



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

Gary Pace, MD, MPH
Interim Health Officer

Craig Wetherbee
Environmental Health Director

MEMORANDUM

DATE: January 28, 2022
TO: Eric Porter, Associate Planner
FROM: Tina Dawn-Rubin, Environmental Health Aide
RE: UP 20-71 Major Use Permit
Commercial Cannabis
APN: 007-023-05 8300 Old Dirt Rd, Kelseyville

Lake County Division of Environmental Health (EH) has on file for the subject parcel:
APN: 007-053-05 – A 2019 site evaluation (soils report); a 2018 well permit (WE 5055) for a domestic well.

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.***

Amy Marigo

From: Lori Baca
Sent: Friday, January 28, 2022 3:23 PM
To: Eric Porter
Subject: RE: RFR - use permit UP 20-71, Old Dirt Road - commercial cannabis project

Eric,

Parcel 007-023-05 is outside of any Special Districts service area, no impact.

Happy Friday!

Lori A. Baca

Customer Service Supervisor

Lori.Baca@lakecountyca.gov

Office Number (707) 263-0119

Fax (707) 263-3836



From: Eric Porter

Sent: Friday, January 28, 2022 8:31 AM

To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Doug Gearhart <dougg@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Jack Smalley <Jack.Smalley@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Tina Rubin <Tina.Rubin@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Cara Salmon <cara.salmon@lakecountyca.gov>; Elizabeth Martinez <Elizabeth.Martinez@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Paul Bleuss <PBleuss@Kelseyvillefire.com>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Kevin Ponce <Kevin.Ponce@cdfa.ca.gov>; Northwest Information Center <nwic@sonoma.edu>; Susan Parker <Susan.Parker@lakecountyca.gov>; vbrandon95457@gmail.com; Roberta Lyons <roberta.lyons@att.net>; Mary Darby <Mary.Darby@lakecountyca.gov>

Cc: Andrew Amelung <Andrew.Amelung@lakecountyca.gov>; Mary Claybon <Mary.Claybon@lakecountyca.gov>; Mary Darby <Mary.Darby@lakecountyca.gov>; Michael McGinnis <Michael.McGinnis@lakecountyca.gov>

Subject: RFR - use permit UP 20-71, Old Dirt Road - commercial cannabis project

Good morning all,

I have taken over a file from Tracy Cline, who is no longer with Lake County. The project is commercial cannabis, and proposes 130,360 sq. ft. of outdoor cultivation and 22,000 sq. ft. of greenhouse (mixed light) cultivation.

The project is on an 88 acre parcel zoned "A-WW", Agriculture – waterway. The applicant will use water from a permitted groundwater well. The greenhouses include six (6) 30' x 96' greenhouses. The project includes two small sheds for pesticide / fertilizer storage. The site takes access from 'Old Dirt Road' in Kelseyville.

Amy Marigo

From: Cara Salmon
Sent: Thursday, February 10, 2022 10:13 AM
To: Eric Porter
Subject: FW: Old Dirt Rd 1982 Naming Resolution
Attachments: 20220208155556.pdf; 20220208155533.pdf

Good morning Eric,
I'm forwarding you this email related to your UP 20-71 Cruz. The neighbor (APN 007-024-25) was inquiring about any information on the roadway. I sent her all of the attachments related to the road naming of Old Dirt Road.

FYI – It sounds like she will be loudly objecting to this project due to the condition of the existing road.

Surveyors office only comments to your RFR is our standard cannabis UP comments;
Legal access? Yes, 20' wide easement document on file with Recorders
RS on file? No. CDD - Is applicant able to prove setbacks are met in the field?

Thank you.
Cara x35106

From: Cara Salmon
Sent: Tuesday, February 8, 2022 1:14 PM
To: 'c.ensenat@comcast.net' <c.ensenat@comcast.net>
Subject: Old Dirt Rd 1982 Naming Resolution

Ms. Ensenat,
Attached is the 1982 history on the road naming of Old Dirt Rd. It was best determined at that time that your roadway was created with a series of 20 foot wide easements. Your deed still reflects this fact, see below.

[District 5 \(lakecountyca.gov\)](https://lakecountyca.gov) Please see this link, my apologies it appears that you are just outside of Tina Scott's District 4. Your parcel is actually within Jessica Pyska's, District 5.

EXHIBIT "A"

SITUATED IN THE COUNTY OF LAKE, AND STATE OF CALIFORNIA:

PARCEL ONE:

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE COUNTY OF LAKE, STATE OF CALIFORNIA, IN THE WE HALF OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 13 NORTH, RANGE 9 WEST, M.D.B.&M., TH BOUNDARIES OF WHICH ARE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL UNRECORDED REFERENCES IN THE ABOVE DESCRIBED TRACT ARE CONTAINED IN THE JUDGEMENT QUIETING TITLE BETWEEN CHARLES H. BARKER AND ANN A. BARKER, PLAINTIFFS, VS., FLOYD A. GERMAN, ET AL., DEFENDANTS, RECORDED AUGUST 10, 1983, IN BOOK 1191 OF OFFICIAL RECORDS AT PAGE 276.

PARCEL TWO:

A) AN EASEMENT OF ACCESS AND UTILITIES IN, OVER UPON AND ACROSS THE EXISTING DRIVEWAY BETWEEN THE LANDS OF SAID CHARLES H. BARKER, ET UX., AND FLOYD A. GERMAN, ET UX., AS ABOVE DESCRIBED, EXTENDED NORTHERLY OVER THE EAST 10 FEET OF THE LANDS OF SAID GERMANS AND THE WEST 10 FEET OF THE LANDS OF SAID BARKERS; AND

AN EASEMENT FOR ACCESS AND UTILITIES IN, OVER, UPON AND ACROSS THE ACCESS ROAD "OLD DIRT ROAD:, ABOVE DESCRIBED.

TAX ID NO: 007-024-250-000

Please feel free to contact me with any additional questions at 707-263-2338.

Cara Salmon
Survey Technician
Department of Public Works
County of Lake
www.co.lake.ca.us

Amy Marigo

From: Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>
Sent: Saturday, February 19, 2022 10:27 PM
To: Eric Porter; Steven Hajik; Doug Gearhart; Ryan Lewelling; Jack Smalley; John Everett; Craig Wetherbee; Gloria Gregore; Dennis Keithly; Cara Salmon; Lori Baca; Elizabeth Martinez; Yuliya Osetrova; Northwest Information Center; Stoner, Kyle@Wildlife; Kevin Ponce; Susan Parker; vbrandon95457@gmail.com; Roberta Lyons; Ch700, Fd@yahoo; csmith@lakecountyfire.com; Mary Darby; Mary Claybon; Michael McGinnis; Duncan, Paul@CALFIRE; Galvez, Shane@CALFIRE; York, Brian@CALFIRE
Subject: [EXTERNAL] Re: RFR - file no. UP 20-71, Cali Sky; APN: 122-340-01; commercial cannabis app

Greetings Planner Porter.

These comments are from CAL FIRE

Road Standard. The RFR states the Driveway 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.

Question - Will commercial power be provided at the site by a utility provider?

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.

- 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 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 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](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.lakecountycalifornia.gov/Government/Directory/Environmental_Health/Programs/cupa.htm

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[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>

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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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Report of the Committee on - NFPA

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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]

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

Sent: Thursday, February 17, 2022 10:42 AM

To: Steven Hajik <Steven.Hajik@lakecountycalifornia.gov>; Gearhart, Doug@lcaqmd <doug@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountycalifornia.gov>; Jack Smalley <Jack.Smalley@lakecountycalifornia.gov>; John Everett <John.Everett@lakecountycalifornia.gov>; Craig Wetherbee <Craig.Wetherbee@lakecountycalifornia.gov>; Gloria Gregore <Gloria.Gregore@lakecountycalifornia.gov>; Dennis Keithly <Dennis.Keithly@lakecountycalifornia.gov>; Cara Salmon <cara.salmon@lakecountycalifornia.gov>; Lori Baca <Lori.Baca@lakecountycalifornia.gov>; Elizabeth Martinez <Elizabeth.Martinez@lakecountycalifornia.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountycalifornia.gov>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Northwest Information Center <nwic@sonoma.edu>; Stoner, Kyle@Wildlife <Kyle.Stoner@wildlife.ca.gov>; Kevin Ponce <Kevin.Ponce@cdfa.ca.gov>; Susan Parker <Susan.Parker@lakecountycalifornia.gov>; vbrandon95457@gmail.com <vbrandon95457@gmail.com>; Roberta Lyons <roberta.lyons@att.net>; Ch700, Fd@yahoo <fdchf700@yahoo.com>; csmith@lakecountycaliforniafire.com <csmith@lakecountycaliforniafire.com>; Mary Darby <Mary.Darby@lakecountycalifornia.gov>; Mary Claybon <Mary.Claybon@lakecountycalifornia.gov>; Michael McGinnis <Michael.McGinnis@lakecountycalifornia.gov>

Subject: RFR - file no. UP 20-71, Cali Sky; APN: 122-340-01; commercial cannabis app

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

Location: 10675 Sky High Ridge Road, Lower Lake

Hi all,



February 23, 2022

Eric Porter, Associate Planner
Lake County Community Development Department
Courthouse – 255 North Forbes Street
Lakeport, CA 95453

Re: Initial Study/Mitigated Negative Declaration (IS/MND) for Old Dirt Road Use Permit UP
20-71 Initial Study IS 20-86 (SCH No. 2022010587)

Dear Mr. Porter:

Thank you for providing the California Department of Cannabis Control (DCC) the opportunity to comment on the Initial Study/Mitigated Negative Declaration (IS/MND) prepared by the County of Lake for the proposed Old Dirt Road project (Proposed Project).

DCC has jurisdiction over the issuance of licenses to cultivate, propagate and process commercial cannabis in California. DCC issues licenses to outdoor, indoor, and mixed-light cannabis cultivators, cannabis nurseries and cannabis processor facilities, where the local jurisdiction authorizes these activities. (Bus. & Prof. Code, § 26012(a).) All commercial cannabis businesses within the 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/resources/rulemaking/>.

DCC expects to be a Responsible Agency for this project under the California Environmental Quality Act (CEQA) because the project will need to obtain an annual cultivation and distribution 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 comment table below relate to the need for additional detail regarding the description of the Proposed Project. In general, a more detailed project description, including specific information on the regular operations for the outdoor cultivation, mixed light

cultivation, and distribution components 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.
- 2) Detailed description of existing and proposed infrastructure and operational activities that would occur within each of 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. Estimated number of daily trips to and from the site for employee commuting, delivery of materials or supplies, and shipment of products;
 - b. Any heavy equipment that will be used for cultivation operations, including tractors, forklifts, mowers, etc.;
 - c. Any water efficiency equipment that would be used;
 - d. Utilities that would serve the project; and
 - e. 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.
 - f. 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.

GC 2: Acknowledgement of DCC Regulations

The IS/MND does not acknowledge that the Proposed Project requires a cultivation license 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(f); 16304(e); 16305; 16306.)
- Biological Resources (See §§ 15006(i); 15011(a)(11); 16304(a-c); 16304(g).)
- Cultural Resources (See § 16304(d).)
- Energy (See §§ 15006(i)(6); 15011(a)(5); 15020(f); 16305; 16306.)
- Hazards and Hazardous Materials (See §§ 15006(i)(5)(c); 15011(a)(4); 15011(a)(12); 16304(f); 16307; 16310.)
- Hydrology and Water Quality (See §§ 15006(i); 15011(a)(3); 15011(a)(7); 15011(a)(11); 16216; 16304(a); 16304(b); 16307; 16310.)

- Noise (See §§ 16304(e); 16306.)
- Public Services (See §§15011(a)(10); 15036; 15042.)
- Utilities and Service Systems (See §§ 16309; 17223.)
- Wildfire (See § 15011(a)(10).)
- Cumulative Impacts (related to the above topics)

GC 3: Impact Analysis

Several comments provided in the comment table below relate to the absence of information or support for impact statements 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, impact assessment, etc.) was provided to support the impact statements in the checklist, including the sources of information relied upon to make conclusions.

GC 4: Site-Specific Reports and Studies

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

GC 5: Evaluation of Cumulative Impacts

It is important for CEQA analysis to consider the cumulative impacts of cannabis cultivation in Lake County. Of particular importance are topics for which the impacts of individual projects may be less than significant, but where individual projects may make a considerable contribution to a significant cumulative impact. These topics include, but are not limited to:

- cumulative impacts from groundwater diversions on the health of the underlying aquifer, including impacts on other users and impacts on stream-related resources connected to the aquifer;
- cumulative impacts related to transportation; 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 coupled with other cannabis cultivation projects being

processed by the County, and any other reasonably foreseeable projects in Lake County that could contribute to cumulative impacts similar to those of the Proposed Project.

Specific Comments and Recommendations

In addition to the general comments provide above, DCC provides the following specific comments regarding the analysis in the IS/MND.

THIS SPACE INTENDED TO BE LEFT BLANK

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
1	19. Description of Project:	3	Post-Construction Operations	It is anticipated that three employees would be required according to the Property Management Plan submitted for this project.	The IS/MND would be improved if it specified whether the three employees would be required year-round or only during harvest. Also, Page 22 states that five employees would be necessary. Consistency on the number of employees needed would strengthen the document.
2	21. Other public agencies whose approval is required	3-4	N/A	N/A (General Comment)	<p>The IS/MND could be more informative if it identified the permit(s) or approval(s) required from each of the agencies listed.</p> <p>Also, please note that commercial cannabis regulation and licensing previously under the California Department of Food and Agriculture, the California Department of Public Health, and the Bureau of Cannabis Control have been consolidated into a new agency, the California Department of Cannabis Control.</p>
3	22. California Native American tribes	4	N/A	An “AB52 Notice” was sent to area tribes on January 28, 2022.	The document would be improved if it listed the tribes that were notified and whether any tribes responded or requested consultation.
4	Site Plan	4	N/A	N/A	The Site Plan included in this IS/MND refers to other “sheets” for additional detail. DCC requests that the County advise applicants that a detailed premises diagram, with all attachments, must be submitted with

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
					their state application package for an annual license to DCC. (Cal. Code Regs., tit. 4 § 15006.)
5	I(c&d)	7-8	Aesthetics	N/A (General Comment)	The response for impact question I(c) appears to be intended as a response for impact question I(d). The document would be improved if it provided an analysis of whether the Proposed Project would substantially degrade the existing visual character or quality of public views of the site and its surroundings.
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 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)).
7	II(d)	8	Agricultural Resources	However, no trees would be removed or disturbed as part of this process and the parcel is not zoned "forest land".	The text in this section is inconsistent with the analysis in the Aesthetics section, which states, "The site plan submitted appears to show approximately 30 oak trees of unknown size will need to be removed." (IS/MND, p.7.) The document would be improved if it provided consistent information regarding whether the

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
					Proposed Project would include tree removal, and provided its analysis on the basis of such information.
8	III(a)	9	Air Quality	N/A (General comment)	The analysis of air quality impacts and proposed mitigation measures would be improved if it evaluated the pollutant (including dust and particulate) emissions associated with operation of the Proposed Project, disclosed relevant air quality management plan(s) for consideration, and disclosed the air emissions significance threshold(s) against which the impacts of the Proposed Project are compared.
9	III(a)	9	Air Quality	<p>Dust and fumes may be released as a result of vehicular traffic, including small delivery vehicles.</p> <p>There is some potential for dust to result from preparing the site for the six greenhouses proposed, and from drilling post holes for the fencing that will be installed.</p>	The IS/MND would be improved if it analyzed the dust and particulate impacts resulting from vehicular traffic from regular operations and explained how mitigation measures AQ-5 and AQ-6 would reduce impacts to a less than significant level.
10	III(a)	10	Air Quality	The site plan shall be revised to show the specific areas where these fragrant plants are to be planted, as well as the irrigation line locations necessary to water these plants.	DCC requests that the County advise the applicant to include the revised Site Plan with their state application package for an annual license to DCC.

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
11	III(c)	10	Air Quality	The applicant shall be required to plant fragrant plants along the southern edge of the outdoor cultivation area per mitigation measure AQ-7. Less Than Significant Impact with mitigation measures added.	The IS/MND would be strengthened if it provided an analysis of how implementation of mitigation measure AQ-7 would reduce impacts to sensitive receptors with regards to pollutant concentrations.
12	III(d)	10	Air Quality	Mitigation measures have been added that address potential dust migration and odor masking during construction and over the life of the project.	The document would be strengthened if it provided an analysis of how the implementation of mitigation measures AQ-1 through AQ-7 would reduce impacts resulting from odor or other emissions.
13	IV(a-f)	10-12	Biological Resources	N/A (General Comment)	The IS/MND would be improved if it summarized relevant life history and occurrence information for rare species within the impact analysis discussion. In addition, the document would be strengthened if it specified the parameters for the 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 (e.g., what was the radius specified for the search, what quadrants were searched). In addition, the document would be more informative if it provided the

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
					Biological Resources Report and February 2020 survey parameters and results used to support impact conclusions of the IS/MND. DCC requests that the County advise applicants to provide copies of all project-specific plans and supporting documentation with their state application package(s) for any annual cannabis business license(s) to DCC. (See GC 4.)
14	IV(a)	11	Biological Resources	BIO-1: Prior to tree removal or any ground disturbance, a pre-construction survey for special-status species shall be performed by a qualified biologist to ensure that special-status species are not present. If any listed species are detected, construction should be delayed, and the appropriate wildlife agency (CDFW and/or USFWS) should be consulted and project impacts and mitigation reassessed.	This mitigation measure would be strengthened if it described what types of surveys will be needed for the Proposed Project; such as a rare plant survey, wetland delineation, or species-specific surveys.
15	V(a)	12	Cultural Resources	The subject site is within the Big Valley Tribe's aboriginal territory. Notice was sent to the Big Valley Tribe, as well as to all other Lake County-based tribes, on January 28, 2022. At the time of this writing, the 30 day response	If the County receives any AB52 consultation requests that may impact the IS/MND's findings or mitigation measures, the document should be revised to incorporate the results of any such requests.

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
				period required by AB 52 is ongoing and will end on March 1, 2022.	
16	VI(a)	13	Energy	The energy calculations show the daily demand as being 188790 watts per day. This roughly translates to a new demand of 400 amps. A typical dwelling requires a 200 amp service, and two dwellings would be allowed on the 82 acre site. Therefore a 400 amp services is reasonable for the cultivation activity. There are no power grid issues in the proximity of the subject site.	The IS/MND would be improved if it summarized how the energy use calculations were made, and provided an analysis of whether the Proposed Project's energy consumption would be wasteful, inefficient, or unnecessary.
17	VI(b)	13	Energy	The project is not required to provide renewable energy, which is not a requirement in California until 2024 for projects of this type.	DCC regulations require tier 2 mixed-light license types of any size and nursery licensees using tier 2 mixed-light techniques to meet certain renewable energy requirements as of January 1, 2023. (Cal. Code Regs., tit. 4 §§ 16305.) The IS/MND would be improved if it described how the Proposed Project would comply with these requirements.
18	VII(C)	14	Geology and Soils	Based on the lack of slope on the lot, and based on the erosion control plans submitted, this subcategory is 'less than significant.'	The IS/MND would be improved if it included a discussion or summary of the measures included in the erosion control plans that would reduce impacts to a less than significant level.

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
19	VIII	15	Greenhouse Gas Emissions	The applicant's submittal indicates that projected emissions would be below the BAAQMD numeric threshold.	The document would be strengthened if it disclosed the projected emissions of the Proposed Project as well as the BAAQMD standards that were used as a threshold of significance.
20	X(a)	17	Hydrology and Water Quality	N/A (General Comment)	The response to this question does not address water quality. The IS/MND would be improved if it provided an analysis of whether the Proposed Project would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.
21	XIII(a)	19-20	Noise	N/A (General Comment)	The document would be improved if it described the sources of noise (e.g., specific equipment, operation and maintenance activities) expected to occur during project operations, the levels of noise those sources are likely to generate, and a description of how the noise maximum levels included in the mitigation measures will be met. In addition, the document should describe the location and distance of any sensitive receptors and whether noise impacts to those receptors would be potentially significant.
22	XVII(b)	22	Transportation	As described above, the project would likely generate a maximum of 20 trips per day during peak harvest season – this assumes 5	The IS/MND should also describe and incorporate into its analysis any vehicle trips that would be made for delivery of materials, as well as for distribution of products.

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
				employees arriving in the morning; leaving for lunch, returning, then leaving at the end of the work day.	
23	XIX(a)	23	Utilities	Electricity can be provided by available on-grid power.	The document would be improved if it described whether the Proposed Project is currently connected to on-grid power, or whether the Proposed Project requires expansion or relocation of electric power facilities. If new electric power facilities are required, the document should include an analysis of whether the construction or relocation of electrical facilities would result in impacts to the environment.
24	XIX(a)	23	Utilities	Stormwater drainage is addressed in the studies provided to the County for this project.	The IS/MND would be improved if it disclosed the stormwater information included in these studies provided to the County and summarized or analyzed any potential environmental impacts related to stormwater drainage facilities. DCC requests that the County advise applicants to submit all supporting documentation with their state license application package. (See GC 4.)
25	XIX(f)	23	Utilities	There is adequate solid waste capacity in the Lake County solid waste facility to accommodate this project. Commercial cannabis	The IS/MND would be improved if it provided an analysis of whether the Proposed Project would comply with federal, state, and local statutes and regulations related to solid waste.

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
				cultivation projects typically generate between 200 and 400 pounds of solid waste per year, and there are no capacity issues associated with the landfill for Lake County.	
26	XXI(b)	24	Mandatory Findings of Significance (Cumulative Impacts)	N/A (General Comment)	The IS/MND should identify whether any other cannabis growing operations exist or have been proposed in the vicinity of the Proposed Project, and provide an analysis of whether the Proposed Project would make a considerable contribution to any cumulative impacts from these other projects. (See GC 5.)

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,

Lindsay Rains
Licensing Program Manager

CALIFORNIA
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SAN MATEO
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SANTA CRUZ
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Rohnert Park, California 94928-3609
Tel: 707.588.8455
nwic@sonoma.edu
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February 10, 2022

File No.: 21-1231

Eric Porter, Associate Planner
Lake County
Community Development Department
255 N. Forbes Street
Lakeport, CA. 95453

re: UP 20-71 / APN 007-023-05 at 8300 Old Dirt Road, Kelseyville/ Cruz Family Farms / Antonio Cruz

Dear Eric Porter,

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 for two (2) A-Type 3 medium outdoor cultivation licenses consisting of 130,680 sq. ft. of outdoor cannabis cultivation area; one (1) A-Type 3B 'medium mixed light' license consisting of 22,000 sq. ft. of greenhouse cultivation area, and one (1) A-Type 13 Self Distribution License for the legal transportation of commercial cannabis. The project includes six (6) 30' x 96' greenhouses; two (2) 200 sq. ft. sheds for pesticide / fertilizer and miscellaneous storage, and proposes portable restrooms. The 88+ acre site is located to the west of Kelseyville. The parcel is not located within a mapped Farmland Protection Area, but is within the SRA High Fire Area.

Previous Studies:

XX This office has no record of any previous cultural resource studies for the proposed project area (see recommendation below).

Archaeological and Native American Resources Recommendations:

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

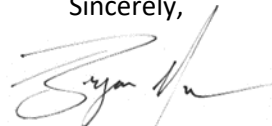
XX Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, if the project area contains such properties, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture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