

**From:** [Wonder, Erin@Cannabis](mailto:Wonder,Erin@Cannabis)  
**To:** [Mary Claybon](mailto:Mary.Claybon@lakecountyca.gov)  
**Cc:** [Andrew Amelung](mailto:Andrew.Amelung@lakecountyca.gov); [Lake County Community Development - Cannabis](#)  
**Subject:** [EXTERNAL] RE: Clarification for Outdoor Cultivation with Light-Deprivation and Mixed-light Cultivation  
**Date:** Monday, February 12, 2024 10:58:05 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)

Hi Mary,

My apologies for not answering your email earlier – it got lost in my inbox. You’re correct that DCC regulations now allow light deprivation on Outdoor and Mixed-Light licenses, but artificial lighting in the canopy area is only allowed on Mixed-Light (or Indoor) licenses. The use of structures for Outdoor licenses is allowed (1) for practical reasons due to the need to have something holding up the light dep tarps and (2) because the regulations, while noting that Mixed-light cultivation takes place in a structure, do not prohibit structures for Outdoor licenses. Because the regulations don’t address the use of structures in Outdoor cultivation, we don’t distinguish at this time between permanent or non-permanent structures when determining license type – as long as they’re not using artificial lighting in the canopy area, they would be considered Outdoors.

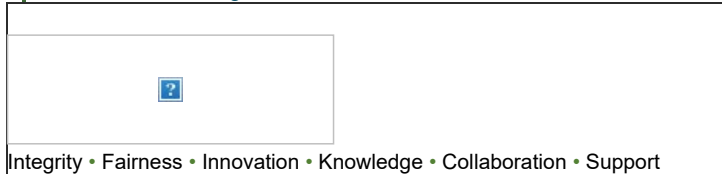
As to the Initial Study comments, I’m afraid I can’t shed any specific light on those as CEQA analysis is outside my wheelhouse, but Kevin Ponce ([kevin.ponce@cannabis.ca.gov](mailto:kevin.ponce@cannabis.ca.gov)) over in DCC Licensing should be able to if you get in touch with him.

Please let me know if you need anything else,

**Erin Wonder**

Assistant Branch Chief  
Compliance Division

Desk: 916-956-7714  
844-61-CA-DCC (844-612-2322)  
[www.cannabis.ca.gov](http://www.cannabis.ca.gov)



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**From:** Mary Claybon <[Mary.Claybon@lakecountyca.gov](mailto:Mary.Claybon@lakecountyca.gov)>  
**Sent:** Monday, February 12, 2024 10:17 AM  
**To:** Wonder, Erin@Cannabis <[erin.wonder@cannabis.ca.gov](mailto:erin.wonder@cannabis.ca.gov)>  
**Cc:** Andrew Amelung <[Andrew.Amelung@lakecountyca.gov](mailto:Andrew.Amelung@lakecountyca.gov)>; [Lake County Community Development - Cannabis](#) <[cannabis@lakecountyca.gov](mailto:cannabis@lakecountyca.gov)>  
**Subject:** RE: Clarification for Outdoor Cultivation with Light-Deprivation and Mixed-light Cultivation

[EXTERNAL]: [mary.claybon@lakecountyca.gov](mailto:mary.claybon@lakecountyca.gov)

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Hello,

I am reaching back out to see if there was any follow up available for my inquiry below for County of Lake staff to interpret DCC regulations in regard to mixed-light and outdoor cultivation. Any insight you have is greatly appreciated.

**Mary Claybon, MSML**  
**Assistant Planner II**  
Community Development Department  
255 N. Forbes St.  
Lakeport, CA 95453



Phone: (707) 263-2221  
Fax: (707) 263-2225  
Email: [Mary.Claybon@lakecountyca.gov](mailto:Mary.Claybon@lakecountyca.gov)

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**From:** Mary Claybon  
**Sent:** Friday, January 19, 2024 4:40 PM  
**To:** 'Wonder, Erin@Cannabis' <[erin.wonder@cannabis.ca.gov](mailto:erin.wonder@cannabis.ca.gov)>  
**Cc:** Andrew Amelung <[Andrew.Amelung@lakecountyca.gov](mailto:Andrew.Amelung@lakecountyca.gov)>; Lake County Community Development - Cannabis <[cannabis@lakecountyca.gov](mailto:cannabis@lakecountyca.gov)>  
**Subject:** Clarification for Outdoor Cultivation with Light-Deprivation and Mixed-light Cultivation

Hello Erin Wonder,

I am reaching out to you today in hopes of receiving clarification from your department for changes in regulation for mixed-light and outdoor cultivation. It is the County of Lake's interpretation that mixed-light cultivation includes the use of artificial light. Outdoor cultivation may incorporate light deprivation techniques as long as no artificial light is utilized. The DCC recognize full-sun canopy with hoops and similar structures utilizing light deprivation and no artificial light as outdoor canopy. Does the use of a permanent structure in which the cannabis is contained within determine whether the cannabis is mixed-light regardless of whether there is no artificial light utilized? Attached is the comment received from the DCC during the circulation of the Initial Study. Any insight you can provide would be appreciated.

**Description of Project:**

The applicant, Canna Factory, LLC ("Canna Factory", "Applicant") is requesting a Major Use Permit, UP 22-23, for commercial cannabis cultivation at 17900 Cantwell Ranch Road, Lower Lake (APN: 049-290-01), as described below:

- One (1) A-Type 3 Outdoor License: Outdoor cultivation in greenhouses for adult-use cannabis using light deprivation techniques and no use of artificial light, up to an acre per license. The applicant proposes 0.93 acres [40,500 square feet (sq. ft.)] of commercial cannabis canopy area within an approximately 1.96 acre-cultivation area (85,000 sq. ft.).
- One (1) Type 13 Distribution license

The Proposed Project ("Project") includes the development of facilities appurtenant to cultivation, including fifteen (15) 3,000 sq. ft. light-deprivation greenhouses within one fenced-in cultivation area, as shown in Figure 2, facilities for drying and curing of harvested cannabis, ancillary nursery, storage sheds, and appropriate irrigation infrastructure, including the following:

- Up to 40,500 sq. ft. of outdoor canopy area within a cultivation area of 85,000 sq. ft., within (15) 30'x100' greenhouses for light-deprivation cannabis cultivation with approximately 3-foot of aisleways. (Note no supplemental lighting is proposed).



Mary Claybon, MSML  
Assistant Planner II  
Community Development Department  
255 N. Forbes St.  
Lakeport, CA 95453  
Phone: (707) 263-2221  
Fax: (707) 263-2225  
Email: [Mary.Claybon@lakecountyca.gov](mailto:Mary.Claybon@lakecountyca.gov)

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error, please notify the sender immediately by telephone or by returning it by reply e-mail and then permanently deleting the communication from your system.



July 18, 2023

Mary Claybon, Assistant Planner II  
Lake County Community Development Department  
Courthouse – 255 North Forbes Street  
Lakeport, CA 95453  
CannabisCEQA@lakecountyca.gov

Re: Initial Study/Mitigated Negative Declaration for Canna Factory LLC; Major Use Permit UP 22-23, Initial Study IS 22-42 (SCH No. 2023060598)

Dear Ms. Claybon:

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

DCC has jurisdiction over the issuance of licenses to cultivate, propagate, and process commercial cannabis in California. DCC issues licenses to outdoor, indoor, and mixed-light cannabis cultivators, cannabis nurseries, cannabis processor facilities, and distribution facilities, where the local jurisdiction authorizes these activities. (Bus. & Prof. Code, § 26012(a).) All commercial cannabis businesses within California require a license from DCC. For more information pertaining to commercial cannabis business license requirements, including DCC regulations, please visit: <https://cannabis.ca.gov/cannabis-laws/dcc-regulations/>.

DCC expects to be a Responsible Agency for this project under the California Environmental Quality Act (CEQA) because the project will need to obtain one or more annual cultivation licenses from DCC. In order to ensure that the IS/MND is sufficient for DCC's needs at that time, DCC requests that a copy of the IS/MND, revised to respond to the comments provided in this letter, and a signed Notice of Determination be provided to the applicant, so the applicant can include them with the application package it submits to DCC. This should apply not only to this Proposed Project, but to all future CEQA documents related to cannabis cultivation applications in Lake County.

DCC offers the following comments concerning the IS/MND.

### **General Comments (GCs)**

#### ***GC 1: Proposed Project Description***

Certain comments provided in the specific comment table below relate to the need for additional detail regarding the description of the Proposed Project. In general, a more detailed project

description would be helpful to DCC. The following information would make the IS/MND more informative:

- 1) Description of the size and location of any existing natural features, such as vegetation, water features, and topography of the Proposed Project site;
- 2) Detailed description of existing and proposed infrastructure and operational activities that would occur within these facilities, as well as any other structures that may be existing or constructed as part of the Proposed Project; and
- 3) Detailed description of the 15 proposed greenhouses, including materials, surfaces, supplemental lighting, and assembly processes.

The IS/MND should include local street maps, topographic maps, aerial photographs, site plans, property diagrams, and/or other graphics to show the existing site conditions, the Proposed Project, and the surrounding area. The site plans that are provided in the IS/MND are not included at a resolution that would allow the reviewer to understand the general location and surrounding features, or to visualize the layout of existing and proposed features of the Project.

### ***GC 2: Acknowledgement of DCC Regulations***

The IS/MND does not acknowledge that the Proposed Project requires one or more cultivation licenses from DCC. The IS/MND could be improved if it acknowledged that DCC is responsible for licensing, regulation, and enforcement of commercial cultivation activities, as defined in the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) and DCC regulations related to cannabis cultivation (Bus. & Prof. Code, § 26102(a)).

Additionally, the IS/MND's analysis could benefit from discussion of the protections for environmental resources provided by DCC's cultivation regulations, similar to the discussion provided with regard to County regulations. In particular, the impact analysis for each of the following resource topics could be further supported by a discussion of the effects of state regulations on reducing the severity of impacts for each applicable topic:

- Aesthetics (See 4 California Code of Regulations §16304(a).)
- Air Quality and Greenhouse Gas Emissions (See §§ 15020(e); 16304(a)(4); 16305; 16306.)
- Biological Resources (See §§ 15006(i); 15011(a)(11); 16304(a).)
- Cultural Resources (See § 16304(a)(3).)
- Energy (See §§ 15006(h)(6); 15011(a)(5); 15020(e); 16305; 16306.)
- Hazards and Hazardous Materials (See §§ 15006(h)(5)(c); 15011(a)(4); 15011(a)(12); 16304(a)(5); 16307; 16310.)
- Hydrology and Water Quality (See §§ 15006(h); 15011(a)(3); 15011(a)(7); 15011(a)(11); 16304(a)(1); 16307; 16311.)
- Noise (See §§ 16304(a)(4); 16306.)
- Public Services (See §§15011(a)(10); 15036; 15042.)
- Utilities and Service Systems (See §§ 16311; 17223.)

- Wildfire (See § 15011(a)(10).)
- Cumulative Impacts (related to the above topics)

### ***GC 3: Impact Analysis***

Several comments provided in the specific comment table below relate to the absence of information or support for impact conclusions in the document. CEQA requires that Lead Agencies evaluate the environmental impacts of proposed projects and support factual conclusions with “substantial evidence.” Substantial evidence includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. In general, the IS/MND would be improved if additional evidence (e.g., regulatory setting, environmental setting, impact analysis and methodology) was provided to support all impact conclusions in the checklist, including clear identification of the sources of information relied upon to make conclusions.

### ***GC 4: Requirements for Mitigation Measures***

When a CEQA document identifies impacts that are potentially significant, CEQA requires the Lead Agency to propose mitigation measures, where feasible, that may avoid, reduce, and/or minimize these impacts. According to the CEQA Guidelines, mitigation measures must be practical, specific, enforceable, effective, and roughly proportional to project impacts. This requires a Lead Agency to clearly disclose potential impacts and be sufficiently specific about prescribed mitigation measures. In several instances throughout the document, mitigation measures are not sufficiently specific to establish how such measures would minimize significant adverse impacts resulting from Proposed Project activities.

### ***GC 5: Site-Specific Reports and Studies***

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

### ***GC 6: Evaluation of Cumulative Impacts***

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

- cumulative impacts from groundwater diversions on the health of the underlying aquifer, including impacts on other users and impacts on stream-related resources connected to the aquifer;
- cumulative impacts related to transportation;
- cumulative impacts related to noise; and

- cumulative impacts related to air quality and objectionable odors.

The IS/MND would be improved by acknowledging and analyzing the potential for cumulative impacts resulting from the Proposed Project along with other cannabis cultivation projects being processed by the County and any other reasonably foreseeable projects in Lake County that could contribute to cumulative impacts similar to those of the Proposed Project.

### **Specific Comments and Recommendations**

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

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<b>Comment No.</b>	<b>Section Nos.</b>	<b>Page No(s).</b>	<b>Resource Topic(s)</b>	<b>IS/MND Text</b>	<b>DCC Comments and Recommendations</b>
1	Project Description	3	Figure 1	N/A (General Comment)	Figure 1 would be improved if the vicinity map provided were at a resolution and orientation that would allow the reader to discern the location of the Proposed Project in relation to identified roadways and known drainageways.
2	Project Description	2	Description of Project	Outdoor cultivation in greenhouses for adult-use cannabis using light deprivation techniques and no use of artificial light, up to an acre per license.	Cultivation in greenhouses is considered “mixed-light” cultivation, according to DCC regulations. The document would be improved if it used accurate descriptions of cultivation activities. (Cal. Code Regs., tit. 4 § 15000(ss).)
3	Project Description	3	Figure 2	N/A (General Comment)	Figure 2 would be improved if the site plans provided were at a resolution and orientation that would allow the reader to discern the text and features depicted as well as existing and proposed facilities, staging areas, and other relevant features. In addition, the site plans should include additional detail regarding Proposed Project features, including cultivation locations and location of the water storage tanks and water cistern, as well as the location and relative distance of the wetlands and watercourses on the Proposed Project site. A separate figure showing environmental resources such as waterways, access routes,



Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
					and structures on surrounding properties would be useful as well.
4	Project Description	4	Site Description	Stream Crossing 1: STX-1 is located near the property entrance gate and drains all streams onsite southerly off the property. STX-1 is an existing 32"-diameter corrugated metal pipe and is properly sized, functioning, and in good condition. This culvert is under Cantwell Ranch Road, a multiple-ownership shared access road. This culvert was notified as an informational item to CDFW and was proposed to be maintained.	The text indicates this culvert will be maintained as part of the Project. The IS/MND would be more informative if it described maintenance activities as part of the project operations and evaluated such activities in the impact analysis.
5	Project Description	4	Site Description	Stream Crossing 2: STX-2 is located approximately 100 feet west STX-1. STX-2 is a 24"-diameter smooth steel pipe. According to the Notification, this culvert is undersized and should be replaced with a minimum 27"-diameter culvert. This was notified to CDFW as a Project.	The IS/MND indicates that the culvert at this stream crossing must be replaced; however, culvert replacement and repairs are not described nor evaluated in the impact analysis of this IS/MND. The document should clarify if this is part of the Project and update the project description and impact analysis as applicable. If the culvert replacement is not part of this Project, the document should describe how project operations may impact resources at this stream crossing

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
					(e.g., erosion, sediment, impacts to biological resources and/or habitat).
6	Project Description	4	Site Description	Stream Crossing 3: STX-3 drains a Class III ephemeral drainage under the project driveway. STX-3 is an existing 32"-diameter corrugated metal culvert and is adequately sized, however the outlet is a shotgun outlet that is causing erosion of the road fill and stream banks. The culvert outlet upgrade and armoring was notified to CDFW as a Project.	The IS/MND indicates that the culvert at this stream crossing must be replaced; however, culvert replacement and repairs are not described nor evaluated in the impact analysis of this IS/MND. The document should clarify if this is part of the Project and update the project description and impact analysis as applicable. If the culvert replacement is not part of this Project, the document should describe how project operations may impact resources at this stream crossing (e.g., erosion, sediment, impacts to biological resources and/or habitat).
7	Project Description	5	Site Description	Figure 3	Figure 3 would be improved if it included a legend describing the different colored lines on the figure. Also, the location of culvert repairs at stream crossings should be included.
8	Project Description	5	Site Description	All areas proposed for cultivation use or development (e.g., existing barn) are located outside of applicable stream setbacks as described in Article 27.11 (at) subsection 2.	The text notes a secondary document related to stream setbacks. For clarity, the document should add language describing the referenced document. In addition, the IS/MND would be improved if it added the reference to the source list and the document was made

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
					available as an appendix or attachment.
9	Project Description	6	Site Description	The well has a solar pump and/or PG&E powered pump with a maximum output of 4.5 gpm.	The document would be improved if it described whether the well pump was powered by solar power or by power from the grid.
10	Project Description	7	Construction Activities and Grading	N/A (General Comment)	The project description would be improved if it described all improvements to existing roads, driveways, and parking areas.
11	Project Description	8	Cultivation Operations	<p>According to the applicant’s Property Management Plan, the following erosion control measures will be followed:</p> <ul style="list-style-type: none"> <li>• Preserve existing vegetation where required and when feasible;</li> <li>• Apply temporary erosion control to exposed areas. Reapply as necessary to maintain effectiveness;</li> <li>• Implement temporary erosion control measures at regular intervals throughout the defined rainy season to achieve and maintain stability. Implement erosion control prior to the defined rainy season;</li> <li>• Control erosion in concentrated flow paths by</li> </ul>	This IS/MND would be more complete if identified or listed temporary erosion control measures were described and erosion control devices. Additionally, the Property Management Plan noted in the text should be added as an appendix.

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
				applying erosion control devices	
12	Project Description	8	Waste	The Project would include cannabis green waste (e.g., root balls, leaves, stems, etc.), non-cannabis green waste (e.g., spent soil, landscaping materials, etc.), non-recyclable waste (e.g., spent cultivation materials, non-recyclable containers, etc.), recyclables (e.g., cleaned fertilizer containers, recyclable plastic bags, etc.), and general domestic-related waste (e.g., food wrappers, other garbage generated from employees, etc.) would be produced by the Project. Trash and recycling would be taken off-site as needed.	This IS/MND would be more complete if it identified and listed the name and location of available land fill, recycling, and solid waste disposal facilities. The document would further be improved if it provided an estimate of the solid waste that would be produced by the Project.
13	Project Description	9	Required Permits	Replacement of an existing 24"-diameter culvert with a 27"-inch culvert on grade with the stream channel (STX-2), retrofitting of an existing stream crossing to remedy the shotgun culvert and armor the discharge to prevent erosion of the channel (STX-3) and installation of an 18"-diameter culvert at a stream crossing that previously obstructed the	This IS/MND would be more informative if the locations of culvert replacements were clearly identified in Figure 3 consistent with the text on page 4. (See Specific Comments 3-5.)

<b>Comment No.</b>	<b>Section Nos.</b>	<b>Page No(s).</b>	<b>Resource Topic(s)</b>	<b>IS/MND Text</b>	<b>DCC Comments and Recommendations</b>
				stream channel creating an impoundment (STX-4)	
14	Project Description	12	18. Other public agencies whose approval is required	N/A (General Comment)	The IS/MND would be more informative if it identified the permit(s) or approval(s) required from each of the agencies listed.  In addition, please take note that commercial cannabis regulation and licensing previously under the responsibility of the California Department of Food and Agriculture, the Bureau of Cannabis Control, and the Office of Manufactured Cannabis Safety have been consolidated into a new agency, the California Department of Cannabis Control.
15	Project Description	12	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?	Notification of the Project was sent to local tribes on February 23, 2023	The document would be improved if it contained a list of the tribes that were notified.
16	I(b)	16	Aesthetics	Cantwell Ranch Road is not identified as “Officially Designated” or an “Eligible State Scenic Highway-Not	The IS/MND would be strengthened if it indicated whether the Proposed Project was visible from any scenic highways or public viewpoints.

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
				Officially Designated” state scenic road or highway, nor is it identified in the Lower Lake Area Plan or the Lake County General Plan as a potential County scenic highway.	
17	I(c)	16	Aesthetics	The proposed use will not substantially degrade the existing visual character of the site or the quality of public views of the surrounding area as there are no additional major structures being proposed	The project description indicates the construction of 15 new 3,000 square foot greenhouse structures and a 6-8 foot security fence. The IS/MND would be improved if it described these structures in detail and provided an analysis of whether the new structures would have impacts on aesthetic resources.
18	I(d)	17	Aesthetics	No mixed-light cultivation is proposed, only outdoor (light-deprivation) cultivation techniques will be used.	Cultivation in greenhouses is considered “mixed-light” cultivation, according to DCC regulations. The document would be improved if it used accurate descriptions of cultivation activities. (Cal. Code Regs., tit. 4 § 15000(ss).)
19	I(d)	17	Aesthetics	N/A (General Comment)	The IS/MND would be strengthened if it referenced DCC’s requirements that lights used in mixed-light cultivation activities must be fully shielded from sunset to sunrise to avoid nighttime glare. The document could also cite DCC’s requirements that all outdoor lighting for security purposes must be shielded and

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
					downward facing. (Cal. Code Regs., tit. 4 §§ 16304(a)(6), 16304(a)(7)).
20	III(a)	21	Air Quality	The applicant has provided an Air Quality element to the property management plan that addresses air quality associated with the project.	The document would be improved if it identified specific components in the Property Management Plan that would address air quality and provided an analysis of how such elements would ensure that the Proposed Project would have a less-than-significant impact.
21	III(b)	22	Air Quality	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 <sub>2</sub> , SO <sub>2</sub> , NO <sub>x</sub> , O <sub>3</sub> , PM <sub>10</sub> , PM <sub>2.5</sub> , VOC, ROG, Pb).	The IS/MND would be improved by providing a description of applicable air quality standards, including BAAQMD thresholds of significance and LCAQMD Rules and Regulations; proposed equipment required for project operations (e.g., employee vehicles and supply trucks, road and vegetation maintenance equipment, cultivation equipment).
22	III(b)	22	Air Quality	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.	The IS/MND would be improved if it included the Air Quality Management Plan as an appendix.
23	III(b)	22-23	Air Quality	N/A (General Comment)	The document would be improved if it summarized or provided the inputs used to determine the emissions

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
					represented in the tables on pages 22-23.
24	III(b)	22	Air Quality	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.	From aerial photography, Cantwell Ranch Road appears to be a dirt road. The document would be strengthened if it provided a quantitative analysis of the PM2.5 and PM10 emissions that would be generated by site preparation and by vehicle travel on dirt and gravel roads during project operations. The analysis should also include an examination of potential cumulative impacts.
25	III(c)	24	Air Quality	AQ-1: Prior to obtaining the necessary permits and/or approvals for any phase, applicant shall contact the Lake County Air Quality Management District (LCAQMD) and obtain an Authority to Construct (A/C) permit for all operations and for any diesel-powered equipment and/or other equipment with potential for air emissions. Or provide proof that a permit is not needed.	Mitigation Measure AQ-1 would be strengthened if it included a description indicating what specific aspects about obtaining the permit would reduce exposure of sensitive receptors to air emissions.
26	III(c)	25	Air Quality	AQ-6: All areas subject to infrequent use of driveways, overflow parking, etc., shall be surfaced with gravel, chip seal,	Mitigation Measure AQ-6 would be strengthened if it stated what specific maintenance activities would be used to mitigate airborne



<b>Comment No.</b>	<b>Section Nos.</b>	<b>Page No(s).</b>	<b>Resource Topic(s)</b>	<b>IS/MND Text</b>	<b>DCC Comments and Recommendations</b>
				asphalt, or an equivalent all weather surfacing. Applicant shall regularly use and/or maintain graveled area to reduce fugitive dust generations.	dust emissions and how such mitigation would be enforced.
27	III(b)	25	Air Quality	AQ-7: The cultivation area will be surrounded by a fence during the application of pesticides in order to prevent off-site drift	Mitigation Measure AQ-7 would be strengthened if it included a description of the proposed fencing and explained how the fence would prevent pesticide drift.
28	III(d)	25	Air Quality	N/A (General Comment)	Outdoor cannabis cultivation activities typically produce odors, particularly during plant flowering cycles, that may adversely affect nearby sensitive receptors. The document should identify the type and location of nearby sensitive receptors that could be affected and provide an analysis, supported by data, of whether the Proposed Project operations would result in significant odor impacts. The analysis should also include a discussion of potential cumulative impacts.
29	IV(b)	30	Biological Resources	All proposed development is to occur on an existing flat grassy field that has historically been used as a yard and for livestock. Cultivation operations are not expected to	The Project Description indicates that several culverts at stream crossings will be replaced as part of the Proposed Project. If the culvert is not a part of the Project, the document would be improved if it

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				alter the hydrology of the parcels significantly. Erosion control measures to control erosion and sedimentation during construction and operation have been identified in the Property Management Plan. Measures include straw wattles, vegetated swales, and buffer strips	provided a detailed description of the existing conditions and an analysis of whether Proposed Project operations and maintenance would result in impacts to special-status species or sensitive habitats as a result of the condition of the existing culverts. If the culverts will be replaced as part of the Proposed Project, that information should be clearly stated and there should be an analysis of how and whether the culvert replacement would impact biological resources.
30	IV(b)	31	Biological Resources	BIO-3: All work shall incorporate erosion control measures consistent with the State Water Resources Control Board Order No. WQ 2019-001-DWQ.	Mitigation Measure BIO-3 would be strengthened if it listed or summarized the erosion control measures from the Order.
31	IV(b)	31	Biological Resources	The area proposed for development is an existing maintained yard/field that has been previously disturbed. No wetlands or vernal pools were identified in the BA. Additionally, per the National Wetlands Inventory Wetland Mapping, no wetlands are present within the proposed cultivation area. Mapped riverine habitat is located along the intermittent stream,	The Project Description indicates that two culverts at stream crossings in the project area will be construction. The IS/MND would be more informative if it indicated whether the culvert replacement locations have been evaluated for wetland or riparian resources and if those resources would be impacted by the Proposed Project.

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
				located greater than 150 feet away from proposed development.	
32	IV(d)	31	Biological Resources	Implementation of the Project will not 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.	The IS/MND would be strengthened if it identified the species that might use the Proposed Project site as a migration corridor, then provided an analysis, supported by data, that supports its conclusion that the Project would not interfere with the movement of migratory species.
33	V(a-c)	32	Cultural Resources	N/A General Comment	This resource topic contains three significance threshold questions (a, b, c) for consideration. The impact analysis only discusses two. The document would be improved if it revised this section to include an analysis of all three impact significance questions.
34	V(a)	33	Cultural Resources	Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	Question V(a) refers to adverse changes to historical resources. The text currently only discusses archaeological resources. The IS/MND would be improved if it included a discussion of potential impacts to historic resources was added and revised the analysis to align with questions a, b, and c. (See Specific Comment 33.)
35	VI(b)	35	Energy	According to the California Department of Cannabis Control's Title 4 Division 19	This IS/MND would be strengthened if it included a description and quantification of the operational

<b>Comment No.</b>	<b>Section Nos.</b>	<b>Page No(s).</b>	<b>Resource Topic(s)</b>	<b>IS/MND Text</b>	<b>DCC Comments and Recommendations</b>
				§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. Prior to obtaining a state license for cannabis cultivation, the applicant will comply with this requirement	energy needs of the Proposed Project.
36	VII(b)	36	Geology and Soils	No grading is proposed to prepare the Project site for cultivation. The project also includes the import of soil for other cultivation activities, and according to the Property Management Plan this would not involve any adverse effects on the potential for erosion or the loss of topsoil	Page 7 of the Project Description indicates that grading is required to prepare the site for cultivation operations. The proposed grading activities should be described and evaluated with respect to soil erosion and loss of topsoil.
37	VII(b)	37	Geology and Soils	GEO-3: The permit holder shall monitor the site during the rainy season (October 15 – May 15), including post-installation, application of BMPs, erosion control	Mitigation Measure GEO-3 would be improved if a description is added indicating what monitoring activities will be conducted as well a adding description of BMPs and erosion control maintenance to indicate how

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
				maintenance, and other improvements as needed.	the measure will reduce impacts related to erosion and loss of topsoil.
38	IX(b)	45	Hazards and Hazardous Materials	N/A (General Comment)	The IS/MND would be strengthened if it referenced DCC’s pesticide use requirements (Cal. Code Regs., tit. 4 § 16307.)
39	IX(A)	44	Hazards and Hazardous Materials	N/A (General Comment)	There is repeated reference to the Property Management Plan in this section. The document would be improved if this plan was included as an appendix for cross referencing.
40	X(a)	49	Hydrology and Water Quality	Compliance with this Order will ensure that cultivation operations will not significantly impact water resources by using a combination of BPTC measures, buffer zones, sediment and erosion controls, inspections and reporting, and regulatory oversight.	The IS/MND would be improved if BPTC measures identified in the General Order and other sediment/erosion control measures were identified and discussed in relation to reducing the impact to a less-than-significant level.
41	X(b)	54	Hydrology and Water Quality	N/A (General Comment)	Mitigation Measure HYD-2 is described in this subsection; however, there is no reference or description of a HYD-1 and it is not noted elsewhere in the analysis. The document should be corrected to include the appropriate numbering for mitigation measures.
42	X(e)	58	Hydrology and Water Quality	HYD-3: The applicant will adhere to the measures described in the Drought	The IS/MND would be more informative if described measures referenced in HYD-3 and provided

<b>Comment No.</b>	<b>Section Nos.</b>	<b>Page No(s).</b>	<b>Resource Topic(s)</b>	<b>IS/MND Text</b>	<b>DCC Comments and Recommendations</b>
				Management Plan during periods of a declared drought emergency.	the Drought Management Plan as an appendix.
43	XIII(a,b,c)	60	Noise	N/A (General Comment)	Questions b and c in the checklist are identical. This appears to be a typographical error as question c in the Appendix G checklist refers to proximity of the Project to private or public airstrips. The document would be improved if it contained the correct checklist questions.
44	XIII(a)	61	Noise	NOI-1: ...This mitigation does not apply to night work.	The document would be improved if it specified why the mitigation measure would not apply to night work.
45	XIII(a)	61	Noise	N/A (General Comment)	The document would be improved if it described the sources of noise (e.g., cultivation equipment, pumps, generators, operation and maintenance activities) expected to occur during Proposed Project operations, the levels of noise those sources are likely to generate, and how the decibel limits in Mitigation Measure NOI-2 would be met. In addition, the document should describe the location and distance of any sensitive receptors from the Project and whether noise impacts to those receptors would be potentially significant.

<b>Comment No.</b>	<b>Section Nos.</b>	<b>Page No(s).</b>	<b>Resource Topic(s)</b>	<b>IS/MND Text</b>	<b>DCC Comments and Recommendations</b>
46	XX(d)	73	Wildfire	The erosion mitigation measures and BMPs to be implemented will provide further stability on and around the Project site, and with no neighboring people or structures within range of downstream flooding or landslides, the impact will be less than significant impact with mitigation measure WDF-2 implemented.	The document would be improved if it specified what erosion mitigation measures and BMPs would be implemented. The mitigation measures noted in the Wildfire section do not refer to erosion control.
47	XXI(b)	74	Mandatory Findings of Significance (Cumulative Impacts)	N/A (General Comment)	The IS/MND would be more informative if it identified any other cannabis growing operations that exist or have been proposed in the vicinity of the Proposed Project, and whether the Proposed Project would make a considerable contribution to any cumulative impacts from these other projects. (See GC 6.)
48	N/A	75	Source List	N/A (General Comment)	The Source List would be improved if it provided additional information regarding some of the references. For referenced documents, the author, title, and date of each document should be provided. For personal communications, the agency or organization, person contacted, date of contact, and method of contact should be provided. For websites, the URL and date accessed should be provided.

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
					In addition, sources that are project-related studies could be made available via weblink or as attachments to the IS/MND.
49	N/A	75	Source List	N/A (General Comment)	Several plans noted in the body of the document are not included in the source list. These include the Property Management Plan, Drought Management Plan, Air Quality Report and the Major Use Permit Application. The IS/MND would be improved if these plans were included in the Source List and provided as appendices or attachments for DCC review.



## Conclusion

DCC appreciates the opportunity to provide comments on the IS/MND for the Proposed Project. If you have any questions about our comments or wish to discuss them, please contact Kevin Ponce, Senior Environmental Scientist Supervisor, at (916) 247-1659 or via e-mail at [Kevin.Ponce@cannabis.ca.gov](mailto:Kevin.Ponce@cannabis.ca.gov).

Sincerely,

Lindsay Rains  
Licensing Program Manager

---

## Central Valley Regional Water Quality Control Board

14 July 2023

Mary Claybon  
County of Lake  
255 North Forbes Street  
Lakeport, CA 95453  
[mary.claybon@lakecountyca.gov](mailto:mary.claybon@lakecountyca.gov)

### **COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, UP 22-23 CANNA FACTORY, LLC PROJECT, SCH#2023060598, LAKE COUNTY**

Pursuant to the State Clearinghouse's 22 June 2023 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the UP 22-23 Canna Factory, LLC Project, located in Lake County.

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

#### **I. Regulatory Setting**

##### **Basin Plan**

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

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

Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

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

### **Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/sacsjr\\_2018\\_05.pdf](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf)

In part it states:

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

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

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

## **II. Permitting Requirements**

### **Cannabis General Order**

Cannabis cultivation operations are required to obtain coverage under the State Water Resources Control Board's *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities Order No. WQ 2017-0023-DWQ* (the Cannabis General Order). Cultivators that divert and store surface water (stream, lake, subterranean stream, etc.) to irrigate cannabis also need a valid water right.

The Water Boards Cannabis Cultivation Programs offer an easy to use online Portal for cultivators to apply for both Cannabis General Order coverage and a Cannabis Small Irrigation Use Registration (SIUR) water right, if needed. Visit the Water Boards Cannabis Cultivation Programs Portal at:

<https://public2.waterboards.ca.gov/CGO>

Additional information about the Cannabis General Order, Cannabis SIUR Program, and Portal can be found at: [www.waterboards.ca.gov/cannabis](http://www.waterboards.ca.gov/cannabis)

For questions about the Cannabis General Order, please contact the Central Valley Water Board's Cannabis Permitting and Compliance Unit at: [centralvalleysacramento@waterboards.ca.gov](mailto:centralvalleysacramento@waterboards.ca.gov) or (916) 464-3291. For questions about Water Rights (Cannabis SIUR), please contact the State Water Board's Division of Water Rights at: [CannabisReg@waterboards.ca.gov](mailto:CannabisReg@waterboards.ca.gov) or (916) 319-9427.

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

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

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

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

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

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

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

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/water\\_quality\\_certification/](https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/)

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

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: [https://www.waterboards.ca.gov/centralvalley/water\\_issues/waste\\_to\\_surface\\_water/](https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/)

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at: [https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2004/wqo/wqo2004-0004.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf)

#### **Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at: [http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at: [https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2018-0085.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf)

#### **Limited Threat General NPDES Permit**

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of

Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2016-0076-01.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf)

**NPDES Permit**

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

*Peter Minkel*

Peter Minkel  
Engineering Geologist

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

## Mary Claybon

---

**From:** Northwest Information Center <nwic@sonoma.edu>  
**Sent:** Monday, February 27, 2023 11:12 AM  
**To:** Lake County Cannabis Agency Review  
**Subject:** [EXTERNAL] Re: Request for Review for Sufficiency: UP 22-23 Canna Factory

Thank you for your UP 22-23; IS 22-42 request, we have added it to our queue and will be in touch if questions arise.

**Your file has been assigned NWIC 22-1318**

Contact our office referencing this number for any further questions or concerns regarding this project.

Thanks,  
Claire Shudde  
Northwest Information Center  
1400 Valley House Dr., Suite 210, Rohnert Park, CA 94928  
[nwic@sonoma.edu](mailto:nwic@sonoma.edu)  
[nwic.sonoma.edu](http://nwic.sonoma.edu)

On Thu, Feb 23, 2023 at 2:33 PM Lake County Cannabis Agency Review <[CannabisAgencyReview@lakecountyca.gov](mailto:CannabisAgencyReview@lakecountyca.gov)> wrote:

Hello Fellow Agencies,

This email is a request for review for a commercial cannabis cultivation project as referenced above. Due to the size of the attachments I have utilized this file share system and the attachments will be located below for download.

Please advise us if additional information is needed, which permits are required from your agency (if any), and of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than March 9, 2023. Please email your comments to [CannabisAgencyReview@lakecountyca.gov](mailto:CannabisAgencyReview@lakecountyca.gov) or mail them to the address listed in the letterhead above.

Please note- all comments must be received, even if your comment is, "no comment."

Sincerely,

Mary Claybon  
Assistant Planner II  
Community Development Department

---

### Files attached to this message

Filename	Size	Checksum (SHA256)
RFR UP 22-23.pdf	213 KB	a0c316c684a8c744f975be83d907d0b0e84341523abc91290a8f54a46660f702

Filename	Size	Checksum (SHA256)
Hydro & DMP.pdf	5.71 MB	1acb23918dc2400b1a362e6a5d41b8dd757124da23f56f59bbd57ce656b0c39d
Site Plans 17900 CANTWELL RANCH-MUP Updated May 2022.pdf	5.19 MB	0e32cbb201e9319434ca54ad19e501cfcc87d76eb10e96f6f8bde4569a0f9ed8
Canna Factory_PMP_220527.pdf	8.6 MB	bb5154bf886d9a7fd42b4627deab0544abcabecebd88760a3656a73228f15a4d
Canna Factory_Project Description_220527.pdf	284 KB	120cacd3d985038ced63aa1e3adce2c3f1a20209be2ac17a4400df4aeb29b580

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This email or download link can be forwarded to anyone.

The attachments are available until: **Saturday, 25 March.**

Message ID: kpsKr11Xs9RIQ72Y4CRAT1

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## Mary Claybon

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**From:** William Collins  
**Sent:** Monday, February 27, 2023 9:33 AM  
**To:** Lake County Cannabis Agency Review  
**Subject:** RE: Request for Review for Sufficiency: UP 22-23 Canna Factory

Any structure that Cannabis is processed in such as removing leaves or stem, packaging in bins for further processing or for sales and drying will need to be designed as a F1 occupancy.

PRC 4290 access will be required.

Accessibility compliance with 2022 CBC chapter 11B will be required for any processing facilities as well as restroom requirements of the 2022 CPC.

Sincerely

**Bill Collins, CBO, CASp**  
**Chief Building Official**  
County of Lake  
255 N. Forbes St.  
Lakeport, CA 95453  
707-263-2221 ex 38123 (Office)  
[william.collins@lakecountyca.gov](mailto:william.collins@lakecountyca.gov)



---

**From:** Lake County Cannabis Agency Review [mailto:CannabisAgencyReview@lakecountyca.gov]  
**Sent:** Thursday, February 23, 2023 2:33 PM  
**To:** Katherine Vanderwall <Katherine.Vanderwall@lakecountyca.gov>; Elizabeth Knight <elizabethk@lcaqmd.net>; William Collins <William.Collins@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; John Everett <John.Everett@lakecountyca.gov>; Katie Carpenter <Katie.Carpenter@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Vance Ricks <Vance.Ricks@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; mike.wink@fire.ca.gov; PGEPlanReview@pge.com; R2CEQA@wildlife.ca.gov; jesse.robertson@dot.ca.gov; Janae.Fried@Waterboards.ca.gov; Jason.Schroeder@Waterboards.ca.gov; nwic@sonoma.edu; localverification@cannabis.ca.gov; Laura Hall <Laura.Hall@lakecountyca.gov>; Ryan\_olah@fws.gov; llcag@hotmail.com; mathtownhall@gmail.com; Rvineyards@sonic.net  
**Cc:** Rex.Jackman@dot.ca.gov; jacob.rightnar@dot.ca.gov; debsal14@gmail.com; mrsnelsanders@gmail.com;

raeebycarl@hotmail.com; deanie82@sbcglobal.net; timchiara@hotmail.com; maacamax@att.net; vbrandon95457@gmail.com; pkicenski77@gmail.com; roberta.lyons@att.net; redbud.audubon@gmail.com; donnammackiewicz@gmail.com; Moke Simon <Moke.Simon@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>

**Subject:** Request for Review for Sufficiency: UP 22-23 Canna Factory

Hello Fellow Agencies,

This email is a request for review for a commercial cannabis cultivation project as referenced above. Due to the size of the attachments I have utilized this file share system and the attachments will be located below for download.

Please advise us if additional information is needed, which permits are required from your agency (if any), and of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than March 9, 2023. Please email your comments to [CannabisAgencyReview@lakecountyca.gov](mailto:CannabisAgencyReview@lakecountyca.gov) or mail them to the address listed in the letterhead above.

Please note- all comments must be received, even if your comment is, "no comment."

Sincerely,

Mary Claybon  
Assistant Planner II  
Community Development Department

---

## Files attached to this message

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Site Plans 17900 CANTWELL RANCH- MUP Updated May 2022.pdf	5.19 MB	0e32cbb201e9319434ca54ad19e501cfcc87d76eb10e96f6f8bde4569a0f9ed8
Canna Factory_PMP_220527.pdf	8.6 MB	bb5154bf886d9a7fd42b4627deab0544abcabecebd88760a3656a73228f15a4d
Canna Factory_Project Description_220527.pdf	284 KB	120cacd3d985038ced63aa1e3adce2c3f1a20209be2ac17a4400df4aeb29b580

Please click on the following link to download the attachments:  
<https://filetransfer.co.lake.ca.us/message/kpsKr11Xs9RIQ72Y4CRAT1>

This email or download link can be forwarded to anyone.

The attachments are available until: **Saturday, 25 March.**

Message ID: kpsKr11Xs9RIQ72Y4CRAT1





## Mary Claybon

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**From:** Katherine Vanderwall  
**Sent:** Thursday, March 9, 2023 3:44 PM  
**To:** Lake County Cannabis Agency Review  
**Subject:** UP 22-23

The applicant will need to obtain a Private Applicator Certificate and Operator ID from the Ag Department prior to the purchase and use of any pesticides, including organic pesticides. The applicant will also need to comply with pesticide worker safety laws/regulations, recordkeeping and reporting requirements.

*Katherine VanDerWall*

*Agricultural Commissioner/Sealer of Weights & Measures  
Lake County Department of Agriculture/Weights & Measures  
883 Lakeport Blvd  
Lakeport, CA 95453  
(707) 263-0217*

## Mary Claybon

---

**From:** Lori Baca  
**Sent:** Tuesday, February 28, 2023 9:41 AM  
**To:** Lake County Cannabis Agency Review  
**Subject:** RE: Request for Review for Sufficiency: UP 22-23 Canna Factory

Good Morning!

Parcel 049-290-010 is outside of any Special Districts service area, no impact.

Have a wonderful day!

## Lori A. Baca

**Customer Service Supervisor**

[Lori.Baca@lakecountyca.gov](mailto:Lori.Baca@lakecountyca.gov)

**Office Number** (707) 263-0119

**Fax** (707) 263-3836



---

**From:** Lake County Cannabis Agency Review [mailto:CannabisAgencyReview@lakecountyca.gov]  
**Sent:** Thursday, February 23, 2023 2:33 PM  
**To:** Katherine Vanderwall <Katherine.Vanderwall@lakecountyca.gov>; Elizabeth Knight <elizabethk@lcaqmd.net>; William Collins <William.Collins@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; John Everett <John.Everett@lakecountyca.gov>; Katie Carpenter <Katie.Carpenter@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Vance Ricks <Vance.Ricks@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; mike.wink@fire.ca.gov; PGEPlanReview@pge.com; R2CEQA@wildlife.ca.gov; jesse.robertson@dot.ca.gov; Janae.Fried@Waterboards.ca.gov; Jason.Schroeder@Waterboards.ca.gov; nwic@sonoma.edu; localverification@cannabis.ca.gov; Laura Hall <Laura.Hall@lakecountyca.gov>; Ryan\_olah@fws.gov; llcag@hotmail.com; mathtownhall@gmail.com; Rvineyards@sonic.net  
**Cc:** Rex.Jackman@dot.ca.gov; jacob.rightnar@dot.ca.gov; debsal14@gmail.com; mrsnelsanders@gmail.com; raebycarl@hotmail.com; deanie82@sbcglobal.net; timchiara@hotmail.com; maacamax@att.net; vbrandon95457@gmail.com; pkicenski77@gmail.com; roberta.lyons@att.net; redbud.audubon@gmail.com; donnammackiewicz@gmail.com; Moke Simon <Moke.Simon@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>  
**Subject:** Request for Review for Sufficiency: UP 22-23 Canna Factory

Hello Fellow Agencies,

This email is a request for review for a commercial cannabis cultivation project as referenced above. Due to the size of the attachments I have utilized this file share system and the attachments will be located below for download.

Please advise us if additional information is needed, which permits are required from your agency (if any), and of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than March 9, 2023. Please email your comments to [CannabisAgencyReview@lakecountyca.gov](mailto:CannabisAgencyReview@lakecountyca.gov) or mail them to the address listed in the letterhead above.

Please note- all comments must be received, even if your comment is, "no comment."

Sincerely,

Mary Claybon  
Assistant Planner II  
Community Development Department

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## Files attached to this message

Filename	Size	Checksum (SHA256)
RFR UP 22-23.pdf	213 KB	a0c316c684a8c744f975be83d907d0b0e84341523abc91290a8f54a46660f702
Hydro & DMP.pdf	5.71 MB	1acb23918dc2400b1a362e6a5d41b8dd757124da23f56f59bbd57ce656b0c39d
Site Plans 17900 CANTWELL RANCH- MUP Updated May 2022.pdf	5.19 MB	0e32cbb201e9319434ca54ad19e501cfcc87d76eb10e96f6f8bde4569a0f9ed8
Canna Factory_PMP_220527.pdf	8.6 MB	bb5154bf886d9a7fd42b4627deab0544abcabecebd88760a3656a73228f15a4d
Canna Factory_Project Description_220527.pdf	284 KB	120cacd3d985038ced63aa1e3adce2c3f1a20209be2ac17a4400df4aeb29b580

Please click on the following link to download the attachments:  
<https://filetransfer.co.lake.ca.us/message/kpsKr11Xs9RIQ72Y4CRAT1>  
This email or download link can be forwarded to anyone.

The attachments are available until: **Saturday, 25 March.**

Message ID: kpsKr11Xs9RIQ72Y4CRAT1

[Download Files](#)

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County of Lake Secure File Transfer — Secure File Transfer System: <https://filetransfer.co.lake.ca.us>

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SAN BENITO  
SAN FRANCISCO  
SAN MATEO  
SANTA CLARA  
SANTA CRUZ  
SOLANO  
SONOMA  
YOLO

**Northwest Information Center**  
Sonoma State University  
1400 Valley House Drive, Suite 210  
Rohnert Park, California 94928-3609  
Tel: 707.588.8455  
nwic@sonoma.edu  
<https://nwic.sonoma.edu>

March 9, 2023

File No.: 22-1318

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

re: UP 22-23; IS 22-42 / APN 049-290-01 / Canna Farms, Avetis Manjikian and MAVS Group

Dear Mary Claybon,

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

**Project Description:**

Two (2) A – Type 3B “Mixed-light”: Cultivation for adult use cannabis in a greenhouse, glasshouse, conservatory, hothouse, or other similar structure using light deprivation and/or artificial lighting below a rate of 25 watts per square foot between 10,001 and 22,000 square feet, inclusive, of total canopy size on one premises. One (1) Type 13: “Cannabis Distributor Transport Only, Self-distribution”: The transport of cannabis goods between entities licensed pursuant to California Code. According to the applicant’s application package, the proposed project will include the following:

Mixed-light Cultivation: 40,500 sq. ft. of mixed light canopy area within a cultivation area of 85,000 sq. ft. in above ground raised garden beds of containers (smart pots).

Proposed Structures: Fifteen (15) greenhouses measuring 100’Lx30’Wx12’H, ten (10) 5,000 gallon water tanks, security fence around the cultivation area, 6-8 ft. high wire fences, constructed of heavy gauge wire fence (or similar), with a steel gate and padlocks, waterproof storage shed/Conex container or similar for storage of chemicals and hand tools, parking, portable restrooms with hand washing stations, and trash enclosures will be provided within or adjacent to the fenced cultivation area.

**Previous Studies:**

XX Study #55054 (Parker 2021), covering approximately 100% of the proposed project area, identified no cultural resources (see recommendation below).

**Archaeological and Native American Resources Recommendations:**

XX Based on the results of the Parker (2021) report, the proposed project area has a low possibility of containing unrecorded archaeological site(s). Therefore, no further study for archaeological resources is

recommended. If archaeological resources are encountered during construction, work should be temporarily halted in the vicinity of the discovered materials and workers should avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations.

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

\_\_\_ The proposed project area has a low possibility of containing unrecorded archaeological site(s). Therefore, no further study for archaeological resources is recommended.

**Built Environment Recommendations:**

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

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the California Historical Resources Information System (CHRIS) Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

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

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

Sincerely,



Bryan Much  
Coordinator





February 28, 2023

County of Lake  
Cannabis Agency  
255 N Forbes St  
Lakeport, CA 95453

Re: UP 22-23

Dear Lake County Cannabis Agency,

Thank you for providing PG&E the opportunity to review the proposed plans for UP 22-23 dated 2/23/2023. Our review indicates the proposed improvements do not appear to directly interfere with existing PG&E facilities or impact our easement rights.

Please note this is our preliminary review and PG&E reserves the right for additional future review as needed. This letter shall not in any way alter, modify, or terminate any provision of any existing easement rights. If there are subsequent modifications made to the design, we ask that you resubmit the plans to the email address listed below.

If the project requires PG&E gas or electrical service in the future, please continue to work with PG&E's Service Planning department: <https://www.pge.com/cco/>.

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding our response, please contact the PG&E Plan Review Team at [pgeplanreview@pge.com](mailto:pgeplanreview@pge.com).

Sincerely,

PG&E Plan Review Team  
Land Management