountyca.gov>; Moke Simon <Moke.Simon@lakecountyca.gov>
Subject: Request for review for Sufficiency: UP 22-14 Blackwell Capital Management, LLC Commercial Cannabis Cultivation Project

Eric Porter

From: Fried, Janae@Waterboards <Janae.Fried@Waterboards.ca.gov>
Sent: Tuesday, April 18, 2023 10:30 AM
To: Leah Bradle; ctmacleod@gmail.com
Cc: Lake County Cannabis Agency Review
Subject: [EXTERNAL] WDID 5S17CC419274 - Compliance Issues
Attachments: cannabis_change of information.pdf; Cultivation Area.JPG; Land Disturbance_Disturbed Area.JPG; 7-11-2019 4524679 NOA_TIER1L_5S17CC419274 .pdf; SMP_Guidance.pdf; NMP_Guidance.pdf

Greetings,

I've recently received a Request for Review from the County of Lake to review and provide comments on the site covered by the [Cannabis General Order](#) enrollment, 5S17CC419274. This enrollment is out of compliance. Please see bullet list of items to correct below and the associated instructions and attachments in this email. Once the items have been corrected, I will inform Lake County Cannabis Agency Review the site has been returned to compliance. Please let me know if you have any questions on how to complete these processes.

Items to Correct:

- This Site is enrolled as a Tier 1, low risk site; Cultivation Area covered: 999 SF.; Disturbed Area covered: 999 SF;
 - The cultivation area stated in the PMP is 54,000 SF, and a quick measure of aerial imagery measures the disturbed area to be over 200,000 SF.
 - **Please submit COI (see instructions below) to update cultivation and disturbed areas and designate the site as a Tier 2, low risk site. See attached definitions from the [Cannabis Cultivation Policy](#).**
- A Site Management Plan (SMP) for this Site has never submitted; This was due 9/26/2019.
 - Because the site will have a cultivation area of over 1 acre (43,560 SF), a Nitrogen Management Plan (NMP) will also be due 90 days from today (17 July 2023).
 - **See Technical Report instructions below.**
- No Annual Reports for this Site have ever been submitted, 2019, 2020, 2021, and 2022 Annual Reports missing.
 - **See Annual Monitoring Report instructions below.**
- From a review of aerial imagery and NOAA LiDAR imagery of the Site, there appears to be a Class III watercourse forming east of the disturbed area that is not designated on the Site Plans. The Erosion and Sediment Control Plan does not contain any measures in place to protect the access road from erosion from this watercourse.
 - **Please submit any reports completed by a Qualified Professional that has surveyed this area to me by email.**
 - **Please also add some erosion and sediment control measures to your site plans for this area and submit to me by email.**

COI Instructions

I have attached our Change of Information (COI) Request form to this email. Fill out Section I of the COI with the information currently on file that you want to change (i.e. from the original application, can be found on [Portal](#)) and then use the subsequent sections to make any necessary changes. You may have to use a particular page twice if you have a lot of information to change/add. If you think your request may not be clear, feel free to add your own page to the document to clarify. Or clarify in an email to me. If changing parties, make sure both the former and the new parties sign in Section V. If changing the cultivation area or disturbed area, please also submit a map showing how you obtained the new numbers. Please let me know if you have any further questions and submit the filled out and signed PDF back to me by email.

Technical Report Instructions

As stated in the attached NOA, a Site Management Plan (SMP) was due 26 September 2019. I have not received this document for this site and this site is therefore out of compliance and in violation of the requirements of the [Cannabis General Order](#) and [Cannabis Cultivation Policy](#) of which it is enrolled. The Site Management Plan (SMP) and Nitrogen

Management Plan (NMP) should demonstrate that your site will meet the requirements listed in [Attachment A](#) of the [Cultivation Policy](#).

I have attached our SMP and NMP guidance documents; these can also be found in Attachment D of the [Cannabis General Order](#). You do not need to hire a professional to complete these reports, although you are certainly welcome to do so.

We have released a mostly-multiple-choice survey in the Cannabis Cultivation Program Application Portal (link on our [Program Website](#)) to complete the SMP and NMP online. Once you've logged into the Portal, click "Create New Survey" and select the survey for "General Order Technical Reporting". This survey will take you through all the necessary questions to give us the information we need about your site.

Whatever method you choose, please let me know if you have any further questions and submit the SMP and NMP ASAP to return your site to compliance with the [Cannabis General Order](#) and [Cultivation Policy](#) of which you are enrolled.

Annual Monitoring Report

Every year between January 1st and March 1st, you will need to complete an annual monitoring report about the previous calendar year. You can create a new account or log in with the original account to submit the annual reports. Please go to <https://public2.waterboards.ca.gov/>, and either Log In or click on "Register" and create a new account. Then you will "Create New Survey" for "Online Cannabis Water Quality Monitoring & Reporting Program". This is a multiple-choice survey about your site, the BMPs you've installed, and any issues you may have encountered during the *previous* year. You will need to know the WDID for your site. This can be found on the top right of your Notice of Applicability (NOA).

Janae Fried
Engineering Geologist
Central Valley Regional Water Quality Control Board, Region 5R
Cannabis Regulation and Enforcement Unit (CREU)
364 Knollcrest Drive, Suite 205
Redding, CA 96002
Janae.Fried@Waterboards.ca.gov
Office Line: 530-224-3291

ATTENTION:

Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff will be hosting a virtual outreach event **Thursday, 27 April 2023 at 3:30pm**. We will be reviewing requirements of the [Cannabis General Order](#) and the [Cannabis Policy](#) to consider during site development. We will also be discussing how to properly complete common forms and documents associated with enrollment in our program. Topics will include:

- Site Management Plan
- Best Practicable Treatment Controls (BPTCs)
- Setback requirements
- Commonly used forms
 - Change of Information
 - Site Termination documents

Remember, the Central Valley Water Board focuses on preventing impacts to water quality from discharges or potential threats of discharges. Learn more about the requirements of your permit in this educational session.

Please join the meeting with the links below to learn more about the Central Valley Water Board Cannabis Program.

Microsoft Teams meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 292 235 441 168

Passcode: TCyQyP

[Download Teams](#) | [Join on the web](#)

Or call in (audio only)