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

April 8, 2024

CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION (UP 20-96, IS 20-116)

1. Project Title:	Highland Farms, LP
2. Permit Numbers:	Major Use Permit UP 20-96 Initial Study, IS 20-116
3. Lead Agency Name and Address:	County of Lake Community Development Department Courthouse, 3rd Floor, 255 North Forbes Street Lakeport, CA 95453
4. Contact Person:	Mary Claybon, Associate Planner (707) 263-2221
5. Project Location(s):	7508, 7522, 7634, & 7746 Highland Springs Road and 7257 & 7357 Amber Ridge Road Lakeport, CA 95453 APNs: Cultivation Area: 007-006-34, 007-006-35, 007-006-40 Clustering Area: 007-006-27, 007-006-41, 007-057-02 Contiguous Parcels under 5 acres: 007-057-01
6. Project Sponsor's Name & Address:	Autumn Karcey 371 Lakeport Blvd. #174 Lakeport, CA
7. General Plan Designation:	RL – Rural Lands
8. Zoning:	RL- Rural Lands
9. Supervisor District:	District Four (4)
10. Flood Zone:	"D"; Area of Undetermined Flood Hazard.
11. Slope:	Varied; Slopes in the cultivation area are predominantly between 5% and 15%

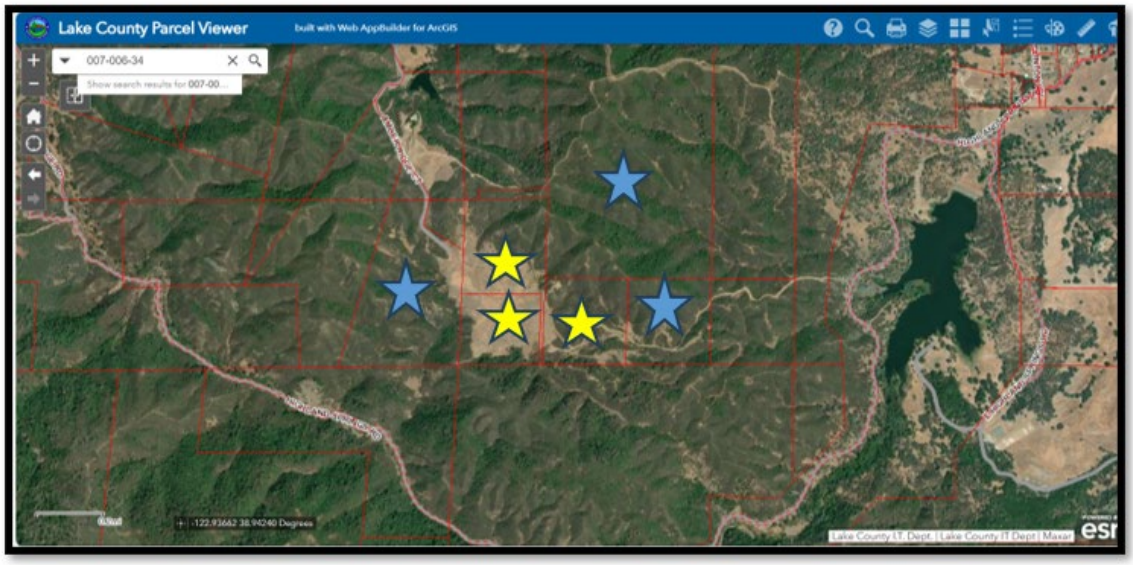
12. Fire Hazard Severity Zone:	California State Responsibility Area (CALFIRE): Wildland Fire Hazard Area
13. Earthquake Fault Zone:	None
14. Dam Failure Inundation Area:	Not located within Dam Failure Inundation Area
15. Parcel Sizes:	50 acres (007-006-34) 30 acres (007-006-35) 39.20 acres (007-006-40) 269.06 acres (007-006-27) 40 acres (007-006-41) 79.93 acres (007-057-02) 4.75 acres (007-057-01) under five acres and does not qualify for clustering **508.19 Total Acres**

16. Description of project:

The Applicant, Highland Farms LP, /Autumn Karcey, is requesting discretionary approval from the County of Lake for a Major Use Permit (UP 20-96), for commercial cannabis cultivation at 7508, 7522, 7634, & 7746 Highland Springs Road and 7257 & 7357 Amber Ridge Road in Lakeport, CA as described below:

- Nineteen (19) A - Type-3 "Outdoor" Cultivation Licenses
- Two (2) A & M -Type 3B "Mixed-Light" Licenses
- One (1) Type 13 (B & C) Distribution License
- (1) type N Nursery License under a separate entity, Lake County Farmz Development, LLC (per DCC regulations).

FIGURE 1. Vicinity Map



Source: Lake County Parcel Viewer

Cultivation *Clustering*

The proposed Highland Farms Cannabis Cultivation Project (Proposed Project) consists of the cultivation of commercial cannabis and construction of associated ancillary facilities on three parcels (APNs 007-006-34, -35, and -40) located five miles west of Kelseyville in unincorporated Lake County (County). The Project is being proposed with four additional contiguous parcels (APNs: 007-006-27, -41, 007-057-01, -02) in order to allow collocation/clustering of permits. Additionally, APN 007-057-01 will not be counted towards the total acreage of the project as it is under five acres and does not qualify for clustering. Development related to the Project, such as grading and construction, would occur on the three cultivation parcels, as well as a small portion of APN 007-006-27. Additionally, a portion of the access road (1,057 linear feet) that connects Highland Springs Rd. to the Property entrance (located across APNs 007-043-04 and 007-043-01) would be graded and improved in accordance with Public Resource Code 4290 to provide adequate site access. Furthermore, Pacific Gas and Electric (PG&E) would install power lines along Amber Ridge Ct. to the Project Site, which would partially cross APN 007-057-01.

This Initial Study assessed the impacts of the full buildout of the Proposed Project associated with the Major Use Permit, including Stages 1 & 2. Upon approval of permits, grading would take place, and the soils within the cultivation areas would be amended for in-ground cultivation with a below-grade irrigation system in full direct sunlight for the outdoor crops. Site Plans (Attachment a) include total square footage of for Stages 1 &2 for cannabis canopy area, with rows and aisles, and total cultivation square footage. For the purposes of this Initial Study, square footage for canopy areas and cultivation areas are evaluated; aisles and rows are not, other than for the amount of cultivation license types in which the applicant intends to apply for with the Department of Cannabis Control.

During Stage 1, Highland Farms will plant in the ground using the native soil in areas (A, B, C, and D). Area (A) includes 22,255 sf canopy area within 82,229 sf cultivation area. Area (B) includes 17,822 sf canopy area within 69,568 sf cultivation. Area (C) 119,041 sf canopy area within 376,532 sf cultivation area. Area (D) includes 98,147 sf canopy area within 321,955 sf cultivation area. The total canopy area without rows and aisles is 257,265 sf. (5.9 acres). The total cultivation area with rows and aisles is 667,469 sf or 15.3 acres.

During Stage 2, Areas (A) (B) and (D) will remain the same. Within the footprint of Area (C), the outdoor canopy would be reduced to 56,163 sf canopy area within 193,717 sf cultivation area. Additionally, the applicant proposes 34,404 sf mixed-light canopy area within in a 296’x160’ greenhouse identified as Building H on the Site Plans (Attachment a). For Stage 2, the total canopy area without rows or aisles is 194,387 sf (4.46 acres) for outdoor cannabis canopy and 34,404 mixed-light canopy. The total cultivation area with rows and aisles is 519,767 sf or 11.9 acres.

The applicant proposes appurtenant facilities to also be developed. Building (E) is a prefabricated (up to 30’ tall) 12,000 *sf*. two-story metal processing building (100'x 60'). The processing building will mainly be used for administrative services/offices, drying, and storage. Greenhouse building (H) is 160 x 296' sf – 90 *sf* (for loading zone) = 47,270 *sf* Greenhouse nursery building (J) is 100 x 296' = 29,600 *sf* Building (I) is a single-story 281' x 100' = 28,100 *sf* single-story prefabricated metal processing building, mainly used for drying and storage. The Proposed Project also includes the improvement of the existing gravel access road, the construction of a gravel parking lot/loading zone in front of the processing facilities, and the installation of fencing around the cultivation areas. Stage 1 requires the utilization of (28) 5,000-gallon water tanks for irrigation and (2) 2,500-gallon NFPA-rated water tanks to be used for fire suppression.

During Stage 2, the project requires (1) 50,000-gallon, (1) 65,000-gallon, (1) 77,000-gallon tanks NFPA-rated tanks for irrigation and fire suppression. The total proposed building square footage is 116,970 sf. Agricultural chemicals associated with cannabis cultivation (fertilizers, pesticides, and petroleum products) would be stored appropriately according to California Department of Food and Agriculture (CDFA)/Department of Cannabis Control (DCC) regulations within the secure proposed processing facilities (E and I) within a lockable secure cabinet. The applicant shall obtain a Private Applicator Certificate and Operator ID from the Lake County Agriculture Department prior to the purchase and use of any pesticides, including organic pesticides. The applicant will comply with all pesticide worker safety laws/regulations, recordkeeping, and reporting requirements.

The Property is accessed from Highland Springs Rd. by a private access roadway. The total access roadway is approximately 6,500' in length, with an approximate slope of 0% to a maximum of 15%. The roadway is 20 feet wide with unobstructed vertical clearance and 14 feet of unobstructed horizontal clearance at the gate. A 6-inch gravel layer would be added to the entire length for erosion and dust control.

During Stage 2, the driveway would be maintained and improved as requested by the Lake County Building Safety Division, in accordance with Public Resource Code 4290. The access driveway to the Project Site currently has a security gate at the entrance of the Property. The gate entrance is more than 2 feet wider than the width of the traffic lane, with a minimum of 14 feet of unobstructed horizontal clearance and clear, unobstructed vertical clearance.

During Stage 2, eight existing culverts on the Project Site would be upgraded, and one new culvert would be added between Cultivation Areas A and C, in accordance with a California Department of Fish and Wildlife (CDFW) Lake and Streambed Alteration Agreement (LSAA). There would be a total of 59 parking spaces, including five ADA compliant spaces, as well as a hammerhead turnaround at the terminus 60 feet wide and 20 feet in length. As the Applicant is applying for a Type-13 Self-Transport Distribution license, there would be a dedicated loading/parking zone in front of the processing facilities. All parking lots would be covered with compacted gravel to control dust.

The applicant proposes the following During Stage 1:

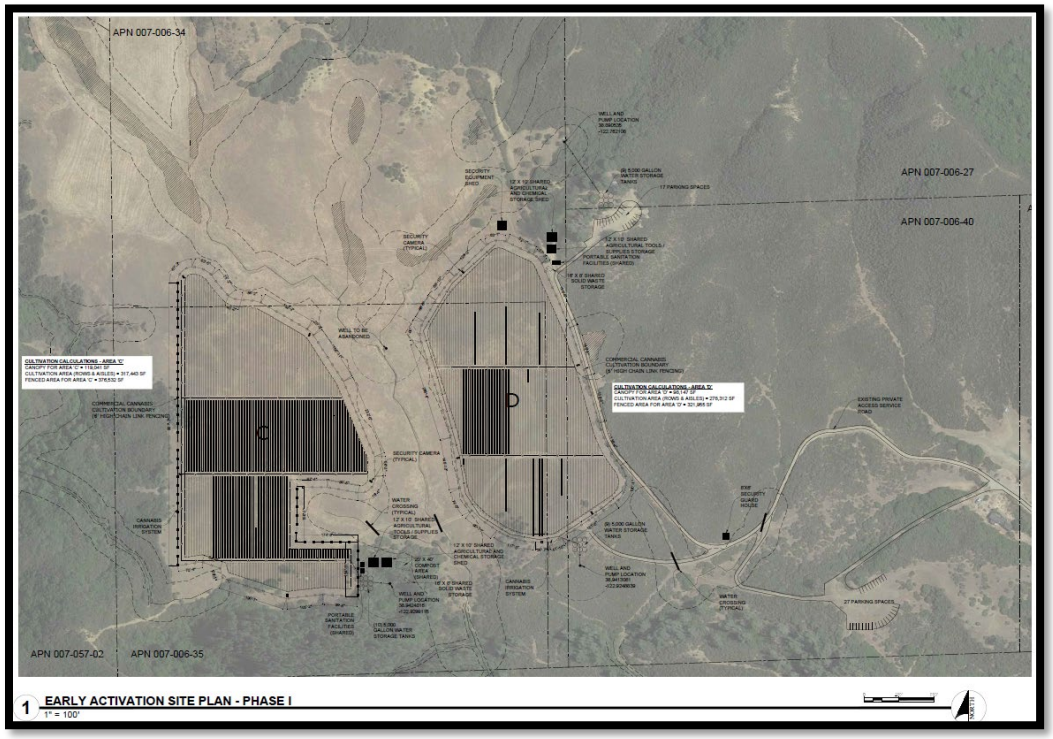
- Outdoor cultivation in garden A: 22,255 sf canopy; 59,437 sf rows and aisles; 82,229 sf fenced cultivation area
- Outdoor cultivation in garden B: 17,822 sf canopy; 47,527 sf rows and aisles: 69,568 sf cultivation area
- Outdoor cultivation in garden C: 119,041 sf canopy; 317,443 sf rows and aisles; 376,532 sf cultivation area
- Outdoor cultivation in garden D: 98,147 sf canopy; 278,312 sf rows and aisles; 321,955 sf cultivation area
- (28) 5,000-gallon water tanks for irrigation
- (2) 2,500-gallon NFPA-rated water tanks to be used for fire suppression.
- One (1) 12’x10’ Agricultural and Chemical storage sheds
- One (1) 12’x10’ Agricultural tools/supplies storage shed
- One (1) 10’x12’ Security shed/guard shack
- Two (2) 20’Connex shipping containers for storage
- 44 parking spaces and 5 ADA compliant spaces

- Four (4) Portable ADA restroom facilities
- 16’x8’ solid waste storage
- 20’x40’ Compost area
- 6’ chain-link perimeter fencing with privacy mesh
- solar panels and three 25kw propane generators (when solar is insufficient)
- backup generator for emergency use only

The applicant proposes the following During Stage 2:

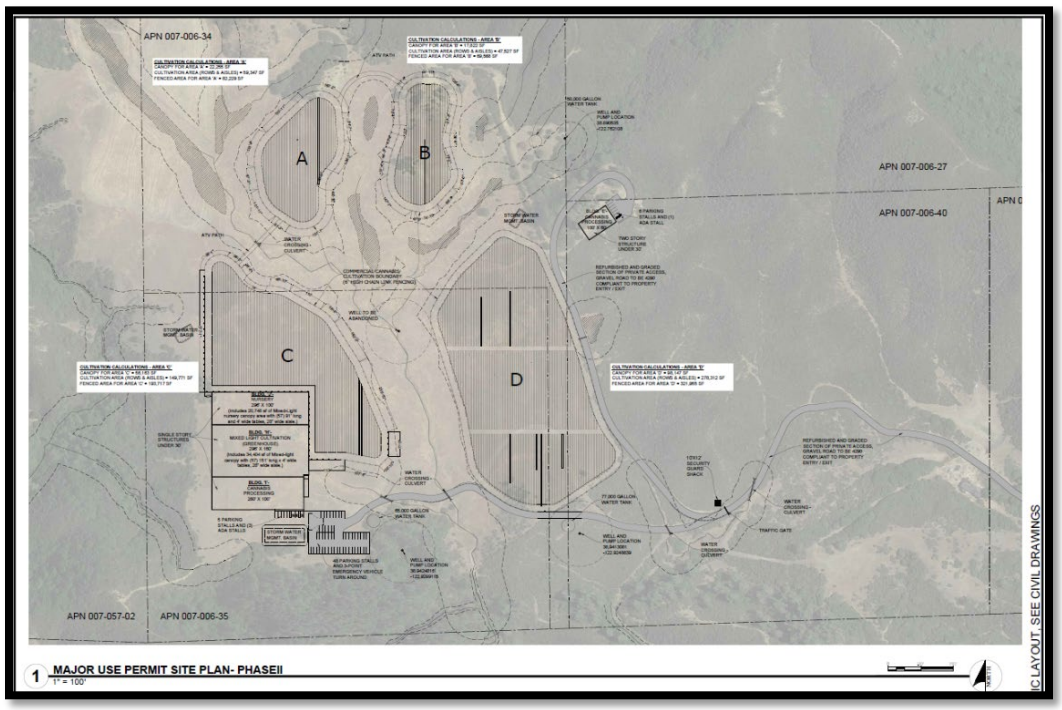
- Outdoor cultivation in garden A: 22,255 sf canopy; 59,437 sf rows and aisles; 82,229 sf fenced cultivation area
- Outdoor cultivation in garden B: 17,822 sf canopy; 47,527 sf rows and aisles: 69,568 sf cultivation area
- Outdoor cultivation in garden C: 56,163 sf canopy,149,771 sf rows and aisles; 193,717 sf cultivation area
- Outdoor cultivation in garden D: 98,147 sf canopy; 278,312 sf rows and aisles; 321,955 sf cultivation area
- Mixed-light cultivation in greenhouse Building H: 34,404 sf canopy
- 160 x 296 Building H greenhouse with 90sf loading zone
- 100 x 296' Greenhouse Nursery Building J equipped with irrigation water recapture system
- 100'x 60' two-story metal processing building up to 30’ in height for administrative services, drying, and storage
- 281' x 100’ single-story prefabricated metal processing building, mainly used for drying and storage.
- 50,000-gal water tank
- 65,000-gal water tank
- 77,000-gal water tank
- Interior roadway improvements to graveled private road for PRC 4290, 4291 compliance
- New PGE electrical service connection
- (75) seventy-five 315w roof-mount solar panels connected to (24) twenty-four 12v deep cycle batteries
- (1) 40kw diesel generator
- (3) 500-gallon fuel storage tanks
- (1) 40kw diesel backup generator for emergency use only

FIGURE 2. STAGE 1 SITE PLAN



Source: Applicant submitted materials

FIGURE 3. STAGE 2 SITE PLAN



Source: Applicant submitted materials

Stage 1 would not require a high amount of electricity as cultivation would occur outdoors. Electricity would be required to power the water well pumps, security equipment, and charge electronic devices. During Stage 1, power requirements would be achieved through solar panels and three 25 kw propane generators. Generators would only be used during the startup of the well pump and when solar is insufficient. Under full buildout, the Proposed Project would require an electrical upgrade, which would be applied for during the building permit process. All electricity needed for the Proposed Project would be supplied from solar panels, PG&E, or backup generators.

Stage 2 power from PG&E would be brought through overhead lines as a new service to the proposed buildings (Application number 121428306) and would provide 75% of the total electricity needed to serve the Proposed Project. Existing PG&E lines in the vicinity of the Project Site would be extended to the Project Site boundary. One pole would be installed along Amber Ridge Ct. and extend existing power lines approximately 300 feet to the project site boundary. Six additional poles would be required along Amber Ridge Ct. and four poles along the project boundary for a total of eleven new power poles.

Seventy-five (75) 315W solar panels connected to twenty-four (24) 12 volt (V) deep cycle batteries would be installed on the roof of the proposed structures and would provide the remaining 25% of electricity needed to serve the Proposed Project. The solar facilities would be supplemented by three 25 kW and one diesel backup generator. Backup generators would only be used in the event of a power outage. A 500-gallon above-ground diesel holding tank and 500-gallon above-ground gasoline holding tank, and a 500-gallon propane tank would supply fuel to the generators and would be maintained by an authorized 3rd party servicer. The estimated power requirements of the Proposed Project would be approximately 3,000 kVA distributed amongst all proposed buildings.

A Property Management Plan was developed for the Proposed Project, which includes measures and best management practices (BMPs) to reduce, control, or eliminate potential environmental impacts, as well as a detailed description of Project operations. The Property Management Plan also includes all site plans, including sediment and erosion control, security, grading, and circulation/parking. The Property Management Plan includes the subjects of planting schedule, air quality, grounds, grading and erosion control BMPs, security, stormwater management, water use, and a drought management plan. All elements within the Property Management Plan are components of the Proposed Project.

Construction

Grading would be required to prepare cultivation areas, construction of buildings, installation of water irrigation and electrical lines, improvement of the existing access driveway and new cultivation access roadways, and installation of the parking lot/loading zones. Parking lots and roadways would be covered with compacted gravel to control dust. The initial segment of the access road connecting to Highland Springs Road (approximately 2,782 linear feet) would be graded in order to straighten the segment. All buildings are prefabricated and include stamped structurally engineered plans compliant with the IBC, CBC, and Title 24. Grading for the Proposed Project related to cultivation areas, including grading associated with maintenance of 4 existing culverts and one new culvert within the cultivation area, would involve 108,202 cubic yards of cut material, with 48,542 cubic yards of that material used as on-site fill; 59,660 cubic yards of material would be distributed elsewhere on the property or hauled offsite to an approved facility. Including a five-foot buffer around the grading limit, the total disturbed area from grading activities related to cultivation areas would be approximately 26.8 acres. Grading and construction activities would be required to upgrade four culverts along the roadway

connecting the cultivation area to the Property access point (total cut/fill of 8,920 cubic yards, net volume of zero – approximately 0.18 acres of disturbance). All culvert upgrades/installation would be completed in accordance with a CDFW LSAA. Additionally, grading would likely need to take place to upgrade a segment of the access road connecting Highland Springs Rd. to the property entrance, which is expected to have a cut volume of 6,167 cubic yards, a fill of 372 cubic yards, for a total cut of 5,795 cubic yards (0.72 acres of disturbance). Therefore, total disturbance from the Proposed Project is approximately 27.7 acres. Grading plans for all project elements were submitted by the applicant. Trenching would occur for the installation of irrigation water lines and electrical communication lines. During construction, portable toilets would be utilized; however, both processing facilities would include permanent bathrooms and would require the installation of two new septic tanks. No trees would be removed as part of the Proposed Project; low brush removal around the processing facility may be required. As mentioned above, 11 PG&E overhead power lines would be installed to serve the Proposed Project; these would be constructed and serviced by PG&E. Dates for the installation of PG&E electrical transmission poles and lines are based on the approval of the project by the Lead Agency.

Construction is anticipated to take six to nine months to complete and would occur Monday through Saturday as the County allows, from the hours of 7:30 a.m. to 6:00 p.m. No construction of structures would take place for Stage 1. During Stage 2, construction equipment for the Proposed Project would consist of trucks, hand tools, tractors, excavators, dump trucks, and other general construction equipment. Truck trips are estimated to be 89 trips for Stage 1 construction and between 150 and 175 for full buildout over the course of Stage 2 construction activities (approximately six to nine months) Idling of construction vehicles would be minimized and discouraged. All equipment would be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. All equipment would only be refueled in locations more than 100 feet from surface water bodies, and any servicing of equipment would occur on an impermeable surface. In the event of a spill or leak, the contaminated soil would be stored, transported, and disposed of consistent with applicable local, state and federal regulations.

Water Use

The Water Availability Analysis prepared by Sumit Engineering (Attachment e) states the project's water demand is supplied by three onsite wells. Well logs and 4-hour yield tests for each well were included in the analysis. Yield testing resulted in an estimated flow rate of 75 gpm, 129 gpm, and 132 gpm for wells 1-3, respectively. Well 1 recovered to within 13 feet of its starting level within 45 minutes of stopping its pump. Wells 2 and 3 recovered to their starting level within 15 minutes of stopping their respective pumps. The total combined flow for the well is 336 gpm, which is expected to meet the domestic, cultivation, and landscape irrigation demands of the Facility.

FIGURE 4. Existing Well Capacity

Table 1. Existing well capacities.

Well Name	Primary Use	Well Depth (ft)	Pump Depth (ft)	Status	Capacity (gpm)
Well 1	Domestic/Cultivation/Irrigation	180	160	Active	75
Well 2	Domestic/Cultivation/Irrigation	140	100	Active	129
Well 3	Domestic/Cultivation/Irrigation	200	160	Active	132

Source: Water Availability Analysis, Summit Engineering

The Facility plans to cultivate up to 12.34 acres of outdoor vegetation including rows and aisles, a 29,600 square foot (0.68 acres) area as a year-round greenhouse nursery, and a 47,270 square foot area (1.09 acres) as a year-round greenhouse. This corresponds to 12.3 acre-feet per year of outdoor water demand, 1.19 acre-feet per year of greenhouse nursery water demand, and 1.91 acre-feet per year of greenhouse water demand for a total estimated cultivation water demand of 15.44 acre-feet per year (5,030,278 gallons per year). This demand will vary by month depending on which crop is being grown at the time. An estimated monthly distribution of demand is summarized in Table 2.

FIGURE 5. Estimated Water Demand for Cultivation

Table 2. Estimated monthly cultivation water demand.

Month	Outdoor Cultivation Demand (gallons)	Nursery Cultivation Demand (gallons)	Greenhouse Cultivation Demand (gallons)	Total Cultivation Demand (gallons)
January	0	32,313	51,796	84,110
February	0	32,313	51,796	84,110
March	0	32,313	51,796	84,110
April	250,384	32,313	51,796	334,494
May	482,595	32,313	51,796	566,705
June	583,975	32,313	51,796	668,085
July	667,436	32,313	51,796	751,546
August	667,436	32,313	51,796	751,546
September	667,436	32,313	51,796	751,546
October	482,595	32,313	51,796	566,705
November	219,105	32,313	51,796	303,215
December	0	32,313	51,796	84,110
Total (gallons)	**4,020,964**	**387,759**	**621,555**	**5,030,278**
Total (ac-ft)	**12.34**	**1.19**	**1.91**	**15.44**

Source: Water Availability Analysis, Summit Engineering

Water demand for cannabis processing is assumed to be required for two proposed processing buildings. Process water will be used for washdowns, ice use, and other cleaning activities. This water demand is anticipated to occur year-round and total to approximately 3.76 acre-feet of water per year. Estimates for this demand are based on data from the 2012

water consumption survey performed by the United States Energy Information Administration's Commercial Building Energy Consumption Survey. This is a conservative estimate as there is likely some overlap between this data and the domestic water demand estimate. The total water demand for the Facility is conservatively estimated to be 22.7 acre-ft/year (Table 5). Cannabis cultivation is the highest demand source for the Facility, accounting for over 68% of total anticipated demand.

FIGURE 6. Total Water Demand

Table 5. Total Projected Annual Water Demand

Source of Demand	Average Gallons per Day	Gallons per Year	Acre-ft per Year
Cannabis Cultivation Use	13,782	5,030,278	15.44
Cannabis Process Use	3,353	1,224,000	3.76
Domestic Use	3,088	1,127,280	3.46
Total	**20,223**	**7,381,558**	**22.7**

Source: Water Availability Analysis, Summit Engineering

Peak demand for the facility is assumed to occur during peak growing season and is estimated to be 61,480 gallons per day (Table 6). Assuming a normal facility operating schedule of 8 hours per day, the minutely demand of the peak day is estimated to be approximately 128 gpm. Wells 2 or 3 are anticipated to be capable of sustaining this demand alone. In total, the facility has access to up to 336 gpm of groundwater via its three wells. The facility is proposed to initially have twenty-eight 5,000-gallon poly-tanks for a total storage capacity of 140,000 gallons, which would provide up to two days of peak flow. During Stage 2, the facility would install three engineered tanks totaling 192,000 gallons.

According to the Water Availability Analysis (Attachment e), the total estimated water demand for the Facility is 22.7 acre-feet per year, which represents 36% of the conservatively estimated 62.5 acre-feet per year of groundwater recharge potential for the project site. The water demand of the Facility does not surpass its estimated precipitation recharge potential which suggests that there would be no impacts to other facilities in the cumulative impact area.

Cultivation Operations

Once operational, the Proposed Project is anticipated to require at least one delivery and one pick-up of cannabis and related materials per day, with a maximum of three deliveries and five pick-ups per day during the peak harvest time in early fall. The Proposed Project would utilize unmarked transport vans to transport product off premises and would be in compliance with all California Cannabis Track and Trace requirements throughout the distribution process. The facility would not be open to the public. The project's core business hours of operation would take place between 8:00am to 7:00pm with deliveries and pickups restricted to the hours of 9:00am to 7:00pm, Monday through Saturday and Sunday from 12:00pm to 5:00pm. It is anticipated that 20 to 30 employees and subcontractors would be required during outdoor planting and harvest, in addition to 10 to 12 full-time employees that would manage day-to-day seasonal operations. The greenhouse would have a maximum of 10 full-time employees to

manage day-to-day operations year-round. The maximum number of employees and subcontractors on-site during the peak season would not exceed 52. Employees needed would vary depending on the stage of the cultivation season.

The cultivation season for the Proposed Project would begin utilizing both the auto-flower and full-term crops from April-October. The proposed mixed-light greenhouse nursery would function year-round and will use supplemental lighting. The proposed outdoor cultivation method would be in-ground utilizing both auto-flower and full-term crops from April to October. The growing medium of the proposed cultivation areas would be mixed with composted soil and other vegetation waste compost generated on site and added to the soil as an amendment. Soil would be imported as needed to supplement the existing soil mix after each growing season. During Stage 1, well water will be pumped to twenty-eight (28) 5,000-gallon water storage tanks near the cultivation areas via PVC piping from the well to the storage tanks. During buildout, trenching would be required for all irrigation lines from the wells to the water storage tanks near the cultivation areas. Straw wattles are proposed around the cultivation areas to filter sediment from stormwater as it moves off the property. The natural existing vegetated buffer will be maintained as needed between all project areas and waterways on the Property.

All organic waste would be placed in the designated composting area within the cultivation areas. All solid waste would be stored in bins with secure fitting lids until disposed of at a Lake County Integrated Waste Management facility, at least once a week during the cultivation season. The closest Lake County Integrated Waste Management facility to the proposed cultivation operation is the Eastlake Landfill. All vegetative wastes would either be composted within the designated location within the cultivation areas or chipped and stored to be used when soil cover is needed.

Highland Farms plans to supplement their cultivation with both dry and liquid fertilizers. All fertilizers and pesticides used would be from the approved list through CDFA. All of the fertilizers, nutrients, and pesticides would only be purchased and delivered to the property as needed. Chemicals would be stored separately in the processing facilities, in their original containers and used as directed by the manufacturer. All pesticides/fertilizers would be mixed/prepared on an impermeable surface with secondary containment, at least 100 feet from surface water bodies. Empty containers would be disposed of by placing them in a separate seal tight bin with a fitted lid and disposed of at the local solid waste facility within the County. At no time will fertilizers/nutrients be applied at a rate greater than 319 pounds of nitrogen per acre per year (requirement of the State Water Resource Control Board's Cannabis General Order). Water soluble fertilizers/nutrients would be delivered via the drip and micro-spray irrigation systems of the proposed cultivation operation to promote optimal plant growth and flower formation while using as little product as necessary. Petroleum products would be stored year-round in State of California-approved containers with secondary containment and separate from pesticides and fertilizers, within the storage area.

Safety and Security

All future employees would undergo a background check by the Lake County Sheriff's Department before starting employment and be a United States citizen or eligible for employment within the US. The gate to the Project Site would be locked outside of core operating/business hours and whenever personnel are not present. The gate would be secured with a heavy-duty chain, commercial grade padlock, and a Knox Box to allow constant access for emergency services. Only approved managerial staff and emergency service providers would be able to unlock the gates on the Project Site. The fencing around the cultivation areas

would include a 6-foot-tall fence with privacy mesh screen and would be mounted with security cameras. A 100-foot defensible space of vegetation would be established around the proposed cultivation operation, including all structures, for fire protection and to provide clear visibility for security monitoring. A Motion-sensing alarm would be installed at the main gate entrance to alert staff when someone/something has entered the premises. Solar-powered motion-sensing security lights would be installed at the main entrance to the Project Site. All lighting would be fully shielded, downward casting and would not spill over onto other properties or the night sky. The Proposed Project would utilize a closed-circuit television (CCTV) system that feeds into a monitoring and recording station in a secured office, where video from the CCTV system is digitally recorded. The security system would be relocated to the processing facility once constructed.

Required Permits
Implementation of the Proposed Project may require approvals from the County of Lake, including grading and building permits, as well as a Use Permit. The County's issuance of the required permits triggers the need for compliance with the California Environmental Quality Act (CEQA). As previously mentioned, the Applicant would be required to apply for building permits for the greenhouse, processing facilities, and water storage tanks.

Table 1 lists the Project components expected to require a building permit and/or zoning clearance from the County's Community Development Department.

TABLE 1
Proposed Structures requiring building permits and/or zoning clearance from the Community Development Department

Structure	Proposed/Existing	Proposed Measurement	Proposed Use
Greenhouse nursery (H/J)	Proposed	Nursery (J): 29,600 sf Mixed-Light (H): 47,270	Nursery and mixed-light cultivation
Processing facility (I)	Proposed	28,100 sf	Drying and storage
Processing facility (E)	Proposed	12,000 sf	Drying, storage, and administrative services
Water storage tanks (3)	Proposed	50,000, 65,000, 77,000 gallons	Storage/irrigation/ emergency

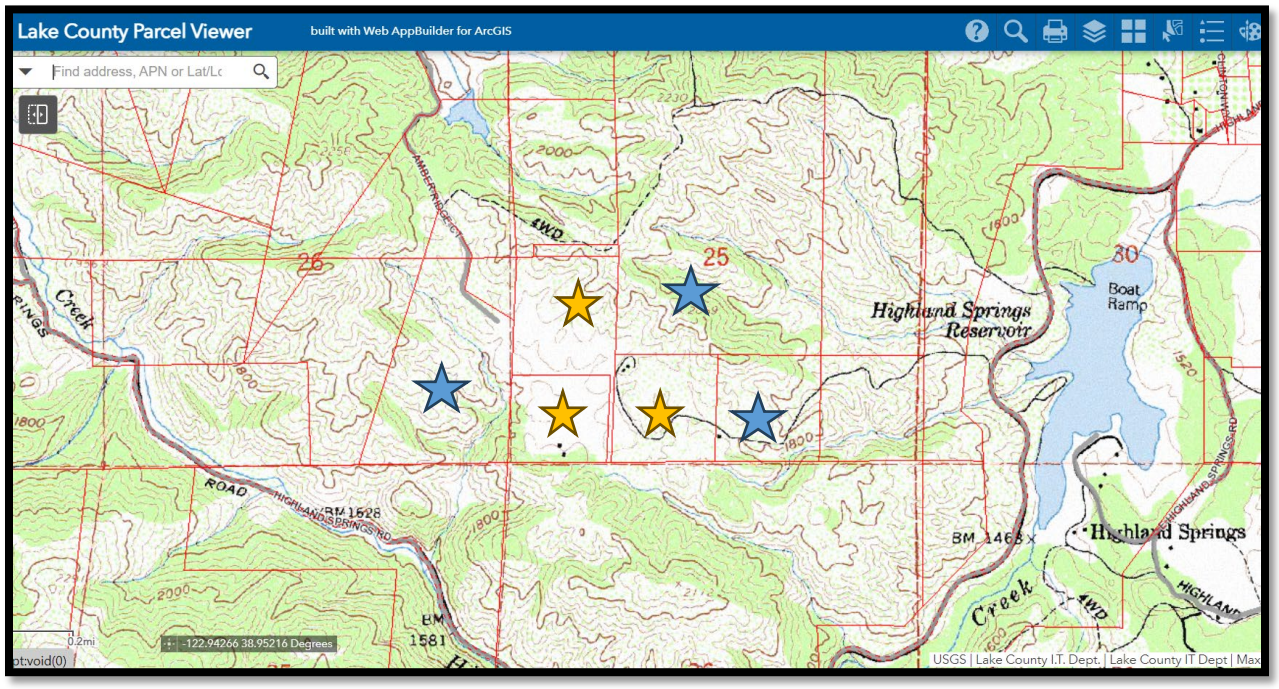
17. **Property Description:**

The Project Site is located to the west of Highland Springs Lake in unincorporated Lake County, five miles west of Kelseyville, and seven miles south of Lakeport. Access between cultivation areas would primarily be through existing roads, one of which would require a culvert upgrade between Cultivation Areas A and C where the road crosses a stream. One new access road would be constructed between Cultivation Areas A and B. Existing uses include a residence, three wells, and minor water storage structures. Land uses in the vicinity of the Property are private property and rural residences. Most of the land to the north and west is dense chaparral on south facing slopes and gray pine woodland on north facing slopes. To the west and northwest are primarily hayfields, rural residential subdivisions,

orchards, and vineyards. There are no off-site residences within 200 feet of the cultivation sites.

The topography of the Property is varied. Slopes within the proposed cultivation areas are between 5% and 15%. Slopes within the entire proposed graded area of the Project Site range between 5% and 25%, with slopes up to 75% in the general vicinity of the Project Site. However, slopes within the proposed cultivation areas would be graded to achieve a maximum grade of 10%, with slopes up to 3% for all proposed buildings. Water onsite mainly drains south and west through steep canyons with dense chaparral vegetation. After passing offsite water enters Highland Creek, that flows east for 1.5 miles before entering Highland Springs Reservoir. The Project Site contains several class III watercourses and one Class II watercourse. A minimum setback of 50 feet would be maintained from the top of bank of the Class III waterways and wetland boundaries, and 100 feet from the top of bank of the Class II waterway. The Project Site is not located in medium- or high-priority groundwater basins as designated by the California Department of Water Resources.

FIGURE 7. TOPOGRAPHY



Source: Lake County Parcel Viewer

Cultivation *Clustering*

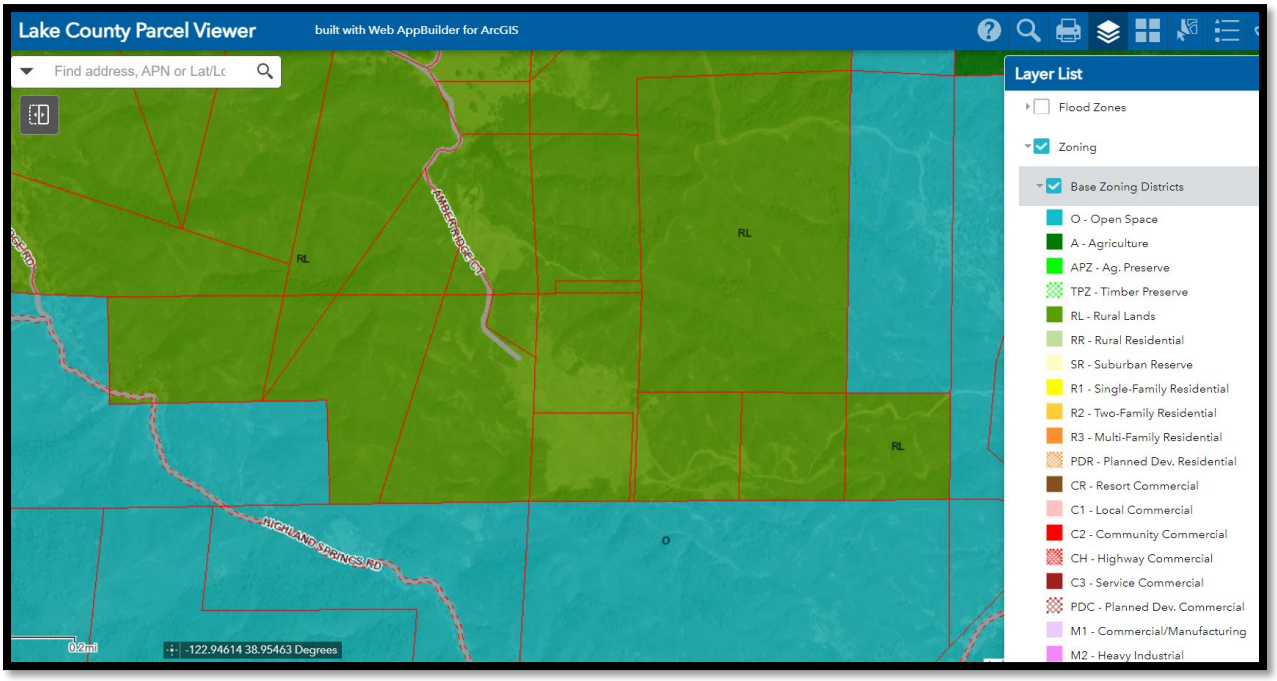
18. **Surrounding Land Uses and Setting:**

- *North:* Parcels to the north are zoned RL (Rural Lands) District. These parcels contain open lands.
- *South*: Parcels to the south are zoned O (Open Space) and contain open hilly lands.

- *West:* Parcels to the west are zoned RL District and O District and contain open hilly lands.
- *East:* Parcels to the east are zoned O District and contain open lands.

As the parcel for the proposed project is over five (5) acres in size, neighboring parcels that fall within a 725-foot buffer will be notified of the project.

FIGURE 8. LAKE COUNTY BASE ZONING DISTRICT



Source: Lake County Parcel Viewer

19. Other public agencies whose approval is required (e.g., Permits, financing approval, or participation agreement).

    The extent of this environmental review falls within the scope of the Lead Agency, the Lake County Community Development Department, and its review for compliance with the Lake County General Plan, the Lakeport Area Plan, the Lake County Zoning Ordinance, and the Lake County Municipal Code. Other organizations in the review process for permitting purposes, financial approval, or participation agreement can include but are not limited to:

    Lake County Department of Environmental Health
    Lake County Air Quality Management District
    Lake County Department of Public Works
    Lake County Department of Public Services
    Lake County Agricultural Commissioner
    Lake County Sheriff Department
    Lakeport Fire Protection District
    Department of Motor Vehicles
    Central Valley Regional Water Quality Control Board
    California Water Resources Control Board

California Department of Food and Agricultural
California Department of Pesticides Regulations
California Department of Public Health
California Department of Cannabis Control
California Department of Consumer Affairs
California Department of Fish & Wildlife (CDFW)
California Department of Forestry & Fire Protection (CALFIRE)
California Department of Transportation (CALTRANS)

20. Have California Native American tribes traditionally and culturally affiliated with the area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

    Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process, per Public Resources Code §21080.3.2. Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3 (c) contains provisions specific to confidentiality.

    Notification of the Project was sent to Big Valley Rancheria, Cortina Rancheria, Elem Colony, Koi Nation, Mishewal-Wappo, Middletown Rancheria, Redwood Valley Rancheria, Robinson Rancheria, Scotts Valley Band of Pomo Indians, Habematolel Pomo of Upper Lake Tribe, and Yocha Dehe Wintun Nation on August 24, 2023. Tribal consultation was not requested. No further comments or concerns have been received from local tribes regarding this Project to date.

21. Attachments

    a. Site Plans prepared by Lake Co. Development (1/27/2021)
    b. Farm Management Plan (amended 8/10/2023)
    c. Biological Resources Assessment by Pinecrest Environmental (12/9/2020)
    d. Hydrology Study prepared by Summit Engineering, Inc. (11/12/2021)
    e. Water Availability Analysis prepared by Summit Engineering, Inc. (1/20/2022)
    f. Drought Management Plan
    g. Commercial Electric Service Calculation Analysis prepared by Summit Engineering, Inc. (4/12/2021)
    h. Geotechnical Report prepared by Bauer Assoc, Inc. (12/10/2021)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

☐ Aesthetics	☐ Greenhouse Gas Emissions	☐ Public Services

☐ Agriculture & Forestry Resources	☒ Hazards & Hazardous Materials	☐ Recreation
☒ Air Quality	☒ Hydrology / Water Quality	☐ Transportation
☒ Biological Resources	☐ Land Use / Planning	☒ Tribal Cultural Resources
☒ Cultural Resources	☐ Mineral Resources	☐ Utilities / Service Systems
☐ Energy	☒ Noise	☒ Wildfire
☒ Geology / Soils	☐ Population / Housing	☒ Mandatory Findings of Significance

DETERMINATION: (To be completed by the lead Agency)
On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed could have a significant effect on the environment, there will not be a significant effect in this case because revisions have been made by or agreed to by the proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed, nothing further is required.

Initial Study prepared by Kelly Boyle, Project Manager, Analytical Environmental Services/Montrose Environmental
Initial Study Reviewed and revised by Mary Claybon, Assistant Planner II, County of Lake

Mary Claybon Date: 4/8/2024
SIGNATURE
Community Development Department

SECTION 1

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, and then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c) (3) (D). In this case, a brief discussion should identify the following:
   a) Earlier Analysis Used. Identify and state where they are available for review.
   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:
   a) The significance criteria or threshold, if any, used to evaluate each question; and
   b) The mitigation measure identified, if any, to reduce the impact to less than significance

I. AESTHETICS	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Except as provided in Public Resource Code Section 21099, would the project:					
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐	1, 2, 3, 4, 5, 6, 9
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐	2, 3, 4, 9
c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐	1, 2, 3, 4, 5, 6, 9
d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☒	☐	☐	1, 2, 3, 4, 5, 6, 9

Discussion:

a) The Project Site is not located near a designated State Scenic Highway or other designated scenic corridors, such as Scotts Valley Road within the Lakeport Area Plan. The nearest eligible State Scenic Highway is State Route 29, approximately 4.38 miles northeast of the Project Site, which does not provide views of the Project Site. The Proposed Project would involve the planting of cannabis crops and installation of ancillary facilities. Scattered residences exist around the Project Site, with no off-site residences within 200 feet of the cultivation sites. The nearest residence is located approximately 0.4 miles northwest of the Project site boundary. However, none would have direct views of the structures associated with the Proposed Project due to irregular topography surrounding the site and surrounding vegetation, and there are no direct views of scenic resources at ground level on the Project Site that would potentially be blocked due to construction of the Proposed Project.

   Less Than Significant Impact

b) No unique resources such as rock outcroppings or historic buildings exist on the Project Site and the Project Site is not visible from a state scenic highway. The Project Site primarily consists of vacant grassland, surrounded by hills with dense chaparral vegetation and is not frequently visited by the public. Cultivation activity would be constrained to the central grassland area and would not involve tree removal. Therefore, the Proposed Project would not substantially damage scenic resources.

   Less Than Significant Impact

c) The Proposed Project is located in a non-urbanized rural area with infrequent public use. As stated above, scattered residences around the project site would not have direct views of the cultivation areas and structures associated with the Proposed Project due to irregular topography and surrounding vegetation. The Proposed Project would not substantially degrade the existing visual character and/or quality of public views.

   Less Than Significant Impact

d) The Proposed Project would create a new source of light through security and facility lighting around the proposed cultivation areas, nursery-greenhouse, parking areas, processing facilities, equipment storage, and the main entrance to the Project Site; however, the amount of generated light would not be considered substantial. Furthermore, residences in the vicinity would not likely be affected by light due to their distance and natural barriers such as topography and vegetation. Security lighting would not initiate unless triggered by a motion sensor. The nursery-greenhouse and processing facilities are not expected to emit significant light, as sidewalls would be constructed with insulated metal panels (IMP) that do not allow light penetration. The nursery-greenhouse roof would be an 8-mm twin-wall polycarbonate material with 80% light transmission and 95% light diffusion. Additionally, light pollution would be reduced by 95% through the use of black-out curtains and insulation. All lighting would be fully shielded, downward casting and would not spill over onto other properties or the night sky. Lighting equipment shall be consistent with that which is recommended on the website: www.darksky.org and provisions of section 21.41.8 of the Zoning Ordinance.

   Less Than Significant Impact with Mitigation Measures incorporated

   AES-1: All greenhouses incorporating artificial lighting shall be equipped with blackout film/material to be used at night for maximum light blockage to lessen the impact on the

surrounding parcels and the dark skies. Applicant shall submit a ***Blackout Film/Materials Plan*** to the Community Development Department for review and approval prior to issuance of any permits.

II. AGRICULTURE AND FORESTRY RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒	1, 2, 3, 4, 7, 8, 11, 13, 39
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒	1, 2, 3, 4, 5, 7, 8, 11, 13
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒	1, 2, 3, 4, 5, 7, 8, 11, 13
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒	1, 2, 3, 4, 5, 6, 9
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☒	☐	1, 2, 3, 4, 5, 7, 8, 11, 13

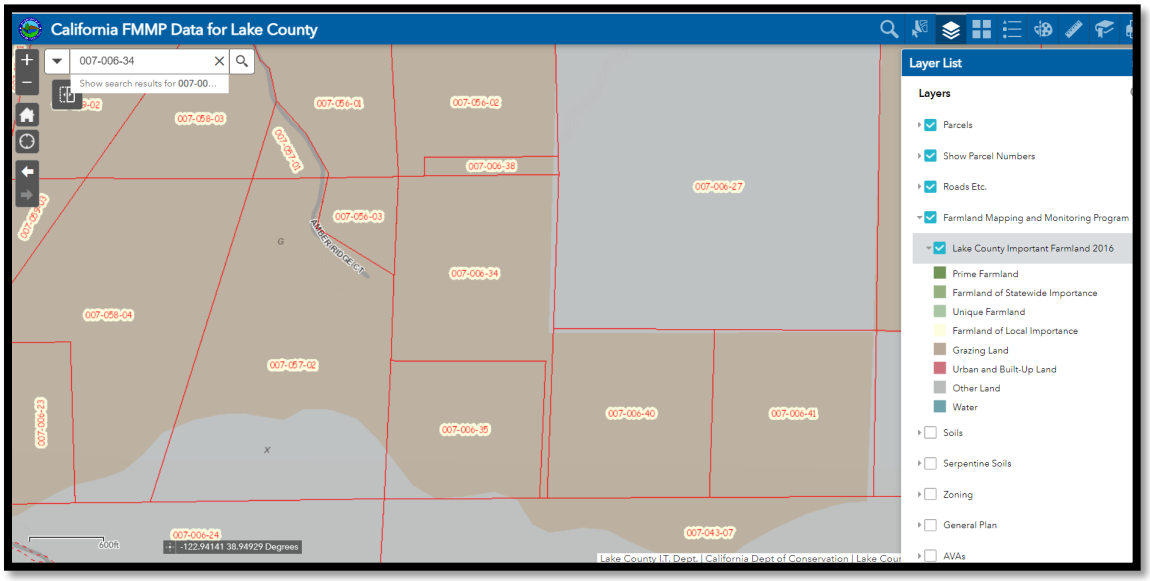
Discussion:

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional

model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board.

a) The majority of the Project Site is classified by the Farmland Mapping and Monitoring Program as "Grazing Land". A small portion of the Project Site in the southwest corner of APN 007-006-35 is classified as "Other" land. The Project Site is not classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance; therefore, the Proposed Project would not result in the conversion of this type of farmland to a non-agricultural use.

FIGURE 9- California FMMP Data for Lake County



Source: Lake County GIS Portal

No Impact.

b) The Proposed Project is zoned Rural Lands (RL). As proposed, the use is compatible with these land uses. Under Article 27.11 of the Lake County Zoning Ordinance, Outdoor Cannabis Cultivation is permitted on parcels with a Base Zoning District of "RL" with a minimum of 20 acres. The total acreage of the Proposed Project is 508 acres. Agricultural uses as described in California Government Code §51201(c) are generally allowed on Rural Lands, and the site is not under a Williamson Act contract. The cultivation portion of the site would not interfere with the ability of the owner or neighbors to use the remaining land for more traditional crop production and/or grazing land.
No Impact

c) The project site is currently zoned Rural Lands (RL). The project site does not contain any forest lands, timberland, or timberland zoned Timberland Production lands, nor are any forest lands or timberlands located on or nearby the project site. Because no lands on the project site are zoned for forestland or timberland, the project has no potential to impact such zoning. The project does not propose a zone change that would rezone forest land, timberland, or timberland zoned for Timberland Production. No impact would occur.
The Proposed Project is not zoned forest land or timberland and would therefore not conflict with or result in the rezoning of forest land or timberland.

No Impact

d) The project site and surrounding properties do not contain forest lands, are not zoned for forest lands, nor are they identified as containing forest resources by the General Plan. Because forest land is not present on the project site or in the immediate vicinity of the project site, the proposed project has no potential to result in the loss of forest land or the conversion of forest land to non-forest use. No impact would occur.

No Impact

e) According The majority of the Project Site is classified by the Farmland Mapping and Monitoring Program as “Grazing Land”.However, the site is not utilized for grazing activities. A small portion of the Project Site in the southwest corner of APN 007-006-35 is classified as “Other” land. The Project Site is not classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance; therefore, the Proposed Project would not result in the conversion of this type of farmland to a non-agricultural use. The Proposed Project is not zoned forest land or timberland and would therefore not conflict with or result in the rezoning of forest land or timberland.

Less than Significant Impact

III. AIR QUALITY	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☒	☐	☐	1, 3, 4, 5, 21, 24, 31, 36
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under and applicable federal or state ambient air quality standard?	☐	☐	☒	☐	1, 2, 3, 4, 5, 21, 24, 31, 36

c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐	1, 2, 3, 4, 5, 10, 21, 24, 31, 36
d)	Result in other emissions (such as those leading to odors or dust) adversely affecting a substantial number of people?	☐	☐	☒	☐	1, 2, 3, 4, 5, 21, 24, 31, 36

Discussion:

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

a) The Project site is located within the Lake County Air Basin, which is under the jurisdiction of the Lake County Air Quality Management District (LCAQMD). The LCAQMD applies air pollution regulations to all major stationary pollution sources and monitors air quality. The Lake County Air Basin is in attainment with both state and federal air quality standards.

Due to the fact that the Lake County Air Basin is in attainment of both state and federal air quality standards, LCAQMD has not adopted an Air Quality Management Plan, but rather uses its Rules and Regulations to address air quality standards.

According to the Lake County Zoning Ordinance section on Commercial Cannabis Cultivation (§27.11), Air Quality must be addressed in the Property Management Plan. The intent of addressing this is to ensure that "all cannabis permittees shall not degrade the County's air quality as determined by the Lake County Air Quality Management District" and that "permittees shall identify any equipment or activity that may cause, or potentially cause the issuance of air contaminates including odor and shall identify measures to be taken to reduce, control or eliminate the issuance of air contaminants, including odors". This includes obtaining an Authority to Construct permit pursuant to LCAQMD Rules and Regulations.

According to the USDA Soil Survey and the ultramafic, ultrabasic, serpentine rock and soils map of Lake County, serpentine soils have not been found within the Project area or Project vicinity and would pose no threat of asbestos exposure during either the construction phase or the operational phase.

The proposed Project has the potential to result in short- and long-term air quality impacts from construction and operation of the proposed Project. ~~I~~mplementation of mitigation measures would reduce air quality impacts to less than significant. Dust during site preparation would be limited during periods of high winds (over 15 mph). All visibly dry, disturbed soil and road surfaces would be watered to minimize fugitive dust emissions.

Dust and fumes may be released as a result of vehicular traffic, including small delivery vehicles. Roadway improvements are proposed. Additionally, implementation of mitigation measures below would further reduce air quality impacts to less than significant.

Less than Significant Impact with Mitigation Measures AQ-1 through AQ-6 incorporated:

AQ-1: Prior to obtaining the necessary permits and/or approvals for any phase, applicant shall contact the Lake County Air Quality Management District (LCAQMD) and obtain an Authority to Construct (A/C) permit for all operations and for any diesel-powered equipment and/or other equipment with potential for air emissions or provide proof that a permit is not needed.

AQ-2: All mobile diesel equipment used must be in compliance with state registration requirements. Portable and stationary diesel-powered equipment must meet all federal, state, and local requirements, including the requirements of the State Air Toxic Control Measures for compression ignition engines. Additionally, all engines must notify LCAQMD prior to beginning construction activities and prior to engine use.

AQ-3: The applicant shall maintain records of all hazardous or toxic materials used, including a Material Safety Data Sheet (MSDS) for all volatile organic compounds utilized, including cleaning materials. Said information shall be made available upon request and/or the ability to provide the LCAQMD such information in order to complete an updated Air Toxic emission Inventory.

AQ-4: All vegetation during site development shall be chipped and spread for ground cover and/or erosion control. The burning of vegetation, construction debris, including waste material is prohibited.

AQ-5: The applicant shall have the primary access and parking areas surfaced with chip seal, asphalt, or an equivalent all weather surfacing to reduce fugitive dust generation. The use of white rock as a road base or surface material for travel routes and/or parking areas is prohibited.

AQ-6: All areas subject to infrequent use of driveways, overflow parking, etc., shall be surfaced with gravel, chip seal, asphalt, or an equivalent all weather surfacing. Applicant shall regularly use and/or maintain graveled area to reduce fugitive dust generations.

b) The Project area is in the Lake County Air Basin, which is designated as in attainment for state and federal air quality standards for criteria pollutants (CO, SO_2, NO_x, O_3, PM_{10}, $PM_{2.5}$, VOC, ROG, Pb). Any Project with daily emissions that exceed any of the thresholds of significance for these criteria pollutants should be considered as having an individually and cumulatively significant impact on both a direct and cumulative basis.

As indicated by the Project's Air Quality Management Plan, near-term construction activities and long-term operational activities would not exceed any of the thresholds of significance for criteria pollutants. Truck trips are estimated to be 89 trips for Stage 1 construction and between 150 and 175 for full buildout over the course of Stage 2 construction activities (approximately six to nine months). Operation of the Proposed Project would generate a maximum of 52 trips per day for regular operations.

Lake County has adopted Bay Area Air Quality Management District (BAAQMD) thresholds of significance as a basis for determining the significance of air quality and greenhouse gas impacts. Using the California Emissions Estimator Model, air emissions modeling performed for this Project, in both the construction phase and the operational phase, will not generate significant quantities of ozone or particulate matter and does not exceed the Project-level thresholds. Construction and operational emissions are summarized in the following tables:

Comparison of Daily Construction Emissions Impacts with Thresholds of Significance

Criteria Pollutants	Project Emissions unmitigated (pounds/day)	BAAQMD Threshold (pounds/day)	Significance
ROG (VOC)	1 to 10	54	Less than significant
NO_x	10 to 20	54	Less than significant
CO	10 to 30	548	Less than significant
SO_x	< 1	219	Less than significant
Exhaust PM_{10}	1 to 10	82	Less than significant
Exhaust $PM_{2.5}$	1 to 10	54	Less than significant
Greenhouse Gasses (CO_2e)	2,000 to 3,500	No threshold established	Less than significant

Comparison of Daily Operational Emissions Impacts with Thresholds of Significance

Criteria Pollutants	Project Emissions unmitigated (pounds/day)	BAAQMD Threshold (pounds/day)	Significance
ROG (VOC)	1 to 10	54	Less than significant
NO_x	1 to 5	54	Less than significant
CO	1 to 10	548	Less than significant
SO_x	< 1	219	Less than significant
PM_{10} (total)	1 to 5	82	Less than significant
$PM_{2.5}$ (total)	1 to 5	54	Less than significant
Greenhouse Gasses (CO_2e)	1 to 20	No threshold established	Less than significant

Comparison of Annual Operational Emissions Impacts with Thresholds of Significance

Criteria Pollutants	Project Emissions (tons/year)	BAAQMD Threshold (tons/year)	Significance
ROG (VOC)	0 to 1	10	Less than significant
NO_X	0 to 1	10	Less than significant
CO	0 to 1	100	Less than significant
SO_X	0 to 1	40	Less than significant
PM_{10}	0 to 1	15	Less than significant
$PM_{2.5}$	0 to 1	10	Less than significant
Greenhouse gasses (as CO_2 or methane)	1 to 100	10,000	Less than significant

Less than Significant Impact

c) Sensitive receptors (i.e., children, senior citizens, and acutely or chronically ill people) are more susceptible to the effects of air pollution than the general population. Land uses that are considered sensitive receptors typically include residences, schools, playgrounds, childcare centers, hospitals, convalescent homes, and retirement homes.

There are no schools, parks, childcare centers, convalescent homes, or retirement homes located in proximity to the Project site. The nearest off-site residence is .41 miles from the Project site, well over the 200-foot setback for offsite residences from commercial cannabis cultivation as described in Article 27.11 of the Lake County Zoning.

Nonetheless, the Proposed Project has the potential to expose off-site sensitive receptors to air pollutant emissions from construction activities, which include emissions of particulate matter from diesel-fueled engines. Construction-related activities associated with the Proposed Project would generate emissions of criteria air pollutants from site preparation (e.g., grading and clearing), off-road equipment, material transport, worker vehicles, and vehicle travel on unpaved roads. However, construction activities are temporary in nature.

Solar power will be utilized as the primary source of power with three 25 kW diesel generators would for back up power during Stage 1. This would represent minimal emissions, as Stage 1 only involves outdoor cultivation and generators would only be used up to 7 hours a day to power the water well pumps, security equipment, and charge electronic devices. The Proposed Project (full buildout) would only employ generators as a back-up method in the event of a power outage; therefore, use would be limited and resulting emissions would be negligible. Existing off-site sensitive receptors consist of scattered residences, of which the closest to the Project Site is a residence approximately 0.4 miles northwest of the Project Site boundary.

The generation of dust (fugitive PM_{10} and $PM_{2.5}$) during construction activities could adversely affect sensitive receptors and construction workers by exacerbating existing respiratory problems such as asthma. Dust can also adversely affect children and the elderly who are more susceptible to respiratory illnesses. Furthermore, the Proposed Project has the potential to release fumes from volatile organic compounds utilized. This is a potentially significant impact.

Impacts would be Less than Significant with Mitigation Measure AQ-1 and AQ-2 incorporated

d) The Proposed Project would result in diesel exhaust emissions from on-site construction equipment during the construction phase. Diesel exhaust emissions can result in temporary and intermittent odors at off-site sensitive receptors. The Proposed Project would only employ diesel generators in the event of a power outage; therefore, use would be limited and resulting emissions would be negligible. Three 25 kW diesel generators would be used for power during Stage one. This would represent minimal emissions, as Stage 1 only involves outdoor cultivation and generators would only be used to power water well pumps, security equipment, and charge electronic devices.

The cultivation of cannabis has the potential to emit odors. However, due to the rural nature of the Project Site and the lack of residences in the immediate vicinity of the Project Site, odors from cannabis cultivation are not anticipated to be detected by the public.

However, The Proposed Project includes an Air Quality Management Plan that stipulates how odor complaints would be developed and reduction strategies would be implemented. As part of the Plan, property owners and residents of property within a 1,000-foot radius of the Proposed Project would be provided with the contact information of the Community Liaison responsible for responding to odor complaints.

Potential odors would be minimized, as the processing facilities would be equipped with air circulation fans, passive carbon filtration, windscreens, and native vegetation maintenance to mask odors from cannabis cultivation and processing.

Less than Significant Impact with Mitigation Measures AQ-1 and AQ-6

IV. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐	2, 5, 11, 12, 13, 16, 24, 29, 30, 31, 32, 33, 34
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 29, 30, 31, 32, 33, 34
c) Have a substantial adverse effect on state or federally protected wetlands (including, not limited to, marsh, vernal pool, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐	13
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒	1, 2, 3, 4, 5, 11, 12, 13
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒	1, 2, 3, 5, 6

Discussion:

a) A Biological Resource Assessment (BRA) was prepared for the Proposed Project. As part of the BRA, a site visit was conducted on May 25, 2020, in order to assess vegetative communities with the potential to be impacted by the Proposed Project, and other sensitive biological resources present on the Property. The BRA reviewed the California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants and California Department of Fish and Wildlife (CDFW) California Natural Diversity Database. The U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation was also reviewed to determine special-status species that may occur within the region (USFWS, 2021). For the purpose of this Initial Study, special-status include species that are:

- Ranked by CNPS as List 1 or List 2;
- Listed or proposed for listing as endangered or threatened under the California Endangered Species Act and/or Federal Endangered Species Act;
- Designated as endangered, rare, or fully protected pursuant to the California Fish and Game Code; or
- Designated as a Species of Special Concern by CDFW.

In addition to the BRA, a memo was prepared to document the results of an early floristic survey completed on March 15, 2021. The survey was completed consistent with CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities. Additionally, a Biological Memorandum was prepared for the Proposed Project that documented the results of a second biological survey completed on May 26, 2021. This survey focused on the Project Site (all areas to be disturbed by the Proposed Project) and mapped the GPS boundaries of habitats identified in the initial BRA. A third protocol-level floristic survey was completed June 22, 2022. The survey focused on special-status plants with the potential to occur within the Project Site. The surveys were completed consistent with County requirements to complete a habitat assessment and a minimum of two floristic surveys.

Habitats on the Property include mixed oak-pine woodland, annual grassland, leather oak-

chamise-Yerba Santa chaparral, seasonal wetlands, riparian, and several streams. Cannabis activities within the Project Site are limited to areas of annual grassland and leather oak-chamise-Yerba Santa chaparral. However, necessary road improvements would require the replacement of eight existing and undersized culverts, as well as the placement of one new culvert. Culverted road crossings are limited to Class II and III drainages that do not provide suitable habitat for aquatic species. A total of 19.80 acres of annual grasslands, 0.54 acres of leather oak-chamise-Yerba Santa chaparral, and 180 linear feet of Class II and III drainages occur within the Project Site. No trees would be removed by the Proposed Project.

Six special-status plant species were found to have the potential to occur within the Project Site. Three floristic surveys were completed for the Proposed Project and confirmed that special-status plants with the potential to occur were not present within or adjacent to the Project Site. Therefore, there would be no impact to special-status plants. The initial BRA determined there was limited potential for several special-status animals to occur on and in the vicinity of the Property. However, the Biological Memorandum determined that the Proposed Project avoided potential impacts by preserving habitat for special-status animals and limiting the Project Site to areas not suitable for special-status animals. Therefore, impacts to special-status animals are avoided through project design.

Additionally, marginal and minimal foraging habitat for migratory and special-status birds such as golden eagle (*Aquila chrysaetos*) and prairie falcon (*Falco mexicanus*) occurs within the Project Site. The Proposed Project would not change the overall undeveloped nature of the Property and does not include development of approximately 96% of the undeveloped habitat on the Property. The proposed lighting would consist of minimal shielded and downcast lighting that would not overspill beyond the Project Site and would therefore not result in the potential to strand or disorient migratory birds. This would be a less-than-significant impact.

Although impacts to foraging and migratory behavior would be less than significant, there is the potential for birds to nest within and adjacent to the Project Site. The Project Site lacks suitable nesting habitat for special-status birds, however, intact woodland habitat in the vicinity of the Project Site may provide suitable nesting habitat for migratory and special status birds, including prairie falcon. The Project Site and surrounding area lack old growth forest required for northern spotted owl nesting and preferred for golden eagle nesting. The nearest observation of northern spotted owl is approximately 10 miles east of the Project Site and consisted of a dead owlet observed in 1990 (Spotted Owl Observations observation ID 34233). There are no observations of golden eagle within 10 miles of the Project Site. The closest occurrence of this species was approximately 20 miles east of the Project Site observed in 1986 (CNDDB occurrence 112). Therefore, the Proposed Project would not impact nesting golden eagles or northern spotted owls.

Ground disturbing activities are anticipated to disturb approximately 27.7 acres and would involve temporary use of heavy machinery during initial grading. Ground disturbing activities could result in minor sensory disturbance to birds nesting nearby. Nesting birds are protected under the California Fish and Game Code as well as the Migratory Bird Treaty Act, and such disturbance would be a potentially significant impact. Mitigation Measure BIO-1 would avoid potential impacts to nesting birds by requiring a preconstruction nesting bird survey prior to construction and establishing a disturbance-free buffer around active nests. With implementation of Mitigation Measure BIO-1, potential impacts to nesting birds, including special-status bird species, would be less-than significant.

Less Than Significant Impact with Mitigation Measure BIO-1 Incorporated:

BIO-1: Prior to construction activities, a qualified biologist shall survey the potential seasonal wetlands and Class II and III watercourses within 200 feet of the Project Site. The qualified biologist shall demarcate setbacks from wetlands, watercourses, and riparian habitat with high-visibility fencing or flagging. No construction or operational project activities shall occur within the setbacks, including the stockpiling of materials or storage of equipment. The demarcation shall remain in place throughout the duration of construction. Following construction, the demarcation may be removed, with the understanding that Project activities within the setback shall not occur. Regulatory permits from CDFW, United States Army Corps of Engineers (USACE), and the Regional Water Quality Control Board shall be obtained, as required. Best Management Practices outlined in Appendix G of the Biological Assessment shall be implemented.

b) Habitat types on the Project Site include annual grassland, leather oak-chamise-Yerba Santa chaparral, and seven road crossings along Class III drainages. Annual grassland, leather oak-chamise-Yerba Santa chaparral are not considered sensitive and impacts to these habitats would not constitute impacts to sensitive habitats. However, Class II and III drainages would be considered sensitive. Eight of the crossings are existing culverted road crossings. Hydrological analysis determined that the existing culverts are not large enough to handle a 100-year storm plus debris event. The ninth crossing is a newly proposed roadway and currently lacks road crossing infrastructure.

Prior to improvements of the Class II and III drainage road crossings, notification would be provided to CDFW and an LSAA would be obtained. Consultation with the U.S. Army Corps of Engineers (USACE) and the Regional Water Quality Control Board (RWQCB) would be necessary to determine required permitting under the Clean Water Act. Approximately 180 linear feet of Class II and III drainages would be disturbed at existing road crossings. These activities would improve habitat quality compared to existing conditions by adding infrastructure to a crossing that currently has no infrastructure, and improving eight existing culverts that are undersized. These activities would be performed when the streams are dry and would adhere to measures within the Lake Streambed Alteration Agreement (LSAA) and other required permits.

Additionally, setbacks to aquatic habitat would be adhered to for wetlands and streams occur throughout the Property, as identified within Figures 6 and 7. In order to ensure proper setbacks are observed for aquatic habitat in the vicinity of the Project Site, Mitigation Measure BIO-2 and BIO-3 would be implemented. Mitigation Measure BIO-2 and BIO-3 would require that erosion BMPs be implemented and a 100-foot setback around the Class II stream and a 50-foot setback around the Class III streams and wetlands be staked by a qualified biologist and left in place throughout construction for ground disturbance within 200 feet of aquatic habitat.

As a component of compliance with the State Water Resources Control Board (SWRCB) Requirements for Cannabis Cultivation, use of chemicals such as pesticides and fertilizers are prohibited in conditions where such chemicals could enter riparian or aquatic habitat. A Property Management Plan has been prepared to facilitate the use of operational chemicals and ensure compliance with requirements protecting aquatic resources. As an additional component of the Property Management Plan, a stormwater management plan has been included to prevent runoff from impacting surface water resources. The Applicant would be required to prepare a Site Management Plan and Nitrogen Management Plan and provide

these documents to the Central Valley Regional Water Quality Control Board (CVRWQCB). These plans would ensure than any riparian habitat or sensitive natural communities are protected from the discharge of waste associated with cannabis cultivation activities. This would be a less-than-significant impact with mitigation.

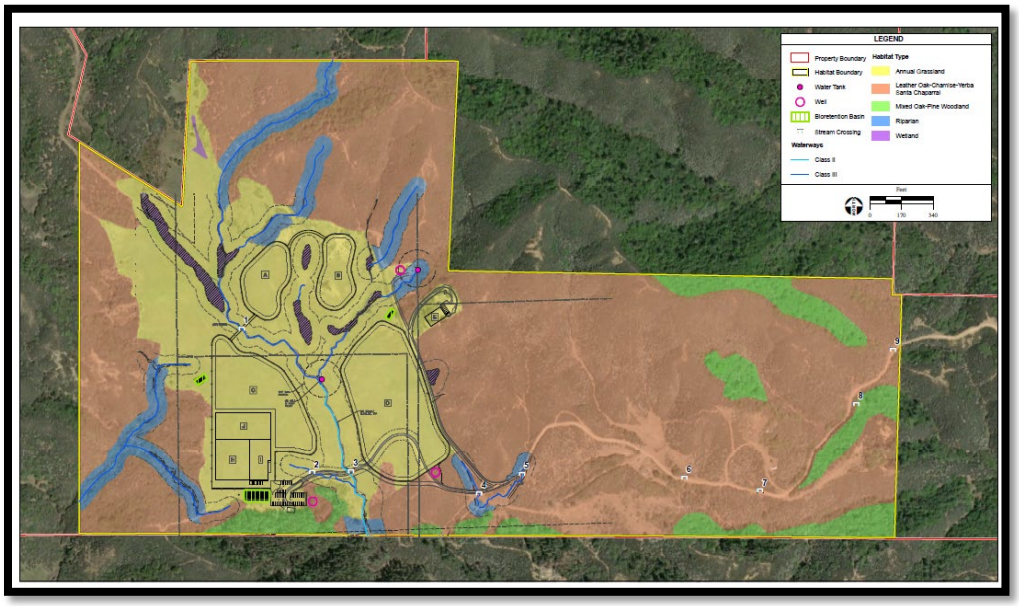
Less Than Significant Impact with Mitigation Measures BIO-1 through BIO-3 implemented:

BIO-2: For the protection of aquatic features adjacent to the Project Site, BMPs for erosional control measures, such as straw wattles and silt fencing, shall temporarily be placed along existing roadways within stream and wetland setbacks during construction activities. Native vegetation shall be planted along roadsides for long-term erosion control. Best Management Practices outlined in Appendix G of the Biological Assessment shall be implemented.

BIO-3: Should work commence during the nesting season (February 15 through September 15), a preconstruction nesting bird survey shall be conducted by a qualified biologist no more than five days prior to the start of ground disturbing activities. Areas on and within 500 feet of construction shall be surveyed as possible for active nests. Should an active nest be identified, a "disturbance-free" buffer shall be established by the qualified biologist based on the needs of the species identified and clearly marked by high-visibility material. The buffer shall remain in place until the biologist determines that the nest is no longer active. Construction activities, including removal of trees, shall not occur within the buffer. Should construction cease for a period of five days or more, an additional pre-construction nesting bird survey shall be conducted. Best Management Practices outlined in Appendix G of the Biological Assessment shall be implemented.

c) The watercourse on the southeast side of the plateau that drains the site to the southeast is also steeply incised and presents a barrier to dispersal due to the density of vegetation and steepness of the terrain. Despite this, is suitable habitat onsite in the form of the wetlands and ephemeral streamcourses. The project does not propose development within this area. Avoidance measures are incorporated into the project with Mitigation Measures BIO-1 and BIO-3. The only aquatic habitat present within the Project Site would be nine stream crossings over Class II and III drainages. Eight of these crossings are existing culverted road crossings. Hydrological analysis determined that the existing culverts are not large enough to handle a 100-year storm plus debris event. The ninth crossing currently lacks road crossing infrastructure. A licensed engineer has evaluated the stream crossings to determine appropriate sizing of culverts to handle a 100-year storm flow. Implementation of these upgrades, with appropriately sized and evaluated plans, would constitute an improvement compared to current conditions. However, these activities would still require disturbance to 180 linear feet of Class II and III drainages. A LSAA would be obtained and CDFW consulted to determine what terms and conditions would be necessary for stream crossing improvements. USACE and the RWQCB would also be consulted to determine additional permitting needs. Terms and conditions within all necessary permits would be adhered to. Implementation of Mitigation Measures BIO-1 through BIO-3 would ensure additional impacts would not occur by installation of erosion control BMPs and setback fencing.

FIGURE 10- Highland Farms Biological Resource Assessment Map



Source: Biological Resource Assessment prepared by Summit Engineering, Inc

FIGURE 11- Highland Farms Biological Resource Assessment Photo 4

Source: Biological Resource Assessment prepared by Summit Engineering, Inc

Additionally, the project design includes a Property Management Plan that would prevent chemicals, sediment, or impaired runoff from entering surface water sources, and the Applicant would be required to prepare a Site Management Plan and Nitrogen Management Plan to the CVRWQCB. The Proposed Project does not include project cultivation or storage of materials with the potential to degrade water quality within 50 feet of Class III streams and wetlands or 100 feet of Class II streams. This is consistent with setbacks identified in the State Water Resources Control Board Requirements for Cannabis Cultivation to protect against indirect impacts to wetlands and waters. This would be a less-than-significant impact.

Less Than Significant Impact WITH Mitigation Measures BIO-2 and BIO-3 implemented

d) The Property is currently undeveloped with the exception of roadways and limited infrastructure. No movement corridors or nursery sites were observed on the Property, and streams present on the Property were limited to Class II and III streams that do not have features capable of supporting fish. However, the Property currently does not contain significant wildlife barriers, and riparian habitat alongside streams could facilitate wildlife movement through the Property. Riparian habitat has been preserved through project design, and aquatic setbacks have been adhered to. Additionally, the Project Site is limited to a clustered area comprising less than 5% of the overall Property. Lands surrounding the Project Site contain significant and undeveloped mixed forest habitat that could provide suitable habitat for migrating animals or rearing of young. The Proposed Project would not alter or impact wildlife access to or use of these areas. Therefore, the Proposed Project would not disturb 96% of the Property, avoid natural corridors such as riparian habitat, and would not impact wildlife use or access beyond the Project Site. This would be a less-than-significant impact.

Less Than Significant Impact with Mitigation Measure BIO-1 incorporated

e) The Proposed Project would not conflict with any local policies protecting biological resources. Trees would not be removed by the Proposed Project and applicable setbacks to aquatic habitat have been adhered to. There would be no impact.

Less Than Significant Impact

f) There are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans that cover the area of the Project Site. Therefore, the project would not conflict with an established or proposed conservation plan. A technical report for preserving landscape connectivity for the region has been prepared and identifies key areas for preservation of wildlife corridors throughout the region (Mayacamas to Berryessa Connectivity Network; Gray et. al., 2018). This report recognizes that significant undeveloped land to the west and south of the Project Site allows for a medium to high level of wildlife terrestrial permeability. However, the Project Site is outside of the areas identified as wildlife corridors key to preservation of large-scale wildlife movement. Terrestrial linkage potential and existing permeability are identified as medium to low. As stated above, impacts to aquatic habitat would be limited to Class III drainages at existing road crossings. Additionally, the Proposed Project would not disturb approximately 96% of the Property and would not impact wildlife use or access to nearby undeveloped habitat. The Proposed Project would not conflict with the goals of the Mayacamas to Berryessa Connectivity Network. There would be no impact.

No Impact

V. CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☒	☐	☐	1, 3, 4, 5, 11, 14c, 15
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?	☐	☒	☐	☐	1, 3, 4, 5, 11, 14, 15
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐	1, 3, 4, 5, 11, 14, 15

Discussion:

a) An archaeological record search at the Northwest Information Center (NWIC), Native American Heritage Commission (NAHC) contact program, and field survey were completed by Konocti Cultural Resource Management in December of 2020. An additional cultural survey was completed in August 2021 of the entire length of road segment from Highland Springs Road to the Project Site. The NWIC record search found that none of the Proposed Project Site had been previously surveyed and that no cultural resources had been identified within 0.25 miles of the Proposed Project.

The archaeological survey was completed using transects spaced no more than 20 meters apart. Ground surface visibility was very good. No prehistoric or historic archaeological sites were uncovered. Obsidian fragments were found near existing buildings on site; however, it was determined that these fragments were brought in with gravels to stabilize the construction areas and are not culturally relative to the Proposed Project site. Furthermore, Konocti Cultural Resource Management recommends no constraints to road expansion regarding archaeological sites.

The general lack of water sources on the landscape indicates a low potential for cultural resources, however, this does not exclude the possibility. Identification of subsurface deposits, new resources, or human remains are all potentially significant impacts. If any artifacts, archaeological features, or human remains are encountered during grading or excavation, the mitigation measures below shall be implemented. With the mitigation measures incorporated below, all potential environmental impacts would be reduced to less than significant.

Less than Significant Impacts with Mitigation Measures CUL-1 and CUL-2 incorporated:

CUL-1: Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted within 100' of the find(s). A professional Archaeologist certified by the Registry of Professional Archaeologists (RPA) shall be notified 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, the applicant shall notify the Sheriff's Department, the culturally affiliated Tribe(s), and a qualified Archaeologist for proper internment and Tribal rituals per Public Resources Code Section 5097.98 and Health and Safety Code 7050.5.

CUL-2: Prior to ground disturbing activities, the Permittee shall submit a Cultural Resources Plan, identifying methods of sensitivity training for site workers, procedures in the event of an accidental discovery, and documentation and reporting procedures. Prior to ground disturbing activities, the Permittee shall submit verification that all site workers have reviewed the Cultural Resources Plan and received sensitivity training.

b) A California Historical Resources Information System (CHRIS) records search was completed by the Northwest Information Center (NWIC) to determine if the project would affect archaeological resources. The record search found that there are no known or mapped significant archaeological resources on this site.

Less Than Significant with Mitigation Measures CUL-1 and CUL-2 incorporated:

c) The Project site does not contain an identified cemetery and no known formal cemeteries are located within the immediate site vicinity. In the event that human remains are discovered on the Project site, the Project would be required to comply with the applicable provisions of Health and Safety Code §7050.5, Public Resources Code §5097 et. seq. and CEQA Guidelines §15064.5(e). California Health and Safety Code §7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Pursuant to California Public Resources Code §5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made by the Coroner.

If the Coroner determines the remains to be Native American, the California Native American Heritage Commission must be contacted and the Native American Heritage Commission must then immediately notify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours and engage in consultations concerning the treatment of the remains as provided in Public Resources Code §5097.98. Mandatory compliance with these requirements would ensure that potential impacts associated with the accidental discovery of human remains would be less than significant.

Less than Significant Impacts with Mitigation Measure CUL-2

VI.ENERGY	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resource, during construction or operation?	☐	☒	☐	☐	5
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒	1, 3, 4, 5

Discussion:

a) Construction of the Proposed Project would consume energy primarily from fuel consumed by construction vehicles and equipment. Fossil fuels used for construction vehicles and other equipment would be used during site clearing, grading, and trenching. Fuel consumed during construction would be temporary in nature and would not represent a significant demand on available fuel. There are no unusual characteristics that would necessitate the use of construction equipment that would be less energy efficient than at comparable construction sites in the region or State. Estimated power requirements of the Proposed Project would be approximately 3,000 kVA distributed amongst all proposed buildings.

The Proposed Project would promote energy efficiency through building design. Lighting in the greenhouse nursery would automatically switch off when the useable sunlight inside the greenhouse exceeds a conservative 600 watts per square meter. All lighting fixtures in the nursery and greenhouse would utilize LED lighting technology which offers a minimum 35% decrease in power consumption. The structures would be equipped with electronic thermostats with advanced sensors for accurate temperature control and monitoring of climatic data in real-time. Variable frequency drives would be installed on exhaust fans, heat buffering systems, zone pumps, and mixing valves to utilize energy efficiently. In addition, retractable insulation curtains would be installed in all greenhouses and nurseries to reduce heat loss and gain more control over natural light levels and excess greenhouse temperatures, reducing the need for mechanical cooling systems.

Mitigation Measure AQ-1 would further reduce energy consumption during construction by requiring the contractor to minimize equipment idling time. Additionally, all diesel-fueled construction vehicles would be required to meet the latest emissions standards. These measures would further reduce fuel and energy use during all stages of construction and avoid the wasteful, inefficient, or unnecessary consumption of fuel energy. Therefore, operation of the Proposed Project would not result in inefficient, wasteful, or unnecessary consumption of energy resources.

Less Than Significant Impact with Mitigation Measure AQ-1 incorporated

b) The Proposed Project would not conflict with a State or local plan for renewable energy or energy efficiency, and would not result in the wasteful, inefficient, or unnecessary consumption of energy resources. Therefore, this impact would be less than significant.

Less Than Significant Impact

VII. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Directly or indirectly cause potentially substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special. Publication 42. ii) Strong seismic ground shaking? iii) Seismic-related ground failure, including liquefaction? iv) Landslides?	☐	☐	☒	☐	1, 2, 3, 4, 5, 18, 19
b) Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐	1, 3, 4, 5, 19, 21, 24, 25, 30
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☒	☐	☐	1, 2, 3, 5, 6, 9, 18, 21

d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☒	☐	☐	5, 7, 39
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☒	☐	2, 4, 5, 7, 13, 39
f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐	1, 2, 3, 4, 5, 14, 15

Discussion:

a) Earthquake Faults The nearest fault is the Adobe Creek fault, a late quaternary fault located approximately 1.13 miles south of the Project Site. However, the Project Site is not located within an earthquake zone of required investigation as defined in the Alquist-Priolo Earthquake Fault Zoning Map. The nearest Alquist-Priolo fault zone is the Mayacama fault zone, located approximately 6.2 miles west of the Project Site.

Seismic Ground Shaking and Seismic-Related Ground Failure, including liquefaction
Faults exist throughout the County; therefore, there will always be the potential for seismic ground shaking. According to the California Geological Survey, the Project Site nor the areas in the immediate vicinity of the Project Site are located within areas of known liquefaction. Therefore, it is unlikely that ground failure or liquefaction would occur on the Project Site in the future.

Landslides
Although the Project Site is low to moderately sloped the Property and surrounding landscape has moderate to high slopes, which naturally have a potential for landslides. However, the Project Site itself has slopes up to 25%, which would be graded to a slope of up to 3% for buildings and up to 10% for cultivation areas; engineered grading plans have been commissioned for the Proposed Project. Slopes up to 10% would not be considered a high landslide risk. Furthermore, the Project Site is not located within a landslide zone according to the California Geological Survey. Therefore, the potential for landslides associated with the Proposed Project is less than significant.

Less Than Significant Impact

b) Soils on the Project Site are classified by the USDA Web Soil Survey as having primarily a high runoff potential and low to moderately susceptible to erosion. Construction of the Proposed Project would involve grading and earth moving activities, as well as construction of project components. Construction activities would result in the temporary disturbance of

soil and could expose disturbed areas to potential storm events, which could generate accelerated runoff, localized erosion, and sedimentation. This is a potentially significant impact. Mitigation Measures GEO-1 and GEO-2 would reduce impacts related to erosion and loss of topsoil. Furthermore, Mitigation Measure HYD-1 requires the Project Applicant obtain coverage under the National Pollutant Discharge Elimination System (NPDES) Construction General Permit administered by the Central Valley Regional Water Quality Control Board and have an approved Stormwater Pollution Prevention Plan (SWPPP) prior to initiation of construction activities. The Construction SWPPP would specify Best Management Practices (BMPs) for erosion and sediment control measures. With implementation of Mitigation Measure HYD-1 impacts resulting from soil erosion or the loss of top soil would be reduced to less than significant.

A Site Management Plan would be prepared by a storm water professional and would provide details for waste discharge requirements and post-construction BMPs. The Site Management Plan would also provide compliance with the requirements of Chapter 29 of the Lake County Code, Storm Water Management Ordinance. This plan would be reviewed by the Central Valley Water Board's Cannabis Cultivation Waste Discharge Regulatory Program prior to cultivation activities. The Proposed Project would comply with the County Grading Ordinance.

Less Than Significant Impact with Mitigation Measures HYD-1 and GEO-1 through GEO-4 Incorporated:

GEO-1: Prior to any ground disturbance, the permittee shall submit erosion control and sediment plans to the County's Water Resource Department and Community Development Department for review and approval. Said erosion control and sediment plans shall protect the local watershed from runoff pollution through the implementation of appropriate Best Management Practices (BMPs) in accordance with the Grading Ordinance. Typical BMPs include the placement of straw, mulch, seeding, straw wattles, silt fencing and the planting of native vegetation on all disturbed areas. No silt, sediment or other materials exceeding natural background levels shall be allowed to flow from the project area. The natural background level is the level of erosion that currently occurs from the area in a natural, undisturbed state. Vegetative cover and water bars shall be used as permanent erosion control after project installation. The applicant shall include a detailed description of the relocation or proper disposal of excess soil of said excavation.

GEO-2**:** Excavation, filling, vegetation clearing, or other disturbance of the soil shall not occur between October 15 and April 15 unless authorized by the Community Development Department Director. The actual dates of this defined grading period may be adjusted according to weather and soil conditions at the discretion of the Community Development Director

c) According to the USDA Web Soil Survey of the Project Site, soils on the Project Site are primarily of the Maymen-Etsel-Snook complex. These soils are somewhat excessively drained, and the groundwater table is more than 80 inches deep. A Geotechnical Reconnaissance was conducted for the Proposed Project. The study concluded that the Proposed Project is feasible from a geotechnical engineering standpoint. The primary geotechnical concern is the presence of relatively weak surface soils, near surface

moderately to highly expansive soils, variable density old fills, and variable bedrock conditions with the potential for difficult excavations in bedrock. Furthermore, the study concluded that the risk of future surface rupture during earthquakes would be low. The survey recommends that a detailed geotechnical investigation with subsurface exploration should be performed to provide recommendation for engineering grading, foundation types and design, etc.

If a detailed geotechnical investigation were to indicate that the Proposed Project was to be located on unstable soils, impacts would be potentially significant. Mitigation Measure GEO-3 shall be implemented to confirm that the Proposed Project would be located on soils that are stable and that proposed grading would not lead to instability, prior to construction.

Less Than Significant with Mitigation Measure GEO-3 incorporated:

GEO-3: The Applicant shall submit a geotechnical report to the County prior to construction that confirms that structures associated with the Proposed Project will be located on stable soils and all recommendations within the geotechnical report relating to building design shall be adhered to.

d) The soils on the Project Site are classified as having a low shrink-swell potential of primarily 1.5 on the linear expendability index according to the USDA Web Soil Survey of the Project Site. However, the geotechnical reconnaissance study indicated the potential for expansive soils. Expansive soils could result in direct or indirect risks to life or property. Implementation of Mitigation Measure GEO-3 would reduce potential impacts to less than significant.

Less Than Significant with Mitigation Measure GEO-3 incorporated

e) Soil types on the Project Site primarily consist of Maymen-Etsel-Snook complex, which as described above will have a less than significant chance of becoming unstable or becoming susceptible to landslides. Therefore, the Project Site is capable of supporting the two proposed septic tanks and associated infrastructure.

f) There are no known paleontological or unique geological features present on the Project Site. There is always the potential, however remote, that previously unknown unique paleontological resources or sites could be encountered during subsurface construction activities. This is a potentially significant impact. In the event that paleontological resources or sites are found, Mitigation Measures GEO-4 would ensure that the Proposed Project would not directly or indirectly destroy a unique paleontological resource or site. After implementation of Mitigation Measures GEO-4, impacts to paleontological resources would be less than significant.

Less Than Significant with Mitigation Measure GEO-4 incorporated:

GEO-4: In the event of any inadvertent discovery of paleontological resources, all work within a 50-foot radius of the find shall be halted and the County shall be notified. Workers shall avoid altering the materials until a professional paleontologist can evaluate the significance of the find and make recommendations to the County on the measures that shall be implemented to protect the discovered resources.

VIII. GREENHOUSE GAS EMISSIONS	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☒	☐	☐	1, 3, 4, 5, 36
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐	1, 3, 4, 5, 36

Discussion:

a) Air quality and greenhouse gas (GHG) emissions were estimated for the Proposed Project. Construction of the Proposed Project would emit GHG emissions primarily from the combustion of diesel fuel in heavy equipment. Construction GHG emissions are a one-time release and are typically considered separate from operational emissions, as global climate change is inherently a cumulative effect that occurs over a long period of time and is quantified on a yearly basis. Construction of the Proposed Project is estimated to result in 397 metric tons of CO_2 equivalent (MT CO_2e).

Consistent with recommendations of other air districts throughout California, and in the absence of a construction-specific significance threshold, this analysis amortizes the total construction emissions over the assumed lifetime of the Proposed Project and adds those emissions to the operational emissions. Using 30 years as a representative lifetime consistent with recommendations of other air districts throughout California, the Proposed Project would result in total amortized construction emissions of 13 MT CO_2e per year.

Operational GHG emissions from build-out of the Proposed Project would result from direct mobile sources, including vehicle trips, as well as indirect GHG emissions sources from electricity use and water usage and conveyance. Operation of the Proposed Project, including amortized construction emissions, would result in 418 MT CO_2e per year. While Lake County has not adopted a threshold of significance for GHG emissions, the nearby Bay Area Air Quality Management District (BAAQMD) has established GHG thresholds that are used by several air districts in Northern California, including a numeric threshold of 1,100 MT CO_2e per year. The County, in its discretion, has deemed that the BAAQMD's GHG thresholds are appropriate to use to evaluate the significance of the Proposed Project's GHG emissions. Compared to the BAAQMD threshold, construction and operation of the Proposed Project would result in a negligible increase in GHG emissions. Therefore, construction and operation of the Proposed Project would not result in a substantial increase in GHG emissions. Impacts associated with construction and operational GHG emissions are considered less than significant. Additionally, incorporation of Mitigation Measure AQ-1 would further minimize GHG emissions from construction activities.

Less Than Significant Impact with Mitigation Measure AQ-1 incorporated

b) To date, Lake County has not adopted any specific GHG reduction strategies or climate action plans. The quantitative thresholds developed by BAAQMD were formulated based on AB 32 and California Climate Change Scoping Plan reduction targets. Thus, a project cannot exceed a numeric BAAQMD threshold without also conflicting with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs (the state Climate Change Scoping Plan). Because the Proposed Project emissions would be below the BAAQMD numeric threshold, the Proposed Project would not conflict with any adopted plans or policies for the reduction of greenhouse gas emissions.

For purposes of this analysis, the project was evaluated against the following applicable plans, policies, and regulations:

- The Lake County General Plan
- The Lake County Air Quality Management District
- AB 32 Climate Change Scoping Plan
- AB 1346 Air Pollution: Small Off-Road Equipment

Policy HS-3.6 of the Lake County General Plan on Regional Agency Review of Development Proposals states that the "County shall solicit and consider comments from local and regional agencies on proposed projects that may affect regional air quality. The County shall continue to submit development proposals to the Lake County Air Quality Management District for review and comment, in compliance with the California Environmental Quality Act (CEQA) prior to consideration by the County." The proposed project was sent out for review from the LCAQMD and the only concern was restricting the use of an onsite generator to emergency situations only.

The Lake County Air Basin is in attainment for all air pollutants with a high air quality level, and therefore the LCAQMD has not adopted an Air Quality Management Plan, but rather uses its rules and regulations for the purpose of reducing the emissions of greenhouse gases. The proposed project does not conflict with any existing LCAQMD rules or regulations and would therefore have no impact at this time.

The 2017 AB Climate Change Scoping Plan recognizes that local government efforts to reduce emissions within their jurisdiction are critical to achieving the State's long term GHG goals, which includes a primary target of no more than six (6) metric tons CO_2e per capita by 2030 and no more than two (2) metric tons CO_2e per capita by 2050. As described in the Property Management Plan, the project will have up to three (3) individuals working on site (owners/operators) during normal operational hours, and with an expected 6.875 metric tons of overall operational CO_2e per year, the per capita figure of 2.29 metric tons of operational CO_2e per year meets the 2017 Climate Change Scoping Plan's 2030 target, and nearly meets the 2050 target.

On October 9, 2021, AB 1346 Air Pollution: Small Off-Road Equipment (SORE) was passed, which will require the state board, by July 1, 2022, consistent with federal law, to adopt cost-effective and technologically feasible regulations to prohibit engine exhaust and evaporative emissions from new small off-road engines, as defined by the state board. The bill would require the state board to identify and, to the extent feasible, make available funding for commercial rebates or similar incentive funding as part of any updates to

existing applicable funding program guidelines to local air pollution control districts and air quality management districts to implement to support the transition to zero-emission small off-road equipment operations, and the applicant should be aware of and expected to make a transition away from SOREs by the required future date.

Less Than Significant Impact

IX. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☒	☐	☐	1, 3, 5, 13, 21, 24, 29, 31, 32, 33, 34
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐	1, 3, 5, 13, 21, 24, 29, 31, 32, 33, 34
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒	1, 2, 5
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒	2, 40
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒	1, 3, 4, 5, 20, 22

f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	1, 3, 4, 5, 20, 22, 35, 37
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☒	☐	☐	1, 3, 4, 5, 20, 35, 37

a) To date, Lake County has not adopted any specific GHG reduction strategies or climate action plans. The quantitative thresholds developed by BAAQMD were formulated based on AB 32 and California Climate Change Scoping Plan reduction targets. Thus, a project cannot exceed a numeric BAAQMD threshold without also conflicting with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs (the state Climate Change Scoping Plan). Because the Proposed Project emissions would be below the BAAQMD numeric threshold, the Proposed Project would not conflict with any adopted plans or policies for the reduction of greenhouse gas emissions.

Less Than Significant Impact

b) The Project involves the use of fertilizers and pesticides which will be stored in a secure, stormproof structure. Flood risk is at the Project site is minimal and according to Lake County GIS Portal data and the Project is not located in or near an identified earthquake fault zone. Fire hazard risks on the Project site range from moderate to very high. The project site does not contain any identified areas of serpentine soils or ultramafic rock, and risk of asbestos exposure during construction is minimal.

A spill kit would be kept on site in the unlikely event of a spill of hazardous materials. All equipment shall be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and contaminated soil shall be stored, transported, and disposed of consistent with applicable local, state, and federal regulations.

Less than Significant Impact with Mitigation Measures HAZ-1 through HAZ-5 incorporated:

HAZ-1: Prior to operation, the applicant shall schedule an inspection with the Lake County Code Enforcement Division within the Community Development Department to verify adherence to all requirements of Chapter 13 of the Lake County Code, including but not limited to adherence with the Hazardous Vegetation requirements.

HAZ-2: Prior to operation, all employees shall have access to restrooms and hand-wash stations. The restrooms and hand wash stations shall meet all accessibility requirements.

HAZ-3: The proper storage of equipment, removal of litter and waste, and cutting of weeds or grass shall not constitute an attractant, breeding place, or harborage for pests.

HAZ-4: All food scraps, wrappers, food containers, cans, bottles, and other trash from the project area should be deposited in trash containers with an adequate lid or cover to contain trash. All food waste should be placed in a securely covered bin and removed from the site weekly to avoid attracting animals.

HAZ-5: The applicant shall maintain records of all hazardous or toxic materials used, including a Material Safety Data Sheet (MSDS) for all volatile organic compounds utilized, including cleaning materials. Said information shall be made available upon request and/or the ability to provide the Lake County Air Quality Management District such information to complete an updated Air Toxic Emission Inventory.

All fertilizers, pesticides, and other hazardous materials are proposed to be properly and securely stored - see response to Section IX(a). The Project Site is not classified as being within a flood zone or inundation area, nor is it in an area mapped as having unstable soils according to the USDA Web Soil Survey. The Project Site would not be specifically susceptible to accident conditions involving the release of hazardous materials into the environment.

c) The Proposed Project is in a rural location and is not located within one-quarter mile of an existing or proposed school.

No Impact

d) The Project Site is not listed as a site containing hazardous materials in the Department of Toxic Substances Control EnviroStor database or the State Water Resources Control Board's GeoTracker database.

No Impact

e) The Project site is located approximately 10.4 miles from Lampson Field, administered by the Lake County Airport Land Use Commission, which has not adopted an Airport Land Use Compatibility Plan. In accordance with regional Airport Land Use Compatibility Plans, the site would not be located within an area of influence for the airport. Therefore, there will be no hazard for people working in the Project area from Lampson Field.

No Impact

f) Construction of the Proposed Project would occur within the boundary of the Project Site and would not result in lane closures and thus would not affect emergency access or evacuation and would not interfere with an adopted emergency response or evacuation plan. Furthermore, the Proposed Project would ensure that roads are upgraded to comply with all Fire Safe standards for emergency vehicle ingress and egress, including Pubic Resources Code Section 4290 standards. See Section XX, Wildfire, of this Initial Study for more information

No Impact

g) The Project Site is located within a Very High Fire Hazard Severity Zone in a State Responsibility. The Property contains slopes up to 75% and is surrounded by hilly terrain; however, the terrain of the Project Site and proposed cultivation areas would contain slopes up to 10% and do not involve unique slopes or other factors that would exacerbate fire risks. Introducing increased human activity naturally has the potential to increase fire risk. However, the Applicant would adhere to all Federal, State, and local fire requirements/regulations for setbacks and defensible space, including requirements of Public Resources Code 4291; these setbacks are applied at the time of building permit

review. A 100-foot defensible space of vegetation would be established around the proposed cultivation operation for fire protection. Additionally, the Proposed Project would utilize one 50,000-gallon, one 65,000-gallon, and one 77,000-gallon tank for fire suppression and irrigation purposes.

Construction-related activities associated with the proposed project could involve the use of spark-producing construction equipment, which could temporarily increase the risk of igniting a fire on the Project Site. This is a potentially significant impact. To reduce the risk of wildland fires, Mitigation Measure HAZ-1 would be required to mitigate the potential to ignite fires during construction, such as requiring construction equipment to be equipped with a spark arrestor in good working order. Therefore, with implementation of Mitigation Measure HAZ-1, the Proposed Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, and impacts would be less than significant.

Less Than Significant Impact with Mitigation Measure HAZ-1 incorporated

X. HYDROLOGY AND WATER QUALITY	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☒	☐	☐	1, 2, 3, 5, 6, 29, 30
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐	1, 2, 3, 5, 6, 29, 30
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would: i) Result in substantial erosion or siltation on-site or off-site; ii) Substantially increase the rate or amount of surface runoff in a manner which	☐	☒	☐	☐	1, 2, 3, 5, 6, 7, 15, 18, 29, 32

would result in flooding on- or off-site; iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) Impede or redirect flood flows?					
d) In any flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐	1, 2, 3, 5, 6, 7, 9, 23, 32
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☒	☐	☐	1, 2, 3, 5, 6, 29

Discussion:

a) There are two Class I watercourses on the Project Site that enter Highland Creek, and above change to Class II reaches. The Class II reaches appear dry for most of the year. These Class II reaches change into Class III channels that either transition to vegetated swales, become enshrouded in dense chaparral preventing channel formation, or discontinue in the grassland portion of the Project Site. The cannabis cultivation areas have been designed in consideration of watercourses and drainages to avoid and minimize potential impacts. Most runoff is anticipated to infiltrate into existing soils and cultivation areas would be setback a minimum of 50 feet from the top of the bank of Class III streams and wetlands and 100 feet from the top of bank of the Class II stream. Additionally, the Proposed Project includes the construction of three bioretention facilities that would capture any stormwater and runoff. Straw wattles would be placed around the outdoor cultivation areas to prevent sediment movement from the cultivation sites to surface waters. Furthermore, the Proposed Project would maintain the existing natural vegetated buffer around the proposed cultivation areas as permanent erosion and sediment control measures.

   Construction of the Proposed Project could potentially violate water quality standards or waste discharge requirements, as construction equipment and materials have the potential to result in accidental discharge of pollutants into water resources. With implementation of Mitigation Measure HYD-1, impacts from construction activities on water quality would be reduced to less than significant.

   Less Than Significant Impact with Mitigation Measures BIO-2, BIO-3, and HYD-1 incorporated:

   HYD-1: Before this permit shall have any force or effect, the permittee(s) shall adhere to the Lake County Division of Environmental Health requirements regarding on-site wastewater

treatment and/or potable water requirements. The permittee shall contact the Lake County Division of Environmental Health for details.

Operation of the Proposed Project could potentially introduce contaminants into water resources from stormwater runoff, as parking lots often contain contaminants such as vehicle oil and gasoline, and pesticides used on the cultivation areas could potentially mix into stormwater runoff. This would be a potentially significant impact. However, the Proposed Project has been designed to reduce potential runoff through site design and bioretention features. A drainage study and hydraulic analysis was conducted for the Proposed Project. All pipes and associated drainage inlet structures have been adequately sized to convey the 100-year storm event and the improvements have been designed to preserve the natural hydrology of the Project Site, and bio-infiltration areas have been implemented for all imperious surfacing. With implementation of Mitigation Measure HYD-**1** and the Project design elements targeting runoff, impacts from operation of the Proposed Project would be reduced to less than significant.

According to Lake County Ordinance Section 27.13 (at) 3, the Property Management Plan must have a section on Storm Water Management based on the requirements of the California Regional Water Quality Control Board Central Valley Region or the California Regional Water Quality Control Board North Coast Region, with the intent to protect the water quality of the surface water and the stormwater management systems managed by Lake County and to evaluate the impact on downstream property owners. All cultivation activities shall comply with the California State Water Board, the Central Valley Regional Water Quality Control Board, and the North Coast Region Water Quality Control Board orders, regulations, and procedures as appropriate.

The cultivation operation is enrolled in the State Water Resources Control Board's Order *WQ 2019-0001-DWQ General Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities* (General Order). Compliance with this Order will ensure that cultivation operations will not significantly impact water resources by using a combination of Best Management Practices, buffer zones, sediment and erosion controls, inspections and reporting, and regulatory oversight. Coverage under the General Order will require the Applicant to prepare a Site Management Plan and Nitrogen Management Plan and provide these documents to the CVRWQCB. The Site Management Plan would be prepared by a storm water professional with a QSP, QSD, and QISP State certifications, and would provide details for waste discharge requirements and post-construction BMPs. The Site Management Plan would also provide compliance with the requirements of Chapter 29 of the Lake County Code, Storm Water Management Ordinance.

Less Than Significant Impact with Mitigation Measures BIO-2, BIO-3, and HYD-1 incorporated:

b) There is no groundwater 'depletion threshold' established for water usage in Lake County and water consumption due to cannabis cultivation is fairly new. The Property is not located in a medium- or high-priority groundwater basin as designated by the DWR.

The Proposed Project would obtain water from three groundwater supply wells. A water supply 4-hour yield test was conducted in December 2020, which indicated that Well 1 is capable of producing 75 gallons per minute with a 92-foot drawdown (recovered to 61 feet

after 45 minutes). A water supply 4-hour yield test was conducted in December 2021, which indicated that Well 2 is capable of producing 129 gallons per minute with a 74-foot drawdown (recovered to 54 feet after 45 minutes). A water supply 4-hour yield test was conducted in December 2021, which indicated that Well 3 is capable of producing 132 gallons per minute with a 109-foot drawdown (recovered to 52 feet after 9 minutes). The Property Management Plan and Water Availability Analysis (WAA) (indicate that the estimated annual water use for the Proposed Project, based on an assumed average water demand of 30 inches per acre per year, would be approximately 5,030,278 gallons for cannabis cultivation use, 1,224,000 gallons for cannabis processing, and 1,127,280 gallons for domestic use – a total of 22.7 acre-feet per year.

As described in the Property Management Plan, two meters would be installed on each well: a totalizing well meter that continuously measures the total water output and a continuously recording water level monitor. All data would be recorded, maintained for a five-year duration minimum. Records would be made available to all interested State and/or County departments upon request. Furthermore, the Proposed Project would conserve water resources through visual monitoring of spills/leaks, drip irrigation methods, an inline water meter on the dripline's main supply line and the water storage tanks, and installation of water re-capture systems in the nursery-greenhouse, which would collect 100% of the irrigation water after it has drained through the root zone. This water would be sterilized with UV light and re-introduced into the main irrigation system.

As required by County Ordinance 3106, a hydrology report (WAA) was prepared for the Project by a California licensed civil engineer. The WAA confirms that the existing on-site wells are capable of producing 75, 129, and 132 gallons per minute and are expected to meet the domestic, cultivation, and landscape irrigation demands of the Proposed Project. The estimated groundwater recharge rate for the Project parcels is approximately 62.5 acre-feet per year. The total estimated water demand for the Proposed Project is approximately 22.7 acre-feet per year, which represents 36% of the estimated 62.6 acre-feet per year groundwater recharge potential for the Project site. Because the water demand of the Proposed Project does not surpass its estimated precipitation recharge potential, there is not expected to be impacts to other facilities in the cumulative impact area. A well drawdown analysis was completed to estimate any interference between onsite wells, offsite wells, or springs that could affect their supply capacity due to the Proposed Project. The Proposed Project's on-site wells are not expected to produce a drawdown greater than 15 feet within their respective radii of influence. Wells 2 and 3 were found to produce larger drawdowns due to their pump rate and proximity to a parcel boundary that is not owned by the Applicant. However, there does not appear to be any existing wells that are not owned by the Applicant in the Proposed Project area. No significant impacts are expected to existing or future wells on adjacent parcels.

The Proposed Project is not anticipated to substantially decrease groundwater supplies and all water usage data would be provided to the County annually. Impacts would be less than significant.

Less Than Significant Impact

c) Several water courses exist on the Project Site. One Class II stream occurs on the Property and runs north to south between cultivation areas C and D. Four Class III drainages drain into the Class II stream. Four additional Class III streams occur on the Property. Two of these drainages are isolated features that are restricted to the Property.

The other two occur in the southwest of the Property and flow southwest off the Property. Grading, impervious surfaces, and earth-moving activities associated with construction of the Proposed Project have the potential to result in erosion, siltation, temporary changes to drainage patterns, and contamination of stormwater. This would be a potentially significant impact. Implementation of Mitigation Measure GEO-1 includes submission of erosion control and sediment plans for approval by the County's Water Resource Department and Community Development Department. implementation of BMPs during construction to reduce the potential for impacts associated with erosion and exceeding water quality thresholds. Implementation of BMPs such as fiber rolls, hay bales, and silt fencing, would reduce the potential for sediment and stormwater runoff containing pollutants from entering receiving waters. The Construction General Permit also includes post-construction performance standards to protect the physical and biological integrity of aquatic ecosystems. Impacts related to alterations in drainage patterns and impervious surfaces due to construction of the Proposed Project would be less than significant with mitigation.

The Applicant has gained coverage under the SWRCB General Order which includes a Site Management Plan, Nitrogen Management Plan, and MRP. These plans would include implementation of BMPs during construction to reduce the potential for impacts associated with erosion and exceeding water quality thresholds. Implementation of BMPs such as fiber rolls, hay bales, and silt fencing, and post-construction performance standards would reduce the potential for sediment and stormwater runoff containing pollutants from entering receiving waters. Furthermore, the Proposed Project involves installation of straw infiltration wattles surrounding the outdoor cultivation area, which would absorb and filter any potential water runoff. Impacts related to alterations in drainage patterns and impervious surfaces due to construction of the Proposed Project would be less than significant with Mitigation Measure GEO-1, HYD-1, and plans required under the General Order.

Once operational, the Proposed Project would increase impervious surfaces on the Project Site through the construction of buildings and paved roads/parking areas, for a total impervious surface area of 162,100 sf. The Proposed Project has been designed to reduce potential runoff through site design and bioretention features. All new or reworked impervious areas would be directed to vegetated bioretention facilities. A drainage study and hydraulic analysis was conducted for the Proposed Project. The proposed outdoor cultivation areas would not increase the impervious surface area of Project Site and is not expected to increase the volume of runoff from the Project Site. All proposed structures and construction activities would occur at least 100 feet from all surface water bodies, as identified in the Site Plans. The Proposed Project has been designed to reduce potential runoff through site design and bioretention features. All pipes and associated drainage inlet structures have been adequately sized to convey the 100-year storm event and the improvements have been designed to preserve the natural hydrology of the Project Site, and bio-infiltration areas have been implemented for all imperious surfacing.

Flooding on- or offsite would not substantially increase due to the proposed project, as surface runoff would partially recharge into the soils and be managed through site design. All pipes and associated drainage inlet structures have been adequately sized to convey the 100-year storm event. Grading associated with the Proposed Project is not expected to significantly alter drainage patterns or result in changes in elevation.

Less Than Significant with BIO2, BIO-3, and GEO-1 incorporated

d) The Proposed Project is located within a Federal Emergency Management Agency (FEMA) Flood Hazard Zone D, defined by FEMA as an “Area of Undetermined Flood Hazard”, meaning that no analysis of flood hazards has been conducted. The Project Site is not located within a FEMA defined Special Flood Hazard Area (100-year floodplain). The Project Site is not located within a Special Flood Hazard Area as classified by Lake County GIS data. Furthermore, all chemicals including pesticides, fertilizers and other potentially toxic chemicals would be stored in hazardous waste lockers within the proposed processing facilities in a manner that the chemicals would not be adversely affected in the event of a flood.

Less Than Significant Impact

e) The Lake County Watershed Protection District has adopted the Big Valley Groundwater Management Plan (1999) and the Lake County Groundwater Management Plan (2006). As there is not currently an established threshold in the County for groundwater depletion, the Applicant would install meters on the existing well and provide a record of all data collected to the State and/or Lake County upon request, which will be maintained for the duration of the permit. In accordance with County Ordinance 3106, a hydrology report and drought management plan have been prepared for the Proposed Project. The Proposed Project would not conflict with or obstruct applicable water quality or sustainable groundwater management plans and the impact would be less than significant.

The Project has adopted a Drought Management Plan (DMP) as part of the requirements of Lake County Ordinance 3106, passed by the Board of Supervisors on July 27, 2021, which depicts how the applicant proposes to reduce water use during a declared drought emergency and ensures both the success and decreased impacts to surrounding areas. The project also proposes water metering and conservation measures as part of the standard operating procedures, and these measures will be followed whether or not the region is in a drought emergency.

As part of the project’s standard operational procedures, the project proposes to implement ongoing water monitoring and conservation measures that would reduce the overall use of water. These measures are included in the Water Use Management Plan (Section 15.2) as required by Article 27, Section 27.13 (at) 3 of the Lake County Zoning Ordinance. On-going water conservation measures include:

- No surface water diversion
- The selection of plant varieties that are suitable for the climate of the region
- The use of driplines and drip emitters rather than spray irrigation
- Covering drip lines with straw mulch or similar materials to reduce evaporation
- Using water application rates modified from data obtained from soil moisture meters and weather monitoring
- Utilizing shutoff valves on hoses and water pipes
- Daily visual inspections of irrigation systems
- Immediate repair of leaking or malfunctioning equipment
- Water-use metering and budgeting

A projected water use estimate will be created every year and water use efficiency from the previous year will be analyzed. In addition to water use metering, water level

monitoring is also required by Lake County Zoning Ordinance Article 27 Section 27.11 (at) 3, specifically that wells must have a meter to measure the amount of water pumped as well as a water level monitor.

Reporting will include a hydrograph plot of the water level measurements for all project wells during the cultivation season and compared to prior seasons.
In addition to monitoring and reporting, an analysis of the water level monitoring data will be provided and included in the project's annual report, demonstrating whether or not use of the project wells is causing significant drawdown and/or impacts to the surrounding area and what measures can be taken to reduce their impacts. If there are impacts, a revised Water Management Plan will be prepared and submitted to the County for review and approval, which demonstrates how the project will mitigate the impacts in the future.

Drought Emergency Water Conservation Measures
In addition to the above on-going water monitoring and conservation measures, during times of drought emergencies or water scarcity the project may implement additional measures as needed or appropriate to the site in order to reduce water use and ensure both the success and decreased impacts to surrounding areas.

Less Than Significant Impact with Mitigation Measures HYD-2 through HYD-4 incorporated

HYD-2: The applicant shall prepare a groundwater management plan to ensure that the groundwater resources of the County are protected used and managed sustainably. The plan would support the Integrated Regional Water Management Plan and include an inventory of groundwater resources in the County and a management strategy to maintain the resource for the reasonable and beneficial use of the people and agencies of the County.

HYD-3: The production well shall have a meter to measure the amount of water pumped. The production wells shall have continuous water level monitors. The methodology of the monitoring program shall be described. A monitoring well of equal depth within the cone of influence of the production well may be substituted for the water level monitoring of the production well. The monitoring wells shall be constructed and monitoring began at least three months before the use of the supply well. An applicant shall maintain a record of all data collected and shall provide a report of the data collected to the County annually and/or upon made upon request.

HYD-4: The applicant shall adhere to the measures described in the Drought Management Plan during periods of a declared drought emergency.

XI. LAND USE PLANNING	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number

Would the project:

a) Physically divide an established community?	☐	☐	☐	☒	1, 2, 3, 5, 6
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐	1, 3, 4, 5, 20, 21, 22, 27

Discussion:

a) Projects that have the potential to physically divide an established community typically include new freeways and highways, major arterial streets, and railroad lines. The Proposed Project would not physically divide an established community. No impact would occur.

No Impact

b) The Proposed Project is located within the Lakeport Area Plan and designated Rural Lands (RL) in the Lake County General Plan. The parcels are zoned Rural Lands (RL) District. The Proposed Project is consistent with the existing General Plan and Zoning designation, including Article 27 of the County of Lake Zoning Ordinance, which allows cannabis cultivation in lands zoned as RL. The Project is consistent with the Lake County Cannabis Cultivation Ordinance (Number 3084). Furthermore, the Project Site is not located in a Commercial Cannabis Cultivation Exclusion Zone, as defined by the County.

Less Than Significant Impact

XII. MINERAL RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒	1, 3, 4, 5, 26
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒	1, 3, 4, 5, 26

Discussion:

a) The Lake County Aggregate Resource Management Plan does not identify a source of minerals at the Property. Furthermore, the United States Geological Survey Mineral Resource Data System did not identify any records of mineral resources within Property.

No Impact

b) According to the California Geological Survey's Aggregate Availability Map, the project site is not within the vicinity of a site being used for aggregate production. In addition, the site not delineated on the County of Lake's General Plan, the Kelseyville Area Plan nor the Lake County Aggregate Resource Management Plan as a mineral resource site. Therefore, the project has no potential to result in the loss of availability of a local mineral resource recovery site.

No Impact

XIII. NOISE	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐	1, 3, 4, 5, 13
b) Result in the generation of excessive ground-borne vibration or ground-borne noise levels?	☐	☐	☒	☐	1, 3, 4, 5, 13
c) Result in the generation of excessive ground-borne vibration or ground-borne noise levels?	☐	☐	☐	☒	1, 3, 4, 5, 11, 14, 15

Discussion:

a) Construction of the Proposed Project may result in short-term increases in the ambient noise environment. Construction would be limited to the hours of 7:30 a.m. to 6:00 p.m. Monday through Saturday. Truck trips are estimated to be 89 trips for Stage 1 construction and between 150 and 175 for full buildout over the course of Stage 2 construction activities (approximately six to nine months); however, this would be a temporary disturbance that would not represent the ambient noise levels during operation. Operational activities may result in a slight increase in the ambient noise environment (e.g. truck trips, air filtration system). However, noise generated from the Proposed Project would be limited to the business hours of operation: 8:00 a.m. to 7:00 p.m. with deliveries and pickups restricted to the hours of 9:00 a.m. to 7:00 p.m. Monday through Saturday and Sunday from 12:00 p.m. to 5:00 p.m. Due to the rural nature of the Project Site and the lack of residences in the immediate vicinity, the potential increase in noise generation is not expected to be substantial. However, noise that exceeds County standards would be considered a significant impact. Implementation of the requirements of the Lake County Zoning Ordinance Section 21-41.11 would minimize the potential for sleep disturbance and would reduce the potential for noise to result in a nuisance.

In regards to the Lake County General Plan Chapter 8 - Noise, there are no sensitive noise receptors within one (1) mile of the project site, and Community Noise Equivalent Levels (CNEL) are not expected to exceed the 55 dBA during daytime hours (7:00 a.m. – 10:00 p.m.) or 45 dBA during night hours (10:00 p.m. – 7:00 a.m.) when measured at the property line.

Less than Significant Impact with Mitigation Measures NOI-1 through NOI-2 incorporated:

NOI-1: All construction activities including engine warm-up shall be limited Monday Through Friday, between the hours of 7:00 a.m. and 7:00 p.m., and Saturdays from 12:00 noon to 5:00 p.m. to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels. This mitigation does not apply to night work.

NOI-2: Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00 a.m. to 10:00 p.m. and 45 dBA between the hours of 10:00 p.m. to 7:00 a.m. within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.1) at the property lines.

b) The Proposed Project is not expected to create unusual groundborne vibration due to construction. The amount of truck traffic during construction and deliveries would create a minimal amount of groundborne vibration and residences do not exist in the immediate vicinity of the Project Site. The Proposed Project would be required to adhere to all local requirements related to construction and noise levels.

The Project is not expected to employ any pile driving, rock blasting, or rock crushing equipment during construction activities, which are the primary sources of ground-borne noise and vibration during construction. Under existing conditions, there are no known sources of ground-borne vibration or noise that affect the Project site such as railroad lines or truck routes. Therefore, the Project would not create any exposure to substantial ground-borne vibration or noise. As such, impacts from groundborne vibration and noise during near-term construction would be less than significant.

Less Than Significant Impact

c) The Proposed Project is not located within an airport land use plan or within two miles of a public airport or private airstrip.

No Impact

XIV. POPULATION AND HOUSING	Potentially Significant Impact	Less Than Significant With Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐	1, 3, 4, 5
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	1, 3, 4, 5

Discussion:

a) The Proposed Project does not involve the construction of homes or facilities that would directly or indirectly induce unplanned population growth The Project is not anticipated to induce significant population growth to the area. The increased employment will be approximately twelve (12) full-time and up to fifty-two (52) employees at peak season to be hired locally.

Less than Significant Impact

b) No people or housing would be displaced as a result of the proposed Project.

No Impact

XV. PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: 1) Fire Protection? 2) Police Protection? 3) Schools? 4) Parks? 5) Other Public Facilities?	☐	☐	☒	☐	1, 2, 3, 4, 5, 20, 21, 22, 23, 27, 28, 29, 32, 33, 34, 36, 37

Discussion:

1) Fire Protection
This project is located within the Lakeport Fire Protection District sphere of influence providing fire protection services to the proposed Project area. The proposed Project would be served by the Station in Lakeport, an existing station located approximately nine roadway miles from the Project site. Development of the proposed Project would impact fire protection services by increasing the demand on existing fire protection resources. To offset the increased demand for fire protection services, the proposed Project would be conditioned by the City to provide a minimum of fire safety and support fire suppression activities and installations, including compliance with State and local fire codes, as well as minimum private water supply reserves for emergency fire use. With these measures in place, the project would have a less than significant impact on fire protection.

2) Police Protection
The Project site falls under the jurisdiction of the Lake County Sheriff's Department and is in a remote area not easily reached by law enforcement the event of an emergency. Article 27 of the Lake County Zoning Ordinance lays out specific guidelines for security measures for commercial cannabis cultivation to prevent access of the site by unauthorized personnel and protect the physical safety of employees. This includes 1) establishing a physical barrier to secure the perimeter access and all points of entry; 2) installing a security alarm system to notify and record incident(s) where physical barriers have been breached; 3) establishing an identification and sign-in/sign-out procedure for authorized personnel, suppliers, and/or visitors; 4) maintaining the premises such that visibility and security monitoring of the premises is possible; and 5) establishing procedures for the investigation of suspicious activities. Accidents or crime emergency incidents during operation are expected to be infrequent and minor in nature, and with these measures the impact is expected to be less than significant.

3) Schools
The proposed Project is not expected to significantly increase the population in the local area and would not place greater demand on the existing public school system by generating additional students. No impacts are expected.

4) Parks
The proposed Project will not increase the use of existing public park facilities and would not require the modification of existing parks or modification of new park facilities offsite. No impacts are expected.

5) Other Public Facilities
As the owners and operators currently reside in Lake County, twelve full-time staff and up to 52 employees at peak season will be hired locally, and no impacts are expected.

Less than Significant Impact

XVI. RECREATION	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒	1, 2, 3, 4, 5
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒	1, 3, 4, 5

Discussion:

a) As the owners and operators currently reside in Lake County, and the staff will be hired locally, there will be no increase in the use of existing neighborhood and regional parks, or other recreational facilities and no impacts are expected.

No Impact

b) The proposed Project does not include any recreational facilities and will not require the construction or expansion of existing recreational facilities, and no impacts are expected.

No Impact

XVII. TRANSPORTATION	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
b) For a land use project, would the project conflict with or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)(1)?	☐	☐	☒	☐	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
c) For a transportation project, would the project conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(2)?	☐	☐	☐	☒	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
d) Substantially increase hazards due to geometric design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
e) Result in inadequate emergency access?	☐	☐	☒	☐	1, 3, 4, 5, 9, 20, 22, 27, 28, 35

Discussion:

a) The Property is accessed from Highland Springs Rd. by a private access driveway connecting Amber Ridge Ct and the Project Site. Construction of the Proposed Project would temporarily result in a negligible increase in traffic volumes in the vicinity of the Project Site. Vehicular trips from construction would consist of worker trips and deliveries of equipment and materials to and from the Project Site. Truck trips are estimated to be 89 trips for Stage 1 construction and between 150 and 175 for full buildout over the course of Stage 2 construction activities (approximately six to nine months). The temporary increase in trips due to construction of the Proposed Project would not cause a significant change to roadway level of service. Impacts would be less than significant.

Operation of the Proposed Project would generate limited traffic from deliveries and employee trips. Regular employee trips would result in approximately 35 to 52 trips per day during peak operation (April to November) and 10 to 25 during regular operation

(December to March). Compared to the annual average daily traffic of 14,000 trips per day on State Route 29 in the vicinity of the Project Site, operation of the Proposed Project would not constitute a substantial increase in traffic Therefore, operation of the Proposed Project would not cause a significant change to roadway level of service. The proposed Project does not conflict with any existing program plan, ordinance or policy addressing transit issues, including Chapter 6 of the General Plan.

Less than Significant Impact

b) State CEQA Guidelines Section 15064.3, Subdivision (b) states that for land use projects, transportation impacts are to be measured by evaluating the proposed Project's vehicle miles traveled (VMT), as follows:

"*Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact*."

To date, the County has not yet formally adopted its transportation significance thresholds or its transportation impact analysis procedures. As a result, the project-related VMT impacts were assessed based on guidelines described by the California Office of Planning and Research (OPR) in the publication *Transportation Impacts (SB 743) CEQA Guidelines Update and Technical Advisory*, 2018. The OPR Technical Advisory identifies several criteria that may be used to identify certain types of projects that are unlikely to have a significant VMT impact and can be "screened" from further analysis. One of these screening criteria pertains to small projects, which OPR defines as those generating fewer than 110 new vehicle trips per day on average. OPR specifies that VMT should be based on a typical weekday and averaged over the course of the year to take into consideration seasonal fluctuations. The estimated trips per day for the proposed Project are between 5 to 12 during construction and operation.

Operation of the Proposed Project would generate a maximum of 52 trips per day. Therefore, as the number of additional trips generated by the Proposed Project is below the 110-trip screening threshold for VMT impacts contained in the OPR Technical Advisory, the Proposed Project can be assumed to cause a less-than-significant transportation impact related to vehicle miles traveled.
Less than Significant Impact

c) The Project is not a transportation project. The proposed use will not conflict with and/or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)(2).

No Impact

d) The Proposed Project has been designed to avoid potential traffic hazards and would include a hammerhead turnaround at the terminus of the driveways within the parking areas, 60 feet wide and 20 feet in length. This design feature would allow large vehicle (e.g., fire department vehicles) to safely turn around without blocking directional traffic on the driveway. This design feature would avoid potential hazards due to geometric design.

Less Than Significant Impact

e) The Proposed Project has been designed to allow adequate emergency access. At minimum, the proposed access driveway would be 20 feet wide with 14 feet of unobstructed horizontal clearance and 15 feet of unobstructed vertical clearance. The portion of access road that connects Highland Springs Rd. to the Property entrance would be graded and improved to meet the standards set in Public Resources Code section 4290 and would therefore not affect emergency access or evacuation. Additionally, the driveway to the cultivation areas would be maintained and improved, as requested by Lake County, in accordance with Public Resource Code 4290. Construction of the Proposed Project would only occur within the Project Site boundary and would not result in lane closures and thus would not affect emergency access or evacuation.

Less than Significant Impact

XVIII. TRIBAL CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	☐	☒	☐	☐	1, 3, 4, 5, 11, 14, 15
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the	☐	☒	☐	☐	1, 3, 4, 5, 11, 14, 15

significance of the +resource to a California Native American tribe?

Discussion:

a) An archaeological record search at the Northwest Information Center (NWIC), Native American Heritage Commission (NAHC) contact program, and field survey were completed by Konocti Cultural Resource Management in December of 2020. An additional cultural survey was completed in August 2021 of the entire length of road segment from Highland Springs Road to the Project Site. The NWIC record search found that none of the Proposed Project Site had been previously surveyed and that no cultural resources had been identified within 0.25 miles of the Proposed Project.

As discussed in Section Cultural Resources, of this Initial Study, the archaeological survey was completed by Konocti Cultural Resource Management using transects spaced no more than 20 meters apart. Ground surface visibility was very good. No prehistoric or historic archaeological sites were uncovered. Obsidian fragments were found on site; however, it was determined that these fragments were brought in with gravels to stabilize the construction areas and are not culturally relative to the Proposed Project site. Furthermore, Konocti Cultural Resource Management recommends no constraints to road expansion regarding archaeological sites.

An AB 52 Tribal Notification was sent out to eleven local Tribes on August 24, 2023. To date, no Tribes have responded.

Less than Significant Impact with Mitigation Measures CUL-1, CUL-2, TCR-1, through TCR-3 incorporated:

TCR-1: All on-site personnel of the project shall receive tribal cultural resource sensitivity training prior to initiation of ground disturbance activities on the project. The training must be according to the standards of the NAHC or the culturally affiliated Tribe(s). Training will address the potential for exposing subsurface resources and procedures if a potential resource is identified. The training will also provide a process for notification of discoveries to culturally affiliated Tribes, protection, treatment, care and handling of tribal cultural resources discovered or disturbed during ground disturbance activities of the Project. Tribal monitors will be required to participate in any necessary environmental and/or safety awareness training prior to engaging in any tribal monitoring activities for the project.

TCR-2: If previously unidentified tribal cultural resources are encountered during the project altering the materials and their stratigraphic context shall be avoided and work shall halt immediately. Project personnel shall not collect, move, or disturb cultural resources. A representative from a locally affiliated Tribe(s) shall be contacted to evaluate the resource and prepare a Tribal Cultural Resources plan to allow for identification and further evaluation in determining the tribal cultural resource significance and appropriate treatment or disposition.

TCR 3: Prior to commencement of ground disturbing activities, the permittee shall submit documentation to the Community Development Department demonstrating that they have

engaged with the culturally affiliated Tribe(s) to provide cultural monitors and that cultural sensitivity training has been provided to site workers.

b) Identification of subsurface deposits, new resources, or human remains are all potentially significant impacts. If any artifacts, archaeological features, or human remains are encountered during grading or excavation, the mitigation measures below shall be implemented. With the mitigation measures incorporated below, all potential environmental impacts would be reduced to less than significant.

Less than Significant Impact with Mitigation Measures CUL-1 and CUL-2

XIX. UTILITIES	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
Would the project:					
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐	1, 3, 4, 5, 29, 32, 33, 34, 37
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐	1, 2, 3, 5, 6, 22, 31
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐	1, 2, 3, 5, 6, 22

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐	1, 2, 3, 5, 6, 35, 36
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐	1, 2, 3, 5, 6, 35, 36

Discussion:

a) The proposed Project will be served by three existing groundwater wells. Water from the wells would be pumped to holding tanks and distributed via irrigation lines. The Proposed Project would require the construction of two new septic systems to service the processing buildings. The construction of water and wastewater utilities within the Project Site have been addressed throughout this Initial Study and where appropriate, impacts have been reduced to less than significant levels through mitigation.

The Proposed Project would require an electrical upgrade, which would be applied for during the building permit process. All electricity needed for the Proposed Project would be supplied from solar panels, Pacific Gas and Electric (PG&E), or backup generators. Power from PG&E would be brought through overhead lines (11 new poles) as a new service to the proposed buildings. The Applicant is currently in the process of gaining PG&E approval for the power lines (application number 121428306). PG&E would be responsible for construction and maintenance of the power lines. Details of the installation of electrical transmission poles and lines are not known at this time and are assumed to undergo environmental review through PG&E.

The Applicant shall adhere to all Federal, State and Local regulations regarding wastewater treatment, electrical, and water usage requirements.

Less than Significant Impact

b) The Property Management Plan and WAA indicate that the estimated annual water use for the Proposed Project would be approximately 22.7 acre-feet. Yield tests were performed for all three wells, which indicated that the wells are capable of producing 75, 129, and 132 gallons per minute, respectively. The WAA confirms that this yield is expected to meet the domestic, cultivation, and landscape irrigation demands of the Proposed Project. Therefore, the existing wells have sufficient water supplies to serve the Proposed Project.

The Proposed Project involves construction of three structurally engineered NFPA-approved water storage tanks for fire suppression and irrigation (one 50,000 gallon, one 65,000 gallon, and one 77,000 gallon). While water is available for onsite usage during normal to dry years, water conservation measures per the State Water Quality Control Board Cannabis General Order would be implemented to reduce water usage onsite. These include utilizing drip lines for irrigation, applying mulch in the cultivation areas to conserve soil moisture, and installing meters on the storage tanks and drip lines supply

line to accurately record water usage. The Proposed Project would conserve water resources through visual monitoring of spills/leaks, an inline water meter on the dripline's main supply line and the water storage tanks, and installation of water re-capture systems in the nursery-greenhouse. Furthermore, in accordance with County Ordinance 3106, a Drought Management plan was prepared for the Proposed Project, which depicts how the Proposed project would reduce water use during a declared drought emergency to ensure both success and decreased impacts to the surrounding areas.

Less Than Significant Impact

c) The Proposed Project would require minimal wastewater treatment services. During construction, portable toilets would be utilized. During operation, the two proposed processing facilities would each include a permanent bathroom and would require installation of new septic tanks. A licensed sewage hauler would pump the sewage from the septic tank when needed and then dispose of the sewage at a licensed wastewater treatment facility. This minimal quantity of sewage needing treatment would be negligible.

Less than Significant Impact

As described previously, it is anticipated that weekly waste collection would be required during the cultivation season. Solid waste generated from the Proposed Project would be disposed of at Lake County Integrated Waste Management, which the nearest disposal facility is Eastlake Landfill. This landfill has a maximum permitted capacity of 6,050,000 cubic yards (cy) and a remaining capacity of 2,859,962 cy as of 2001. Organic wastes would be composted in a designated area onsite. The amount of solid waste expected to be generated by the Proposed Project is minimal and negligible in the context of the capacity of the landfill.

Less than Significant

d) The Proposed Project would continue to comply with all local, state and regulations regarding solid waste.

Less than Significant

XX. WILDFIRE	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐	1, 2, 3, 5, 6, 23, 25, 28, 29

b)	Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☒	☐	☐	1, 2, 3, 5, 6, 23, 25, 28, 29
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☒	☐	☐	1, 2, 3, 5, 6
d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☒	☐	☐	1, 2, 3, 5, 6, 21, 23, 32

Discussion:

a) The 2018 Lake County Emergency Operations Plan establishes multi-agency and multi-jurisdictional coordination during emergency operations within the County. Construction of the Proposed Project would occur within the Project Site boundaries and would not result in lane closures and thus would not affect emergency access or evacuation. The Proposed Project would adhere to all Federal, State and local fire requirements/regulations, including Chapter 13, Article VIII (Hazardous Vegetation/Combustible Material Abatement), of the Lake County Code, and would not conflict with the County Emergency Operations Plan. The site at Stage 2 is required to be Public Resource Code 4290 and 4291 compliant. This includes but is not limited to:

1. 20' wide interior driveway with surface material that will enable a 75,000 emergency vehicle to access the site;
2. Turn-around on site for emergency vehicles;
3. 15' (or more) overhead clearance;
4. Defensible space around each building;
5. Completion of the restroom building with ADA accommodations;
6. Completion of the parking lot with ADA accommodations; and
7. Water storage for fire suppression.

Less than Significant Impact

b) The Project Site is located within a Very High Fire Hazard Severity Zone State Responsibility Area. The site and vicinity is classified as a Wildland Fire Hazard Area based on Lake County GIS data. The Property contains slopes up to 75% and is

surrounded by hilly terrain; however, the Project Site and proposed cultivation areas would contain slopes up to 10% after grading and do not involve unique slopes or other factors that would exacerbate wildfire risks.

Although the Project Site would not exacerbate the risk of wildfire, introducing increased human activity naturally has the potential to increase fire risk. Construction-related activities associated with the proposed project could involve the use of spark-producing construction equipment, which could temporarily increase the risk of igniting a fire on the Project Site. This is a potentially significant impact. Mitigation Measure HAZ-1 would be required to mitigate the potential to ignite fires during construction.

The Applicant would adhere to all Federal, State, and local fire requirements/regulations for setbacks and defensible space; these setbacks are applied at the time of building permit review. Additionally, Stage 1 requires 5,000 gallons of water to be stored NFPA-rated water tanks to be used for fire suppression. Stage 2 requires (1) 50,000-gallon, (1) 65,000-gallon, (1) 77,000-gallon tanks NFPA-rated tanks for irrigation and fire suppression.

Therefore, with mitigation, wildfire risk would not be exacerbated and the potential to expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire is less than significant.

Less Than Significant Impact with Mitigation Measures HAZ-1, WDF-1 through WDF-3 incorporated:

WDF-1: Construction activities shall not take place during a red flag warning (per the local fire department and/or national weather service) and wind, temperature and relative humidity will be monitored in order to minimize the risk of wildfire. Grading shall not occur on windy days that could increase the risk of wildfire spread should the equipment create a spark.

WDF-2: Any vegetation removal or manipulation shall take place in the early morning hours before relative humidity drops below 30 percent.

WDF-3: A water tender shall be present on site during earth work to reduce the risk of wildfire and dust.

c) The Proposed Project is located in a Very High Fire Hazard Severity Zone. The Proposed Project includes the installation of 11 PG&E overhead power line poles. New PG&E electrical lines would be installed and serviced by PG&E, who has their own independent fire safety regulations/monitoring program; installation would adhere to all applicable regulatory standards. All improvements shall adhere to all Federal, State, and local agencies requirements. Construction activities will not take place during a red flag warning, Grading will not occur on windy days that could increase the risk of wildfire spread, and a water tender will be present on site during earth work

Less than Significant Impact with Mitigation Measure WDF-1 through WDF-3 incorporated

d) The Proposed Project would be required to conduct a geotechnical report (Mitigation Measure GEO-3) prior to construction to ensure that the Proposed Project would be located on stable soils and all recommendations within the geotechnical report relating to building design shall be adhered to. The Proposed Project has been designed to provide drainage improvements to provide protection from flooding and to manage stormwater. The Proposed Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. The impact will be less than significant with Mitigation Incorporated.

Less than Significant Impact with Mitigation Measure GEO-3

XXI. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐	ALL
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☒	☐	☐	ALL

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

Discussion:

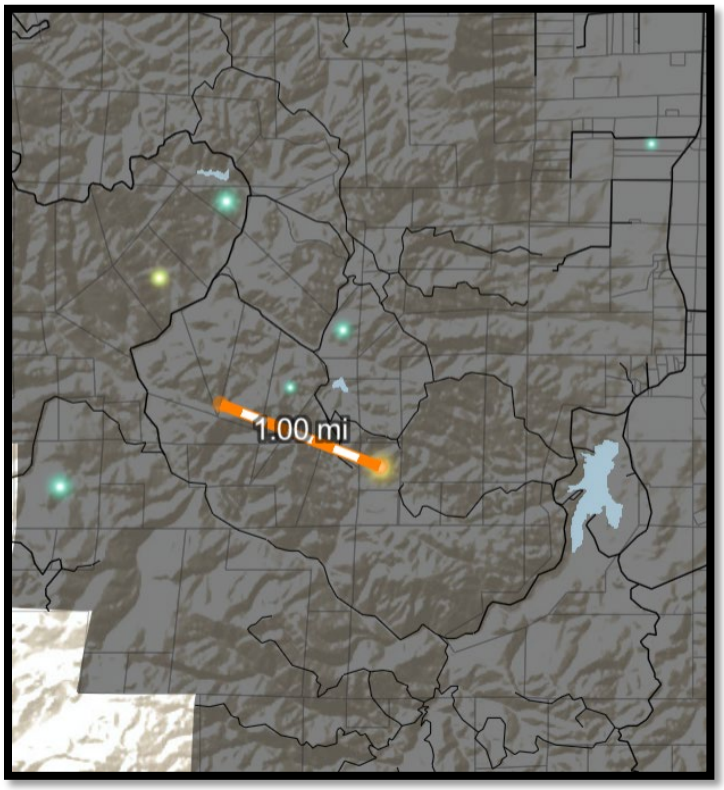
a) As discussed in the previous sections, the Proposed Project could potentially have significant environmental effects with respect to Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Tribal Cultural Resources, and Wildfire. However, the impacts of the Proposed Project would be reduced to a less than significant level with the implementation of the mitigation measures identified in the sections.

Less than significant with AES-1; AQ-1 through AQ-6; BIO-1 through BIO-3; CUL-1 through CUL-2; GEO-1 through GEO-4; HAZ-1 through HAZ-5; HYD-1 through HYD-4; NOI-1 through NOI-2; TCR-1 through TCR-3; WDF-1 through WDF-3

Potentially significant impacts have been identified related to Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazardous Material, Hydrology, Noise, Tribal Cultural Resources, and Wildfire. These impacts in combination with the impacts of other past, present, and reasonably foreseeable future projects could cumulatively contribute to significant effects on the environment. Of particular concern would be the cumulative effects on hydrology and water resources. To address this issue, the Lake County Board of Supervisors adopted Ordinance 3106 on July 27, 2021, requiring the applicant to submit a Hydrological Study and Drought Management Plan. Upon review of the Hydrological Study and Drought Management Plan, along with the implementation of hydrological mitigation measures, the Project is expected to have a less than significant cumulative impact.

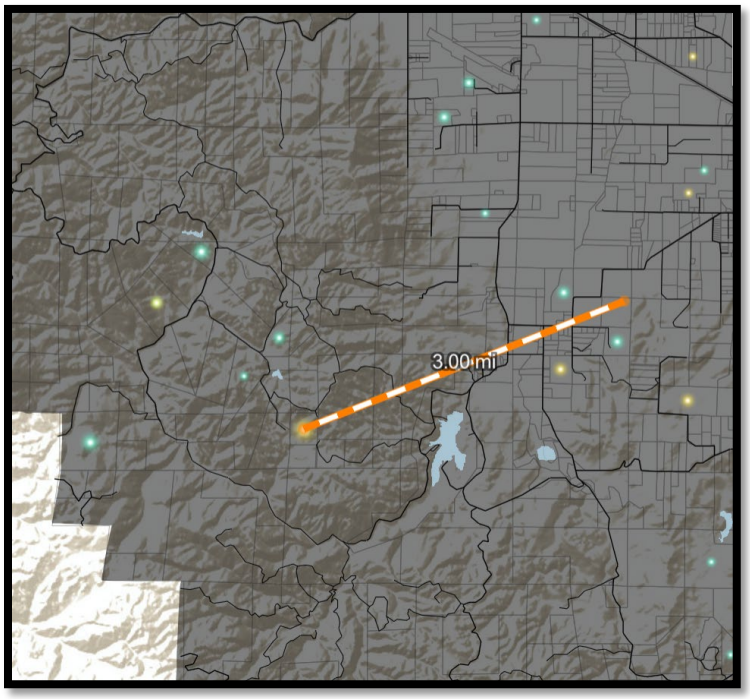
To date, within one mile of the proposed project are two approved and no pending projects. Within three mile radius, there are eight approved and two pending projects as seen in Figure 8 and Figure 9.

FIGURE 12- Projects within a one-mile radius



Source: Lake County Cannabis GIS

FIGURE 13- Projects within a three-mile radius



Source: Lake County Cannabis GIS

Implementation of and compliance with mitigation measures identified in each section as project conditions of approval would avoid or reduce potential impacts to less than significant levels and would not result in any cumulatively considerable environmental impacts.

b) The proposed project has the potential to result in adverse indirect or direct effects on human beings. In particular, Air Quality, Biological Resources, Geology and Soils, Cultural Resources, Hazards andHazardous Material, Hydrology, Noise, Tribal Cultural Resources, Wildfire, and have the potential to impact human beings. Implementation of and compliance with mitigation measures identified in each section as conditions of approval would not result in substantial adverse indirect or direct effects on human beings and impacts would be considered less than significant.

Less than significant with AES-1; AQ-1 through AQ-6; BIO-1 through BIO-3; CUL-1 through CUL-2; GEO-1 through GEO-4; HAZ-1 through HAZ-5; HYD-1 through HYD-4; NOI-1 through NOI-2; TCR-1 through TCR-3; WDF-1 through WDF-3

Impact Categories defined by CEQA

Source List

1. Lake County General Plan, 2008
2. Lake County Zoning Ordinance
3. Kelseyville Area Plan
4. Lake County Cannabis Cultivation Ordinance
5. Lake County Air Quality Management District
6. Highland Farms Property Management Plan
7. County of Lake. GIS Portal. Commercial Cannabis Cultivation Exclusion Zones. Available online at: http://gispublic.co.lake.ca.us/portal/home/.
8. State Water Resources Control Board Order WQ 2019-0001-DWQ (General Order). General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities. Available online at: https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2019/wqo2019_0001_dwq.pdf
9. State Water Resources Control Board Cannabis Cultivation Policy – Principles and Guidelines for Cannabis Cultivation (Policy). Available online at: https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy/final_cannabis_policy_with_attach_a.pdf
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