

**AGENCY**

**COMMENTS**



Edmund G. Brown Jr.  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Ken Alex  
Director

May 3, 2018

Mark Roberts  
Lake County  
225 N. Forbes Street  
Lakeport, CA 95453

Subject: Commercial Lavender & Chamomile Farm  
SCH#: 2018042007

Dear Mark Roberts:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on May 2, 2018, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

RECEIVED

MAY 07 2018

LAKE COUNTY COMMUNITY  
DEVELOPMENT DEPT.

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2018042007  
**Project Title** Commercial Lavender & Chamomile Farm  
**Lead Agency** Lake County

---

**Type** MND Mitigated Negative Declaration  
**Description** The applicant is requesting approval of a major use permit (UP 16-08) to operate a commercial lavender & Chamomile Farm on a 140 acre parcel. The farm would cultivate and produce lavender and chamomile essential oils and herbal remedies onsite.

---

**Lead Agency Contact**

**Name** Mark Roberts  
**Agency** Lake County  
**Phone** (707) 263-2221  
**email**  
**Address** 225 N. Forbes Street  
**City** Lakeport  
**State** CA **Zip** 95453  
**Fax**

---

**Project Location**

**County** Lake  
**City**  
**Region**  
**Lat / Long** 39° 55' 36.3" N / 122° 51.5' 24" W  
**Cross Streets** Old Dirt Rd (east) and Adobe Creek Rd (West)  
**Parcel No.** 007-036-02  
**Township** 13N **Range** 9W **Section** 33 **Base**

---

**Proximity to:**

**Highways**  
**Airports**  
**Railways**  
**Waterways**  
**Schools**  
**Land Use** residential & ag; RL-WW-B5 Rural lands - waterway - special lot size; GPD: Rural lands

---

**Project Issues** Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Geologic/Seismic; Noise; Septic System; Schools/Universities; Toxic/Hazardous; Traffic/Circulation; Water Quality; Wetland/Riparian; Landuse

---

**Reviewing Agencies** Resources Agency; Central Valley Flood Protection Board; Department of Fish and Wildlife, Region 2; Department of Parks and Recreation; Native American Heritage Commission; Caltrans, District 1; State Water Resources Control Board, Division of Water Quality; Regional Water Quality Control Bd., Region 5 (Sacramento); Department of Toxic Substances Control

---

**Date Received** 04/03/2018 **Start of Review** 04/03/2018 **End of Review** 05/02/2018



EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

**Central Valley Regional Water Quality Control Board**

25 April 2018

Governor's Office of Planning & Research

clear  
5/2/18  
t

APR 30 2018

Mark Roberts  
County of Lake  
255 North Forbes Street  
Lakeport, CA 94453

STATE CLEARINGHOUSE

CERTIFIED MAIL  
91 7199 9991 7036 7028 5936

**COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, COMMERCIAL LAVENDER AND CHAMOMILE FARM PROJECT, SCH# 2018042007, LAKE COUNTY**

Pursuant to the State Clearinghouse's 3 April 2018 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Commercial Lavender and Chamomile Farm Project, located in Lake County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

**I. Regulatory Setting**

**Basin Plan**

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases,

the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/).

### **Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:

[http://www.waterboards.ca.gov/centralvalleywater\\_issues/basin\\_plans/sacsjr.pdf](http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf)

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*

*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

## **II. Permitting Requirements**

### **Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan

(SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml).

#### **Phase I and II Municipal Separate Storm Sewer System (MS4) Permits<sup>1</sup>**

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/municipal\\_permits/](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/).

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/phase\\_ii\\_municipal.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml)

#### **Industrial Storm Water General Permit**

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/industrial\\_general\\_permits/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml).

#### **Clean Water Act Section 404 Permit**

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure

---

<sup>1</sup> Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

**Waste Discharge Requirements – Discharges to Waters of the State**

If USACOE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/help/business\\_help/permit2.shtml](http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml).

**Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver)

R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2013-0145\\_res.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf)

### **Regulatory Compliance for Commercially Irrigated Agriculture**

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: [http://www.waterboards.ca.gov/centralvalley/water\\_issues/irrigated\\_lands/for\\_growers/apply\\_coalition\\_group/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/for_growers/apply_coalition_group/index.shtml) or contact water board staff at (916) 464-4611 or via email at [IrrLands@waterboards.ca.gov](mailto:IrrLands@waterboards.ca.gov).
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at [IrrLands@waterboards.ca.gov](mailto:IrrLands@waterboards.ca.gov).

### **Low or Limited Threat General NPDES Permit**

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water*

(Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2013-0074.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf)

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2013-0073.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf)

### **NPDES Permit**

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/help/business\\_help/permit3.shtml](http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml)

If you have questions regarding these comments, please contact me at (916) 464-4644 or [Stephanie.Tadlock@waterboards.ca.gov](mailto:Stephanie.Tadlock@waterboards.ca.gov).



Stephanie Tadlock  
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento



RECEIVED

APR 30 2018



EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

LAKE COUNTY COMMUNITY  
DEVELOPMENT DEPT

Central Valley Regional Water Quality Control Board

25 April 2018

RECEIVED

Mark Roberts  
County of Lake  
255 North Forbes Street  
Lakeport, CA 94453

APR 30

LAKE CO  
DEVEL

CERTIFIED MAIL  
91 7199 9991 7036 7028 5936

**COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, COMMERCIAL LAVENDER AND CHAMOMILE FARM PROJECT, SCH# 2018042007, LAKE COUNTY**

Pursuant to the State Clearinghouse's 3 April 2018 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Commercial Lavender and Chamomile Farm Project, located in Lake County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

**I. Regulatory Setting**

**Basin Plan**

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases,

the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/).

### **Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:

[http://www.waterboards.ca.gov/centralvalleywater\\_issues/basin\\_plans/sacsjr.pdf](http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf)

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*

*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

## **II. Permitting Requirements**

### **Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan

(SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml).

#### **Phase I and II Municipal Separate Storm Sewer System (MS4) Permits<sup>1</sup>**

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/municipal\\_permits/](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/).

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/phase\\_ii\\_municipal.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml)

#### **Industrial Storm Water General Permit**

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/storm\\_water/industrial\\_general\\_permits/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml).

#### **Clean Water Act Section 404 Permit**

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure

---

<sup>1</sup> Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

#### **Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

#### **Waste Discharge Requirements – Discharges to Waters of the State**

If USACOE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/help/business\\_help/permit2.shtml](http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml).

#### **Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver)

R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2013-0145\\_res.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf)

### **Regulatory Compliance for Commercially Irrigated Agriculture**

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: [http://www.waterboards.ca.gov/centralvalley/water\\_issues/irrigated\\_lands/for\\_growers/apply\\_coalition\\_group/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/for_growers/apply_coalition_group/index.shtml) or contact water board staff at (916) 464-4611 or via email at [IrrLands@waterboards.ca.gov](mailto:IrrLands@waterboards.ca.gov).
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at [IrrLands@waterboards.ca.gov](mailto:IrrLands@waterboards.ca.gov).

### **Low or Limited Threat General NPDES Permit**

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water*

(Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2013-0074.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf)

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2013-0073.pdf](http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf)

### **NPDES Permit**

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:

[http://www.waterboards.ca.gov/centralvalley/help/business\\_help/permit3.shtml](http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml)

If you have questions regarding these comments, please contact me at (916) 464-4644 or [Stephanie.Tadlock@waterboards.ca.gov](mailto:Stephanie.Tadlock@waterboards.ca.gov).



Stephanie Tadlock  
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

255 N. Forbes Street  
Lakeport, CA 95453  
(707) 263-2221  
Website: [www.fire.ca.gov](http://www.fire.ca.gov)



June 7<sup>th</sup>, 2017

Mark Roberts, Associate Planner  
Lake County Community Development Department  
255 North Forbes Street  
Lakeport, California 95453

Subject: UP 16-08 for APN: 007-036-02

Mark,

I accompanied Michelle Rohner and Scott Crawford on a site inspection for Kelseyville Fire Department on this property in the summer of 2016. The driveway from the main gate at the property line to the termination at the main residence is in general compliance with Public Resources Code 4290.

Two primary areas of concern that were observed during this primary inspection were as follows:

1. The bridge over the seasonal creek does not meet the current code requirements set forth in Title 14 of the California Code of Regulations, Division 1.5, Chapter 7, Subchapter 2, Article 2, Section 1273.07(c). While fire engines may not have a problem crossing, I do not think the bridge is wide enough, nor strong enough to support dozer transports. This would necessitate the need for dozers to unload from their transports prior to the bridge in question.
2. The driveway in question is over 2,000 feet in length. As required by Title 14 of California Code of Regulations, Division 1.5, Chapter 7, Subchapter 2 Article 2 Section 1273.10(b), there shall be a turnout every 400 feet. While the terrain is relatively flat and turn out space would not necessarily be an issue during the summer months, it could be a potential issue during inclement weather.

Public Resources Code 4290 does not currently include any provision for retroactive code upgrades; therefore as this driveway was part of a permit package for the current structures on site, any requirements to address the above referenced code sections will be at the County's discretion.

In all other aspects, there were no issues with the driveway. The project in question appeared to meet the other requirements of Public Resources Code Sections 4290 and 4291.

If you need any further information, please feel free to contact me.

Regards,



Chris A. Vallerga  
Fire Captain  
California Department of Forestry  
And Fire Protection  
[Chris.vallerga@fire.ca.gov](mailto:Chris.vallerga@fire.ca.gov)  
(707) 987-3089



## Big Valley Band of Pomo Indians

---

April 6, 2018

County of Lake  
Community Development Department  
Planning Division  
Courthouse – 255 N. Forbes Street  
Lakeport CA 95453

Attention: Mark Roberts, Associate Planner  
Community Development Department

RE: Commercial Lavender and Chamomile Farm, Cultural Resource Evaluation

Mr. Roberts,

The Big Valley Band of Pomo Indians, Tribal Historic Preservation Office has reviewed the cultural resource evaluation and will provide the following comments to the Cultural Resource Evaluation authored by John W. Parker, Ph.D., RPA for the above mentioned project.

The proposed project is located in the traditional lands of the Big Valley Band of Pomo Indians near the pre-contact community of Nonapoti. The background research performed by Dr. Parker indicated that 8 prehistoric sites had been recorded within 1 mile of the project location, but no cultural resources had been recorded within 1/2 mile of the project.

The Author goes on to say that the background research did not discover any historic or prehistoric cultural resources within the project area and the field inspection discovered 4 isolated pieces of shipped stone (remnants of prehistoric tool manufacture) as well as one isolated piece of historic ranch hardware. These items were all isolated and do not constitute a “significant” historic resource as defined in the California Public Resource Code<sup>1</sup>. If any significant resources are discovered during project development, the (Tribe) would like to retain the right to comment and recommend mitigation measures to any significant resources.



## Big Valley Band of Pomo Indians

The Tribal Historic Preservation Officer after reviewing the cultural resource evaluation is in agreement that there are no significant historic or prehistoric cultural resource within the project area and concur with those findings.

The Tribal Historic Preservation Officer is recommending that Mitigation Measure: CUL-1 be amended to read: **Should any archaeological, paleontological or cultural materials be discovered during the project development, all activity shall be halted in the vicinity of the find(s), and a qualified archaeologist and a [Big Valley Tribal Cultural Resource Monitor](#) be retained to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. Should any human remains be encountered, they shall be treated in accordance with Public Resources Code Section 5097.98**

The Tribal Historic Preservation Office with the proposed amended Mitigation Measure CUL-1 changes will agree that no further culture resource review is necessary and these amended changes will provide the Tribe the opportunity to be directly involved throughout the development process of the project.

Respectfully,

Batsulwin Brown  
Tribal Historic Preservation Officer

## Mark Roberts

---

**From:** Patricia Franklin <pndfranklin@gmail.com>  
**Sent:** Wednesday, April 11, 2018 2:25 PM  
**To:** Mark Roberts  
**Cc:** Patrica Franklin  
**Subject:** 8959 Wight Way Kelseyville

Mr. Roberts,

In response to the information you sent to our office on March 30, 2018 regarding a proposed project located at 8959 Wight Way, Kelseyville CA., the tribe would like to go on record as requesting a cultural monitor be present during the project to ensure protection of current sacred sites as well as undiscovered sites.

If you have further questions, please contact me at the following email address and phone number.

Patricia Franklin  
Environmental Technician  
Scotts Valley Band of Pomo Indians  
(707) 272-1614

Sent from Mail for Windows 10

## Mark Roberts

---

**From:** Dino Beltran <dbeltran@koination.com>  
**Sent:** Friday, March 30, 2018 3:22 PM  
**To:** Mark Roberts  
**Cc:** KN@KoiNation  
**Subject:** Re: Use Permit, UP 16-08 Notice of Intent

We are not interested.

Thank you,

Dino

Sent from my iPhone

On Mar 30, 2018, at 11:45 AM, Mark Roberts <[Mark.Roberts@lakecountyca.gov](mailto:Mark.Roberts@lakecountyca.gov)> wrote:

Hello Tribal Members,

This email is in regards to the Notice of Intent for the circulation of Initial Study, IS 17-23 for a Commercial Lavender and Chamomile farm located at 8959 Wight Way in Kelseyville. The commenting for this Initial Study begin on April 4, 2018 and end on May 5, 2018. If you have any questions, please let me know.

Mark

*Mark Roberts - Associate Planner*

---

*Lake County – Community Development Department  
255 N. Forbes Street, Lakeport, CA 95453  
County Website: [www.lakecountyca.gov](http://www.lakecountyca.gov)  
Phone: (707) 263-2221*

<Initial Study\_IS 17-23 for UP 16-08.pdf>

<NOI Form UP 16-08.pdf>

Mark Roberts

UP16-08 comments - Middletown

**From:** Stephanie Reyes <slreyes@middletownrancheria.com>  
**Sent:** Thursday, April 5, 2018 8:18 AM  
**To:** Mark Roberts; Rachel Rivera  
**Subject:** Re: Use Permit, UP 16-08 Notice of Intent

Mark,

Thank you for providing notice regarding UP 16-08. At this time we do not have any comments regarding the proposed project.

**Stephanie L. Reyes**  
**Tribal Historic Preservation Officer**  
**Middletown Rancheria**

**P.O. Box 1035**  
**Middletown, CA 95461**  
**Office (707) 987-3670 ext 115**  
**Fax (707) 987-9091**  
**Cell (707) 349-1772**

[slreyes@middletownrancheria.com](mailto:slreyes@middletownrancheria.com)

*"Culture shouldn't change to adapt to our life styles...our life styles should change to adapt to Culture" - Preservation*

On Fri, Mar 30, 2018 at 11:45 AM, Mark Roberts <[Mark.Roberts@lakecountyca.gov](mailto:Mark.Roberts@lakecountyca.gov)> wrote:

Hello Tribal Members,

This email is in regards to the Notice of Intent for the circulation of Initial Study, IS 17-23 for a Commercial Lavender and Chamomile farm located at 8959 Wight Way in Kelseyville. The commenting for this Initial Study begin on April 4, 2018 and end on May 5, 2018. If you have any questions, please let me know.

Mark

*Mark Roberts - Associate Planner*

*Lake County – Community Development Department*

*255 N. Forbes Street, Lakeport, CA 95453*

*County Website: [www.lakecountyca.gov](http://www.lakecountyca.gov)*

*Phone: (707) 263-2221*



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

RECEIVED

AUG 24 2016

DISTRIBUTION DATE: August 22, 2016  
 DEVELOPMENT DEPT.

**REQUEST FOR REVIEW FOR**

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> @ AG. COMMISSIONER            | <input type="checkbox"/> HIDDEN VALLEY CSD             | <input type="checkbox"/> TRAFFIC ADV. COMM.                      |
| <input checked="" type="checkbox"/> @ AIR QUALITY MGMT            | <input type="checkbox"/> LAKEBED MANAGEMENT            | <input checked="" type="checkbox"/> TRIBES:                      |
| <input type="checkbox"/> ARMY CORPS                               | <input type="checkbox"/> LAKEPORT CITY                 | <input checked="" type="checkbox"/> @ Big Valley Rancheria       |
| <input checked="" type="checkbox"/> ASSESSOR                      | <input type="checkbox"/> LAKE TRANSIT                  | <input checked="" type="checkbox"/> @ Elem Colony                |
| <input type="checkbox"/> BLM                                      | <input type="checkbox"/> NATIVE AM. HERITAGE           | <input checked="" type="checkbox"/> @ Koi Nation                 |
| <input checked="" type="checkbox"/> BUILDING DIVISION             | <input type="checkbox"/> NRCS                          | <input checked="" type="checkbox"/> @ Middletown Rancheria       |
| <input checked="" type="checkbox"/> @ CAL FIRE                    | <input type="checkbox"/> OFFICE OF EDUCATION           | <input checked="" type="checkbox"/> @ Robinson Rancheria         |
| <input type="checkbox"/> CALTRANS                                 | <input type="checkbox"/> PG&E                          | <input checked="" type="checkbox"/> @ Scotts Valley Band of Pomo |
| <input type="checkbox"/> CLEARLAKE CITY                           | <input checked="" type="checkbox"/> PUBLIC SERVICES    | <input checked="" type="checkbox"/> @ Upper Lake Habematolel     |
| <input type="checkbox"/> CRWQCB                                   | <input checked="" type="checkbox"/> SHERIFF            | <input type="checkbox"/> US FOREST SVC                           |
| <input checked="" type="checkbox"/> DPW ROADS                     | <input type="checkbox"/> SOLANO CO. WATER              | <input type="checkbox"/> LAKE CO. ADMIN                          |
| <input checked="" type="checkbox"/> CA FISH & WILDLIFE            | <input checked="" type="checkbox"/> @ SONOMA STATE     | <input checked="" type="checkbox"/> @ KELSEY. SCHOOL DIST.       |
| <input type="checkbox"/> FISH & WILDLIFE SVC                      | <input checked="" type="checkbox"/> SPECIAL DISTRICTS  | <input type="checkbox"/> WASTE DISPOSAL                          |
| <input checked="" type="checkbox"/> @ FIRE DIST: <u>Kelsey FD</u> | <input checked="" type="checkbox"/> STATE DEPT. HEALTH | <input checked="" type="checkbox"/> WATER RESOURCES              |
| <input checked="" type="checkbox"/> HEALTH DEPARTMENT             | <input checked="" type="checkbox"/> SURVEYOR           | <input type="checkbox"/> CAWATER QUALITY CON. BOARD              |
| <input type="checkbox"/> HERITAGE COMMISSION                      | <input checked="" type="checkbox"/> TAX COLLECTOR      | <input type="checkbox"/> OTHER: _____                            |

FROM: Mark Roberts; Assistant Planner II  
 REQUEST: Review Minor Use Permit (UP 16-08) & Initial Study (IS 16-18)  
 APPLICANT: Vincent Price, 3720 Main Street, Kelseyville, CA 95451  
 OWNER: Michael Donygan, 8959 Wight Way, Kelseyville, CA 95451  
 APN: 007-036-02  
 LOCATION: 8959 Wight Way, Kelseyville, CA 95451  
 ZONING: "RL-B5-WW" – Rural Residential – Bfroz (5ac min) - Waterway  
 GENERAL PLAN: Rural Lands

PROPOSAL: The applicant is requesting approval of a Major Use Permit (UP 16-08) to operate a Commercial Lavender & Chamomile Farm on a 140 acre parcel. The closest neighbor is approximately 800 to 1,000 feet away. The farm would cultivate and produce essential oils and herbal remedies onsite. The proposed hours of operation would be 8AM to 5PM Monday through Sunday. During normal hours of operations there would be approximately two (2) employees and during peak hours of operation there would be approximately three (3) to five (5) employees. The proposed project would not be open to the general public, and all products would be shipped out. The applicant intends to complete the proposed project in three (3) phases. Please see the attached site plan & informational packet for details.

Please advise us if additional information is needed, which permits are required from your agency, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **September 15, 2016**. Thank you.

COMMENTS: *The proposed project appears to be well within the boundaries of the parcel. There has been a survey filed showing the East line of the property*

So some rough field measurements may be needed to confirm the location of the facility. The survey is filed in Book 71 Record of Surveys Page 42.

It appears they have a private easement to the property so hopefully the neighbors won't have a problem with an increase in traffic.

All in all, it appears to be an exciting project. It's refreshing to see an endeavor like this that doesn't involve a pot. farm.

NAME Gordon Haggitt

DATE 8/24/16

- cc:  Supervisorial District 5  
 Other (Examples):  Sierra Club  HOA  Audubon Society  Farm Bureau/etc. (RFR Only)

RECEIVED

AUG 24 2016

Lake County  
Environmental Health

DISTRIBUTION DATE: August 22, 2016



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

**REQUEST FOR REVIEW FOR**

- @ AG. COMMISSIONER
- @ AIR QUALITY MGMT
- ARMY CORPS
- ASSESSOR
- BLM
- BUILDING DIVISION
- @ CAL FIRE
- CALTRANS
- CLEARLAKE CITY
- CRWQCB
- DPW ROADS
- CA FISH & WILDLIFE
- FISH & WILDLIFE SVC
- @ FIRE DIST: Kelsev FD
- HEALTH DEPARTMENT
- HERITAGE COMMISSION

- HIDDEN VALLEY CSD
- LAKEBED MANAGEMENT
- LAKEPORT CITY
- LAKE TRANSIT
- NATIVE AM. HERITAGE
- NRCS
- OFFICE OF EDUCATION
- PG&E
- PUBLIC SERVICES
- SHERIFF
- SOLANO CO. WATER
- @ SONOMA STATE
- SPECIAL DISTRICTS
- STATE DEPT. HEALTH
- SURVEYOR
- TAX COLLECTOR

- TRAFFIC ADV. COMM.
- TRIBES:
- @ Big Valley Rancheria
- @ Elem Colony
- @ Koi Nation
- @ Middletown Rancheria
- @ Robinson Rancheria
- @ Scotts Valley Band of Pomo
- @ Upper Lake Habematolel
- US FOREST SVC
- LAKE CO. ADMIN
- @ KELSEY. SCHOOL DIST.
- WASTE DISPOSAL
- WATER RESOURCES
- CAWATER QUALITY CON. BOARD
- OTHER: \_\_\_\_\_

FROM: Mark Roberts; Assistant Planner II  
 REQUEST: Review Minor Use Permit (UP 16-08) & Initial Study (IS 16-18)  
 APPLICANT: Vincent Price, 3720 Main Street, Kelseyville, CA 95451  
 OWNER: Michael Donygan, 8959 Wight Way, Kelseyville, CA 95451  
 APN: 007-036-02  
 LOCATION: 8959 Wight Way, Kelseyville, CA 95451  
 ZONING: "RL-B5-WW" – Rural Residential – Bfroz (5ac min) - Waterway  
 GENERAL PLAN: Rural Lands

PROPOSAL: The applicant is requesting approval of a Major Use Permit (UP 16-08) to operate a Commercial Lavender & Chamomile Farm on a 140 acre parcel. The closest neighbor is approximately 800 to 1,000 feet away. The farm would cultivate and produce essential oils and herbal remedies onsite. The proposed hours of operation would be 8AM to 5PM Monday through Sunday. During normal hours of operations there would be approximately two (2) employees and during peak hours of operation there would be approximately three (3) to five (5) employees. The proposed project would not be open to the general public, and all products would be shipped out. The applicant intends to complete the proposed project in three (3) phases. Please see the attached site plan & informational packet for details.

Please advise us if additional information is needed, which permits are required from your agency, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **September 15, 2016**. Thank you.

COMMENTS: Environmental Health Division will require a septic system for proposed existing barn with wastewater discharge. A site evaluation is

has been applied and paid for on 08/05/16. Awaiting for an appointment from our office to schedule site evaluation for the proposed new septic system.

Our office also needs to close out existing septic system (permit # 11337). An Authorization Inspection will be required - applicant must apply and pay fee of \$150<sup>00</sup> to validate pump & alarm check.

Applicant can contact our office for requirements for the Authorization Inspection.

NAME Phurday, Ricardo DATE 08/25/16

cc:  Supervisorial District 5  
Other (Examples):  Sierra Club  HOA  Audubon Society  Farm Bureau/etc. (RFR Only)

ENVIROMENTAL HEALTH

***Submission regarding Lake County Planning Division request for submission of a Hazardous Material Business Plan***

Craig Wetherbee  
Hazardous Material Specialist  
Lake County Environmental Health

11/29/2016

Mr. Donygan,

As per our conversation in regards to Agronica LLC, it is my understanding that **there exists no requirement to complete and submit a Hazardous Materials Business Plan with our offices or with CERS.** This is based on the following criteria:

- 1) Agronica will use Carbon dioxide in its processes, but will maintain less than 1000 cubic feet (At STP) on the premises at any one time.
- 2) No other hazardous materials will be used or maintained on the premises.
- 3) No waste which can be classified as hazardous will be generated as a result of the processes used at Agronica, LLC.

Health and Safety Code 25507.

(a) Except as provided in this article, a business shall establish and implement a business plan for emergency response to a release or threatened release of a hazardous material in accordance with the standards prescribed in the regulations adopted pursuant to Section 25503 if the business meets any of the following conditions at any unified program facility:

(5) It handles at any one time during the reporting year cryogenic, refrigerated, or compressed gas in a quantity of 1,000 cubic feet or more at standard temperature and pressure, if the gas is any of the following:

- (A) Classified as a hazard for the purposes of Section 5194 of Title 8 of the California Code of Regulations only for hazards due to simple asphyxiation or the release of pressure.
- (B) Oxygen, nitrogen, and nitrous oxide ordinarily maintained by a physician, dentist, podiatrist, veterinarian, pharmacist, or emergency medical service provider at his or her place of business.
- (C) Carbon dioxide.
- (D) Nonflammable refrigerant gases, as defined in the California Fire Code, which are used in refrigeration systems.
- (E) Gases used in closed fire suppression systems.

I wish you the very best for your business. Should you have any additional questions, please do not hesitate to contact me.

Craig Wetherbee  
Hazardous Material Specialist  
(707) 263-1164

RECEIVED

AUG 24 2016

Lake County  
Environmental Health

DISTRIBUTION DATE: August 22, 2016



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

REQUEST FOR REVIEW FOR

- @ AG. COMMISSIONER
- @ AIR QUALITY MGMT
- ARMY CORPS
- ASSESSOR
- BLM
- BUILDING DIVISION
- @ CAL FIRE
- CALTRANS
- CLEARLAKE CITY
- CRWQCB
- DPW ROADS
- CA FISH & WILDLIFE
- FISH & WILDLIFE SVC
- @ FIRE DIST: Kelsey FD
- HEALTH DEPARTMENT
- HERITAGE COMMISSION

- HIDDEN VALLEY CSD
- LAKEBED MANAGEMENT
- LAKEPORT CITY
- LAKE TRANSIT
- NATIVE AM. HERITAGE
- NRCS
- OFFICE OF EDUCATION
- PG&E
- PUBLIC SERVICES
- SHERIFF
- SOLANO CO. WATER
- @ SONOMA STATE
- SPECIAL DISTRICTS
- STATE DEPT. HEALTH
- SURVEYOR
- TAX COLLECTOR

- TRAFFIC ADV. COMM.
- TRIBES:
- @ Big Valley Rancheria
- @ Elem Colony
- @ Koi Nation
- @ Middletown Rancheria
- @ Robinson Rancheria
- @ Scotts Valley Band of Pomo
- @ Upper Lake Habematolel
- US FOREST SVC
- LAKE CO. ADMIN
- @ KELSEY. SCHOOL DIST.
- WASTE DISPOSAL
- WATER RESOURCES
- CAWATER QUALITY CON. BOARD
- OTHER: \_\_\_\_\_

FROM: Mark Roberts; Assistant Planner II  
 REQUEST: Review Minor Use Permit (UP 16-08) & Initial Study (IS 16-18)  
 APPLICANT: Vincent Price, 3720 Main Street, Kelseyville, CA 95451  
 OWNER: Michael Donygan, 8959 Wight Way, Kelseyville, CA 95451  
 APN: 007-036-02  
 LOCATION: 8959 Wight Way, Kelseyville, CA 95451  
 ZONING: "RL-B5-WW" - Rural Residential - Bfroz (5ac min) - Waterway  
 GENERAL PLAN: Rural Lands

PROPOSAL: The applicant is requesting approval of a Major Use Permit (UP 16-08) to operate a Commercial Lavender & Chamomile Farm on a 140 acre parcel. The closest neighbor is approximately 800 to 1,000 feet away. The farm would cultivate and produce essential oils and herbal remedies onsite. The proposed hours of operation would be 8AM to 5PM Monday through Sunday. During normal hours of operations there would be approximately two (2) employees and during peak hours of operation there would be approximately three (3) to five (5) employees. The proposed project would not be open to the general public, and all products would be shipped out. The applicant intends to complete the proposed project in three (3) phases. Please see the attached site plan & informational packet for details.

Please advise us if additional information is needed, which permits are required from your agency, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **September 15, 2016**. Thank you.

COMMENTS: Environmental Health Division will require a septic system for proposed existing barn with wastewater discharge. A site evaluation is

SR 0002608

has been applied and paid for on 08/05/16. Awaiting for an appointment from our office to schedule site evaluation for the proposed new septic system.

Our office also needs to close out existing septic system (permit # 11337). An Authorization Inspection will be required - applicant must apply and pay fee of \$150<sup>EE</sup> to validate pump & alarm check.

Applicant can contact our office for requirements for the Authorization Inspection.

NAME Phaedra Pucado DATE 08/25/16

- cc:  Supervisorial District 5  
Other (Examples):  Sierra Club  HOA  Audubon Society  Farm Bureau/etc. (RFR Only)



## COUNTY OF LAKE

### HEALTH SERVICES DEPARTMENT

Division of Environmental Health

Lakeport:

922 Bevins Court, Lakeport, CA 95453-9739  
Telephone 707/ 263-1164 FAX: 263-1681

**Jim Brown**  
Health Services Director  
Raymond Ruminski, R.E.H.S.  
Environmental Health Director

## Memorandum

**DATE:** 12/07/2016  
**TO:** Mark Roberts, Assistant Planner II  
**FROM:** Christina Gearhart, EHS III  
**RE:** Minor Use Permit (UP 16-08) & Initial Study (IS 16-18)  
**APN:** 007-036-02

If applicant handles hazardous and hazardous waste materials at or above mandated reportable quantities, as presented in the California Health & Safety Code (CHSC) and California Code of Regulations (CCR), it is required to maintain a Hazardous Materials Business Plan (HMBP) with the County of Lake, Department of Health Services, Environmental Health Division (EHD). (CHSC Ch. 6.95, Art. 1; 19 CCR, Div. 2; and 22 CCR, Div. 4.5.)

Hazardous waste (including industrial waste) must be handled according to all Hazardous Waste Control and Generator regulations. Waste shall not be disposed of on-site without review or permits from EHD, the California Regional Water Quality Control Board, and/or the Air Quality Board. Collected hazardous or toxic waste materials shall be recycled or disposed of through a registered waste hauler to an approved site legally authorized to accept such materials.

---

*Our mission is to promote and protect the health of the people of Lake County through education and the enforcement of public health laws.*

## Mark Roberts

---

**From:** Craig Wetherbee  
**Sent:** November 04, 2016 1:31 PM  
**To:** Mark Roberts  
**Subject:** Hazardous Material Business Plan  
**Attachments:** CERS Updates.pdf

Mark,

Per our conversation this afternoon, I believe that the Hazardous Material Business Plan will suffice for the regulatory requirements for the CO2 to be used in the Lavender/Chamomile production. When they submit the HMBP, we will do an inspection and if there are any additional requirements that we discover as a result of the process, we will address them then. I have also forwarded this email to Chris Gearhart who is primary CUPA representative and can also help get these folks on their way. I have included the link below which is where the business owners/representative can submit their business plan. I have also attached a flyer that will get them started with the CERS system.

<http://cers.calepa.ca.gov/>

Craig Wetherbee  
Hazardous Material Specialist  
Lake County Division of Environmental Health  
922 Bevins Ct.  
Lakeport, CA 95453  
(707) 263-1164  
(707) 263-1681 (FAX)  
[Craig.wetherbee@lakecountyca.gov](mailto:Craig.wetherbee@lakecountyca.gov)

### CONFIDENTIALITY NOTICE

This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

## Creating a New Account

To access CERS, go to:

<http://cers.calepa.ca.gov>

Select the Business Portal to log in.

### New to CERS?

To start reporting on your facility(s) in CERS, create a CERS account.

[Create New Account](#)

Want to experiment with CERS? Use the Business Training Portal to learn how to use CERS by creating and managing test data before starting your official facility reporting.

[Go to CERS Business Training](#)

You can Select to create a new account or watch the video to give you more specific instructions.

- Fill out the information requested. Pay particular attention to your user Name and your Password as you will need to remember them for all future CERS activity.
- Once completed, you will receive an email asking you to confirm the email address.
- Once confirmed, your account is active.

## Forgot Login or Password?

The CERS website has assistance for forgotten passwords or usernames. Just click on the:



An email will be sent to the Email address on file with instructions for resetting the password. If the original email address is unknown or unavailable, contact our office for further assistance.

## Updating your CERS information

Once logged in, you will have access to your Hazardous Materials Business Plan as well as other data submissions. Select your business name on the left:



Once selected, you will be brought to the Business main page:



Select the 'Start Submittal' button in the upper left corner and

- To save time, you are given the option to base your new submission on your previous one. This will auto-fill out the documents and allow you to edit only what needs to be changed without having to complete the entire document from scratch.
- Pay particular attention to the employees listed in the contacts section. Please ensure that the names and numbers listed are accurate.
- For businesses that are waste generators, visit:

[hwts.dtsc.ca.gov](http://hwts.dtsc.ca.gov)

To verify that your EPAID number is accurate.

## Accessing CERS

To access CERS, go to:

<http://cers.calepa.ca.gov>

Select the Business Portal to log in.

### Businesses Business Portal Sign In

- Business User Training
- Local Reporting Requirements
- Unified Program Regulator Directory
- CERS Chemical Library
- Unified Program Internet Site
- CERS Business User Group

Enter your User Name

CERS Business Sign-In

Your Username

Forgot your Username or Password? [Help](#)

Then Password

CERS Business Sign-In

Your Password Protection Phrase  
Enter password only if the phone icon is not checked when you provided an account registration

Your Password

[Help](#) [Cancel](#)

You should now see: something similar to:



## Need Help?

Should you encounter any difficulties in accessing your CERS account, or should you have any questions on how to update your information, please contact our offices at:

**(707) 263-1164**



**Lake County Environmental Health**

922 Bevins Ct.  
Lakeport, CA 95453

# Updating CERS

## What is CERS?

The California Environmental Reporting System (CERS) is a statewide web-based system to support California Unified Program Agencies (UPAs) and Participating Agencies (PAs) in electronically collecting and reporting various hazardous materials-related data. Under oversight by Cal/EPA, CUPAs implement Unified Program mandates that streamline and provide consistent regulatory activities.

## Annual Updates

Each year, businesses are required to review and update information provided in CERS. In many cases, updating your information will simply be confirming that nothing has changed. However, if there are any changes to your information, such as employee contact names and info, this is the perfect time to update it.

**CERS UPDATES DUE BY  
March 1st, 2017**

## Mark Roberts

---

**From:** Steven Hajik  
**Sent:** August 24, 2016 10:51 AM  
**To:** Mark Roberts  
**Subject:** Info Packet RFR UP 16-22 Lavender Farm

I read the plan and it looks OK to me. Hope it's not to grow something else.

## Mark Roberts

---

**From:** Irenia Quitiquit <iquitiquit@svpomo.org>  
**Sent:** August 24, 2016 11:55 AM  
**To:** Mark Roberts  
**Subject:** Automatic reply: RFR Major Use Permit (UP15-03)

Out on work travel. Back in the office on Thursday, August 25th.



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

RECEIVED  
 AUG 23 2016  
 PUBLIC SERVICES DEPT

DISTRIBUTION DATE: August 22, 2016

**REQUEST FOR REVIEW FOR**

- @ AG. COMMISSIONER
- @ AIR QUALITY MGMT
- ARMY CORPS
- ASSESSOR
- BLM
- BUILDING DIVISION
- @ CAL FIRE
- CALTRANS
- CLEARLAKE CITY
- CRWQCB
- DPW ROADS
- CA FISH & WILDLIFE
- FISH & WILDLIFE SVC
- @ FIRE DIST: Kelsey FD
- HEALTH DEPARTMENT
- HERITAGE COMMISSION

- HIDDEN VALLEY CSD
- LAKEBED MANAGEMENT
- LAKEPORT CITY
- LAKE TRANSIT
- NATIVE AM. HERITAGE
- NRCS
- OFFICE OF EDUCATION
- PG&E
- PUBLIC SERVICES
- SHERIFF
- SOLANO CO. WATER
- @ SONOMA STATE
- SPECIAL DISTRICTS
- STATE DEPT. HEALTH
- SURVEYOR
- TAX COLLECTOR

- TRAFFIC ADV. COMM.
- TRIBES:
- @ Big Valley Rancheria
- @ Elem Colony
- @ Koi Nation
- @ Middletown Rancheria
- @ Robinson Rancheria
- @ Scotts Valley Band of Pomo
- @ Upper Lake Habematolel
- US FOREST SVC
- LAKE CO. ADMIN
- @ KELSEY. SCHOOL DIST.
- WASTE DISPOSAL
- WATER RESOURCES
- CAWATER QUALITY CON. BOARD
- OTHER:

RECEIVED

FROM: Mark Roberts; Assistant Planner II  
 REQUEST: Review Minor Use Permit (UP 16-08) & Initial Study (IS 16-18)  
 APPLICANT: Vincent Price, 3720 Main Street, Kelseyville, CA 95451  
 OWNER: Michael Donygan, 8959 Wight Way, Kelseyville, CA 95451  
 APN: 007-036-02  
 LOCATION: 8959 Wight Way, Kelseyville, CA 95451  
 ZONING: "RL-B5-WW" – Rural Residential – Bfroz (5ac min) - Waterway  
 GENERAL PLAN: Rural Lands

AUG 25 2016  
 LAKE COUNTY COMMUNITY  
 DEVELOPMENT DEPT.

**PROPOSAL:** The applicant is requesting approval of a Major Use Permit (UP 16-08) to operate a Commercial Lavender & Chamomile Farm on a 140 acre parcel. The closest neighbor is approximately 800 to 1,000 feet away. The farm would cultivate and produce essential oils and herbal remedies onsite. The proposed hours of operation would be 8AM to 5PM Monday through Sunday. During normal hours of operations there would be approximately two (2) employees and during peak hours of operation there would be approximately three (3) to five (5) employees. The proposed project would not be open to the general public, and all products would be shipped out. The applicant intends to complete the proposed project in three (3) phases. Please see the attached site plan & informational packet for details.

Please advise us if additional information is needed, which permits are required from your agency, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **September 15, 2016**. Thank you.

COMMENTS: Not subject to Quimby





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

DISTRIBUTION DATE: August 22, 2016

**REQUEST FOR REVIEW FOR**

- @ AG. COMMISSIONER
- @ AIR QUALITY MGMT
- ARMY CORPS
- ASSESSOR
- BLM
- BUILDING DIVISION
- @ CAL FIRE
- CALTRANS
- CLEARLAKE CITY
- CRWQCB
- DPW ROADS
- CA FISH & WILDLIFE
- FISH & WILDLIFE SVC
- @ FIRE DIST: Kelsey FD
- HEALTH DEPARTMENT
- HERITAGE COMMISSION

- HIDDEN VALLEY CSD
- LAKEBED MANAGEMENT
- LAKEPORT CITY
- LAKE TRANSIT
- NATIVE AM. HERITAGE
- NRCS
- OFFICE OF EDUCATION
- PG&E
- PUBLIC SERVICES
- SHERIFF
- SOLANO CO. WATER
- @ SONOMA STATE
- SPECIAL DISTRICTS
- STATE DEPT. HEALTH
- SURVEYOR
- TAX COLLECTOR

- TRAFFIC ADV. COMM.
- TRIBES:
- @ Big Valley Rancheria
- @ Elem Colony
- @ Koi Nation
- @ Middletown Rancheria
- @ Robinson Rancheria
- @ Scotts Valley Band of Pomo
- @ Upper Lake Habematolel
- US FOREST SVC
- LAKE CO. ADMIN
- @ KELSEY. SCHOOL DIST.
- WASTE DISPOSAL
- WATER RESOURCES
- CAWATER QUALITY CON. BOARD
- OTHER: \_\_\_\_\_

FROM: Mark Roberts; Assistant Planner II  
 REQUEST: Review Minor Use Permit (UP 16-08) & Initial Study (IS 16-18)  
 APPLICANT: Vincent Price, 3720 Main Street, Kelseyville, CA 95451  
 OWNER: Michael Donygan, 8959 Wight Way, Kelseyville, CA 95451  
 APN: 007-036-02  
 LOCATION: 8959 Wight Way, Kelseyville, CA 95451  
 ZONING: "RL-B5-WW" – Rural Residential – Bfroz (5ac min) - Waterway  
 GENERAL PLAN: Rural Lands

RECEIVED

AUG 25 2016

LAKE COUNTY COMMUNITY  
 DEVELOPMENT DEPT.

PROPOSAL: The applicant is requesting approval of a Major Use Permit (UP 16-08) to operate a Commercial Lavender & Chamomile Farm on a 140 acre parcel. The closest neighbor is approximately 800 to 1,000 feet away. The farm would cultivate and produce essential oils and herbal remedies onsite. The proposed hours of operation would be 8AM to 5PM Monday through Sunday. During normal hours of operations there would be approximately two (2) employees and during peak hours of operation there would be approximately three (3) to five (5) employees. The proposed project would not be open to the general public, and all products would be shipped out. The applicant intends to complete the proposed project in three (3) phases. Please see the attached site plan & informational packet for details.

Please advise us if additional information is needed, which permits are required from your agency, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **September 15, 2016**. Thank you.

COMMENTS: 2016/2017 Estimates not applicable. All taxes paid - M



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

DISTRIBUTION DATE: August 22, 2016

REQUEST FOR REVIEW FOR

- @ AG. COMMISSIONER
- @ AIR QUALITY MGMT
- ARMY CORPS
- ASSESSOR
- BLM
- BUILDING DIVISION
- @ CAL FIRE
- CALTRANS
- CLEARLAKE CITY
- CRWQCB
- DPW ROADS
- CA FISH & WILDLIFE
- FISH & WILDLIFE SVC
- @ FIRE DIST: Kelsey FD
- HEALTH DEPARTMENT
- HERITAGE COMMISSION

- HIDDEN VALLEY CSD
- LAKEBED MANAGEMENT
- LAKEPORT CITY
- LAKE TRANSIT
- NATIVE AM. HERITAGE
- NRCS
- OFFICE OF EDUCATION
- PG&E
- PUBLIC SERVICES
- SHERIFF
- SOLANO CO. WATER
- @ SONOMA STATE
- SPECIAL DISTRICTS
- STATE DEPT. HEALTH
- SURVEYOR
- TAX COLLECTOR

- TRAFFIC ADV. COMM.
- TRIBES:
- @ Big Valley Rancheria
- @ Elem Colony
- @ Koi Nation
- @ Middletown Rancheria
- @ Robinson Rancheria
- @ Scotts Valley Band of Pomo
- @ Upper Lake Habematolel
- US FOREST SVC
- LAKE CO. ADMIN
- @ KELSEY. SCHOOL DIST.
- WASTE DISPOSAL
- WATER RESOURCES
- CAWATER QUALITY CON. BOARD
- OTHER:

FROM: Mark Roberts; Assistant Planner II  
 REQUEST: Review Minor Use Permit (UP 16-08) & Initial Study (IS 16-18)  
 APPLICANT: Vincent Price, 3720 Main Street, Kelseyville, CA 95451  
 OWNER: Michael Donygan, 8959 Wight Way, Kelseyville, CA 95451  
 APN: 007-036-02  
 LOCATION: 8959 Wight Way, Kelseyville, CA 95451  
 ZONING: "RL-B5-WW" - Rural Residential - Bfroz (5ac min) - Waterway  
 GENERAL PLAN: Rural Lands

PROPOSAL: The applicant is requesting approval of a Major Use Permit (UP 16-08) to operate a Commercial Lavender & Chamomile Farm on a 140 acre parcel. The closest neighbor is approximately 800 to 1,000 feet away. The farm would cultivate and produce essential oils and herbal remedies onsite. The proposed hours of operation would be 8AM to 5PM Monday through Sunday. During normal hours of operations there would be approximately two (2) employees and during peak hours of operation there would be approximately three (3) to five (5) employees. The proposed project would not be open to the general public, and all products would be shipped out. The applicant intends to complete the proposed project in three (3) phases. Please see the attached site plan & informational packet for details.

Please advise us if additional information is needed, which permits are required from your agency, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **September 15, 2016**. Thank you.

COMMENTS: ① Impact mitigation fee \$1.00 for all ft. ② NFPA 13 sprinkler system for all covered ft (not including greenhouses)

E:\ADMINISTRATION\STAFF\Current\Mark\Projects 2014-2015-2016\UP & IS Projects\Major Use Permit Projects\UP 16-08 Lavender\RRFR Lavender.doc

③ Fire safety information on oil attraction process using CO2  
 Michael T. Nohme 8/25/2016



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

DISTRIBUTION DATE: August 22, 2016

**REQUEST FOR REVIEW FOR**

- @ AG. COMMISSIONER
- @ AIR QUALITY MGMT
- ARMY CORPS
- ASSESSOR
- BLM
- BUILDING DIVISION
- @ CAL FIRE
- CALTRANS
- CLEARLAKE CITY
- CRWQCB
- DPW ROADS
- CA FISH & WILDLIFE
- FISH & WILDLIFE SVC
- @ FIRE DIST: Kelsey FD
- HEALTH DEPARTMENT
- HERITAGE COMMISSION

- HIDDEN VALLEY CSD
- LAKEBED MANAGEMENT
- LAKEPORT CITY
- LAKE TRANSIT
- NATIVE AM. HERITAGE
- NRCS
- OFFICE OF EDUCATION
- PG&E
- PUBLIC SERVICES
- SHERIFF
- SOLANO CO. WATER
- @ SONOMA STATE
- SPECIAL DISTRICTS
- STATE DEPT. HEALTH
- SURVEYOR
- TAX COLLECTOR

- TRAFFIC ADV. COMM.
- TRIBES:
- @ Big Valley Rancheria
- @ Elem Colony
- @ Koi Nation
- @ Middletown Rancheria
- @ Robinson Rancheria
- @ Scotts Valley Band of Pomo
- @ Upper Lake Habematolel
- US FOREST SVC
- LAKE CO. ADMIN
- @ KELSEY. SCHOOL DIST.
- WASTE DISPOSAL
- WATER RESOURCES
- CAWATER QUALITY CON. BOARD
- OTHER: \_\_\_\_\_

**FROM:** *To!* → Mark Roberts; Assistant Planner II  
**REQUEST:** Review Minor Use Permit (UP 16-08) & Initial Study (IS 16-18)  
**APPLICANT:** Vincent Price, 3720 Main Street, Kelseyville, CA 95451  
**OWNER:** Michael Donygan, 8959 Wight Way, Kelseyville, CA 95451  
**APN:** 007-036-02  
**LOCATION:** 8959 Wight Way, Kelseyville, CA 95451  
**ZONING:** "RL-B5-WW" – Rural Residential – Bfroz (5ac min) - Waterway  
**GENERAL PLAN:** Rural Lands

RECEIVED

AUG 30 2016

LAKE COUNTY COMMUNITY DEVELOPMENT DEPT.

**PROPOSAL:** The applicant is requesting approval of a Major Use Permit (UP 16-08) to operate a Commercial Lavender & Chamomile Farm on a 140 acre parcel. The closest neighbor is approximately 800 to 1,000 feet away. The farm would cultivate and produce essential oils and herbal remedies onsite. The proposed hours of operation would be 8AM to 5PM Monday through Sunday. During normal hours of operations there would be approximately two (2) employees and during peak hours of operation there would be approximately three (3) to five (5) employees. The proposed project would not be open to the general public, and all products would be shipped out. The applicant intends to complete the proposed project in three (3) phases. Please see the attached site plan & informational packet for details.

Please advise us if additional information is needed, which permits are required from your agency, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **September 15, 2016**. Thank you.

COMMENTS:

*Subject parcel is outside any Special Districts service areas. No impact.*

By: Traci Shaul Date: 8/29/16

## Mark Roberts

---

**From:** slreyes <slreyes@middletownrancheria.com>  
**Sent:** August 30, 2016 10:29 PM  
**To:** Mark Roberts  
**Cc:** Sun Face; Kim Fernandez  
**Subject:** RE: RFR Major Use Permit (UP15-03)

Mark,

Thank you for providing RFR Major Use Permit UP15-03. At this time we do not have any comments regarding the proposed project.

*Stephanie L. Reyes*  
Tribal Historic Preservation Officer  
Middletown Rancheria

22223 Rancheria Road/P.O. Box 1035  
Middletown, CA 95461

Office 707.987.3670 ext 115  
Fax 707.987.9091  
Cell 707.349.1772

[slreyes@middletownrancheria.com](mailto:slreyes@middletownrancheria.com)

*"Culture shouldn't change to adapt to our life styles...our life styles should change to adapt to Culture"*

----- Original message -----

From: Mark Roberts <[Mark.Roberts@lakecountyca.gov](mailto:Mark.Roberts@lakecountyca.gov)>  
Date: 8/24/16 11:54 AM (GMT-08:00)  
To: [middletown@middletownrancheria.com](mailto:middletown@middletownrancheria.com), [jsimon@middletownrancheria.com](mailto:jsimon@middletownrancheria.com),  
[slreyes@middletownrancheria.com](mailto:slreyes@middletownrancheria.com), [jreyes@middletownrancheria.com](mailto:jreyes@middletownrancheria.com), [Isalazar@middletownrancheria.com](mailto:Isalazar@middletownrancheria.com),  
[speterson@middletownrancheria.com](mailto:speterson@middletownrancheria.com)  
Subject: RFR Major Use Permit (UP15-03)

Good Morning Middletown Rancheria

This project was originally sent out for review in May of 2016. Since then, the applicant has revised his site plan and proposal for the ongoing operations at precious Forest Mountain Retreat. He has recently added Secret forest to his proposal located at 7255 Bartlett Springs RD (APN: 004-040-03). This parcel was not part of the original review. It would be used for over flow parking only. There is an existing cabin located on the parcel, which he will bring up to code. The existing cabin would be used by the applicant only (at this time). He is only requesting approval of what his existing structures and use is able to accommodate. The applicant is not proposing any new structures at this time. Please review the above attachments and if you have any questions please let me know. Thank you



# COUNTY OF LAKE

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

DISTRIBUTION DATE: August 22, 2016

## REQUEST FOR REVIEW FOR

- @ AG. COMMISSIONER
- @ AIR QUALITY MGMT
- ARMY CORPS
- ASSESSOR
- BLM
- BUILDING DIVISION
- @ CAL FIRE
- CALTRANS
- CLEARLAKE CITY
- CRWQCB
- DPW ROADS
- CA FISH & WILDLIFE
- FISH & WILDLIFE SVC
- @ FIRE DIST: Kelsey FD
- HEALTH DEPARTMENT
- HERITAGE COMMISSION

- HIDDEN VALLEY CSD
- LAKEBED MANAGEMENT
- LAKEPORT CITY
- LAKE TRANSIT
- NATIVE AM. HERITAGE
- NRCS
- OFFICE OF EDUCATION
- PG&E
- PUBLIC SERVICES
- SHERIFF
- SOLANO CO. WATER
- @ SONOMA STATE
- SPECIAL DISTRICTS
- STATE DEPT. HEALTH
- SURVEYOR
- TAX COLLECTOR

- TRAFFIC ADV. COMM.
- TRIBES:
  - @ Big Valley Rancheria
  - @ Elem Colony
  - @ Koi Nation
  - @ Middletown Rancheria
  - @ Robinson Rancheria
  - @ Scotts Valley Band of Pomo
  - @ Upper Lake Habematolel
  - US FOREST SVC
  - LAKE CO. ADMIN
  - @ KELSEY. SCHOOL DIST.
  - WASTE DISPOSAL
  - WATER RESOURCES
  - CAWATER QUALITY CON. BOARD
  - OTHER: \_\_\_\_\_

FROM: Mark Roberts; Assistant Planner II  
 REQUEST: Review Minor Use Permit (UP 16-08) & Initial Study (IS 16-18)  
 APPLICANT: Vincent Price, 3720 Main Street, Kelseyville, CA 95451  
 OWNER: Michael Donygan, 8959 Wight Way, Kelseyville, CA 95451  
 APN: 007-036-02  
 LOCATION: 8959 Wight Way, Kelseyville, CA 95451  
 ZONING: "RL-B5-WW" – Rural Residential – Bfroz (5ac min) - Waterway  
 GENERAL PLAN: Rural Lands

PROPOSAL: The applicant is requesting approval of a Major Use Permit (UP 16-08) to operate a Commercial Lavender & Chamomile Farm on a 140 acre parcel. The closest neighbor is approximately 800 to 1,000 feet away. The farm would cultivate and produce essential oils and herbal remedies onsite. The proposed hours of operation would be 8AM to 5PM Monday through Sunday. During normal hours of operations there would be approximately two (2) employees and during peak hours of operation there would be approximately three (3) to five (5) employees. The proposed project would not be open to the general public, and all products would be shipped out. The applicant intends to complete the proposed project in three (3) phases. Please see the attached site plan & informational packet for details.

Please advise us if additional information is needed, which permits are required from your agency, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **September 15, 2016**. Thank you.

COMMENTS: No comments - Will G

CALIFORNIA  
HISTORICAL  
RESOURCES  
INFORMATION  
SYSTEM



ALAMEDA  
COLUSA  
CONTRA COSTA  
DEL NORTE

HUMBOLDT  
LAKE  
MARIN  
MENDOCINO  
MONTEREY  
NAPA  
SAN BENITO

SAN FRANCISCO  
SAN MATEO  
SANTA CLARA  
SANTA CRUZ  
SOLANO  
SONOMA  
YOLO

**Northwest Information Center**  
Sonoma State University  
150 Professional Center Drive, Suite E  
Rohnert Park, California 94928-3609  
Tel: 707.588.8455  
nwic@sonoma.edu  
<http://www.sonoma.edu/nwic>

August 30, 2016

RECEIVED

File No.: 16-0270

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

SEP 01 2016

LAKE COUNTY COMMUNITY  
DEVELOPMENT DEPT.

re: UP 16-08, IS 16-18 / 8959 Wight Way, Kelseyville; APN: 007-036-02 / Vincent Price, Michael Donygan

Dear Mr. Mark Roberts,

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

**Previous Studies:**

XX This office has record of one previous cultural resource study (S-2474 Soule 1981), covering approximately 65% of the proposed project area project area (*see recommendation below*).

**Archaeological and Native American Resources Recommendations:**

XX The proposed project area has the possibility of containing unrecorded archaeological site(s). Due to the passage of time since the previous survey (Soule 1981) and the changes in archaeological theory and method since that time, we recommend a qualified archaeologist conduct further archival and field study for the entire project area to identify cultural resources.

XX We recommend the lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. For a complete listing of tribes in the vicinity of the project, please contact the Native American Heritage Commission at 916/373-3710.

**Built Environment Recommendations:**

XX The 1959 (photorevised 1975) USGS Kelseyville 7.5' quad depicts four buildings in the proposed project area. Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture and history of Lake County conduct a formal CEQA evaluation.

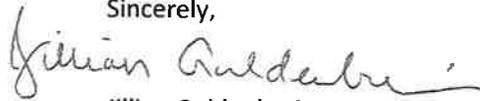
Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have

historical resource information not in the California Historical Resources Information System (CHRIS) Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

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

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

Sincerely,

A handwritten signature in cursive script that reads "Jillian Guldenbrein". The signature is written in dark ink and is positioned to the left of the typed name.

Jillian Guldenbrein  
Researcher



# COUNTY OF LAKE

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

DISTRIBUTION DATE: August 22, 2016

## REQUEST FOR REVIEW FOR

- @ AG. COMMISSIONER
- @ AIR QUALITY MGMT
- ARMY CORPS
- ASSESSOR
- BLM
- BUILDING DIVISION**
- @ CAL FIRE
- CALTRANS
- CLEARLAKE CITY
- CRWQCB
- DPW ROADS
- CA FISH & WILDLIFE
- FISH & WILDLIFE SVC
- @ FIRE DIST: Kelsey FD
- HEALTH DEPARTMENT
- HERITAGE COMMISSION

- HIDDEN VALLEY CSD
- LAKEBED MANAGEMENT
- LAKEPORT CITY
- LAKE TRANSIT
- NATIVE AM. HERITAGE
- NRCS
- OFFICE OF EDUCATION
- PG&E
- PUBLIC SERVICES
- SHERIFF
- SOLANO CO. WATER
- @ SONOMA STATE
- SPECIAL DISTRICTS
- STATE DEPT. HEALTH
- SURVEYOR
- TAX COLLECTOR

- TRAFFIC ADV. COMM.
- TRIBES:
  - @ Big Valley Rancheria
  - @ Elem Colony
  - @ Koi Nation
  - @ Middletown Rancheria
  - @ Robinson Rancheria
  - @ Scotts Valley Band of Pomo
  - @ Upper Lake Habematolel
  - US FOREST SVC
  - LAKE CO. ADMIN
  - @ KELSEY. SCHOOL DIST.
  - WASTE DISPOSAL
  - WATER RESOURCES
  - CAWATER QUALITY CON. BOARD
  - OTHER: \_\_\_\_\_

FROM: Mark Roberts; Assistant Planner II  
 REQUEST: Review Minor Use Permit (UP 16-08) & Initial Study (IS 16-18)  
 APPLICANT: Vincent Price, 3720 Main Street, Kelseyville, CA 95451  
 OWNER: Michael Donygan, 8959 Wight Way, Kelseyville, CA 95451  
 APN: 007-036-02  
 LOCATION: 8959 Wight Way, Kelseyville, CA 95451  
 ZONING: "RL-B5-WW" – Rural Residential – Bfroz (5ac min) - Waterway  
 GENERAL PLAN: Rural Lands

PROPOSAL: The applicant is requesting approval of a Major Use Permit (UP 16-08) to operate a Commercial Lavender & Chamomile Farm on a 140 acre parcel. The closest neighbor is approximately 800 to 1,000 feet away. The farm would cultivate and produce essential oils and herbal remedies onsite. The proposed hours of operation would be 8AM to 5PM Monday through Sunday. During normal hours of operations there would be approximately two (2) employees and during peak hours of operation there would be approximately three (3) to five (5) employees. The proposed project would not be open to the general public, and all products would be shipped out. The applicant intends to complete the proposed project in three (3) phases. Please see the attached site plan & informational packet for details.

Please advise us if additional information is needed, which permits are required from your agency, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **September 15, 2016**. Thank you.

COMMENTS: How do we verify that this farm is legit? and will stay this way over the years.





## LAKE COUNTY SHERIFF'S OFFICE

---

### MEMORANDUM

**To** : Mark Roberts, Assistant Planner II

**From** : Brian Martin, Sheriff-Coroner *BM*

**Date** : September 12, 2016

**Subject** : Response to Major Use Permit Application (APN 007-036-02)

This memo is being submitted following our phone conversation regarding this Major Use Permit application to operate a commercial lavender and chamomile farm on a 140 acre parcel. As I indicated to you, I have concerns that this permit application is being submitted with the intent of converting the lavender and chamomile extraction operation to a cannabis cultivation and extraction operation. The submitted documents and plans outline what would easily be a cannabis cultivation and extraction operation by simply substituting marijuana for lavender and/or chamomile. Currently, the County of Lake does not issue permits for such marijuana cultivation and extraction activities. There are currently efforts in process to address these types of operations pursuant to the Medical Marijuana Regulatory Safety Act, but as of this date, County ordinance does not permit it.

My request and feedback is as follows: I would like there to be a condition of the permit to allow random and "no notice" inspections of the premises and operations by County officials to ensure that the activities are in fact consisted with the provisions of the Major Use Permit. I would like for these no notice inspections to be allowed to occur during normal business hours.

I would also recommend that any state agencies that might have input as to the environmental impacts of such operations are consulted, and that all applicable rules and regulations are adhered to.

Thank you for your time. If you have any questions I may be reached at 262-4200.

RECEIVED

SEP 14 2016

LAKE COUNTY COMMUNITY  
DEVELOPMENT DEPT.

## Mark Roberts

---

**From:** Todd Mansell  
**Sent:** April 11, 2017 9:05 AM  
**To:** Mark Roberts  
**Subject:** RE: Road Questions Wight Way

Mark,

We have no standard/threshold for when a traffic study is warranted.

The maintenance of a private road is up to the property owners.

Todd

---

**From:** Mark Roberts  
**Sent:** Tuesday, April 11, 2017 8:37 AM  
**To:** Todd Mansell  
**Subject:** Road Questions Wight Way

Morning Todd

I have a question. This in in regards to the proposed Commercial Lavender & Chamomile Farm off of Wight Way. The property access is off a private dirt road that extends off of Wight Way. What is the threshold that would warrant a Traffic Study? The maintenance of the roadway would be an agreement with the property owners that use/share it correct??

*Mark Roberts*

*County of Lake  
Community Development Dept  
Associate Planner  
(707) 263-2221*