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July 28, 2023

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## INITIAL STUDY & NEGATIVE DECLARATION AGRICULTURE-EXEMPT & TEMPORARY CANNABIS PROCESSING STRUCTURES ORDINANCE

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**Project Number:** IS 23-13  
**Project Location:** Countywide  
**Supervisor District:** Countywide

**PROJECT SUMMARY:** The Agriculture-Exempt & Temporary Cannabis Processing Structures Ordinance is an amendment to the County Code that establishes regulations to permit the use of certain temporary structures for the purposes of drying and processing commercial cannabis onsite at approved outdoor, mixed-light, and indoor commercial cannabis operations, and allows agriculture-exempt structures for the storage of supplies and equipment for cannabis cultivation. As discussed in more detail in the Project Description, the proposed ordinance includes several limitations on the size, scope, and duration of the agriculture-exempt structures and temporary processing structures that can be permitted in the County, including allowable footprints of structures, and building material specifications that cover temporary tent structures and temporary container structures. The Project includes the following types of regulations on temporary drying structures for commercial cannabis cultivation: 1) application requirements including submittal of site plans, project descriptions, locations of proposed and existing structures and uses of structures, and proposed dates of use; 2) setback requirements and height limitations; 3) allowable footprint size; 4) slope requirements; 5) electrical limitations and inspection requirements; 6) guidelines for the use of generators; and 7) limitations on the duration of use. The Project establishes a process for temporary drying structure building permit applications, renewal, suspension, and revocation; and establishes development standards, performance standards, and temporary permit requirements, as well as a process for building agricultural structures that are exempt from building permit requirements.

Prepared by:  
The County of Lake  
Community Development Department  
Planning Division

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## LIST OF ACRONYMS

AAC	Agricultural Advisory Committee
AQMD	County of Lake Air Quality Management District
BMP	Best Management Practices
BOS	County of Lake Board of Supervisors
CDD	Community Development Department
CE	Categorical Exemption (see CEQA)
CEQA	California Environmental Quality Act and Amendments
COTF	Cannabis Ordinance Task Force
EIR	Environmental Impact Report
DCC	State of California Department of Cannabis Control
IS	Initial Study (CEQA document)
ND	Negative Declaration (CEQA document)
NOD	Notice of Determination (CEQA document)
NOI	Notice of Intent (CEQA document)
OPR	Governor's Office of Planning and Research
PRC	Public Resource Code
SCH	State Clearinghouse

## 1. INTRODUCTION

This Initial Study (IS 23-13) evaluates potential environmental effects resulting from the adoption, implementation, and enforcement of the proposed Agriculture-exempt & Cannabis Processing Structures Ordinance. The proposed Project is subject to the guidelines and regulations of the California Environmental Quality Act (CEQA) and has been prepared in compliance with relevant provisions of CEQA and the State CEQA Guidelines as implemented by the County of Lake (the County). Based on the analysis provided within this Initial Study, the County has concluded that the Project will not result in significant impacts on the environment. This Initial Study and Negative Declaration provides project information for the decision makers for consideration prior to adoption.

### 1.1 Purpose of the Initial Study

An initial study is a preliminary analysis required by CEQA and prepared by a lead agency, in consultation with other responsible and trustee agencies to determine whether an environmental impact report (EIR), or negative declaration (ND) or mitigated negative declaration (MND) is required. Mitigated negative declarations include mitigation measures that will be incorporated into the project to reduce potential significant environmental impacts to less than significant. The purpose of preparing an initial study serves several basic purposes that include: 1) to inform government decision makers and the public about the potential significant environmental effects of proposed projects; 2) to identify ways that environmental damage can be avoided or significantly reduced; 3) to prevent significant, avoidable damage to the environment by requiring changes in projects through the use of feasible alternatives or mitigation measures; and 4) to disclose to the public the reasons behind a project's approval even if significant environmental effects are anticipated and mitigated.

The Community Development Department (CDD), as lead agency has determined that pursuant to the California Code of Regulations Title 14, Division 6, Chapter 3, Article 20, Section 15378, the proposed zoning ordinance amendment is a "project" subject to CEQA, and the preparation of an initial study is required. If the initial study concludes that the Project, with mitigation, may have a significant effect on the environment, an EIR should be prepared; otherwise, the lead agency may adopt a Negative Declaration or a Mitigated Negative Declaration.

## 2. PROJECT PROFILE

1. Project Title: Agriculture-exempt & Cannabis Processing Structures Ordinance
2. Permit Numbers: Initial Study 23-13
3. Lead Agency Name and Address: County of Lake  
CDD - Planning Division  
255 North Forbes Street  
Lakeport, CA 95453
4. Contact Person: Andrew Amelung  
Cannabis Program Manager  
(707) 263-2221
5. Project Location(s): Countywide
6. Applicant Name & Address: N/A
7. General Plan Designation: N/A
8. Zoning: N/A
9. Supervisor District: Countywide
10. Flood Zone: Varies throughout the County
11. Slope: Varies throughout the County
12. Fire Hazard Severity Zone: Varies throughout the County
13. Earthquake Fault Zone: Varies throughout the County
14. Dam Failure Inundation Area: Varies throughout the County
15. Parcel Size: N/A

## 2.2 Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

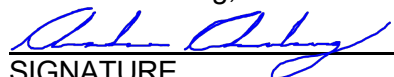
- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Aesthetics                       | <input checked="" type="checkbox"/> Greenhouse Gas Emissions      | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Agriculture & Forestry Resources | <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Recreation                         |
| <input checked="" type="checkbox"/> Air Quality           | <input type="checkbox"/> Hydrology & Water Quality                | <input type="checkbox"/> Transportation                     |
| <input type="checkbox"/> Biological Resources             | <input type="checkbox"/> Land Use Planning                        | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Cultural Resources               | <input type="checkbox"/> Mineral Resources                        | <input type="checkbox"/> Utilities & Service Systems        |
| <input type="checkbox"/> Energy                           | <input checked="" type="checkbox"/> Noise                         | <input type="checkbox"/> Wildfire                           |
| <input checked="" type="checkbox"/> Geology & Soils       | <input type="checkbox"/> Population & Housing                     | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the lead agency)

On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Initial Study Prepared By:  
Andrew Amelung, Cannabis Program Manager



SIGNATURE

County of Lake, CDD – Planning Division

Date: 08/02/2023

### 3. PROJECT OVERVIEW

#### 3.1 Background & Timeline

On September 27, 2022, the County of Lake Board of Supervisors (BOS) adopted Resolution of Intent (Resolution 2022-122) to initiate a zoning ordinance amendment regulating agricultural-related structures, mitigation fees, and temporary building types allowable for use on approved commercial cannabis cultivation sites. The BOS requested that the resolution and draft ordinance be considered by the Cannabis Ordinance Task Force (COTF) – an advisory committee that was formed in 2022 to make recommendations on a comprehensive new cannabis ordinance to be added as Article 73 of the Zoning Ordinance (Chapter 21 of the Lake County Municipal Code). After recommendations from the COTF were established, the BOS also requested consideration of recommendations from the County of Lake Agricultural Advisory Committee (AAC) and the County of Lake Planning Commission before returning all recommendations back to the BOS for a final consideration.

Resolution 2022-122 encompassed four primary types of accessory agricultural structures as proposed allowable uses on existing, permitted commercial cannabis cultivation sites which include: 1) allowing agriculture-exempt structure permits to be issued for commercial cannabis operations, an application that was not previously allowed for commercial cannabis cultivation without a preexisting agricultural use on the property and a minimum of 10 acres; 2) allowing temporary hoop structures for use within outdoor cultivation canopy areas, which can serve as a means of protecting plants from natural elements and contamination and reducing the amount of water consumption and transpiration in times of severe and exceptional drought; 3) allowing shipping containers for use as temporary storage, drying, and processing structures; and 4) allowing general purpose tents for use as storage, drying, and processing structures. The first two types of proposed accessory structures would both require an agriculture-exempt permit to be approved by the CDD Planning Division and the Department of Agriculture, while the second two types of structures would require a temporary building permit, accompanied by a demolition permit, to be approved by the CDD Planning Division and issued by the CDD Building Division. Proposed regulations described in Resolution 2022-122 include the following:

#### Agriculture-Exempt (Ag-Exempt) Structures

- Agriculture-exempt Permits be allowed on parcels of land with an area of five or more acres being used primarily for agricultural uses, with cannabis cultivation being an agricultural use.
- An Agriculture-exempt Permit be applied for by the property owner or authorized agent with a plot plan of proposed and existing buildings including size, use and location on the property in relation to property lines and other buildings.
- Confirmation of the proposed structures as accessory to an agricultural use by the Agricultural Commissioner and the Community Development Director, and substantiation of the use's consistency with the Lake County Zoning Ordinance.
- Any agricultural building proposed within a FEMA flood hazard area as defined by Chapter 25 of the Municipal Code be constructed in compliance with the requirements of Chapter 25, with Building Official provisions for flood hazard requirements.
- Ag-Exempt Structures shall not conflict with zoning district restrictions.
- Ag-Exempt Structures shall have a 50-foot setback from a property line.
- Ag-Exempt Structures shall have a 40-foot setback from a primary residence.



- Ag-Exempt Structures shall not be an addition to any existing structures not designated “Agriculture-exempt”.
- Ag-Exempt Structures located on parcels between five and 10 acres in size shall not exceed a building height of 25 feet, while structures on parcels greater than 10 acres shall not exceed a building height of 35 feet.
- Total square footage of all Ag-Exempt Structures is limited to five percent of the agricultural operation unless approved by both the Agricultural Commissioner or the Community Development Director.
- No single Ag-Exempt Structure shall exceed 15,000 square feet unless approved by both the Agricultural Commissioner and the Community Development Director.
- The ground floor of an Ag-Exempt Structure shall be on grade and must be concrete, dirt or asphaltic concrete.
- Standard permits and inspections are required electrical and plumbing installations, with electrical installations limited to 100-amp services and plumbing installations limited to exterior hose bibbs and a cleanup sink.
- Mechanical installations are prohibited except for odor control systems upon prior approval of the Community Development Director.
- Waste Systems for plumbing installations require approvals prior to issuance from the Department of Environmental Health.
- Generators are prohibited except for emergency backup power purposes, which include short interruption of power due to outages.
- Exiting from Ag-Exempt Structures shall be arranged so that no point in the building is more than 300 feet from an exit, and there shall be one exit for every 15,000 square feet of building area.
- Approved Cannabis Cultivation permittees are allowed to submit applications for Ag-Exempt Structure.
- Other fees and permits may apply as needed based on the structure design and requirement.

#### Temporary Agricultural Structures (Hoops) for Cannabis Cultivation

- A temporary building permit is applied for by the property owner or authorized agent with a complete application including site plans, locations and uses of all proposed and existing structures, detailed elevations including proposed anchoring, project description, dates of use, and appropriate fees.
- Permittees with an approved cannabis cultivation permit are eligible to apply.
- Applicants are responsible for obtaining any other necessary state and local permits.
- The application shall comply with Zoning District requirements.
- The structure is made entirely of PVC or similar tubing and a maximum of 10 mil plastic or shade cloth is used.
- Hoops shall have a maximum height of 12 feet and a maximum width of 20 feet, with a maximum length of 100 feet and a maximum square footage of 2,000 square feet.
- There is a maximum distance of 75 feet from any point in the structure to an exit, with a minimum of two exits with one at each end.
- There is a 36-inch-wide path of travel to each exit.
- Nothing is supported by the structure other than the plastic cover or shade cloth.
- Multiple structures have a 10-foot minimum fire separation distance between structures.
- The structure must be 50 feet from any dwelling.
- There is no mechanical, electrical, or heat producing equipment installed or operating in the structure.

- Plumbing components are limited to irrigation piping and distribution.
- No CO<sub>2</sub> enrichment is present.
- Hoop structures are only allowed in connection with an allowable use or permitted use within the property's base zoning district.
- Both ends of every hoop need to be securely embedded a minimum of 12 inches into soil or concrete.
- Hoop house(s) shall be removed when no longer being used for the defined allowable use.

#### Temporary Shipping Containers for Storage, Drying and Processing Cannabis

- A temporary building permit is applied for by the property owner or authorized agent with a complete application including site plans, locations and uses of all proposed and existing structures, detailed elevations including proposed anchoring, project description, dates of use, and appropriate fees.
- Permittees with an approved cannabis cultivation permit are eligible to apply.
- Applicants are responsible for obtaining any other necessary state and local permits.
- The application shall comply with Zoning District requirements.
- Containers shall have a 50-foot setback from a property line regardless of the size of the parcel.
- Containers shall have a 10-foot setback from all structures.
- Containers shall not be an addition to an already existing structure or building.
- Containers shall not have a height greater than 10 feet.
- Exiting from shipping containers shall be arranged so that no point in the structure is more than 20 feet from an exit.
- Total square footage of containers is limited to five percent of the agricultural development unless approved by both the Agricultural Commissioner and the Community Development Director.
- Containers shall be on a grade with a maximum slope of two percent and must be on concrete, dirt, or asphaltic concrete.
- Standard building permits and inspections are required for electrical installation, limited to 100-amp services, and no mechanical installations are allowed except for the installation of odor control systems upon prior approval by the Community Development Director.
- Generators are allowed during the duration of the temporary permit with permitting approval from the Lake County Air Quality Management District prior to installing or operating a generator.
- For diesel generators, Tier 4F or better generator is highly recommended, and all generators must comply with the applicable Air Toxic Control Measures and National Emissions Standards for Hazardous Air Pollution for internal combustion engines to be approved by the Lake County Air Quality Management District.
- Containers shall be temporarily allowed for a maximum of 60 days out of the calendar year and the permit shall only be approved no more than two times.
- Once the 60 days has expired the structure(s) shall be removed immediately.

#### Temporary General Purpose Tents for Storage, Drying and Processing Cannabis

- A temporary building permit is applied for by the property owner or authorized agent with a complete application including site plans, locations and uses of all proposed and existing structures, detailed elevations including proposed anchoring, project description, dates of use, and appropriate fees.
- Permittees with an approved cannabis cultivation permit are eligible to apply.
- Applicants are responsible for obtaining any other necessary state and local permits.

- The application shall comply with Zoning District requirements.
- General purpose tents shall have a 50-foot setback from all other structures.
- General purpose tents shall have a ten-foot setback from all other structures.
- General purpose tents shall not be an addition to any already existing structures.
- General purpose tents shall not have a height greater than 16 feet.
- Exiting from the general purpose 10 shall be arranged so that no point in the structure is more than 20 feet from an exit.
- Total square footage of general-purpose tents is limited to five percent of their agricultural development, unless approved by both the Agricultural Commissioner and the Community Development Director.
- General purpose tents shall be on grade and must be on concrete, dirt, or asphaltic concrete.
- Standard building permits and inspections are required for electrical installation, limited to 100-amp services, and no mechanical installations are allowed except for the installation of odor control systems upon prior approval by the Community Development Director.
- Generators are allowed during the duration of the temporary permit with permitting approval from the Lake County Air Quality Management District prior to installing or operating a generator.
- For diesel generators, Tier 4F or better generator is highly recommended, and all generators must comply with the applicable Air Toxic Control Measures and National Emissions Standards for Hazardous Air Pollution for internal combustion engines to be approved by the Lake County Air Quality Management District.
- Containers shall be temporarily allowed for a maximum of 60 days out of the calendar year and the permit shall only be approved no more than two times.
- Once the 60 days has expired the structure(s) shall be removed immediately.

Between October 2022 and January 2023, the COTF reviewed these proposed regulations and considered public comments at their advisory committee meetings. The COTF is comprised of representation from the Lake County Farm Bureau, the Agricultural Commissioner, local fire districts, tribal representation, north Lake County community representation, south Lake County community representation, cannabis industry representation, and the President of the Lake County Cannabis Alliance. The COTF established final recommendations at their January 23, 2023 meeting and approved the recommendations at their February 7, 2023 meeting. COTF recommendations include the following:

#### Section 5-6.24 of Chapter 5 Ag. Exempt Structures

1. Propose no change to the definition of Ag-exempt structures. Electrical would only be allowed with a building permit. Cannabis permittees would qualify to use these structures within the already established “Ag. Exempt Structure” definitions.

#### Section 5-6.25 of Chapter 5 Temporary Ag Structures

2. Change title to “Temporary Hoops for Cultivation” for these structures.
3. Add wording that these Temporary Hoops for Cultivation would be exempted from the building permit process if the structures met the listed criteria.
4. Specify the method of anchoring the Temporary Hoops for Cultivation into the ground and include a section on the Ag-Exempt Permit application for this information.
5. Ensuring compliance with California Public Resources Code Section 4290 and 4291 for temporary processing structures.

6. Require that generator rules be consistent for all cannabis-related permits in the Lake County Code, and with the version of the Fire Code in effect at the time of submission of permit application.
7. Require that adherence to Department of Cannabis Control (DCC) guidelines for Temporary Hoops for Cultivation be apparent at application submission.
8. Section 3: Change title to "Temporary Structures for Cannabis Drying".
9. No comment regarding Hoop Houses.
10. In Tents: Clarify that loads are not to be added to the actual hoop or tent structure, but rather are located on an internal load-bearing frame, or on a separate structure within the hoop or tent structure.
11. Allow shipping containers as an accessory agricultural use coupled with a temporary drying use, sunsetting the drying use to three years after the permit's issuance.
12. Size: Limit the total square footage of the Temporary Cannabis Drying Structures to 10% of the project's total canopy area.

Additional Cannabis Task Force Recommendations to the Board of Supervisors include:

13. Require the conveyance of the project site plan to the responsible fire district before commencement of project operations. Physically locate the site plans on site in a Knox Box or other area where they may be easily accessed, viewed, and advise the Fire Districts of the on-site Site Plan's location.
14. Clarify that responsibility for issuance of permits remains with the Community Development Department.

On February 27, 2023, the Community Development Director brought these recommendations to the Agricultural Advisory Committee at their regular meeting, and the Committee agreed with COTF recommendations 1 and 13 listed above, provided no direct comments or recommendations on recommendations 2 through 12, and further recommended a focus be placed on public safety.

On April 18, 2023, the Community Development Director and the Cannabis Program Manager brought this item to the County of Lake Planning Commission hearing where issues were discussed including: 1) concerns over generator use and their potential impacts on noise, air quality, wildfire risks and hours of operation; 2) concerns about the impacts of concrete padding as a foundation for temporary structures on agricultural land; 3) setback requirements; 4) the movement of containers and the dismantling and removal of temporary structures; and 5) the lack citation and a clear nexus between the items in the draft ordinance and existing regulations, restrictions and requirements. The appropriate environmental review process for the draft ordinance under CEQA was also discussed, and the Planning Commission made a motion to pass the following recommendations:

1. Apply the existing 100-foot setback from the property line for all commercial cannabis projects to the use of generators, as opposed to the proposed 50-foot setback provided in Resolution 2022-122.
2. Remove "concrete" and "asphaltic concrete" from the recommended padding for temporary container and tent structures used for drying and processing.
3. Clarify that the 10 percent of cultivation canopy area allowed for drying and processing structures be the combined total of ag-exempt structures, containers, and tent structures.
4. Provide citation when necessary to refer to existing regulations in the Zoning Ordinance and Municipal Code.
5. CDD Staff determine the appropriate environmental review process of the draft ordinance under CEQA guidelines.

At the April 18, 2023 BOS meeting, staff brought the collective recommendations from the COTF, AAC, and Planning Commission for consideration. A determination was made that the use of temporary hoop houses for outdoor cannabis cultivation could be ministerial allowed and the accessory nature of these structures along with demolition requirements could move forward as a stand-alone ordinance that is exempt under CEQA Section 15304. The addition of these temporary hoop structures were deemed to be a Class 4 CEQA exemption which “consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees exempt for forestry and agricultural purposes.” Section (e) of this CEQA exempt class allows for “minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees, etc.” The stand-alone ordinance was discussed under consideration at several subsequent BOS meetings and was ultimately approved on May 16, 2023 as Ordinance 3132 – The Temporary Hoop Structures for Commercial Cannabis Ordinance.

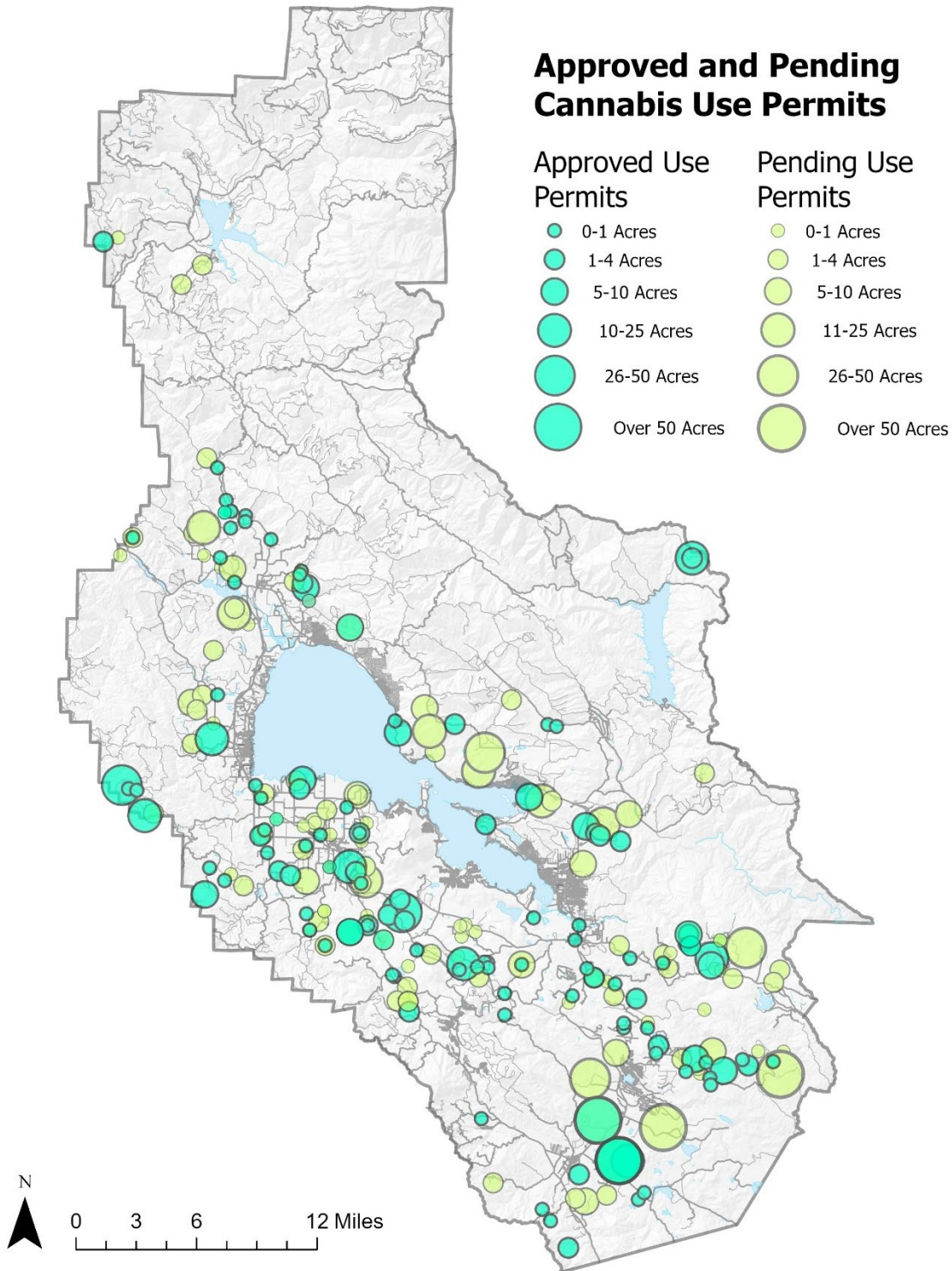
Under CDD staff recommendation, it was also determined at the April 18, 2023 BOS meeting that the three items that were stricken from Ordinance 3132 (ag-exempt structures, temporary containers for drying and processing, and temporary tent structures for drying and processing) should undergo an environmental evaluation under the guidelines of CEQA to determine the existence of any potentially significant environmental impacts. The BOS made other recommendations that are further explained in the Project Description.

### 3.2 Environmental Setting

For the purposes of CEQA, the analysis of potential environmental impacts from a project is based on the existing baseline conditions, which generally refer to the physical conditions at the time the lead agency initiates the environmental review of the project (CEQA Section 15125(a)). This is the case even if the existing conditions are partially or entirely the result of prior illegal activities including zoning and building code violations. Currently, the County is experiencing a rise in unpermitted processing activities due to a limited number of options for offsite processing available to cultivators within the County.

In addition to the high costs and logistical dilemmas of moving wet cannabis product off cultivation sites, local permittees generally prefer to conduct drying and processing of cannabis products onsite. Many of the County’s approved major and minor permits for outdoor, mixed-light, and indoor cultivation operations include plans for onsite, permanent processing structures and associated facilities. Despite this, due to 1) cannabis market prices in California drastically falling in 2021 (Polson et al, 3); 2) the high costs and delayed processing times for local permitting and state licensing (Bodwichtch et al, 1); and 3) steep competition with an illegal cannabis market (Goldstein & Summer, ix); many permittees are currently unable to implement their approved processing facility plans. They are currently looking to the County to provide a path for temporary structure permitting. If approved, this can help them bridge the gap to a position where they are able to implement the full scope of their approved plans without having to go through the entire use permitting process again.

FIGURE 1. Cannabis Permitting in Lake County



Created by Andrew Amelung, Cannabis Program Manager  
County of Lake - CDD Planning Division  
November 7, 2022

The County currently has 141 approved commercial cannabis use permits. These approved major and minor use permits are comprised of 107 outdoor cultivation operations and 25 mixed-light or indoor cultivation operations, with the remaining permits being for manufacturing, processing, or retail uses. Base Zoning Districts where cannabis cultivation is an allowable use includes: Agricultural Preserve, Agriculture, Timber Preserve, Rural Lands, Rural Residential, Suburban Reserve, and Planned Development Commercial. Locations where cultivation occur range in character from predominately traditional agricultural valleys with access to basic infrastructure and utilities, to remote locations in rugged mountainous terrain typically far removed from any utilities or services. Permittees actively pursuing a pathway to use temporary processing structures cross both sides of this spectrum, while those who are interested in new ag-exempt structures tend to be those in more rugged areas without previously established agricultural uses.

There have been several incidents of unpermitted drying and processing activities in previously existing ag-exempt structures that are not approved for use as a place of human habitation or employment, as well as in unpermitted structures in more remote locations. Violations range from minor to egregious.

Many of the permittees requesting a path for temporary processing structures have already been approved for permanent processing structures, however due to the 2021 crash in cannabis market prices and an increase in construction costs (Raetz et al, 12), these permanent processing structures are not able to be built under current economic conditions. Without a clear path towards a legal and regulated option for temporary onsite processing, these violations can be expected to continue and potentially increase. Risks associated with unpermitted drying and processing include unsafe working conditions, threat to human life and safety, and increased wildfire risk from unpermitted electrical systems. The likelihood of exacerbating the difficulties associated with establishing a local sustainable legal market may also exist.

By allowing a path forward for temporary processing structures and accessory ag-exempt structures to operate legally within the County, it can be reasonably assumed that the number of violations on approved cultivation sites will decrease. Upon approval, the associated risks from these violations will be reduced through a ministerial review process and the associated planning, building, and code enforcement inspections.

### 3.3 Project Description

Final recommendations for environmental review under CEQA guidelines for the draft ordinance amending Section 5-6.25 of Chapter 5 of the Lake County Code include regulations for ag-exempt structures used for the storage of cannabis cultivation supplies and equipment as well as regulations and standards for the use of temporary containers and tent structures for drying and processing commercial cannabis onsite. These recommendations and standards were determined by the BOS at their April 18, 2023 meeting after striking them from Ordinance 3132. In response to previous recommendations made by the COTF, the AAC, and the Planning Commission, the BOS determined the following additional recommendation:

- Temporary drying and processing structures, whether a container or a tent structure, shall be placed on a dirt surface only.
- The combined footprint of any containers, tent structures, and ag-exempt structures shall not exceed 10 percent of the approved canopy area.

- Any placement of generators shall maintain a 100-foot setback applied to all commercial cannabis activities under Article 27.13(at).
- A review of commercial requirements for Public Resource Code 4290/4291 be included in the analysis of the use of proposed temporary processing structures.
- Temporary hoops for drying and processing shall use internal load-bearing structures to maintain the tent's structural integrity.
- Temporary drying and processing structures shall be limited to three years of use.
- In coordination with the local fire districts, updated site plans must be located within a knock box at the entry gate of each commercial cannabis operation, and other coordinated means of providing adequate information for each approved operation be provided to the appropriate fire district.
- Citations in the draft ordinance be listed as references within the draft and should avoid quoting any other existing regulation verbatim, and existing regulations for commercial cannabis operations be clarified throughout the draft ordinance.
- The assembling, dismantling and removal of temporary structures be conducted in conjunction with the appropriate CDD staff inspections by the Planning, Building, and Code Enforcement Divisions.

In addition to these recommendations and changes to previous recommendations, a discussion on the appropriate use of generators was also held at the April 18, 2023 BOS meeting. The BOS had conflicting opinions on whether existing and allowable agricultural uses of generators be applied to the proposed commercial cannabis structures in the draft ordinance, or whether they be allowed for emergency backup use only, or they not be allowed at all. County staff was ultimately directed to conduct the environmental review for the use of generators for these structures "as (currently) allowed" under the existing commercial cannabis regulations found in Article 27.13(at), which limits generator use for mixed-light and indoor cultivation, as well as manufacturing of cannabis products, to backup emergency use only, while generator use for outdoor cultivation has no distinct restrictions currently in place.

With these final recommendations available to provide direction for the draft Agriculture-exempt & Temporary Cannabis Drying Structures Ordinance, an outline for the draft ordinance to undergo environment review under CEQA guidelines are as follows:

#### Agriculture-Exempt (Ag-Exempt) Structures for storage of supplies and equipment

- Agriculture-exempt Permits be allowed on parcels of land with an area of five or more acres being used primarily for agricultural uses, with cannabis cultivation being an agricultural use.
- An Ag-Exempt Permit be applied for by the property owner or authorized agent with a plot plan of proposed and existing buildings including size, use and location in relation to property lines and other buildings.
- Confirmation of the proposed structures as accessory to an agricultural use by the Agricultural Commissioner and the Community Development Director, and substantiation of the use's consistency with the Lake County Zoning Ordinance.
- Any Ag-Exempt Structure proposed within a FEMA flood hazard area as defined by Chapter 25 of the Municipal Code be constructed in compliance with the requirements of Chapter 25, with Building Official provisions for flood hazard requirements.
- Ag-Exempt Structures shall not conflict with zoning district restrictions.
- Ag-Exempt Structures shall have a 100-foot setback from a property line (Article 27.13(at)).



- Ag-Exempt Structures shall have a 200-foot setback from a primary residence (Article 27.13(at)).
- Ag-Exempt Structures shall not be attached to any existing structures not designated “Agriculture-exempt”.
- Ag-Exempt Structures located on parcels between five and 10 acres in size shall not exceed a building height of 25 feet, while structures on parcels greater than 10 acres shall not exceed a building height of 35 feet.
- Total square footage of all Ag-Exempt Structures is limited to ten percent of the agricultural operation unless approved by both the Agricultural Commissioner and the Community Development Director.
- No single Ag-Exempt Structure shall exceed 15,000 square feet unless approved by both the Agricultural Commissioner and the Community Development Director.
- As a permanent structure, the ground floor of an Ag-Exempt Structure shall be on grade and must be concrete, dirt or asphaltic concrete.
- Standard building permits and inspections are required electrical and plumbing installations, with electrical installations limited to 100-amp services and plumbing installations limited to exterior hose bibbs and a cleanup sink.
- Mechanical installations are prohibited except for odor control systems upon prior approval of the Community Development Director.
- Waste Systems for plumbing installations require approvals prior to issuance from the Department of Environmental Health.
- Generators are prohibited except for emergency backup power purposes, which include short interruption of power due to outages.
- Exiting from Ag-Exempt Structures shall be arranged so that no point in the building is more than 300 feet from an exit, and there shall be one exit for every 15,000 square feet of building area.
- Approved commercial cannabis cultivation permittees are allowed to submit applications for Ag-Exempt Structure.
- Other fees and permits may apply as needed based on the structure design and requirement.
- Ag-Exempt Structures meet the definition as described Section 5-6.24 of Chapter 5 of the Lake County Municipal Code and shall not be a place for human habitation and/or employment. Any electrical systems would only be allowed with a building permit. Cannabis permittees would qualify to use these structures within the already established “Ag. Exempt Structure” definitions for storage of supplies and equipment.

#### Temporary Shipping Containers for Storage, Drying and Processing Cannabis

- A temporary building permit is applied for by the property owner or authorized agent with a complete application including site plans, locations and uses of all proposed and existing structures, detailed elevations including proposed anchoring, project description, dates of use, and appropriate fees.
- Permittees with an approved commercial cannabis cultivation permit are eligible to apply.
- Applicants are responsible for obtaining any other necessary local and state permits.
- The application shall comply with Zoning District requirements.
- Containers shall have a 100-foot setback from a property line regardless of the size of the parcel.
- Containers shall have a 10-foot setback from all structures.
- Containers shall not be attached to an already existing structure or building.
- Containers shall not have a height greater than 10 feet.

- Exiting from shipping containers shall be arranged so that no point in the structure is more than 20 feet from an exit.
- Total square footage of containers is limited to ten percent of the approved cultivation canopy area unless approved by both the Agricultural Commissioner and the Community Development Director.
- Containers shall be on a grade with a maximum slope of two percent and must be on dirt.
- Standard building permits and inspections are required for electrical installation, limited to 100-amp services, and no mechanical installations are allowed except for the installation of odor control systems upon prior approval by the Community Development Director
- Generators are allowed during the duration of the temporary building permit for outdoor cultivation permittees only with permitting approval from the Lake County Air Quality Management District prior to installing or operating a generator.
- For diesel generators, Tier 4F or better generator is highly recommended, and all generators must comply with the applicable Air Toxic Control Measures and National Emissions Standards for Hazardous Air Pollution for internal combustion engines to be approved by the Lake County Air Quality Management District.
- Containers shall be temporarily allowed for a maximum of 60 days out of the calendar year and the permit shall only be approved no more than three times.
- Once the 60 days has expired the structure(s) shall be removed immediately.
- Require conformance to California Public Resources Code Section 4290 and 4291, as pertaining to Agricultural Standards, for temporary drying structures (per RES 2019-124).
- Require the conveyance of the project site plan to the responsible fire district before commencement of project operations. Physically locate the site plans on site in a Knox Box or other area where they may be easily accessed, viewed, and advise the Fire Districts of the on-site Site Plan's location.

#### Temporary General Purpose Tents for Storage, Drying and Processing Cannabis

- A temporary building permit is applied for by the property owner or authorized agent with a complete application including site plans, locations and uses of all proposed and existing structures, detailed elevations including proposed anchoring, project description, dates of use, and appropriate fees.
- Permittees with an approved cannabis cultivation permit are eligible to apply.
- Applicants are responsible for obtaining any other necessary local and state permits.
- The application shall comply with zoning district requirements.
- General purpose tents shall have a 100-foot setback from all other structures.
- General purpose tents shall have a ten-foot setback from all other structures.
- General purpose tents shall not be an addition to any already existing structures.
- General purpose tents shall not have a height greater than 16 feet.
- Exiting from the general purpose tent shall be arranged so that no point in the structure is more than 20 feet from an exit.
- Total square footage of general-purpose tents is limited to ten percent of their approved commercial cultivation canopy area unless approved by both the Agricultural Commissioner and the Community Development Director.
- General purpose tents shall be on grade and must be on dirt.
- Standard building permits and inspections are required for electrical installation, limited to 100-amp services, and no mechanical installations are allowed except for the installation of odor control systems upon prior approval by the Community Development Director.

- Generators are allowed during the duration of the temporary permit for outdoor cultivation permittees only with permitting approval from the Lake County Air Quality Management District prior to installing or operating a generator.
- For diesel generators, Tier 4F or better generator is highly recommended, and all generators must comply with the applicable Air Toxic Control Measures and National Emissions Standards for Hazardous Air Pollution for internal combustion engines to be approved by the Lake County Air Quality Management District.
- General purpose tents shall be temporarily allowed for a maximum of 60 days out of the calendar year and the permit shall only be approved no more than three times.
- Once the 60 days has expired the structure(s) shall be removed immediately.
- Require conformance to California Public Resources Code Section 4290 and 4291, as pertaining to Agricultural Standards, for temporary drying structures (per RES 2019-124).
- Loads are not to be added to the actual hoop or tent structure, but rather are located on an internal load-bearing frame, or on a separate structure within the hoop or tent structure.
- Require the conveyance of the project site plan to the responsible fire district before commencement of project operations. Physically locate the site plans on site in a Knox Box or other area where they may be easily accessed, viewed, and advise the Fire Districts of the on-site Site Plan's location.

### *3.3.1 Operational Standards*

In addition to the recommendations provided, Article 27.13(at) of the Lake County Zoning Ordinance covers a wide range of performance and development standards that must be met before approval of a major or minor use permit for commercial cannabis activities, including cultivation, processing, distribution, and manufacturing. Article 27.13(at) includes specific standards, regulation, and restrictions for processing cannabis that are designed to prevent any cannabis operation from becoming a potential nuisance. However, these standards only apply to permanent processing facilities, whereas the Lake County Zoning Ordinance is a permissive ordinance, whereby only those uses and facilities listed are allowed, except as provided by an administrative or discretionary action. To enact a ministerial process to permit temporary processing structures and ag-exempt structures for cannabis operations, this draft ordinance must first be approved. Upon approval, all other standards laid out in Article 27.13(at) shall also be applied.

### *3.3.2 Enforcement*

As described in Article 27.13(at)(4), all major and minor use permits for cannabis activities must adhere to compliance monitoring, whereby a compliance monitoring inspection of the cultivation site shall be conducted annually during the growing season by the CDD Planning Division with cooperation from the CDD Code Enforcement Division. Furthermore, Article 27.13(at)(5) provides requirements for annual performance reports in order to identify the effectiveness of the approved major or minor use permit, operations manual, operation standards, water use, and conditions of approval. As part of the annual inspection and monitoring of the approved use permit, the ministerial permit for temporary processing structures and ag-exempt structures will be added to each project file and included in annual inspection and monitoring. As a temporary building permit will need to be issued by the CDD Building Division, building inspections will also be conducted as needed and required, along with inspections for the demolition permit that is associated with each temporary building permit.

During the application process for ag-exempt permits and temporary building permits, a checklist can be used by staff to ensure all rules and regulations for these structures, as laid out in the ordinance upon approval, are met in order to obtain a ministerial permit. Should the application proposal be determined to exceed the scope of what is allowable through this project, an amendment to use permit shall be applied for which will require a new CEQA evaluation.

### 3.3 Requested Approvals

The subsequent checklist includes the anticipated requests for approval of the Project. This Initial Study will analyze impacts associated with the Project and provide environmental review sufficient for all necessary entitlements and public agency actions associated with the Project. This is an enabling amendment to Chapter 5 of the Lake County Municipal Code that will allow permittees of qualifying commercial cannabis cultivation operations to apply for ministerial permits to use ag-exempt structures and temporary processing structures within a limited scope. Permits will be issued to applicants in accordance with the restrictions and requirements of the regulations as may be adopted by the Board of Supervisors.

#### 4. EVALUATION OF ENVIRONMENTAL CHECKLIST

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, and then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c) (3) (D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a) The significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

## 4.1 Aesthetics

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less than Significant Impact	No Impact
Except as provided in Public Resource Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Discussion:

- a) Would the Project have a substantial adverse effect on a scenic vista?

**No Impact.** Based on the project description set forth in Section 3.3, all applicable structures that qualify for a ministerial permit through the draft ordinance will be part of an approved project that has already gone through a CEQA evaluation on Aesthetics and structures will only be allowed in a cultivation area that was determined to have a less than significant impact with or without mitigation measures. For any applicants still in the use permitting process who may wish to include these ministerial permits as part of their project description, they will be required to under a CEQA evaluation on impacts and effects on scenic vistas.

- b) Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to have a significant impact on scenic resources within a state scenic highway through a prior CEQA evaluation and required mitigation measures. According to the California Department of Transportation, there are no officially designated State Scenic Highways in Lake County. Should any applicant wish to pursue a new location that was not included in the initial CEQA evaluation for their approved use permit, they will not qualify for a

ministerial permit and must pursue an amendment to use permit, which will require a new CEQA evaluation.

- c) Would the Project, in nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area would the project conflict with applicable zoning and other regulations governing scenic quality?

**Less than Significant Impact.** Based on the project description set forth in Section 3.3, all applicable structures that qualify for the ability to pursue a ministerial permit through the draft ordinance will be part of an approved project which has already gone through a CEQA evaluation on Aesthetics. Permits for structures will only be allowed in a cultivation area that was discretionarily approved and determined not to have a significant impact on scenic resources through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to have a potential impact on the quality of public views, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- d) Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

**Less than Significant Impact.** Based on the project description set forth in Section 3.3, all applicants must show that in addition to the standards laid out in the draft ordinance, all standards, requirements, and restrictions of Article 27.13(at) of the Lake County Zoning Ordinance must be met. This includes Subsection 27.13(at)(1)(iii)(e) on Lighting, which states all lights used for cannabis related permits including indoor or mixed light cultivation of cannabis shall be fully contained within structures or otherwise shielded to fully contain any light or glare involved... (and) artificial light shall be completely shielded between sunset and sunrise.

## 4.2. Agriculture &amp; Forestry Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less than Significant Impact	No Impact
<p>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



## Discussion:

- a) Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

**Less than Significant Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing and/or ag-exempt structures allowed through a ministerial permit shall be part of an approved project and in a cultivation area determined not to have a significant impact on California farmland through a prior CEQA evaluation and any required mitigation measures. In order to protect California farmland, the Planning Commission recommended removing concrete or asphaltic concrete as a allowable foundation for temporary structures, and suggested they be placed on dirt with a grade of two percent or less. The BOS included these recommendations in their April 18, 2023 decision on regulations to be included in the CEQA evaluation of the draft ordinance. Agriculture-exempt structures may be placed on California farmland and may have a concrete foundation; however, they would not be converting the land to a non-agricultural use.

- b) Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to conflict with existing zoning for agricultural use or Williamson Act contract through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to have a potential impact on zoning for agricultural use or any Williamson Act contract, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- c) Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production, by expanding beyond the approved cultivation area, the applicant will not qualify for a

ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- d) Would the Project result in the loss of forest land or conversion of forest land to non-forest use?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to result in the loss of forest land or conversion of forest land to non-forest use through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially result in the loss of forest land or conversion of forest land to non-forest use, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- e) Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

**Less than Significant Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to result in the loss of forest land or conversion of forest land to non-forest use through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially result in the loss of forest land or conversion of forest land to non-forest use, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

## 4.3. Air Quality

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less than Significant Impact	No Impact
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors or dust) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Discussion:

- a) Would the Project conflict with or obstruct implementation of the applicable air quality plan?

**Less than Significant Impact.** As proposed, the amendment would allow for generators for temporary shipping containers and general purpose tents used for storage, drying and processing cannabis. These permits would require the following:

- Generators are allowed during the duration of the temporary permit with permitting approval from the Lake County Air Quality Management District (AQMD) prior to installing or operating a generator.
- For diesel generators, Tier 4F or better generator is highly recommended, and all generators must comply with the applicable Air Toxic Control Measures and National Emissions Standards for Hazardous Air Pollution for internal combustion engines to be approved by the Lake County Air Quality Management District.

With these requirements as part of the amendment any impacts on applicable air quality plans would be less than significant.

- b) Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

**Less than Significant Impact.** The County of Lake is not currently in non-attainment under an applicable federal or state ambient air quality standard. In order track criteria pollutants and maintain a non-attainment status, any use of generators for temporary structures must be permitted the Lake County AQMD prior to installing or operating a generator. Furthermore, as required by the DCC, generators that are 50 hp or more must

meet California's Airborne Toxic Control Measure for stationary or portable engines and would require either a Portable Equipment Registration Certificate (CARB) or a Permit to Operate or other proof of engine registration issued by a local AQMD, while generators that are less than 50 hp do not typically require permits from CARB however can only be used for emergency use as defined in CARB regulations or limited use considered to be less than 80 hours per year. The DCC also required generators under 50 hp to be built to Tier 3 fuel standards with Level 3 diesel particulate filters or Tier 4 fuel standards, or current engine requirements if more stringent.

- c) Would the Project expose sensitive receptors to substantial pollutant concentrations?

**Less than Significant Impact.** According to Article 27.13(at) of the Lake County Zoning Ordinance, all major and minor use permits for allowable commercial cannabis activities, including cultivation and processing, must be located 1,000 feet from an exclusion zone which include community growth boundaries and other sensitive receptors, including schools, public parks, rehabilitation facilities, and child day care facilities.

- d) Would the Project result in other emissions (such as those leading to odors or dust) adversely affecting a substantial number of people?

**Less than Significant Impact.** The draft ordinance would not allow for any increase in cannabis cultivation and the implementation of temporary processing structures would create more indoor, ventilated space for storing, drying and processing cannabis, which will likely reduce the impacts of existing odors. Temporary structures placed on dirt will have minimum ground disturbance during construction, while ag-exempt structures that require ground disturbance of 50 cubic yards of soil or more will require a grading permit.

## 4.4. Biological Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion:

- a) Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

**Less than Significant Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed

through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- b) Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- c) Would the Project have a substantial adverse effect on state or federally protected wetlands (including, not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to have a substantial adverse effect on state or federally protected wetlands (including, not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially have a substantial adverse effect on state or federally protected wetlands (including, not limited to, marsh, vernal pool, coastal, etc.)

through direct removal, filling, hydrological interruption, or other means, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- d) Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- e) Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- f) Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.



## 4.5. Cultural Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion:

- a) Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- b) Would the Project cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5 through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5, by expanding beyond

the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- c) Would the Project disturb any human remains, including those interred outside of dedicated cemeteries?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to disturb any human remains, including those interred outside of dedicated cemeteries through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially disturb any human remains, including those interred outside of dedicated cemeteries, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

## 4.6. Energy

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less than Significant Impact	No Impact
Would the project:				
a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion:

- a) Would the Project result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during construction or operation?

**Less than Significant Impacts.** Performance standards for generator use from the County of Lake Air Quality Management District, the Environmental Health Division, and the Department of Cannabis Control. With these standards applied, wasteful, inefficient, and unnecessary consumption of energy resources are not expected to occur.

- b) Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

**Less than Significant Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to conflict with or obstruct a state or local plan for renewable energy or energy efficiency through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially conflict with or obstruct a state or local plan for renewable energy or energy efficiency, by significantly increasing the amount of energy use that the original project was approved for, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

## 4.7. Geology &amp; Soils

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potentially substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				
ii. Strong seismic ground shaking?				
iii. Seismic-related ground failure, including liquefaction?				
iv. Landslides?				
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Discussion:

- a) Would the Project directly or indirectly cause potentially substantial adverse effects, including the risk of loss, injury, or death involving: Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the

State Geologist for the area or based on other substantial evidence of a known fault; refer to Division of Mines and Geology Special. Publication 42; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides?

**Less than Significant Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to directly or indirectly cause potentially substantial adverse effects, including the risk of loss, injury, or death involving: Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; refer to Division of Mines and Geology Special. Publication 42; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially directly or indirectly cause potentially substantial adverse effects, including the risk of loss, injury, or death involving: Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; refer to Division of Mines and Geology Special. Publication 42; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- b) Would the Project result in substantial soil erosion or the loss of topsoil?

**Less than Significant Impact.** As required for all major and minor use permits for commercial cannabis activities and described in Article 27.13(at) of the Lake County Zoning Ordinance, a Storm Water Management Plan based on the requirements of the California Regional Water Quality Control Board Central Valley Region or the California Regional Water Quality Control Board North Coast Region, which includes the following:

- Identification of any Lake County maintained drainage or conveyance system that the stormwater is discharged into and documentation that the stormwater discharge is in compliance with the design parameters of those structures;
- Identification of any public roads and bridges that are downstream of the discharge point and documentation that the stormwater discharge is in compliance with the design parameters of any such bridges;
- Documentation that the discharge of stormwater from the site will not increase the volume of water that historically has flow onto adjacent properties;
- Documentation that the discharge of stormwater will not increase flood elevations downstream of the discharge point;
- Documentation that the discharge of stormwater will not degrade water quality of any water body;
- Documentation of compliance with the requirements of Chapter 29, the Storm Water Management Ordinance of Lake County Municipal Code;
- Description of proposed grading of the property;
- Description of the storm water management system;

- Description of best management practices (BMPs) that will be used during construction and those that will be used post-construction. Post construction BMPs shall be maintained through the life of the permit;

As such, the applicant would be required to submit a revised Storm Water Management Plan for staff review with the application packet prior to the issuance of a temporary building permit or ag-exempt permit.

- c) Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

**Less than Significant Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- d) Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

**Less than Significant Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- e) Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

**Less than Significant Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed

through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- f) Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

**Less than Significant Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to destroy a unique paleontological resource or site or unique geologic feature through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to have the potential to destroy a unique paleontological resource or site or unique geologic feature, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

## 4.8. Greenhouse Gas Emissions

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Discussion:

- a) Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

**Less than Significant Impact.** Any use of generators for temporary structures must be permitted the Lake County AQMD prior to installing or operating a generator. Furthermore, as required by the DCC, generators that are 50 hp or more must meet California's Airborne Toxic Control Measure for stationary or portable engines and would require either a Portable Equipment Registration Certificate (CARB) or a Permit to Operate or other proof of engine registration issued by a local AQMD, while generators that are less than 50 hp do not typically require permits from CARB however can only be used for emergency use as defined in CARB regulations or limited use considered to be less than 80 hours per year. The DCC also required generators under 50 hp to be built to Tier 3 fuel standards with Level 3 diesel particulate filters or Tier 4 fuel standards, or current engine requirements if more stringent. With these requirements in place no significant impacts are expected.

- b) Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

**Less than Significant Impact.** As proposed, the amendment would allow for generators for temporary shipping containers and general purpose tents used for storage, drying and processing cannabis. These permits would require the following:

- Generators are allowed during the duration of the temporary permit with permitting approval from the Lake County Air Quality Management District (AQMD) prior to installing or operating a generator.
- For diesel generators, Tier 4F or better generator is highly recommended, and all generators must comply with the applicable Air Toxic Control Measures and National Emissions Standards for Hazardous Air Pollution for internal combustion engines to be approved by the Lake County Air Quality Management District.



With these requirements as part of the amendment any impacts on applicable plans, policies, or regulations adopted for the purpose of reducing the emissions of greenhouse gasses would be less than significant.

## 4.9. Hazards &amp; Hazardous Materials

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Discussion:

- a) Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

**Less than Significant Impact.** All temporary processing structures will require a temporary building permit which is reviewed by the CDD Building Division as well as the County of Lake Environmental Health Division and must meet Environmental Health standards and regulations. Regulations in place to prevent a significant hazard to the

public or the environment concerning hazardous material transport, use or disposal include the following:

- Hazardous material storage on site of up to 55 gallons of liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas, must include the completion and submittal of a Hazardous Materials/Waste Declaration to the Environmental Health Division stating the name of the material and the quantity to be stored on site.
- Hazardous material storage on site that exceeds 55 gallons of liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas, must include the submission of a Hazardous Materials Inventory Disclosure Statement/Business Plan to the Environmental Health Division via the California Electronic Reporting System (CERS) and it shall be renewed and updated annually or if quantities increase. Note that additional California Unified Program Agency (CUPA) requirements may apply depending on the amount of hazardous materials stored on site.
- 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.

As such, the applicant would be required to meet these standards prior to the issuance of a temporary building permit or ag-exempt permit.

- b) Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

**Less than Significant Impact.** By meeting the standards and requirements of the Environmental Health Division for both temporary building permits, in addition to the requirements stated in Article 27.13(at) for major and minor use permits for concerning any release of hazardous materials into the environment, no significant impact is expected.

- c) Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

**Less than Significant Impact.** According to Article 27.13(at) of the Lake County Zoning Ordinance, all major and minor use permits for allowable commercial cannabis activities, including cultivation and processing, must be located 1,000 feet from school. Given the temporary nature of use proposed in the amendment, any hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste between 1,000 feet and 1,320 feet (one-quarter mile) are expected be less than significant.

- d) Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

**No Impact.** According to Article 27.13(at) of the Lake County Zoning Ordinance, all major and minor use permits for commercial cannabis activities must provide evidence that the

applicant has conducted a hazardous materials record search of the EnviroStor database for the proposed premises. If hazardous sites were encountered, the applicant shall provide documentation of protocols implemented to protect employee health and safety. With these measures in place no impacts are expected.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

**Less than Significant Impact.** The requirements of Lake County Zoning Ordinance Article 27.13(at) for major and minor use permits for commercial cannabis activities, in addition to the requirements of the Article 41.11 for Performance Standards on allowable noise levels, set forth standards that would prevent a safety hazard or excessive noise for people residing in an airport land use plan.

- f) Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

**Less than Significant Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- g) Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

**Less than Significant Impact.** By meeting all of the requirements, restrictions and safety standards set forth by Chapters 5, 17, 21, 23, and 26 of the Lake County Municipal Code, in addition to Public Resource Code 4290 and 4291 road standards for emergency vehicles unless exempt and Lake County Resolution 2019-124, a significant risk of loss, injury or death involving wildland fires would be less than significant.

#### 4.10. Hydrology & Water Quality

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. result in substantial erosion or siltation on-site or off-site;				
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;				
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or				
iv. impede or redirect flood flows?				
d) Result in any flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion:

- a) Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- b) Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- c) Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would: result in substantial erosion or siltation on-site or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would: result in substantial erosion or siltation on-site or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would: result in substantial erosion or siltation on-site or off-site; substantially increase the rate or amount of surface

runoff in a manner which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- d) Would the Project result in any flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to result in any flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially result in any flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- e) Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

## 4.11. Land Use Planning

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion:

- a) Would the Project physically divide an established community?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to physically divide an established community through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to have the potential to physically divide an established community, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- b) Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.



## 4.12. Mineral Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion:

- a) Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- b) Would the Project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

## 4.13. Noise

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less than Significant Impact	No Impact
Would the project:				
a) Result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in the generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Discussion:

- a) Would the Project result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

**Less than Significant Impact.** According to Article 41.11 on Performance Standards of the Lake County Zoning Ordinance, maximum sound emission for any use shall not exceed equivalent sound pressure levels in decibels, A-Weighted Scale, for any (1) hour as stipulated in Table 11.1 These maximums are applicable beyond any property lines of the property containing the noise.

Table 11.1 Maximum one-hour sound pressure levels (A-Weighted – dBA)

Time of Day	Receiving Property Zoning		
	Residential*	Commercial	Industrial
7am – 10pm	55	60	65
10pm – 7am	45	55	60

\*Note: The Residential category also includes all agricultural and resource zoning districts

Furthermore, in the event the receiving property or receptor is a dwelling, hospital, school, library, or nursing home, even though it may be otherwise zoned for commercial or industrial and related uses, maximum one-hour equivalent sound pressure received shall be indicated in Table 11.2:

<u>Time of Day</u>	<u>Level</u>
7am – 10pm	57
10pm – 7am	50

With the requirements applied in addition to other noise requirements described in Article 41.11, no significant impacts on noise levels are expected.

- b) Would the Project result in the generation of excessive ground-borne vibration or ground-borne noise levels?

**No Impact.** The proposed amendment would not allow for any ground-borne vibration or ground-borne noise levels.

- c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

**Less than Significant Impact.** The requirements of Lake County Zoning Ordinance Article 27.13(at) for major and minor use permits for commercial cannabis activities, in addition to the requirements of the Article 41.11 for Performance Standards on allowable noise levels, set forth standards that would prevent any excessive noise for people residing in an airport land use plan.

## 4.14. Population &amp; Housing

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less than Significant Impact	No Impact
Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion:

- a) Would the Project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to induce substantial unplanned population growth in an area, either directly or indirectly through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially induce substantial unplanned population growth in an area, either directly or indirectly, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- b) Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere, by expanding beyond the approved cultivation area, the applicant will not qualify for a

ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

## 4.15. Public Services

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less than Significant Impact	No Impact
Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1) Fire Protection?				
2) Police Protection?				
3) Schools?				
4) Parks?				
5) Other Public Facilities?				

## Discussion:

- a) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: 1) Fire Protection; 2) Police Protection; 3) Schools; 4) Parks; or 5) other Public Facilities?

**Less than Significant Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: 1) Fire Protection; 2) Police Protection; 3) Schools; 4) Parks; or 5) other Public Facilities.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: 1) Fire Protection; 2) Police Protection; 3) Schools; 4) Parks; or 5) other Public Facilities, by increasing the requirements of public services, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

## 4.16. Recreation

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less than Significant Impact	No Impact
Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion:

- a) Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.



## 4.17. Transportation

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less than Significant Impact	No Impact
Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) For a land use project, would the project conflict with or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a transportation project, would the project conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(2)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to geometric design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Discussion:

- a) Would the Project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- b) For a land use project, would the project conflict with or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial

permit shall be part of an approved project and located within a cultivation area determined not to conflict with or be inconsistent with CEQA guidelines section 15064.3, subdivision (b) through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially conflict with or be inconsistent with CEQA guidelines section 15064.3, subdivision (b), by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- c) For a transportation project, would the project conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(2)?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(2) through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(2), by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- d) Would the Project substantially increase hazards due to geometric design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to substantially increase hazards due to geometric design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially substantially increase hazards due to geometric design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment), by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- e) Would the Project result in inadequate emergency access?

**Less than Significant Impact.** All sites with commercial structures used for commercial cannabis activities are required to meet Public Resource Code 4290 and 4291, which may required driveway improvements as needed.

## 4.18. Tribal Cultural Resources

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the +resource to a California Native American tribe?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion:

- a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
- i) listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or ii) a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the +resource to a California Native American tribe?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to cause a substantial adverse change in the significance of a tribal cultural resource.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially cause a substantial adverse change in the significance of a tribal cultural resource, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

## 4.19. Utilities

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion:

- a) Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to require or result in the relocation or construction of listed items in the Utilities Question 4.19(a).

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially require or result in the relocation or construction of listed items in the Utilities Question 4.19(a), by expanding beyond the approved cultivation area or by placing a significant demand, the applicant will not qualify

for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- b) Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined to sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially not sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- c) Would the Project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially result in a determination by the wastewater treatment provider that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- d) Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- e) Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to comply with federal, state, and local management and reduction statutes and regulations related to solid waste through a prior CEQA evaluation and any required mitigation measures.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially comply with federal, state, and local management and reduction statutes and regulations related to solid waste, by expanding beyond the approved cultivation area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

## 4.20. Wildfire

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less than Significant Impact	No Impact
Would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Discussion:

- a) Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?

**Less than Significant Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to substantially impair an adopted emergency response plan or emergency evacuation plan.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially substantially impair an adopted emergency response plan or emergency evacuation plan, by expanding beyond the approved cultivation area or placing significant demand on emergency resources, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- b) Would the Project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?



**Less than Significant Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire, by expanding beyond the approved cultivation area or placing significant demand on emergency resources, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- c) Would the Project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

**Less than Significant Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment, by expanding beyond the approved cultivation area or placing significant demand on emergency resources, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- d) Would the Project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

**Less than Significant Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes, by expanding beyond the approved cultivation

area, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

## 4.21. Mandatory Findings of Significance

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion:

- a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to have the potential to substantially degrade the listed items in Mandatory Findings of Significance Question 4.21(a).

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially have the potential to substantially degrade the listed items in the Mandatory Findings of Significance Question 4.21(a), by expanding beyond the approved cultivation area or by placing a significant demand, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

**Less than Significant Impact.** Since 2022 the CDD Planning Division Cannabis Program has been incorporating cumulative impact maps in staff reports and presentations for Planning Commission Hearings for consideration from our decision makers. Proximity to other cannabis cultivation projects and processing facilities are evaluated to avoid cumulative impacts ahead of a final determination.

- c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

**No Impact.** Based on the project description set forth in Section 3.3, the location of any temporary processing structure and/or ag-exempt structure allowed through a ministerial permit shall be part of an approved project and located within a cultivation area determined not to have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

Upon review of the ministerial permit application, should the location or size of the proposed structures be determined to potentially have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly, by expanding beyond the approved cultivation area or by placing a significant demand, the applicant will not qualify for a ministerial permit and must pursue an amendment to use permit, which will include a new CEQA evaluation.

## 5. ISSUES & ALTERNATIVES

As discussed in the Section 3.2 Environmental Settings, issues, risks, and safety hazards related to unpermitted structures are likely to persist should the alternative of not adopting the amendments described in the draft ordinance.

## 6. CONCLUSION

The adoption of the amendments described in the Agriculture-exempt & Temporary Cannabis Processing Structures Ordinance, with the regulations, restrictions, and safety standards described in the draft ordinance and currently in place at the local and state level, will not have a significant impact on the environment and will result in a Negative Declaration based on CEQA Guidelines.

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