



COUNTY OF LAKE

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

~~May 16, 2023~~

Revised April 15, 2024

CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY (UP 21-28, IS 21-29)

1. Project Title: Green Handle Farms
2. Permit Numbers: Major Use Permit UP 21-28
Initial Study IS 21-29
3. Lead Agency Name and Address: Community Development Department
Courthouse, 3rd Floor, 255 North Forbes Street
Lakeport, CA 95453
4. Contact Person, Phone: **Mary Claybon, Associate Planner**
(707) 263-2221
5. Project Location(s): 3050 Big Valley Road,
Kelseyville, CA
APN: 008-035-14
6. Property Owner & Address: Michael Cosenza
PO Box 402
Kelseyville, CA 95451
7. General Plan Designation: Agriculture
8. Zoning: "APZ" Agriculture Preserve
9. Supervisor District: District Four
10. Flood Zone: "X" and 0.2% (low risk of flooding)
11. Slope: Flat; less than 10%
12. Fire Hazard Severity Zone: SRA; Very High Fire Risk
13. Earthquake Fault Zone: None
14. Dam Failure Inundation Area: Not located within Dam Failure Inundation Area
15. Parcel Size: 28.89 and 9.96 Acres (38.85 Acres combined)

16. Description of Project:

Green Handle Farms, LLC is applying for a major use permit (UP 21-28) for a mixed-light commercial cannabis operation at 3050 Big Valley Road, Kelseyville (APNs: 008-037-01 and 008-035-14). All commercial cannabis activities will take place on APN 008-037-01. APN 008-035-14 is used for clustering purposes. The application includes cultivation of one (1) A Type 3B license and three (3) A-Type 1C licenses for 29,500 sf of mixed-light (greenhouse) canopy and a Type 13 Distributor Transport Only, Self-distribution License., fifteen (15) 30' x 100' greenhouses, a 5,000 sf immature plant area inside greenhouses, and one 30' x 60' drying building. The site topography is flat, less than 10% slope on both parcels. The zoning is APZ- Agricultural Preserve District. Previous agricultural uses include pear orchards, vineyards, and hay operations. The total acreage of the two parcels combined is 38.85 acres.

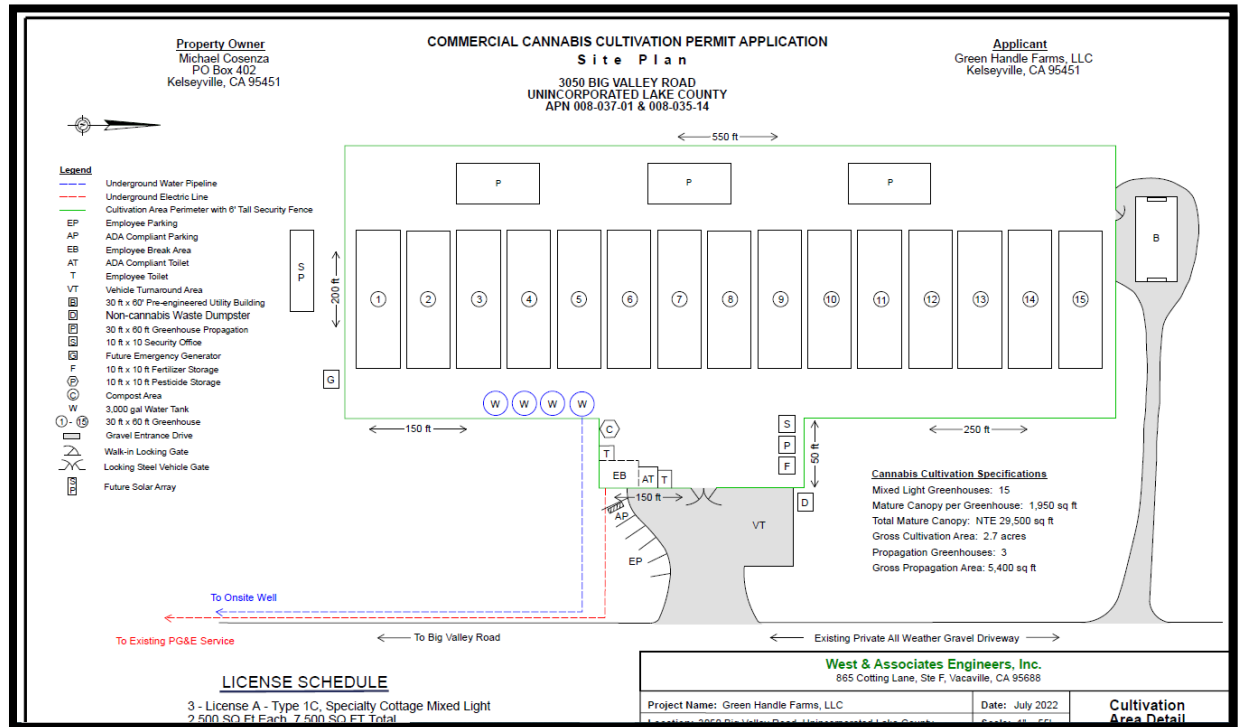
Existing Features:

- One (1) irrigation well
- Two (2) residential wells
- Permitted Septic system
- Residence
- Residential accessory structures
- Residential swimming pool
- Horse corral
- Chicken coop
- Locking access gate

Proposed Features:

- Three (3) 30' x 60' immature plant propagation greenhouses
- Fifteen (15) 30' by 100' greenhouses equipped with air filtration systems
- 30' x 60' metal processing/drying building
- 10' x 10' security building
- Two (2) 10' x 10' sheds for fertilizer and pesticide storage
- Four (4) employee parking spaces and one ADA-complaint parking space
- Portable ADA restroom
- Four (4) 3,000-gallon water storage tanks
- Solar array
- Interior roadway improvements
- 6' perimeter fencing surrounding cultivation area
- Emergency backup generator

Figure 1. Cultivation Area Site Plan



Source: Material Submitted by Applicant

Construction

- Construction would take place over an estimated 8-to-12-week period of time and will likely consist of up to three employees per day. Total estimated trips during construction are 360 employee trips with each employee traveling two miles per day (the nearest populated area is Kelseyville, located about two miles from the cultivation site; this is the anticipated town that employees would reside). Total miles traveled during construction are projected to be 1,440 vehicle miles, which is the basis for CO₂ emission calculations during construction.
- The cultivator will use above-ground pots and will use a combination of on-site and imported soil for the pots.
- The applicant has indicated that no grading will occur, however staff estimates that 50 and yards of grading is needed. The site is flat which will reduce the amount of earth being moved to prepare the greenhouse and processing building pads.
- **No removal of trees is proposed.**
- Equipment staging will occur on the previously disturbed portion of the site that is used as roadway / vehicle parking. Construction equipment will consist of bulldozer (tracks), backhoe (tires), pickup trucks, augur (fence post-holes) and trencher (water lines)

Post Construction Operations

- Fertilizer will be packed in five-gallon, resealable containers. The containers are then stored in a locked storage shed adjacent to the canopy site

- When containers are emptied, they are returned to the seller and refilled. Product is entirely organic, and only enough product will be kept on site for ongoing cultivation purposes
- The remaining containers are returned to the supplier. There are no other chemicals stored on site. There will be no use of non-organic chemical pesticides, rodenticides, or herbicides
- Vegetative waste will be chipped and spread within the cultivation areas. Other waste material will be bagged and sold to Biomass Engineers
- Solid waste will be transported to the solid waste landfill in Clearlake, CA
- The facility is open for delivery and pick-ups Monday through Saturday, 7:00 a.m. to 7:00 p.m., and Sunday 12:00 p.m. to 5:00 p.m.
- Visitors to the site will be met by an employee of the site and have the date, time, identification, and purpose of the visit will be logged
- Hours of Operation would be 8:00 a.m. to 6:00 p.m. (Monday through Sunday)
- Two employees during normal operations and four employees during peak harvest season are anticipated. A total of 48 vehicle miles traveled by employees per week is expected, or 2,496 annual vehicle miles assuming a 52 week work-year. This does not include deliveries, which are expected to be 2 per week traveling 20 miles per trip (the approximate round-trip distance of Clear Lake and Lakeport), or 40 vehicle miles per week for deliveries for a total of 2080 annual vehicle miles associated with deliveries.
- The facility will be closed to public visitors

Water Analysis

A Hydrogeologic Report prepared by Hurvitz Engineering, dated January 6, 2021, evaluated annual water demand for the project, aquifer rate, and provides well data for the on-site well. Water is provided by two permitted on-site wells. A one-hour well test was performed by Cal-Tech Pump. The well tests were performed on November 2, 2021 (irrigation well), and November 4, 2021 (potable water well). The test on the irrigation well showed an output of 350 gallons per minute. The well draw-down stabilized at 41.15 feet below the top of the well casing. During the one-hour test, the well produced about 10,000 gallons of water. After a 25-minute shut-down period, the well fully recovered to its original water depth.

Projected Water Demand

The estimated water demand for this project is approximately 973,000 gallons per year, or about 3 acre-feet per year, including 5,000 sf immature plant canopy and 29,500 sf mature plant canopy. Residential water usage is projected to be approximately 247,647 gallons per year. The total water demand for the site, including residential uses and the cannabis project, are estimated to be 3.8 acre-feet per year.

Recharge Rates

The Report estimates recharge rates of the aquifer during a severe drought year to be about 4.41-acre feet per year; this is versus the 3.8-acre feet per year that the project and residence would require. The Report concludes that there is adequate water during a severe drought year to provide adequate water to the project without adversely impacting the neighboring water wells or water resources.

Aquifer Data

The Report states that the project site is within the Big Valley Groundwater Basin (BVGB). According to the Report, the BVGB is about six miles wide and eight miles long. The BVGB is a medium priority groundwater basin according to the State Department of Water Resources "Sustainable Groundwater Management Act". This requires that a groundwater sustainability agency to be formed, and a groundwater sustainability plan (GSP) be developed. As of 2021, the Groundwater Sustainability Group was developing a GSP for this water basin.

Groundwater storage capacity in the BVGB has been estimated several times over the past 60 years. The Dept. of Water Resources estimates the total water storage in the basin to be about 105,000 acre-feet, or about 34,125,000,000 gallons of water. The amount of 'usable' water in this basin is estimated to be about 60,000 acre-feet, roughly half of the total storage capacity of the water basin.

The annual demand placed on this basin is about 11,360 acre-feet per year according to the Report, or about 18% of the usable capacity.

The Report states that pear irrigation, which relies on flooding the pear orchards (high water demand) has dramatically decreased over the past several years, thereby reducing the overall water demand, however there are other cannabis cultivation operations that rely in this basin.

Conclusion

The Report concludes that the project will not cause aquifer overdraft conditions and recommends that the project proceed.

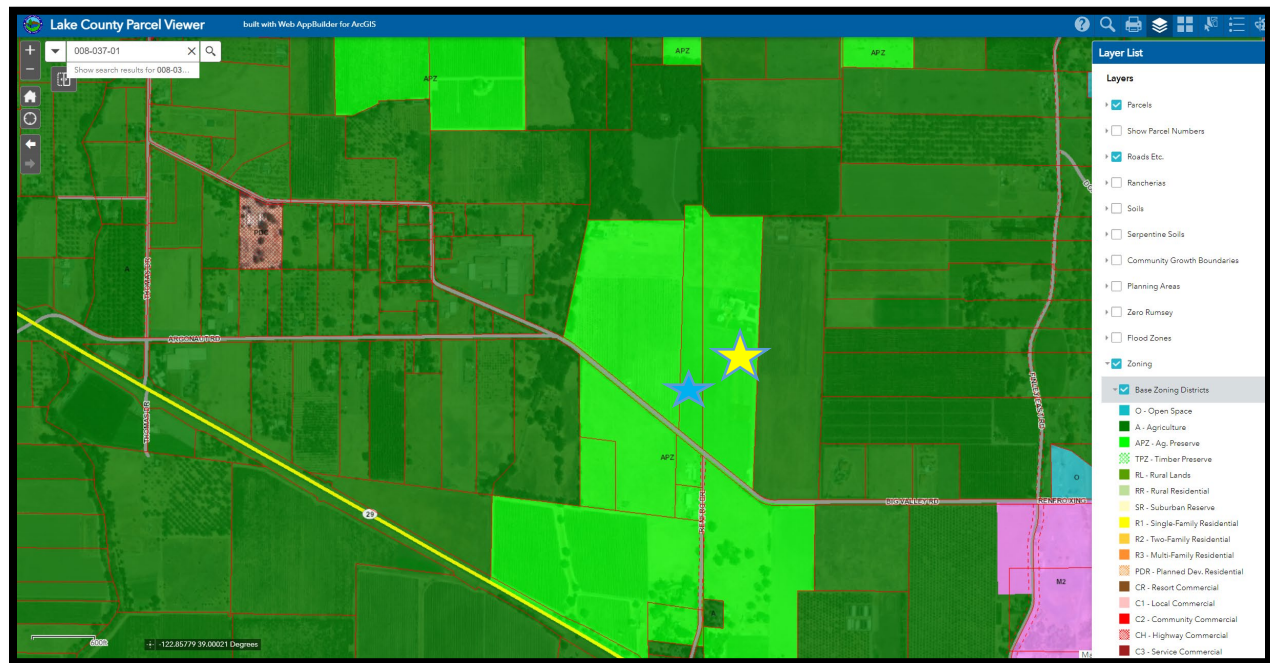
Stormwater

Stormwater will be retained on site so there will be no direct discharges into a waterway, as defined by the State Water Board. Existing site vegetation, topography, drainage patterns, stormwater conveyance systems, and watercourses are shown on the site plans submitted. The property is presently used for agricultural use and is proposed for use for commercial cannabis cultivation. Irrigation water for the cannabis cultivation site will be supplied by a permitted onsite groundwater well.

17. Surrounding Land Uses and Setting: Briefly describe the project's surroundings:

- North: "A", Agriculture-zoned lots, approximately 10 acres in size, and containing crops.
- West: "APZ", Agriculture Preserve-zoned lots containing crops. Lots vary in size from 2 acres to over 30 acres. The two-acre southern lot and the 30-acre western lot contain dwellings.
- East: "A", Agriculture-zoned lots, approximately 30 acres in size, and containing crops and dwellings.
- South: "APZ", Agriculture Preserve-zoned lots containing crops. Lots vary in size from 2 acres to over 30 acres. The two-acre southern lot and the 30-acre western lot contain dwellings.

FIGURE 2 – ZONING OF SITE AND VICINITY



Source: Lake County GIS Mapping

 Cultivation  Clustering

18. 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 **Northshore Kelseyville** Area Plan, the Lake County Code, and the Lake County Zoning Ordinance. 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
- Kelseyville 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 (CAL FIRE)
California Department of Transportation (Caltrans)

19. Have California Native American tribes traditionally and culturally affiliated with the Project 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 Project 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 (PRC) §21080.3.2. Information may also be available from the California Native American Heritage Commission's Sacred Lands File per PRC section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that PRC 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 23, 2022.

Yocha Dehe Wintun Nation and Habematolel Pomo of Upper Lake Tribes responded with deferrals to the Big Valley Tribe. Tribal Consultation was not requested. All Tribes have been notified of the Notice of Intent to Adopt a Mitigated Negative Declaration

20. Attachments

- a. Site Plans prepared by West & Associates Engineers, Inc. (October, 2023)
- b. Property Management Plan (January 29, 2021)
- c. Biological Resources Assessment by McMillian (2/11/21)
- d. Hydrological Assessment and Drought Management Plan prepared by Hurvitz Environmental (1/6/2021)

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

Initial Study Prepared by Mary Claybon, Assistant Planner II

Mary Claybon

Date: April 15, 2024

SIGNATURE

Mireya Turner, Director
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
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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 located on a flat site to the east of Big Valley Road. The site is partially ~~hidden~~obstructed from the road and neighboring lots by the proposed 6' tall non-translucent fence from the road and neighboring lots. The site is not located within a Scenic Combining overlay district and does not block or is located within a mapped scenic vista. However, the General Plan and the Kelseyville Area Plan both identify State Route 29 as a local scenic highway, as it provides pastoral agricultural vistas with a mountain backdrop by the Mayacamas and Mt. Konocti. The proposed cultivation site would be approximately 0.5-mile north of State Route 29. Motorists may see portions of the project, but views would be minimal due to distance and of short duration as they pass by. Views of Mt. Konocti would not be obstructed, as the mountain is located east of the site and travelers along State Route 29 would be traveling in an east-west direction.

Lastly, the project site is zoned "APZ", Agriculture Preserve, and contains a Williamson Act contract. The neighboring lots to the east and south also contain Williamson Act contracts, and there are productive agricultural uses on nearby properties, mostly containing vineyards and orchards. Lake County allows cannabis cultivation on lots that are within the "APZ" zoning district and are in mapped Farmland Protection Areas, but the cultivation must occur inside of greenhouses, as are being proposed by the applicant. The proposed project would be visually consistent with other uses in the area, and as allowed by the APZ zoning district. As such, the project would not result in a substantial adverse effect to a scenic vista.

The following mitigation measure will help to reduce visual impacts associated with this project:

- AES-1: Prior to cultivation, the applicant shall install a 6' tall (minimum) screening fence around the cultivation area. Materials may include chain link with slats, or solid wood or metal fencing. Fabric fence screening is not permitted due to poor durability.

Less than Significant Impact with mitigation measure AES-1 added

- b) No rock outcroppings, historic buildings are located on site. The site is not located on a state scenic highway.

Less Than Significant Impact

- c) The project site is zoned "APZ", Agriculture Preserve and there are productive agricultural uses on nearby properties, mostly containing vineyards and orchards. The proposed project would be visually consistent with other uses in the area, and as allowed by the APZ zoning district. Additionally, the proposed six-foot fence is intended to reduce visual impacts to surrounding properties.

Less Than Significant Impact with mitigation measure AES-1 added

- d) The project has some potential for additional light or glare impacts from the proposed security lighting and supplemental grow lights. The applicant states that proposed greenhouse and security lighting will be fully shielded from neighboring parcels and the lighting will be directed downward.

The following mitigation measure will help to reduce light or glare impacts:

- AES-2 - 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.

Less Than Significant with Mitigation Measure AES-2 added

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 site is categorized as having soil that is mapped as Farmland of Local Importance, and is within a mapped Farmland Protection Area, which requires cannabis cultivation to be done inside greenhouses as are being proposed by the applicant.

Less Than Significant Impact

- b) The project site is zoned "APZ", Agriculture Preserve, and contains a Williamson Act contract. The neighboring lots to the east and south also contain Williamson Act contracts, and there are productive agricultural uses on nearby properties, mostly containing vineyards and orchards.

Lake County allows cannabis cultivation on lots that are within the "APZ" zoning district and are in mapped Farmland Protection Areas, but the cultivation must occur inside of greenhouses, as are being proposed by the applicant.

While there is some potential for infiltration of pesticides and/or fertilizers into the cannabis growing areas, the greenhouses are equipped with carbon filtration systems, which will minimize the potential intrusion of non-organic fertilizers and pesticides into the cannabis growing areas, as well as from the emission of airborne particulates from the cannabis cultivation activity.

With the filtration systems installed, and because Lake County allows cannabis cultivation on properties that contain Williamson Act contracts, the project will not adversely impact the neighboring lots. The applicant's project may be at more risk of infiltrating chemicals than the neighboring crop-producing lots, but the applicant is aware of the potential risk associated with cultivating near other non-cannabis crops.

Less Than Significant Impact

- c) As proposed, the project will not conflict with existing zoning for, and/or cause rezoning of forest lands and/or timberlands or timberlands in production.

No Impact

- d) The project site does not contain land designated as forest lands and has not been used historically for timber production. Because forest land is not present on 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

- e) The project would not adversely affect neighboring lots or the subject parcel in a manner that would inhibit or prevent agricultural uses on site or on surrounding lots.

No 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.

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 construction or operational of the project.

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 (PMP). 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 contaminants 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.

The proposed project has the potential to result in short- and long-term air quality impacts from construction and operation of the proposed project.

Site grading would be necessary and would include preparing pads for sixteen individual buildings, trenching for utilities, and digging post-holes for fencing. The applicant has not provided estimated amounts of earth would be moved during site preparation.

The applicant has submitted a grading permit application and an engineered Grading and Erosion Control Plan prepared by West Engineering, that addresses potential impacts and necessary mitigation measures to allow the grading to proceed.

Operational impacts would include dust and fumes from site preparation of the greenhouse pads and vehicular traffic, including small delivery vehicles that would be contributors during and after site preparation and construction.

Implementation of conditions of approval 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. Carbon air filtration systems will be installed inside of greenhouses, which will help to minimize odors from escaping from greenhouses into the atmosphere.

The following mitigation measures will help to reduce air quality impacts:

AQ-1: Prior to obtaining the necessary permits and/or approvals for any Stage, 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. Alternatively, the applicant may provide proof that an Authority to Construct permit is not needed by the LCAQMD.

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.

AQ-7: All greenhouses and processing / manufacturing buildings shall be equipped with carbon or similar air filtration systems to minimize odor drift prior to cultivation activities.

Less than Significant with Mitigation Measures AQ-1 through AQ-7

- 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, SO₂, NO_x, O₃, PM₁₀, 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. Lake County uses Bay Area Air Quality Management District (BAAQMD) thresholds of significance as a method of evaluation of a project to determine 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 Stage and the operational Stage, 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 ₂ e)	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 ₂ e)	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

As demonstrated in the tables above, the project's emissions related to construction and operation would be below the BAAQMD thresholds.

Less than Significant Impact with Mitigation Measures AQ-1 through AQ-7

- 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.

The nearest off-premises house is roughly 1000 feet away from the edge of the cultivation area. The nearest park is .56 miles east of the project site, odor control measures are proposed for the greenhouses. The cultivation area is set back a significant distance from the nearest off-site dwellings, so passive odor control (separation distance) may be adequate for the mixed-light and indoor cultivation area.

Less than Significant Impact with Mitigation Measures AQ-1 through AQ-7

- d) Sensitive receptors (people) in the area include adjacent and near proximity dwellings containing residents.

The applicant intends on installing carbon filtration systems inside the greenhouses in order to reduce potential particulate migration onto other neighboring lots. The filtration systems will also reduce odor from the cannabis plants during harvest time.

Less than Significant with Mitigation Measures AQ-1 through AQ-7

IV. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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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) The Biological Resources Assessment (BA) was prepared by Lucy Macmillan, M.S., and is dated February 11, 2021. The BA made recommendations for mitigation measures related to Biological Resources requiring a breeding survey by qualified biologist, active nests, implementation of exclusion zone around nests and buffers, breaks in activities, and work outside of the nesting season for western pond turtle. The BA concluded that there would be less than significant impacts with mitigation measures incorporated for minimizing potential impacts to special-status species potentially occurring on or in the vicinity of the project site and CDFW best management practices for wildlife and habitats.

Less than Significant with mitigation measures BIO-1 through BIO-5 incorporated:

BIO-1: If project activities occur during the breeding season (February 1 through August 31), a qualified biologist shall conduct a breeding bird survey no more than 7 days prior to project activities to determine if any birds are nesting in trees adjacent to the study area.

BIO-2: If active nests are found close enough to the study to affect breeding success, the biologist will establish an appropriate exclusion zone around the nest. This exclusion zone may be modified depending upon the species, nest location, and existing visual buffers. Once all young have become independent of the nest, work may take place in the former exclusion zone.

BIO-3: If initial work is delayed or there is a break in project activities of greater than 7 days within the bird-nesting season, then a follow-up nesting bird survey shall be performed to ensure no nests have been established in the interim.

BIO-4: Potential breeding habitat for Western Pond turtle is present in the vicinity. Any upland habitat on site may provide nesting habitat for pond turtle. To minimize potential impacts to this species, initial work shall begin outside the nesting season for pond turtle, which is from May to October 1.

BIO-5: California Department of Fish and Wildlife (CDFW) Best Management practices (BMPs) include the following and shall be implemented:

- a) If workers see wildlife, pause work so that wildlife may move out of the way.
- b) All equipment shall be maintained such that there will be no leaks of automotive fluids such as gasoline, oils, or solvents.
- c) Hazardous materials such as fuels, oils, solvents, etc., shall be stored in sealable containers in a designated location that is at least 200 feet from aquatic habitats.
- d) All fueling and maintenance of vehicles and other equipment and staging areas shall occur at least 200 feet from any aquatic habitat.

According to the Lake County General Plan Chapter 9.1 Biological Resources, “the County should ensure the protection of environmentally sensitive wildlife and plant life, including those species designated as rare, threatened, and/or endangered by State and/or Federal government,”

Less Than Significant with mitigation measures BIO-1 through BIO-5 incorporated

- b) According to the Lake County General Plan Chapter 9.1 Biological Resources, “the County should ensure the protection of environmentally sensitive wildlife and plant life, including those species designated as rare, threatened, and/or endangered by State and/or Federal government,” and upon review of the biological report on the parcel, it was determined that here is no critical habitat for plants or animals within the Study Area. The BA made recommendations for mitigation measures related to Biological Resources requiring a breeding survey by qualified biologist, active nests, implementation of exclusion zone around nests and buffers, breaks in activities, and work outside of the nesting season for western pond turtle. The BA concluded that there would be less than significant impacts with mitigation measures incorporated for minimizing potential impacts to special-status species potentially occurring on or in the vicinity of the project site and CDFW best management practices for wildlife and habitats.

Less than significant impact with Mitigation Measure BIO-5 incorporated

- c) According to the Biological Assessment (BA), there are no wetlands, vernal pools or other isolated wetlands in or near the proposed cultivation areas. Because there are no wetlands or vernal pools located within 150 feet of the proposed cultivation areas, Project implementation would not directly impact any wetlands or riparian habitat.

No Impact

- d) No wildlife corridors were identified on the Project Property in the Biological Resources Assessment (BA). Although no mapped wildlife corridors (such as the California Essential Habitat Connectivity Area layer in the CNDDDB) exist within or near the Project site, the open space of the Project Property facilitate animal movement and migrations. The proposed Project would not have a significant impact on this movement because it would not create any unpassable barriers, and the majority of the Project Property will still be available for corridor and migration routes.

Less Than Significant Impact

- e) Implementation of the project does not conflict with any county or municipal policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. The project is consistent with all setbacks and development standards related to protection of resources. Additionally, the applicant is required to comply with all regulatory requirements related to water quality and biological resource protection as a part of the state cannabis licensing program. There are no conflicts with any local policies or ordinances protecting biological resources such as a tree preservation policy, as the project does not propose tree removal.

No Impact

- f) No special conservation plans have been adopted for this site and no impacts are anticipated.

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) A Cultural Resources Evaluation (CRE) for the proposed cultivation project was completed by Flaherty and Associates dated March 31, 2021, to identify potentially significant cultural resources.

The Evaluation concluded that no cultural resources sites were discovered because of the survey; however, the possibility of buried or obscured cultural resources does exist. Should archaeological materials be discovered during future development, we recommend that all activity be temporarily halted in the vicinity of the find(s), and that a qualified archaeologist be retained to evaluate the find(s) and to recommend mitigation procedures, if necessary.

Lake County is rich in Tribal heritage. As a matter of practice, the County requires any relics, artifacts or remains to be reported immediately to the culturally affiliated Tribe, and an archeologist be retained to oversee any site disturbance. Consequently, the following mitigation measures are required:

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

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) Mitigation measures CUL-1 and CUL-2 will reduce any potential impacts associated with inadvertent discovery to 'less than significant' levels.

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

- c) The project site does not contain a cemetery and there are no known cemeteries 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 with Mitigation Measures CUL-1 and CUL-2 added

VI.ENERGY

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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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) Onsite electricity will be supplied by on-grid power. The County estimates that a total of 800 amps are needed to power the greenhouses, processing building, security system, and well pump, as well as any other lighting that may be desired. There are no known grid capacity issues at this location, and the increase with 800 new amp services is realistic given the scope of the project. PG&E provided comments and had no adverse impact concerns about this project. There are no known grid issues at this location.

Less than Significant Impact

- b) According to the California Department of Cannabis Control's Title 4 Division 19 §15010 on compliance with the CEQA, all cannabis applications must describe their project's anticipated operational energy needs, identify the source of energy supplied for the project and the anticipated amount of energy per day, and explain whether the project will require an increase in energy demand and the need for additional energy resources.

The applicant has submitted energy calculations for this project within the Property Management Plan and also listed in Figure below. The applicant proposes an overhead generator for energy use when solar power is inefficient or in case of an emergency. Article 27 of the Lake County Zoning Ordinance includes prohibited uses. A mixed-light commercial cannabis cultivation operation cannot rely on generators for daily use. As such, generator use is limited to emergency use only. PG&E comments did not indicate that there are potential grid issues at this location, therefore staff concludes that the project can be met with on-grid power.

FIGURE-4 Energy Calculations

3.4 ENERGY CALCULATION				
The following is energy calculation for the proposed permits:				
Appliance	Number in Use	Watts/Unit	Hrs/Day	Total Watts/Day
Television	1	100	4	400.00
LED Lights	6	240	18	25,920.00
Tool Charger	3	100	4	1,200.00
Computers	1	120	5	600.00
Florescent Tubes	0	34	18	-
Fans	26	100	4	10,400.00
Vacuum	1	650	0.5	325.00
Wireless Router	1	7	24	168.00
Coffee Maker	1	1500	0.5	750.00
Phone Charger	1	5	10	50.00
Subtotal				39,813.00
KWh/Day	39.81			
KWh/Month	1,194.39			

Source: Property Management Plan

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.	☐	☐	☒	☐	1, 2, 3, 4, 5, 18, 19
ii) Strong seismic ground shaking?					
iii) Seismic-related ground failure, including liquefaction?					
iv) Landslides?					
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐	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) The Project site is located in a seismically active area of California and is expected to experience moderate to severe ground shaking during the lifetime of the project. That risk is not considered substantially different than that of other similar properties and projects in California.

Earthquake Faults (i)

According to the USGS Earthquake Faults map available on the Lake County GIS Portal, there are no earthquake faults in the vicinity of the subject site, however the North Bay has numerous faults that could rupture, and which could impact this site even though the faults are not mapped on site. This site is no more prone to ground shaking than other sites throughout the County, and all buildings requiring permits are evaluated for seismic structural integrity.

Seismic Ground Shaking (ii) and Seismic-Related Ground Failure, including liquefaction (iii)

Lake County contains numerous known active faults. Future seismic events in the Northern California region can be expected to produce seismic ground shaking at the site. All proposed construction is required to be built under Current Seismic Safety Construction Standards, and no large structures are proposed on this project site.

Landslides (iv)

The project cultivation sites are generally level without significant slopes, although the remaining portions of land are significantly sloped. There are some risks of landslides on the parcel, however the proposed project's cultivation site is located on a flat area along the top of the ridgeline. According to the Landslide Hazard Identification Map prepared by the California Department of Conservation's Division of Mines and Geology, the area is considered generally stable. As such, the project's cultivation site is considered moderately susceptible to landslides and will not likely expose people or structures to substantial adverse effects involving landslides, including losses, injuries or death.

Less Than Significant Impact

- b) The site is relatively flat and the building pads will not need to be graded. Up to 50 cubic yards of earth to be moved for pad preparation is allowed with a building permit for the greenhouses. Ground disturbance also includes fence post-holes and trenching. The applicant is required to submit a Grading permit should more than 50 cubic yards of earth be moved.

The project is enrolled with the SWRCB for Tier 2, Low Risk coverage under Order No. WQ 2019-001-DWQ (Cannabis Cultivation General Order). The Cannabis Cultivation General Order implements Cannabis Policy requirements with the purpose of ensuring that the diversion of water and discharge of waste associated with cannabis cultivation does not have a negative impact on water quality, aquatic habitat, riparian habitat, wetlands, or springs. The Cannabis Cultivation General Order requires the preparation of a SMP (required for Tier 1 and Tier 2 sites), a Nitrogen Management Plan (NMP) (required for all Tier 2 sites), and the submittal of annual technical and monitoring reports demonstrating compliance. A Site Closure Report is required for all Tier 1 and Tier 2 sites. The purpose of the SMP is to identify Best Practicable Treatment or Control (BPTC) measures that the site intends to implement to bring any existing issues into compliance, and to apply moving forward to prevent erosion and potential sediment runoff which might affect the areas waterways. The purpose of the NMP is to identify how nitrogen is stored, used, and applied to crops in a way that is protective to water quality. The SMP and NMP are required prior to commencing cultivation activities and were submitted with the application materials. As part of the Applicant's enrollment, they are required to complete Annual Monitoring and Reporting to the State Water Board, which requires that winterization BPTC measures for erosion and sediment control are in place prior to the winter period.

Less Than Significant Impact

- c) The primary geologic unit or soil type on the cultivation site is Type 121, Clear Lake clay, dry, cool. This soil unit is characterized by slow permeability, some hazard of flooding, and the possible presence of lime. This soil type has a high shrink-swell potential and low load-bearing capacity. The soil is typically used to grow wine grapes.

The applicant has submitted a Grading and Erosion Control Plan in the event that a grading permit will be required. The Grading Plan has mitigation measures that will decrease the likelihood of the loss of topsoil due to erosion. Should more than 50 cubic yards of earthwork be required, a Grading Permit will be applied for following the approval of the major use permit. The submitted Grading and Erosion Control Plan must be followed during the course of fulfilling the requirements of the grading permit.

Less Than Significant Impact

- d) The Uniform Building Code is a set of rules that specify standards for structures. Greenhouse structures are proposed that would require a building permit, and the soil subtypes are generally stable. The applicant has submitted an Grading and Erosion Control plan in anticipation of the grading permit being a requirement, and the Building Official has the ability to require engineered footings if he believes the soil has characteristics that warrant engineered foundation footings.

Cultivation activities proposed in the project would occur on type 121 soil, which has expansive characteristics. The Building Official has indicated that building permits for the greenhouses and processing building will be required and may have to have engineered footings due to expansive soil characteristics.

Less Than Significant Impact

- e) The proposed project will be served by an American Disability Act compliant portable toilet unit.

Less Than Significant Impact

- f) The project site does not contain any known unique geologic feature or paleontological resources, and the Cultural Resources Evaluation performed by Flaherty and Associates yielded negative results of finds of significance. Disturbance of sensitive prehistoric resources is not anticipated.

Less than Significant Impact

VIII. GREENHOUSE GAS EMISSIONS	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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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) The Project consists of 15 greenhouses and a processing building. The buildings are required to install carbon air filtration systems prior to cultivation; that is added as a mitigation measure to help reduce emissions from the buildings.

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 countywide air quality.

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 thresholds of significance for Greenhouse Gase (GHG) emissions. In the interim, emissions estimates have been calculated using the California Emissions Estimator Model (CalEEMod) and compared with thresholds defined by the Bay Area Air Quality Management District (BAAQMD).

The BAAQMD threshold for GHG (including CO₂, CH₄, N₂O, HFCs, PFCs, SF₆) for projects other than stationary sources (power generating plants, mining sites, petroleum facilities, chemical plants, etc.) that are not under a GHG Reduction Plan is 1,100 metric tons of

CO₂ *per project*. According to the CalEEMod estimates for this project, using figures from the PMP and applicant submitted supplemental information for the initial study, the estimated annual emissions of CO₂ for overall operations would be 2,010,304 grams of CO₂ per year (about 2.01 tons); this is assuming a 52 week work-year; five employees during a 12 week construction period, two employees during regular work weeks (6 days per week) with each traveling four miles per day, and four employees during peak harvest season, each traveling four miles per day. This also takes into consideration 40 vehicle miles traveled by light trucks per week making deliveries to the site.

CO₂ emissions from vehicles average about 404 grams per mile traveled according to EPA resources. Total estimated CO₂ emissions are 2.01 tons per year.

Estimates for site preparation and construction period assume five employees working six days per week for twelve weeks. The weekly CO₂ emission totals during construction are about the same as during operations. Total annual projected CO₂ output is well below the BAAQMD threshold of 1,110 tons per project.

Less than Significant Impact

- b) 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 CO₂ per capita by 2030 and no more than two (2) metric tons CO₂ per capita by 2050. As described in the PMP, 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 CO₂ per year, the per capita figure of 2.29 metric tons of operational CO₂ 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	☐	☐	☐	☒	1, 3, 4, 5, 20, 22

or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

- | | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|----------------------------|
| 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) Materials associated with the proposed cultivation of commercial cannabis, such as gasoline, pesticides, fertilizers, alcohol, hydrogen peroxide and the equipment emissions may be considered hazardous if unintentionally released and could create a significant hazard to the public or the environment if done so without intent and mitigation. Per State Waterboard BPTC measures, fertilizers and petroleum products may not be stored together. According to the **Property Management Plan (PMP)** for the proposed project, only organic fertilizers and pesticides will be used. The PMP indicates that all potentially harmful chemicals would be stored and locked in a secured building on site and measures will be taken to avoid any accidental release and environmental exposure to hazardous materials.

The project will comply with Section 41.7 of the Lake County Zoning Ordinance that specifies that all uses involving the use or storage of combustible, explosive, caustic, or otherwise hazardous materials shall comply with all applicable local, state, and federal safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate firefighting and fire suppression equipment.

The Lake County Division of Environmental Health, which acts as the Certified Unified Program Agency (CUPA) for Hazardous Materials Management, has been consulted about the project and the project is required to address Hazardous Material Management in the PMP, which has been reviewed by the Lead Agency to ensure the contents are current and adequate. In addition, the Project will require measures for employee training to determine if they meet the requirements outlined in the Plan and measures for the review of hazardous waste disposal records to ensure proper disposal methods and the amount of wastes generated by the facility.

The PMP also addresses the following:

Bulk fertilizers will be incorporated into the soil shortly after delivery and will not typically be stockpiled or stored on site. Should bulk fertilizers need to be stockpiled, they will be placed on a protective surface, covered with tarps, and secured with ropes and weights. Dry and liquid fertilizers will be stored in a stormproof shed inside each cultivation compound.

All other pesticides and fertilizers will be stored within one of the stormproof storage sheds, in their original containers with labels intact, and in accordance with the product labeling. Agricultural chemicals and petroleum products will be stored in secondary containment, within separate storage structures alongside compatible chemicals. The pesticide, fertilizer, chemical, and petroleum product storage buildings will have impermeable floors. The storage building will be located over 100 feet from any watercourses.

Any petroleum products brought to the site, such as gasoline or diesel to fuel construction equipment, will be stored and covered in containers deemed appropriate by the Certified Unified Program Agency. All pesticides and fertilizers products will be stored a minimum of 100 feet from all potentially sensitive areas and watercourses.

Cannabis waste will be chipped and spread on site or composted as needed. The burning of cannabis waste is prohibited in Lake County and will not take place as part of Project operations.

A spill containment and cleanup kit will be kept on site in the unlikely event of a spill. All employees would be trained to properly use all cultivation equipment, including pesticides. Proposed site activities would not generate any additional hazardous waste.

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 in accordance with applicable local, state, and federal regulations.

As long as the Project is in operation, the Certified Uniform Program Agency and Lead Agency will conduct regular and/or annual inspections and monitor activities to ensure that the routine transport, use, and disposal of hazardous materials will not pose a significant impact.

Less Than Significant Impact

- b) The Project involves the use of organic fertilizers and pesticides which will be stored in a secure, stormproof structure. Flood risk 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 is minimal; the project is located in a non-urban, non-wildland area with a low fire risk.

The project site does not contain any identified areas of serpentine soils or ultramafic rock, and risk of asbestos exposure during construction is minimal. The site preparation would require some construction equipment and would last for about five to seven weeks. All equipment staging shall occur on previously disturbed areas on the site.

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

- c) There are no schools located within one-quarter mile of the proposed project site.

No Impact

- d) The California Environmental Protection Agency (CalEPA) has the responsibility for compiling information about sites that may contain hazardous materials, such as hazardous waste facilities, solid waste facilities where hazardous materials have been reported, leaking underground storage tanks and other sites where hazardous materials have been detected. Hazardous materials include all flammable, reactive, corrosive, or toxic substances that pose potential harm to the public or environment.

The following databases compiled pursuant to Government Code §65962.5 were checked for known hazardous materials contamination within ¼-mile of the project site:

- The SWRCB GeoTracker database
- The Department of Toxic Substances Control EnviroStor database
- The SWRCB list of solid waste disposal sites with waste constituents above hazardous waste levels outside the waste management unit.

The project site is not listed in any of these databases as a site containing hazardous materials as described above.

No Impact

- e) The Project site is located approximately 8 miles from the nearest airport, Lampson Field, 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) Access to the project site is from Big Valley Road, a paved County-maintained Road in this location. The Project site does not contain any emergency facilities, nor does it serve as an emergency evacuation route for the area. During long-term operation, access for emergency vehicles via Big Valley Road and connecting roadways will be available. The project does not propose alteration to the design or capacity of any public road that would impair or interfere with the implementation of evacuation procedures. Because the project would not interfere with an adopted emergency response or evacuation plan, impacts are less than significant, and no mitigation measures are required.

Less than Significant Impact

- g) The project site is on an area that is mapped as a low fire risk. CalFire's requirement for defensible space in high fire risk areas requires the removal of brush and vegetation that would reduce fire risk. Improvements to the interior driveway will make the driveway able to accommodate a 75,000 pound emergency response vehicle.

The applicant would adhere to all federal, state, and local fire requirements and regulations for setbacks and defensible space required for any new buildings that require a building permit. All proposed construction will comply with current State of California Building Code construction standards. To construct the proposed greenhouses, the applicant will be required to obtain a building permit with Lake County to demonstrate conformance with local and state building codes and fire safety requirements.

Less than Significant Impact

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;			☒	☐	1, 2, 3, 5, 6, 7, 15, 18, 29, 32
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐	
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide					

substantial additional
sources of polluted runoff;
or
iv) Impede or redirect flood
flows?

- | | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|-----------------------------|
| d) 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) The Project parcel has no stream crossings and the nearest major watercourse, with only one ephemeral watercourse in proximity to the cultivation area, located approximately 1500 feet west of the project site. There is an above-ground pond on the adjacent western property that is located more than 200 feet from the nearest cultivation site.

According to the proposed Project's Property Management Plan – Waste Management Plan, 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 Practicable Treatment or Control (BPTC) measures, buffer zones, erosion and sediment controls, inspections and reporting, and regulatory oversight. Note also that a sediment and erosion control plan is being implemented as part of the PMP.

Potential adverse impacts to water resources could occur during construction by modification or destruction of stream banks or riparian vegetation, the filling of wetlands, or by increased erosion and sedimentation in receiving water bodies due to soil disturbance. Project implementation will not directly impact any channels or wetlands. Soil disturbance from project implementation could increase erosion and sedimentation. Regulations at both the County and State levels require the creation and implementation of an erosion control and **Property Management Plan (PMP)**. Furthermore, as the total area of ground disturbance from project implementation is greater than one (1) acre, the Project proponent will need to enroll for coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit, 2009-0009-DWQ).

The County's Cannabis Ordinance requires that all cultivation operations be located at least 100-feet away from all waterbodies (i.e. spring, top of bank of any creek or seasonal stream, edge of lake, wetland or vernal pool). State setbacks from above-ground water sources are 150 feet, which differs from the County's 100 foot required setback distance, however the project complies with the State's distance of 150 feet from Class I watercourses.

Additionally, cultivators who enroll in the State Water Board's Waste Discharge Requirements for Cannabis Cultivation Order WQ 2019-001-DWQ must comply with the Minimum Riparian Setbacks. Cannabis cultivators must comply with these setbacks for all

land disturbances, cannabis cultivation activities, and facilities (e.g., material or vehicle storage, diesel powered pump locations, water storage areas, and chemical toilet placement).

As described above, the current project site exceeds mandatory setbacks from water courses and is located in the flattest portion of the site which will reduce the potential for water pollution due to erosion.

Less Than Significant Impact

- b) Due to the existing exceptional drought conditions, on July 27, 2021, the Lake County Board of Supervisors passed an Urgency Ordinance (Ordinance 3106) requiring land use applicants to provide enhanced water analysis during a declared drought emergency. Ordinance 3106 requires that all project that require a CEQA analysis of water use include the following items in a Hydrology Report prepared by a licensed professional experienced in water resources:

- Approximate amount of water available for the project's identified water source,
- Approximate recharge rate for the project's identified water source, and
- Cumulative impact of water use to surrounding areas due to the project

Water Analysis

A Hydrogeologic Assessment Report ("Report") was prepared for this project by Hurvitz Environmental Services, Inc., and is dated January 6, 2021. The Report evaluates annual water demand for the project; aquifer capacity and recharge rate during drought and non-drought years; evaluates drought management actions needed and provides well data on the on-site well.

Well Test

There is an existing permitted on-site groundwater well that will be used for irrigation, and which was evaluated in the Report. A one-hour well test was performed on November 2, 2021, by Cal-Tech Pump. The well yielded approximately 350 gallons per minute (GPM) over the one-hour testing period. The water level dropped by 13.8 feet during the well test. After a 25-minute shut-down period, the well fully recovered.

Projected Water Demand

The estimated water demand for this project is approximately 973,000 gallons per year, or about 3 acre-feet per year, including 5,000 sf immature plant canopy and 29,500 sf mature plant canopy. Residential water usage is projected to be approximately 247,647 gallons per year. The total water demand for the site, including residential uses and the cannabis project, are estimated to be 3.8 acre-feet per year.

Recharge Rates

The Report estimates recharge rates of the aquifer during a severe drought year to be about 4.41-acre feet per year; this is versus the 3.8-acre feet per year that the project and

residence would require. The Report concludes that there is adequate water during a severe drought year to provide adequate water to the project without adversely impacting the neighboring water wells or water resources.

Aquifer Data

The Report states that the project site is within the Big Valley Groundwater Basin (BVGB). According to the Report, the BVGB is about six miles wide and eight miles long. The BVGB is a medium priority groundwater basin according to the State Department of Water Resources "Sustainable Groundwater Management Act". This requires that a groundwater sustainability agency to be formed, and a groundwater sustainability plan (GSP) be developed. As of 2021, the Groundwater Sustainability Group was developing a GSP for this water basin.

Groundwater storage capacity in the BVGB has been estimated several times over the past 60 years. The Dept. of Water Resources estimates the total water storage in the basin to be about 105,000 acre-feet, or about 34,125,000,000 gallons of water. The amount of 'usable' water in this basin is estimated to be about 60,000 acre-feet, roughly half of the total storage capacity of the water basin.

The annual demand placed on this basin is about 11,360 acre-feet per year according to the Report, or about 18% of the usable capacity.

The Report states that pear irrigation, which relies on flooding the pear orchards (high water demand) has dramatically decreased over the past several years, thereby reducing the overall water demand, however there are other cannabis cultivation operations that rely in this basin.

Conclusion

The Report concludes that the project will not cause aquifer overdraft conditions and recommends that the project proceed.

Less Than Significant Impact

- c) According to Lake County Ordinance Section 27.13 (at) 3, the PMP 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 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. A sediment and erosion control plan is also being implemented as part of the larger Site Management Plan.

According to the Storm Water Management Plan, located within the Property Management Plan for this project, the cultivation operations are not expected to alter the hydrology of the parcels significantly. Establishment of the cultivation operations will require some grading, but they have been located in areas partially cleared for past, non-Cannabis land uses.

In addition to significantly exceeding all setback requirements, generous vegetative buffers exist between the cultivation area and the nearest water resource. These vegetated areas will be preserved as much as possible, with the exception of any fire breaks needed for wildfire protection.

BPTC measures will be deployed in a sequence to follow the progress of site preparation, tilling, and cultivation. As the locations of soil disturbance change, erosion and sedimentation controls should be adjusted accordingly to control stormwater runoff at the downgrade perimeter and drain inlets. BPTCs to be implemented include monitoring weather to track conditions and alert crews to the onset of rainfall events, stabilizing disturbed soils with temporary erosion control or with permanent erosion control as soon as possible after grading or construction is completed, and establishing temporary or permanent erosion control measures prior to rain events. Typical BMPs include the placement of straw, mulch, seeding, straw wattles, silt fencing, and planting of native vegetation on all disturbed areas to prevent erosion.

Due to the natural conditions of the Project site and with these erosion mitigation measures, the project will not result in substantial erosion or siltation on-site or off-site; will not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite; will not 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; and will not impede or redirect flood flows.

Less than Significant Impact

- d) The Project site is not located in an area of potential inundation by seiche or tsunami. The project site is located in a 2% Flood Zone, an area of minimal risk of flooding, and is not located in a mapped flood hazard area. The cultivation area is located on a portion of the site that is flat, and there is minimal risk of mud flow at this location.

Less than Significant Impact

- e) 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.

The project is required 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

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. A water budget will be created every year and water use efficiency from the previous year will be analyzed within the required Annual Compliance Monitoring Report to be prepared by the applicant and provided to County of Lake on June 01 of the calendar year for the duration of the use permit.

Well water level monitoring and reporting will be performed as follows:

Seasonal Static Water Level Monitoring

The purpose of seasonal monitoring of the water level in a well is to provide information regarding long-term groundwater elevation trends. The water level in each well will be measured and recorded once in the Spring (March or April), before cultivation activities begin, and once in the fall (October) after cultivation is complete, as the California Statewide Groundwater Monitoring Program (CASGEM) monitors semi-annually, around April 15 and October 15 of each year. Records shall be kept, and elevations reported to the County as part of the project's annual reporting requirements. Reporting shall include a hydrograph plot of all seasonal water level measurements, for all project wells, beginning with the initial measurements. Seasonal water level trends will aid in the evaluation of the recharge rate of the well. If the water level in a well measured during the Spring remains relatively constant from year to year, then the water source is likely recharging each year.

Water Level Monitoring During Extraction

The purpose of monitoring the water level in a well during extraction is to evaluate the performance of the well and determine the effect of the pumping rate on the water source during each cultivation season. This information will be used to determine the capacity and yield of the Project's wells and to aid the cultivators in determining pump rates and the need for water storage. The frequency of water level monitoring will depend on the source, the source's capacity, and the pumping rate. It is recommended that initially the water level be monitored twice per week or more, and that the frequency be adjusted as needed depending on the impact that the pumping rate has on the well water level. Records will be kept and elevations reported to the County as part of the project's annual reporting requirements. 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 the following 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:

- Cover the soil and drip-lines with removable plastic covers or similar to reduce evaporation
- Irrigate only in the early morning hours or before sunset
- Cover plants with shaded meshes during peak summer heat to reduce plant water needs
- Use a growing medium that retains water in a way to conserve water and aid plant growth. Organic soil ingredients like peat moss, coco coir, compost and other substances like perlite and vermiculite retain water and provide a good environment for cannabis to grow
- Install additional water storage

In the event that the well cannot supply the water needed for the project, the following measures may be taken:

- Reduce the amount of cultivation and/or length of cultivation season
- Install additional water storage
- If possible, develop an alternative, legal, water source that meets the requirements of Lake County Codes and Ordinances.

Less Than Significant Impact

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	☐	☐	☒	☐	1, 3, 4, 5, 20, 21, 22, 27

avoiding or mitigating an environmental effect?

Discussion:

- a) The project site consists of ±38 acres of undeveloped land in the Kelseyville Planning Area. The closest community growth boundary accessible by road is Kelseyville, which is approximately 1-1/2 miles east of the subject site.

The area is characterized by large parcels of rural, marginally developed and undeveloped land. No changes to the interior road are proposed, and minimal improvements are needed to the driveway for it to be made to comply with PRC 4290 and 4291 commercial driveway standards. The proposed project site would not physically divide an established community.

No Impact

- b) The General Plan Land Use designation and Zoning District designation is Agriculture Preserve “APZ”. Which is intended to protect the County’s valuable agricultural resources and to prevent development that would preclude its future use in agriculture. These lands are actively or potentially engaged in crop production, including horticulture, tree crops, rows and field crops, and related activities. The soil is mapped as Farmland of Local Importance. Soils that are considered as statewide or local importance require commercial cannabis cultivation to be contained within permanent greenhouse structures equipped with odor filtration.

The Lake County Zoning Ordinance allows for commercial cannabis cultivation in the “APZ” land use zone with a major use permit provided cultivation occurs inside greenhouses on mapped Farmland Protection Areas, such as is the case with this application.

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 the portion of the Project parcel planned for cultivation as having an important source of aggregate resources. According to the California Department of Conservation, Mineral Land Classification, there are no known mineral resources on the project site.

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
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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) Noise related to outdoor cannabis cultivation typically occurs either during construction, or as the result of machinery related to post construction equipment such as well pumps or emergency backup generators during power outages.

This project will have some noise related to site preparation, and hours of construction are limited through standards described in the conditions of approval.

Although the property size and location will help to reduce any noise detectable at the property line, mitigation measures will still be implemented to further limit the potential sources of noise.

Less than Significant Impact with Mitigation Measures NOI-1 and 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.

Less Than Significant with Mitigation Measures NOI-1 and NOI-2

- b) 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.

The project would not generate ground-borne vibration or noise, except potentially during the construction stage from the use of heavy equipment. There will be moderate grading required for the greenhouse pads, however earth movement is not expected to generate ground-borne vibration or noise levels. According to California Department of Transportation's Transportation and Construction-Induced Vibration Guidance Manual, ground-borne vibration from heavy construction equipment does not create vibration amplitudes that could cause structural damage, when measured at a distance of 10 feet. The nearest existing off-site structures would not be exposed to substantial ground-borne vibration due to the operation of heavy construction equipment on the Project site.

Furthermore, 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. As such, impacts from ground-borne vibration and noise during near-term construction would be less than significant.

Less Than Significant Impact

- c) The project site is located over two miles from Lampson Field, administered by the Lake County Airport Land Use Commission, which has not adopted an Airport Land Use Compatibility Plan. Therefore, no impact is anticipated.

No Impact

XIV. POPULATION HOUSING	AND	Potentially Significant Impact	Less Than Significant With Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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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 project is not anticipated to induce significant population growth to the area. The increased employment will be between two and four persons that will likely reside locally, so no impacts to population are anticipated.

No Impact

- b) The project will not displace any existing housing; thus no impact is expected.

No Impact

XV. PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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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 | ☐ | ☐ | ☒ | ☐ | 1, 2, 3, 4, 5, 20, 21, 22, 23, 27, 28, 29, 32, 33, 34, 36, 37 |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|---|

other performance objectives for any of the public services:

- 1) Fire Protection?
- 2) Police Protection?
- 3) Schools?
- 4) Parks?
- 5) Other Public Facilities?

Discussion:

1) Fire Protection

The Kelseyville Fire Protection District and CALFIRE provide fire protection services to the proposed project area. Development of the proposed project would impact fire protection services by increasing the demand on existing County Fire District resources. To offset the increased demand for fire protection services, the proposed project is 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. 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 staff will be hired locally, no increase in 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
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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) There will be no increase in the use of existing neighborhood and regional parks or other recreational facilities that would be the direct result of this project, and no impacts are anticipated to parks in Lake County.

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
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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 | ☐ | ☐ | ☒ | ☐ | 1, 3, 4, 5, 9, 20, 22, 27, 28, 35 |

guidelines section 15064.3,
subdivision (b)(1)?

- | | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--|
| 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) Roadway Analysis

The project is located off of Big Valley Road. Vehicles traveling to the site will use Big Valley Road to access the site.

The project site is accessed by a private driveway that intersects with Big Valley Road, a paved, 2-lane County-maintained Road at this location with two 10' wide travel lanes and 2' wide shoulders. The access driveway off Big Valley Road will be 20 feet wide with turnouts at the cultivation area (20' x 60'; for emergency vehicle use). **The interior driveways will have 6" of gravel base in order to support a 75,000 pound emergency vehicle. As proposed, the interior driveways will meet California Public Resource Code (PRC) 4290 and 4291 road standards for fire equipment access.**

The proposed project does not conflict with any existing program plan, ordinance or policy addressing roadway circulation, including the Lake County General Plan Chapter 6 – Transportation and Circulation, and a less than significant impact on road maintenance is expected.

Transit Analysis

The Lake County Transit Authority Route 1 – North Shore, Clearlake to Lakeport, runs along California State Highway 29, with a transit stop located in Kelseyville, approximately 1-1/2 miles from the cultivation site. This distance would make the use of public transit difficult but possible.

Bicycle Lane and Pedestrian Path Analysis

The proposed Project does not conflict with any existing program plan, ordinance or policy addressing bicycle and/or pedestrian 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 four and eight daily trips during peak season operation (four employees) over a period of two months (60 days), and approximately the same number of daily trips during construction.

If approved, the applicants will be operating under an A-Type 13 Cannabis Distributor Transport Only, Self-distribution License. In the "APZ" zoning district, the Type 13 Distributor Only, Self-distribution State licenses are an accessory use to an active cannabis cultivation license site that can be obtained through the approval of a minor or major use permit. The parcel where the Type 13 license will be located, as required by Article 27.11, shall front and have direct access to a County maintained road.

The proposed Project would not generate or attract more than the threshold of 110 trips per day, and therefore it is not expected for the Project to have a potentially significant level of VMT. Impacts related to CEQA Guidelines section 15064.3, subdivision (b) would be less than significant.

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 Project does not propose any changes to road alignment or other features, does not result in the introduction of any obstacles, nor does it involve incompatible uses that could increase traffic hazards.

Less Than Significant Impact

- e) The proposed project would not alter the physical configuration of the existing roadway network serving the area, and will have no effect on access to local streets or adjacent uses (including access for emergency vehicles). Internal gates and roadways will meet CALFIRE requirements for vehicle access according to PRC §4290 and 4291, including adequate width requirements, overhead clearances, on-site turn-arounds, sufficient base materials use. Furthermore, as noted above under impact discussion (a), increased project-related operational traffic would be minimal. The proposed project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities. The proposed project would not interfere with the City's adopted emergency response plan.

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

☐
☒
☐
☐

1, 3, 4, 5, 11, 14, 15

Discussion:

- a) A Cultural Resources Evaluation (CRE) for the proposed cultivation Project was completed by Flaherty and Associates, and is dated March 31, 2021, and was submitted to the County for this project. The Report did not identify any sensitive relics or items on site.

A California Historical Resources Information System (CHRIS) was sent to the County and is dated September 6, 2022. This letter stated that there were no recorded site surveys previously done for this property and recommended that the County contact the culturally affiliated Tribe.

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 23, 2022. Yocha Dehe Wintun Nation and Habematolel Pomo of Upper Lake Tribes responded with deferrals to the Big Valley Tribe. Tribal Consultation was not requested.

CHRIS comments indicated that there is some tribal evidence in the form of lithic scatter on site, but this area is not within a cultivation site. There are no known mapped sensitive areas located on the combined ±38 acre project site.

Based on the findings of the CHRIS search, field survey, and outreach efforts with the eleven local area tribes, there is no indication that the project will impact any historical or archaeological resources as defined under CEQA Section 15064.5 or tribal cultural resources as defined under Public Resources Code Section 21074. It is possible, but unlikely, that significant artifacts or human remains could be discovered during Project construction. If, however, significant artifacts or human remains of any type are encountered it is recommended that the project sponsor contact the culturally affiliated tribe and a qualified archaeologist to assess the situation. The Sheriff's Department must also be contacted if any human remains are encountered.

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) The CHRIS records search indicated that no site surveys had been done on these two lots prior to the year 2021 Flaherty Cultural Evaluation. The Evaluation produced negative findings following the site survey of the cultivation area. As a precaution, the County puts mitigation measures in place in all use permit projects that involve ground disturbance. Mitigation measures CUL-1 and CUL-2 are in the 'Cultural Resources' portion of this report.

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

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 an existing onsite irrigation well and is proposing on-grid power, potentially up to 800 amps. The applicant is proposing an ADA Compliant portable toilet unit.

The Project will not require or result in the relocation or construction of new or expanded water or storm water drainage, natural gas, or telecommunications facilities. Additional on-grid power will be needed and was discussed in the 'Energy' portion of this report.

Less than Significant Impact

- b) The subject parcel is served by an existing permitted groundwater well. The cultivation operation is enrolled as a Tier II / Low Risk cultivation operation in the State Water Resources Control Board's *Order WQ 2017-0023-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 BPTC measures for water conservation, including shut-off valves on water tanks, drip irrigation, continued maintenance of equipment, in addition to buffer zones, sediment and erosion controls, inspections and reporting, and regulatory oversight.

Less than Significant Impact

- c) The applicant is proposing an ADA Compliant portable toilet unit.

Less than Significant Impact

- d) The existing landfill has sufficient capacity to accommodate the project's solid waste disposal needs. Estimated annual solid waste will be between 400 and 500 pounds.

Eastlake Landfill and Quackenbush Mountain Resource Recovery and Compost Facility are located within reasonable proximity of the Project site. As of 2019, Eastlake Landfill had 659,200 cubic yards available for solid waste, with an additional 481,000 cubic yards approved in 2020.

The project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure.

Less than Significant Impact

- e) The project will be in compliance with federal, state, and local management and reduction statutes and regulations related to solid waste.

Less than Significant Impact

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 project will not further impair an adopted emergency response plan or evacuation plan. The applicant will adhere to all regulation of California Code Regulations Title 14, Division 1.5, Chapter 7, Subchapter 2, and Article 1 through 5 shall apply to this project; and all regulations of California Building Code, Chapter 7A, Section 701A, 701A.3.2.A.

The project is located in an area that is mapped as being low risk for wildfire. The applicant is required to make interior driveway improvements to meet Public Resource Code (PRC) 4290, 4291 road standards.

Less than Significant Impact

- b) The Project site is situated on a low risk fire hazard zone. The project site is flat; the project does not further exacerbate the risk of wildfire, or the overall effect of pollutant concentrations on area residents in the event of a wildfire. The project would be required to improve interior fire access road. The project would not inhibit the ability to fight fires from the project site or other nearby sites.

Less than Significant Impact

- c) The proposed Project, as described in the application documents, would not exacerbate fire risk. The proposed project will require maintenance to meet and/or maintain roadway and driveway standards.

CalFire provided comments on the proposed project, including the need for Fire Access Roads to meet the requirements of CCR 1273/PRC §4290a and 4291, the installation of approved address numbers to be placed on all buildings and/or driveways in such a position as to be plainly visible and legible from the street or road fronting the property with numbers that shall contrast with their background will be required, and the installation of a rapid entry Knoxbox, approved by the fire district if any gate is installed will also be required.

Less than Significant Impact

- d) There is little chance of increased risks associated with post-fire slope runoff, instability, or drainage changes based on the lack of site changes that would occur by the Project parcel.

Less than Significant Impact

XXI. OF	MANDATORY SIGNIFICANCE	FINDINGS	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact	Source Number
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- 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) According to the biological and cultural studies conducted, the cannabis cultivation project does not 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 when mitigation measures are implemented.

All setbacks for watercourses will exceed local, state, and federal regulations to prevent significant impacts on water quality. With the implementation of mitigation measures described in the biological assessment and the Best Management Practices and other mitigation measures described throughout this initial study, the potential impact on important biological resources will be reduced to less than significant.

Less than Significant with Mitigation Measures

- b) Potentially significant impacts have been identified related to **Aesthetics, Air Quality, Biological Resources, Cultural Resources, Noise and Tribal Cultural Resources**. 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.

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.

Less than Significant with Mitigation Measures

- c) The proposed project has the potential to result in adverse indirect or direct effects on human beings, specifically **Aesthetics, Air Quality, Biological Resources, Cultural Resources, Noise and Tribal Cultural Resources**. 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 Mitigation Measures

Source List

1. Lake County General Plan
2. Lake County GIS Database
3. Lake County Zoning Ordinance
4. Kelseyville Area Plan
5. Cannabis Cultivation Application – Major Use Permit.
6. U.S.G.S. Topographic Maps
7. U.S.D.A. Lake County Soil Survey
8. Lake County Important Farmland Map, California Department of Conservation Farmland Mapping and Monitoring Program
9. Department of Transportation's Scenic Highway Mapping Program,
(<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>)
10. Lake County GIS Serpentine Soil Mapping
11. California Natural Diversity Database (<https://wildlife.ca.gov/Data/CNDDDB>)
12. U.S. Fish and Wildlife Service National Wetlands Inventory
13. Biological Resources Assessment, prepared by Lucy Macmillan, M.S., dated February 11, 2021.
14. Cultural Resources Reconnaissance, prepared by Flaherty and Associates, dated March 31, 2021.
15. California Historical Resource Information Systems (CHRIS); Northwest Information Center, Sonoma State University; Rohnert Park, CA.
16. Water Resources Division, Lake County Department of Public Works Wetlands Mapping.
17. U.S.G.S. Geologic Map and Structure Sections of the Clear Lake Volcanic, Northern California, Miscellaneous Investigation Series, 1995
18. Official Alquist-Priolo Earthquake Fault Zone maps for Lake County
19. Landslide Hazards in the Eastern Clear Lake Area, Lake County, California, Landslide Hazard Identification Map No. 16, California Department of Conservation, Division of Mines and Geology, DMG Open –File Report 89-27, 1990
20. Lake County Emergency Management Plan
21. Lake County Hazardous Waste Management Plan, adopted 1989
22. Lake County Airport Land Use Compatibility Plan, adopted 1992
23. California Department of Forestry and Fire Protection - Fire Hazard Mapping
24. National Pollution Discharge Elimination System (NPDES)
25. FEMA Flood Hazard Maps
26. Lake County Aggregate Resource Management Plan
27. Lake County Bicycle Plan
28. Lake County Transit for Bus Routes
29. Lake County Environmental Health Division
30. Lake County Grading Ordinance
31. Lake County Natural Hazard database
32. Lake County Countywide Integrated Waste Management Plan and Siting Element, 1996
33. Lake County Water Resources
34. Lake County Waste Management Department
35. California Department of Transportation (Caltrans)
36. Lake County Air Quality Management District website
37. South Lake Fire Protection District
38. Site Visit – August 2022
39. United States Department of Agriculture – Natural Resources Conservation Service Web Soil Survey
40. Hazardous Waste and Substances Sites List,
41. State Water Resources Control Board (SWRCB) Cannabis Policy and General Order
42. Lake County Groundwater Management Plan, March 31st, 2006.
43. Lake County Rules and Regulations (LCF) for On-Site Sewage Disposal
44. Lake County Municipal Code: Sanitary Disposal of Sewage (Chapter 9: Health and Sanitation, Article III)
45. Hydrogeologic Assessment Report, prepared by Hurvitz Environmental Services, dated January 6, 2021