



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

January 30, 2025

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
ENVIRONMENTAL CHECKLIST FORM
INITIAL STUDY (UP 24-01, IS 24-01)**

1. Project Title: MIT Farms
2. Permit Numbers: Major Use Permit UP 24-01
Initial Study IS 24-01
3. Lead Agency Name and Address: County of Lake
Community Development Department
Courthouse, 3rd Floor, 255 North Forbes Street
Lakeport, CA 95453
4. Contact Person: Trish Turner, Assistant Planner II
(707) 263-2221
5. Project Location(s): 22368 & 22430 Jerusalem Grade,
Middletown, CA
APNs: 136-071-02 and 136-071-03
6. Project Name & Address: MIT Farms, LLC
344 North Rios Avenue
Solana Beach, CA 92075
7. General Plan Designation: Rural Lands
8. Zoning: RL – Rural Lands
9. Supervisor District: District 1
10. Flood Zone: "D": Areas of undetermined, but possible, flood hazard risk
11. Slope: The proposed cultivation sites are relatively flat with some moderately sloped areas, overall ranging from 0 to 20 percent
12. Fire Hazard Severity Zone: California State Responsibility Area (Calfire):
High Risk; Very High Risk
13. Earthquake Fault Zone: None
14. Dam Failure Inundation Area: Not located within Dam Failure Inundation Area
15. Parcel Size: 16.61 and 20.66 Acres; 37.27 Total Acres

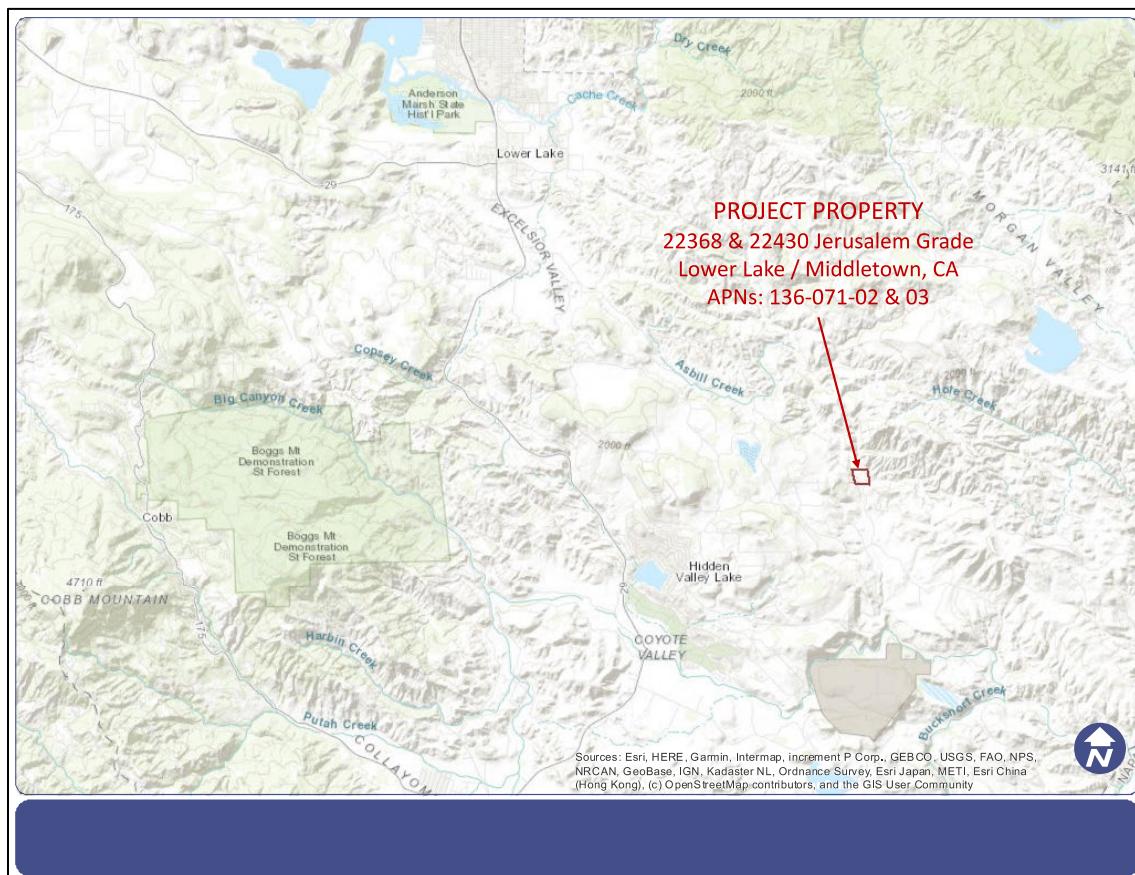
16. Description of project:

The applicant, MIT Farms, LLC, is requesting discretionary approval from the County of Lake for a Major Use Permit (UP 24-01), for commercial cannabis cultivation at 22368 and 22430 Jerusalem Grade, Middletown CA (APNs: 136-071-02 & 03), as described below:

One (1) A-Type 3 "Medium Outdoor" License: Outdoor cultivation for adult-use cannabis under direct sunlight. The applicant proposes 0.97 acres [42,066 square feet (sq. ft.)] of commercial cannabis canopy within three fenced outdoor cultivation areas totaling approximately 1.77 acres (77,102 sq. ft.).

One (1) A-Type 13 Self-distribution License: In the "RL" zoning district the Type 13 Distributor Only, Self-distribution State licenses are an accessory use to an active cannabis cultivation or cannabis manufacturing license site with a valid minor or major use permit. Per Article 27 Section 11 (ay), the parcel where the distributor transport only, self-distribution license is issued shall front and have direct access to a State or County maintained road or an access easement to such a road, the permittee shall not transport any cannabis product that was not cultivated by the permittee, and all non-transport related distribution activities shall occur within a locked structure. All guidelines for Distributor Transport Only License from the California Department of Cannabis Control's Title 4, Division 19, Chapter, as described in §15315, must be followed.

Figure 1. Vicinity Map



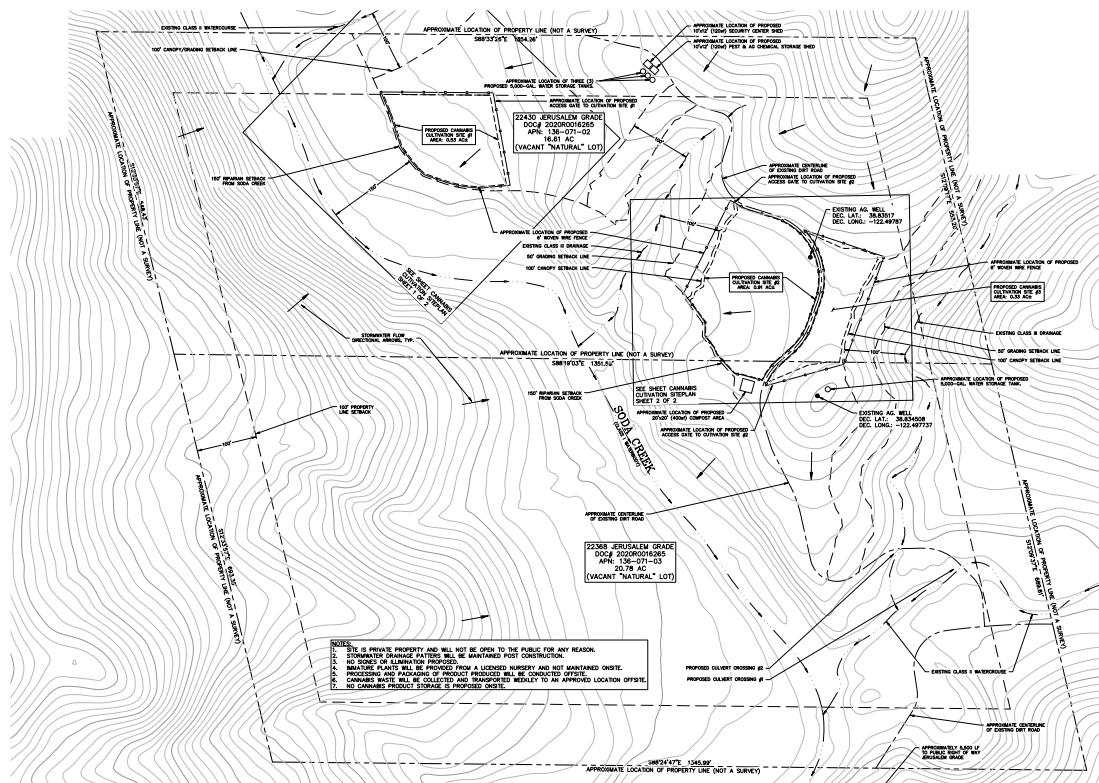
Source: MIT Farms Submitted Material, 2024

The proposed canopy areas would be located within three fenced-in cultivation areas: Proposed Cannabis Cultivation Site #1 (0.53 acres), Proposed Cannabis Cultivation Site #2 (0.91 acres), and Proposed Cannabis Cultivation Site #3 (0.33 acres), as shown in Figure 2. Mature plants will be grown outdoors within the three fenced-in cultivation areas and will occur using direct sunlight in above ground garden beds. Grading and vegetation removal will be required to create terraces on which the proposed canopy areas will be located. Living trees with a diameter of six (6) inches or greater at breast height (6-inch DBA) will not be removed.

The project proposes the following:

- Up to 42,066 sq. ft. (0.97 acres) of cannabis canopy within three (3) fenced outdoor cultivation areas
- Three 5,000-gallon water storage tanks
- Two 120 sq. ft. wooden storage sheds
- Two existing onsite permitted groundwater wells and
- 4 employee parking spaces, including 1 ADA space
- One 5,000-gallon water storage tank made of steel or fiberglass dedicated to fire suppression

Figure 2. Proposed Conditions Overall Site Plan



Source: *MIT Farms* Submitted Material, 2024

Chemical Storage

According to the applicant's Property Management Plan (Attachment 1), fertilizers and pesticides will be stored within a 120 sq. ft. stormproof storage shed. All solid waste will be kept in a secured area and regularly removed to be disposed of at waste disposal facility. Any plant waste will be chipped/mulched and spread around the cultivation area or composted on site within an approximately 400 sq. ft. compost area and reused as soil amendment.

Water Use

Water for the cultivation activities will be supplied from two existing onsite groundwater wells. One of the existing onsite groundwater wells (Site Well #1) was drilled in 2016 to a depth of 198 feet and has a yield of approximately 5 gallons per minute (gpm). The other existing onsite groundwater well (Site Well #2) was drilled in 2023 to a depth of 201 feet and has a yield of approximately 25 gpm. A 6-hour well-yield test was conducted on November 26, 2023, of Site Well #2. The initial static water level was 21.33 feet below the top of the well casing prior to the start of the well yield test. The water level within the well stabilized at 74.83 feet below the top of the well casing for the last 130 minutes of the 6-hour well yield test, while the well was pumped at 25 gpm. Site Well #1 will only be used as a backup water source.

Well water will be pumped into four (4) 5,000-gallon water storage tanks and transferred to the cultivation areas using polyvinyl chloride (PVC) piping. Irrigation water will be delivered to the canopy areas using black poly tubing and drip tape. According to the applicant's Hydrogeologic Assessment Report, the peak daily water demand for the proposed cultivation operation would be approximately 4,785 gallons per day (occurring in August and September), with an average daily water demand of 3,045 gallons per day over a 210-day growing season (May through November). The estimated annual water demand for the proposed cultivation operation is 639,669 gallons (1.96 acre-feet).

Figure 3. Proposed Monthly Water Use

May	June	July	August	September	October	November
32,000	65,000	114,000	143,000	146,000	97,000	32,544

Source: MIT Farms Submitted Material, 2024

Figure 4. Well Completion Report

APN/ Well Number	Well install/ Test Year	Distance to Site Well 1 (Feet)	Surface Elevation (Feet)	Total Well Depth (Feet)	Screen Interval (Feet)	Total Screen Thickness (Feet)	Well Yield (GPM)	Drawdown (Feet)	Specific Capacity	Aquifer Material	Map ID
136-071-03/ e0314964	2016	NA	1017	198	138-198	60	5	180	0.02	Gray Sandstone, and shale	Site Well #1
136-071-02/ 18727	2023	203	1036	201	61-161 181-201	120	25(a)	53.5(a)	0.47	Green clay, Serpentine, shale, ash Basalt	Site Well #2
136-071-06/ 014311	2018	2,140	1058	300	180-300	120	10	155	0.64	Shale, Serpentine	3
136-071-06/ 006017	2018	2,230	1058	136	40-136	94	10	104	0.096	Serpentine, ash, cobbles and shale	4
Average Well Total Depth = 209 ft bgs				Average Well Screen Thickness = 98 ft				Average Well Specific Capacity = 0.3			
a) Well yield data from aquifer testing on 11/26/2023 and not from well completion report. NA – Not Available											

Source: MIT Farms Submitted Material, 2024

Power

Individual photovoltaic solar panels will be used to power the security cameras and lights around the proposed cultivation operation. Roof-mounted solar panels will be used to power the monitoring and recording station of the proposed Security Center/Shed. A solar array installed on a portable trailer bed that can be moved around the cultivation area as needed, will be used to power the water pumps of the proposed cultivation operation.

Cultivation Operations

Operations will occur up to seven days per week from April 15th through November 15th, with cultivation occurring between May or June through October. The operation hours will be Monday through Sunday during daylight hours from approximately 6:00 a.m. to 10:00 p.m. The Lake County Zoning Ordinance restricts deliveries and pickups from 9:00 a.m. to 7:00 p.m., Monday through Saturday, and Sunday from 12 noon to 5:00 p.m. Once operational, the proposed project would staff approximately two (2) full-time employees and two (2) to three (3) seasonal employees for planting and harvesting.

The Project Property and proposed cultivation areas are accessed via a private gravel road off of Jerusalem Grade. Daily traffic commutes during regular operations would be approximately two (2) to four (4) trips during regular operations and up to ten (10) trips during the peak harvest season. Weekly truck deliveries of various project-related materials would occur throughout the cultivation season.

The cultivation areas will be surrounded with 6-foot deer fencing, with access using metal gates at each cultivation area, secured by padlocks. Security cameras will be installed around the perimeters of the cultivation areas and at other points of access in compliance with the Lake County Zoning Ordinance.

Trip Generation

Daily commutes during operations would be approximately four (4) trips during regular operations, and up to eight (8) trips during peak season planting and harvesting periods. Weekly

truck deliveries and pickups of various project-related materials would occur throughout the cultivation season, averaging one a day.

Secured Entry and Access

The Project Property is accessed via a shared private gravel access road from Jerusalem Grade. The proposed cultivation areas and ancillary facilities will be accessed via private gravel roads from the shared private gravel access road. Locking metal gates across the private gravel access roads will control access to the proposed cultivation operation. These gates will be closed and locked outside of core operating/business hours (8:00 a.m. to 6:00 p.m.) and when managerial personnel are not present. 6-foot woven wire fences will be erected around the proposed cultivation areas. Privacy Screen/Cloth will be installed on the fences where necessary to screen the cultivation area from public view. Motion-sensing alarms and security lights will be installed at the metal gates controlling access to the proposed cultivation operation, to alert personnel when someone/something has entered onto the premises. Motion-sensing security lights will be installed on all external corners of the proposed cultivation areas. All lighting will be fully shielded, downward casting and will not spill over onto other properties or the night sky. Security cameras will be installed around the perimeters of the cultivation areas and at other points of access in compliance with the Lake County Zoning Ordinance.

Ground Disturbance and Grading

Soils of the Project Property are identified as the Maymen-Millsholm-Bressa complex, Millsholm-Bressa loams, and Skyhigh-Millsholm loams by the NRCS Web Soil Survey. The proposed cultivation areas and ancillary facilities would be located on soils identified as the Maymen- Millsholm-Bressa complex and Millsholm-Bressa loams, characterized as gravelly clay loams with a parent material of residuum weathered from sedimentary rock. No serpentine soils are present on-site.

Development of the proposed cultivation/canopy areas would require some grading, disturbing approximately 2 acres and the movement of approximately 200 cubic yards of earthen material (as outlined below). The proposed cultivation operation would increase the impervious surface area of the Project Property by approximately 1,000 sq.ft. through the installation of two 120 sq.ft. wooden buildings and four 5,000-gallon water storage tanks. The proposed outdoor cultivation/canopy areas would not increase the impervious surface area of the Project Parcel and should not increase the volume of runoff from the Project Site. The proposed parking lot will have a permeable gravel surface, and the proposed ADA parking space will be constructed of permeable pavers. Please see the Cannabis Cultivation Site Plans (Attachment 1) for grading plans and profiles as well as the proposed erosion control measures (fiber rolls). A Complex Grading Permit will be required, in accordance with Chapter 30 of the Lake County Municipal Code.

Culverts

There are two existing “dry ford” (temporary manmade) watercourse crossings on the shared private gravel access road in the southeastern corner of the Project Property. The applicant plans to improve the existing dry ford crossings with culverted watercourse crossings capable of passing the expected 100-year flood flow at each. A 36” diameter round culvert with native fill and rock armoring would be installed at the unnamed ephemeral Class III watercourse crossing. A 12-foot wide and 5-foot-tall box culvert with native fill, rock armoring, and concrete wing walls would be installed at the unnamed intermittent Class II watercourse crossing. According to the Grading Plans, the total disturbed area for the culverts would be approximately 5,928 sq.ft. The applicant will need to obtain and comply with the Lake County Grading Ordinance, as well as a Lake or Streambed Alteration Agreement (LSA) from the

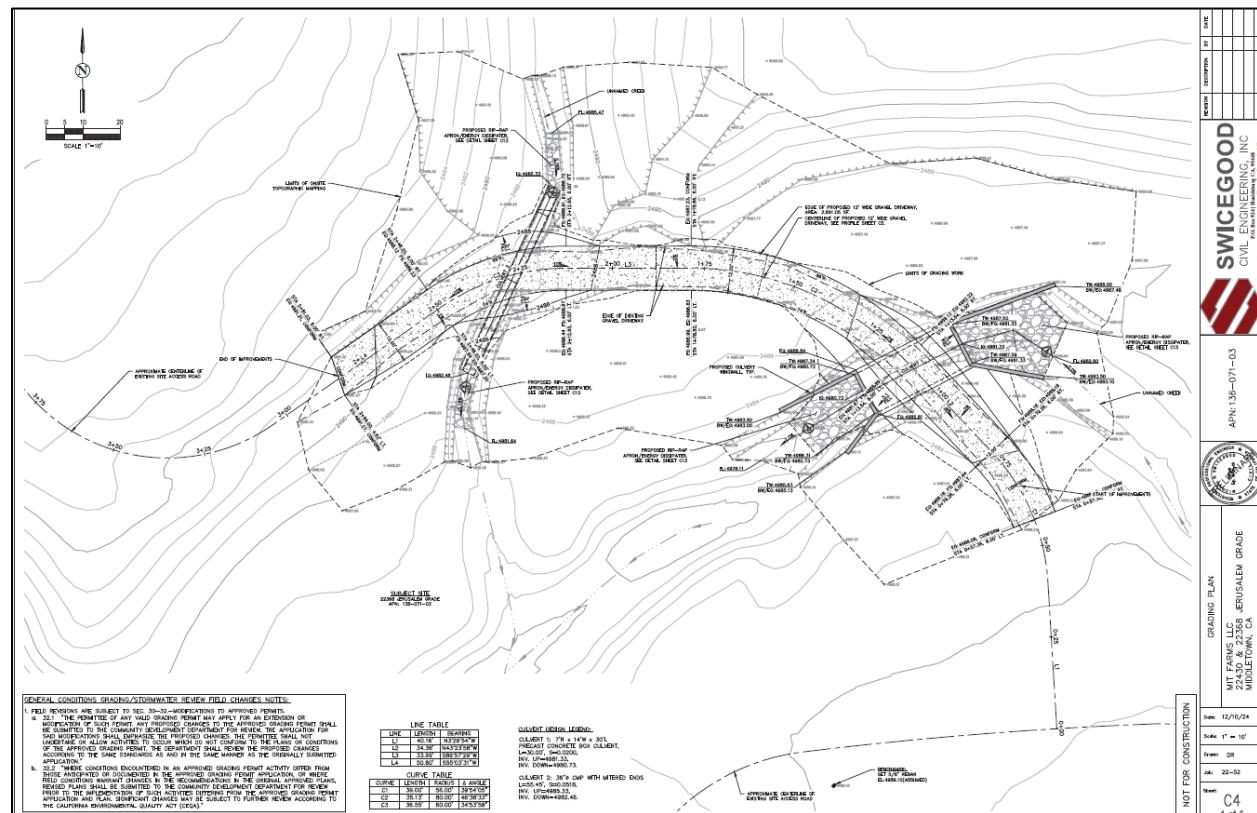
California Department of Fish and Wildlife (CDFW) for the work to improve the existing crossings.

Erosion and Sediment Control Measures

Established vegetation within and around the proposed cultivation operation will be maintained/protected to the extent possible, as a permanent erosion and sediment control measure. All structures and cultivation areas will be located more than 100 feet from the nearest surface water bodies, and stormwater runoff from the structures and cultivation areas will be discharged to the well-vegetated buffers surrounding the proposed cultivation operation to filter and/or remove any sediment, nutrients, and/or pesticides mobilized by stormwater runoff, and prevent those pollutants from reaching nearby surface water bodies.

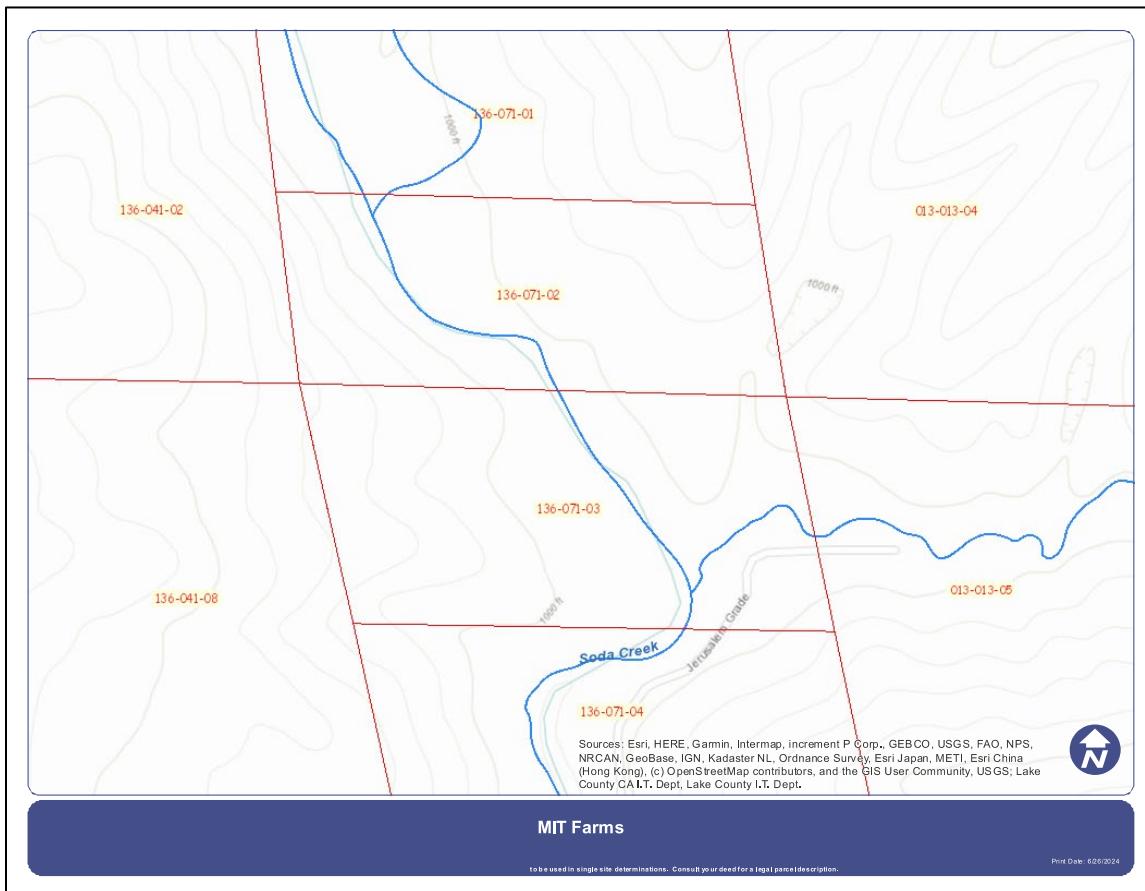
A native grass seed mixture and certified weed-free straw mulch will be applied at a rate of two tons per acre to all areas of exposed soil outside of the proposed cultivation areas, prior to November 15th of each year, until permanent stabilization has been achieved. Straw wattles / fiber rolls will be installed and maintained throughout the proposed cultivation operation per the attached Cannabis Cultivation Site Plans (Attachment 1) following site development, until permanent stabilization has been achieved. If areas of concentrated stormwater runoff begin to develop, additional erosion and sediment control measures will be implemented to protect those areas and their outfalls. The Applicant will conduct monthly monitoring inspections to confirm that this operation is in compliance with California Water Code/SWRCB's (Attachment 3) Cannabis General Order.

Figure 5. Culvert Installation Site Plan



Source: MIT Farms Submitted Material, 2025

Figure 6. Topography and Drainage



Source: MIT Farms Submitted Material, 2024

According to the applicant's Property Management Plan (Attachment 1), the following erosion control measures will be followed:

- Preserve existing vegetation where required and when feasible
- Apply 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
- Control erosion in concentrated flow paths by applying erosion control devices
- Divert run-on and stormwater generated from within the facility away from all erodible materials

Regulatory Stormwater Compliance

The Project Property is enrolled in the State Water Board's Order No. WQ 2019-001-DWQ as a Tier 2, Low Risk site (WDID No. 5S17CC429330). As required in the Cannabis Order's Policy for coming into compliance with Best Practicable Treatment or Control (BPTC) measures, the applicant had to prepare a Site Management Plan (SMP) and a Nitrogen Management Plan

(NMP) within 90 days of enrollment. “The purpose of the Cannabis Policy is to ensure 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, and springs” (State Water Board, 2019). BPTC measures shall be implemented at the site for erosion control and stormwater pollution. 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 applicant is required to complete online Annual Monitoring and Reporting to assess compliance with the Cannabis General Order and Notice of Applicability. This includes BPTC measures for winterization.

17. Environmental Setting and Existing Conditions:

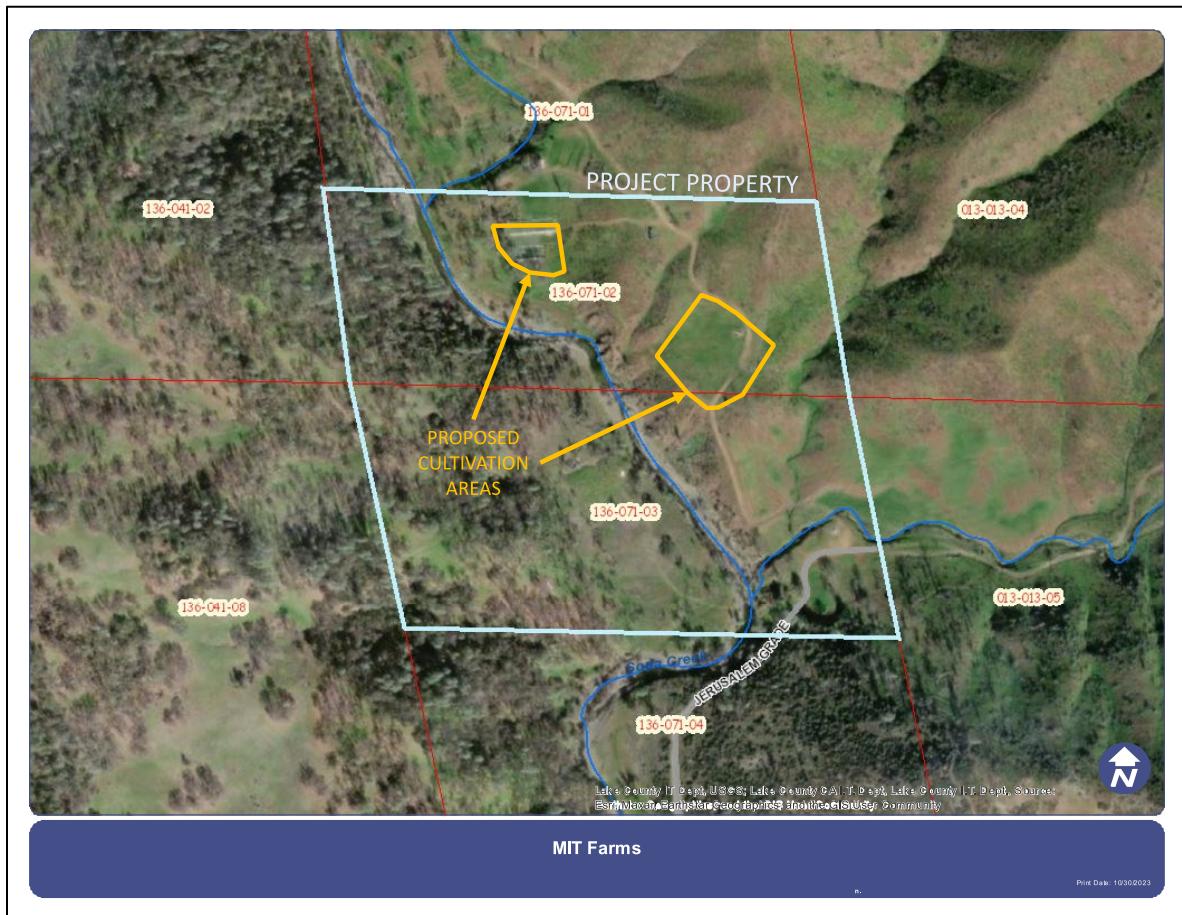
The proposed MIT Farms cannabis project is located at 22368 and 22430 Jerusalem Grade (APNs 136-071-02 & 03), approximately 7.5 miles southeast of Lower Lake (Section 2, Township 11N, Range 6W, Mount Diablo Base and Meridian, in the Jericho Valley USGS 7.5-minute quadrangle). The property and proposed project site is accessed via a shared private gravel and native soil surfaced access road off of Jerusalem Grade. The property has been improved with two groundwater wells. The proposed project is located in the Lower Lake Planning Area.

The surrounding land uses are largely open space and rural residential land. The general topography of the property is characterized by higher elevations to the west and to the east of Soda Creek, which flows from north to south within the central portion of the property. The average elevation of the property is approximately 1,000 feet above mean sea level (MSL) with the northeastern corner and highest point of the property at approximately 1,125 feet above MSL, and the lowest point of approximately 950 feet above MSL being located along the southern boundary within Soda Creek. Multiple unnamed ephemeral and intermittent watercourses flow through the property into Soda Creek.

The project site is located on the gentle slopes east of Soda Creek. The proposed cultivation areas are separated by an ephemeral watercourse and the 100-foot setbacks required from fertilizer or pesticide use as described in Article 27.11 (at) subsection 2. The project site drains to the west, towards Soda Creek. No cannabis cultivation activities nor agricultural chemicals storage is proposed within 100 feet of the unnamed ephemeral and intermittent watercourses or within 150 feet of Soda Creek.

Soda Creek flows into the Putah Creek approximately 2.2 miles south of the property. Putah Creek flows into Lake Berryessa, then eventually into the Sacramento River via the Yolo Bypass. The climate of the site is characterized by a Mediterranean-type climate, with distinct seasons consisting of hot, dry summers and wet, moderately cold winters. The subject site and surrounding area contain rural residential land and open space areas that consist of ranches, grazing land, vineyards, and cannabis cultivation operations. Vegetation of the property generally consists of non-native annual grasslands, chaparral and oak-pine woodland, with a narrow band of riparian habitat along the edges of Soda Creek. In 2020, most of the vegetation and trees on the property were burned as a result of the Hennessey Fire (part of the LNU Lightning Complex).

Figure 7. Aerial Imagery



Source: MIT Farms Submitted Material, 2024

18. Surrounding Land Uses and Setting:

The project site is located in a rural area at the northern end of the Jerusalem Valley. The surrounding area contains rural residential land and open space areas that consist of ranches, grazing land, vineyards, and cannabis cultivation operations. The surrounding parcels and zoning include the following:

- North: 22492 & 22522 Jerusalem Grade; Parcel Numbers 136-071-01 & 012-013-10; Zoned Rural Land
- East: 22832 & 22872 Jerusalem Grade; Parcel Numbers 013-013-04 & 05; Zoned Rural Land
- Southeast: 22796 Jerusalem Grade; Parcel Number 013-013-06; Zoned Rural Land
- South: 22244 & 22306 Jerusalem Grade; Parcel Numbers 136-071-04 & 05; Zoned Rural Land
- Southwest: 22089 & 22120 Lisenbee Lane; Parcel Numbers 136-041-08 & 14; Zoned Rural Land
- West: 21996 Jerusalem Grade; Parcel Number 136-041-02; Zoned Rural Land

- Northwest: 20912 Morgan Valley Road; Parcel Number 012-013-07; Zoned Rural Land

Figure 8. Lake County Base Zoning Districts



Source: Lake County GIS Website, 2024

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

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

Lake County Community Development-Building and Grading Permits
 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

Northshore 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 Bureau of Cannabis Control
California Department of Consumer Affairs
California Department of Fish & Wildlife (CDFW)
California Department of Forestry & Fire Protection (CALFIRE)
California Department of Transportation (CALTRANS)

20. Have California Native American tribes traditionally and culturally affiliated with the 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 §21080.3.2. Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3 (c) contains provisions specific to confidentiality.

Notification of the project was sent to local tribes from the Lake County Community Development Department on May 17, 2024. The Tribal Historic Preservation Officer for the Habematolel Pomo of Upper Lake and the Tribal Historic Preservation Officer for Yoche Dehe Wintun Nation both responded deferring comments to the Middletown Rancheria. No further comments or concerns were received from local tribes regarding this project to date.

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the project on July 9, 2024. Results of the record search were negative.

ATTACHMENTS

Attachment 1 – Property Management Plans and Site Plans
Attachment 2 - Biological Reports and Memorandums
Attachment 3 – SWRCB Notice of Applicability, Water Quality Order WQ 2019-001-DWQ
Attachment 4 – Hydrology Report and Drought Management Plan

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

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

DETERMINATION: (To be completed by the lead Agency)

On the basis of this initial evaluation:

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

Initial Study Reviewed By:

Trish Turner, Assistant Planner II

Trish Turner

Date: 1/30/2025

SIGNATURE

Community Development Department

SECTION 1

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses

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

- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, and then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c) (3) (D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance

I. AESTHETICS	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact

Except as provided in Public Resource Code Section 21099, would the project:

- a) Have a substantial adverse effect on a scenic vista?
- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area would the project conflict with applicable zoning and other regulations governing scenic quality?
- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Discussion:

- a) Within the Lake County General Plan, scenic vistas are generally identified as views of Clear Lake, Mt. Konocti, and other viewsheds containing large expanses of open and agricultural land. The Lower Lake area has many natural scenic qualities that include mountainous and hillside landscapes, agricultural and pastoral settings, and riparian and wetland areas. Some scenic resources are also critical resource areas, as exemplified by Anderson Marsh State Park.

The project site is located in a rural area at the northern end of the Jerusalem Valley. The surrounding area contains rural residential land and open space areas that consist of ranches, grazing land, vineyards, and cannabis cultivation operations. The project site is not generally visible from a public road, and the proposed project will not obstruct views of vineyards, hills, mountains or scenic vistas.

Less than Significant Impact

- b) There are no scenic resources, rock outcroppings, or historic buildings on or in the vicinity of this property. The project site is located off of Jerusalem Grade, which is not identified as "Officially Designated" or an "Eligible State Scenic Highway-Not Officially Designated", nor is it identified as a County scenic highway in the Lower Lake Area Plan.

No Impact

c) The project site is located in a rural area at the northern end of the Jerusalem Valley. The surrounding area contains rural lands, rural residential lands, and open space areas that consist of ranches, grazing land, vineyards, and cannabis cultivation operations. The project site is not generally visible from a public road or the public lands over 1.5 miles east of the project site. The proposed use includes outdoor cultivation of cannabis that is consistent with all development standards (setbacks, fencing, etc.) intended to reduce land use conflicts and aesthetic impacts. The project will not substantially degrade the existing visual character of the site or the quality of public views of the surrounding area.

Less than Significant Impact

d) The project has some potential to create additional light and/or glare through exterior security lighting. The proposed use is an outdoor cultivation operation that does not involve cultivation using artificial lighting. The following mitigation measures will be implemented which would reduce the impacts to less than significant:

Less than Significant Impact with Mitigation Measures AES-1 and AES-2 incorporated:

AES-1: All outdoor lighting shall be directed downward onto the project site and not onto adjacent properties. All lighting equipment shall comply with the recommendations of www.darksky.org.

AES-2: Security lighting shall be motion activated, and all outdoor lighting shall be shielded and downcast or otherwise positioned in a manner that will not shine light or allow light glare to exceed the boundaries of the lot of record upon which they are placed.

II. AGRICULTURE AND FORESTRY RESOURCES	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
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In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

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?

- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- 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))?
- d) Result in the loss of forest land or conversion of forest land to non-forest use?
- 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?

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) According to the California Department of Conversation Farmland Mapping and Monitoring Program, the project site is not mapped as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, and falls within the classification of Other Land.

The proposed project would not be converting farmland that is high quality or significant farmland to non-agricultural use.

No Impact

- b) Under Article 27.11 of the Lake County Zoning Ordinance, Outdoor Cannabis Cultivation is permitted on parcels with a Base Zoning District of "RL" with a minimum of 20 acres. The project property consists of +37 acres.

The project site is currently zoned Rural Land (RL), which is consistent with its land use designation of Rural Land as described in the County of Lake General Plan Chapter 3 – Land Use.

According to the County of Lake, the Rural Lands designation, "(allows) agricultural uses and single-family dwellings. Allowable density of one dwelling per 20-65 acres. Steep slopes, fire hazard and remoteness often restrict development."

Agricultural uses as described in California Government Code §51201(c) are generally allowed on Rural Lands, and the site is not under a Williamson Act contract. The cultivation portion of the site would not interfere with the ability of the owner or neighbors to use the remaining land for more traditional crop production and/or grazing land.

No Impact

- c) Public Resources Code §12220(g) defines “forest land” as land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.

Public Resources Code §4526 defines “timberland” as land, other than land owned by the federal government and land designated by the State Board of Forestry and Fire Protection as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees.

Government Code §51104(g) defines “timberland production zone” as an area that has been zoned pursuant to Government Code Section 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses.

The project site is currently zoned Rural Land (RL). The project site does not contain any forest lands, timberland, or timberland zoned Timberland Production lands, nor are any forest lands or timberlands located on or nearby the project site. Since no lands on the project site are zoned for forestland or timberland, the project has no potential to impact such zoning. The project does not propose a zone change that would rezone forest land, timberland, or timberland zoned for Timberland Production. No impact would occur.

No Impact

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

No Impact

- e) The surrounding area contains rural lands, rural residential land and open space areas that consist of ranches, grazing land, vineyards, and cannabis cultivation operations. Given the absence of farmland or forest land on the project site and the generally undeveloped character of surrounding lands, the proposed project would have no potential to convert farmland to non-agricultural use or forest land to non-forest use. No impact would occur.

No Impact

III. AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
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Would the project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?
- b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?
- c) Expose sensitive receptors to substantial pollutant concentrations?
- d) Result in other emissions (such as those leading to odors or dust) adversely affecting a substantial number of people?

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 been found in the southwest corner of the project property and immediately south of the project site (but not within the project site). Therefore, there is a potential for asbestos exposure during either the construction phase or the operational phase. The applicant shall obtain a Serpentine Dust Control Permit from the LCAQMD prior to site development and operation.

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 (Attachment 1). 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. Construction impacts would be temporary in nature and would occur over a two (2) to six (6) week period. Operational impacts would include dust and fumes from site preparation of the cultivation area and vehicular traffic, including small delivery vehicles that would be contributors during and after site preparation and construction.

Implementation of mitigation measures would reduce air quality impacts to less than significant. Dust during site preparation would be limited during periods of high winds (over 15 mph). All visibly dry, disturbed soil and road surfaces would be watered to minimize fugitive dust emissions.

Dust and fumes may be released from grading and as a result of vehicular traffic, including small delivery vehicles. Implementation of the mitigation measures below would further reduce air quality impacts to less than significant.

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

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

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

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

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

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

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

- b) The project area is in the Lake County Air Basin, which is designated as in attainment for state and federal air quality standards for criteria pollutants (CO, 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 has adopted Bay Area Air Quality Management District (BAAQMD) thresholds of significance as a basis for determining the significance of air quality and greenhouse gas impacts.

Less than Significant Impact

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

There are no schools, parks, childcare centers, convalescent homes, or retirement homes located in proximity to the project site. The nearest off-site residences are over 1,000 feet from the project site, well over the 200-foot setback for offsite residences from commercial cannabis cultivation as described in Article 27.11 of the Lake County Zoning. Therefore, the project will not expose sensitive receptors to substantial pollutant concentrations.

Less than Significant Impact

- d) The proposed project includes 42,066 sq. ft. of outdoor cannabis canopy, which has the potential to cause objectionable odors, particularly during the harvest season. However, due to the fact that the closest neighboring residence is over 1,000 feet away, a substantial number of people will not be adversely affected.

The proposed cultivation would generate minimal amounts of carbon dioxide from the operation of small gasoline engines (tillers, weed eaters, lawn mowers, etc.) and from vehicular traffic associated with staff commuting, deliveries and pickups. Additionally, Mitigation Measures AQ-1 and AQ-6 would reduce impacts of dust generation from on-site roads and parking areas.

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

IV. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
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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 Wildlife or U.S. Fish and Wildlife Service?
- 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?
- c) Have a substantial adverse effect on state or federally protected wetlands (including, not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- 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?
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- 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?

Discussion:

- a) A Biological Resources Assessment (BRA) (Attachment 2) was prepared by Greg Matuzak Environmental Consulting, LLC in December of 2023. The field survey for the BRA was conducted on September 2, 2022. Additionally, special-status plant surveys were conducted on March 31, 2024, and April 28, 2024, during the early spring and mid to late spring blooming season, and a Special-Status Plant Survey Technical Memorandum was prepared by Greg Matuzak Environmental Consulting, LLC on April 29, 2024. The purpose of the BRA and special-status plant surveys was to provide information as to whether the project site contains sensitive plants or potentially contains sensitive wildlife requiring mitigation under CEQA.

The information below is based on the survey results documented in the BRA and Special-Status Plant Survey Technical Memorandum prepared for the project. The entire project property is considered the Project area within the BRA and Special-Status Plant Survey Technical Memorandum.

Plant Communities

The Project area contains the following terrestrial vegetation communities: Disturbed, Annual Grassland, Chaparral, Oak – Pine Woodland, and Riparian. The proposed cultivation sites contain Disturbed Habitat and Non-Native Annual Grasslands.

Disturbed Habitat

These areas include existing roads and areas containing Ag wells and water storage infrastructure. Vegetation within this habitat type consists primarily of non-native invasive species lacking a consistent community structure. This habitat type provides limited resources for wildlife and is utilized primarily by species tolerant of human activities. The disturbed and altered condition of these lands greatly reduces their habitat value and ability to sustain rare plants or diverse wildlife assemblages.

Non-Native Annual Grasslands

Much of the central and eastern portions of the overall Project area where both the proposed cannabis cultivation site #1 and proposed cannabis cultivation site #2 will be located area characterized by seasonal, herbaceous vegetation. This vegetation dominates the areas along Soda Creek and extend into the uplands and hills to the east of the creek and east of the proposed cannabis cultivation sites.

The annual grassland habitat is comprised largely of non-native annual grasses and native herbs with some native perennial grasses also important. Plants common in this habitat type include wand tarplant (*Holocarpha virgata*), wild oat (*Avena barbata*), filaree (*Erodium spp.*), star thistle (*Centaurea solstitialis*), bromes (*Bromus spp.*), winter vetch (*Vicia villosa*), lupine (*Lupinus spp.*), blue wild rye (*Elymus glaucus*), bull thistle (*Cirsium vulgare*), Italian thistle (*Carduus pycnocephalus*), tall sock destroyer (*Torilis arvensis*) and various other species.

Chaparral

Shrub dominated vegetation can be found within the higher elevations to the east of the proposed cannabis cultivation sites and along west and south-facing slopes of the subject parcels. The dominant species within the chaparral are chamise (*Adenostoma fasciculatum*), manzanita (*Arctostaphylos spp.*), deerbrush (*Ceanothus integerrimus* var. *macrothrysus*), buckbrush (*Ceanothus cuneatus*), coyote brush (*Baccharis pilularis*), poison oak (*Toxicodendron diversilobum*), toyon (*Heteromeles arbutifolia*) and yerba santa (*Eriodictyon californicum*). Grasses and herbs are relatively common in the understory as the chaparral recovers from the Hennessey Fire (part of the LNU Lightning Complex) in August of 2020. This vegetation type can be classified as Chamise Chapparal.

Oak-Pine Woodland

Found along the hills and slopes throughout the western portion of the Project area and subject parcels is habitat dominated by oak and pine trees. The mixed oak/pine woodland consists of an open canopy of blue oak (*Quercus douglasii*) and foothill pine (*Pinus sabiniana*) with an understory of shrubs including common manzanita, ceanothus, toyon, poison oak, grasses, and herbs. Much of the woodland habitat is recovering from the 2020 fire. This vegetation can be classified as Blue Oak - Foothill Pine. No proposed disturbance is located to the west of Soda Creek and within this habitat type. Therefore, the proposed Project would have no impact on any tree species, including the pine and oak species associated with this woodland habitat.

Drainage Features and Riparian and Wetland Vegetation

A narrow band of riparian habitat can be found along the edges of the channel of Soda Creek, following a north to south flow within the central section of the Project area and subject parcels. The riparian vegetation consists of a sparse array of red willow (*Salix laevigata*), arroyo willow (*Salix lasiolepis*), Fremont's cottonwood (*Populus fremontii*) with a shrub layer of snowberry (*Symphoricarpos mollis*), California blackberry (*Rubus ursinus*), and poison oak with an understory of grasses and other herbs.

The riparian zone along Soda Creek is in a very sparse and narrow section along both sides of the Soda Creek where scouring from high flows and the deep, incised channel in some places has not left the edges of the creek with little to no vegetation. There is no wetland associated vegetation within or along Soda Creek or within the subject parcels as a whole. Though Soda Creek is defined as an intermittent Class I stream given the sparse array of scattered willow shrubs, the creek includes an intermittent flow during and after precipitation events within the creek's watershed..

Drainage and Aquatic Resources

Soda Creek, an intermittent Class I watercourse, flows through the central portion of the Project area from north to south. Multiple unnamed ephemeral and intermittent watercourse flow through the Project area and into Soda Creek. Each of the ephemeral and intermittent watercourses within the Project area have been mapped, and no cannabis cultivation activities nor agricultural chemicals storage is proposed within 100 feet of the unnamed ephemeral and intermittent watercourses or within 150 feet of Soda Creek.

There are two existing “dry ford” (temporary manmade) watercourse crossings on the shared private gravel access road in the southeastern corner of the Project Property. The applicant plans to improve the existing dry ford crossings with culverted watercourse crossings capable of passing the expected 100-year flood flow at each. A 36" diameter round culvert with native fill and rock armoring would be installed at the unnamed ephemeral Class III watercourse crossing. A 12-foot wide and 5-foot tall box culvert with native fill, rock armoring, and concrete wing walls would be installed at the unnamed intermittent Class II watercourse crossing. The applicant will need to obtain and comply with a Lake or Streambed Alteration Agreement (LSA) from the California Department of Fish and Wildlife (CDFW) for the work to improve the existing crossings.

Special Status Plant Species

No special-status species or their habitats were identified in the Project area, and there is a low potential for such special-status plant and wildlife species to occur within the subject parcels. Nevertheless, because special-status species that occur in the vicinity could migrate onto the Project area between the time that the field survey was completed and the start of construction, a pre-construction survey for special-status species should be performed by a qualified biologist to ensure that special-status species are not present prior to the onset of disturbance and construction within the subject parcels.

Impacts to Protected Nesting Birds

The trees and vegetation within the subject parcels contain marginal suitable habitat for nesting raptors and Migratory Bird Treaty Act protected nesting bird species. The breeding season for most protected birds in the vicinity of the subject parcels is generally from February 1st to August 31st. Vegetation clearing or tree removal outside of the breeding season for such bird species would not require the implementation of any avoidance, minimization, or mitigation measures. However, construction or development activities during the breeding season could disturb or remove occupied nests of migratory birds or raptors and could require the implementation of a pre-construction survey within 500 feet of the disturbance area within the subject parcels for nesting migratory birds and raptors prior to development.

If any nesting raptors or migratory birds are identified during surveys, CDFW and/or USFWS shall be consulted to develop measures to avoid “take” of active nests prior to the initiation of any construction activities. Avoidance measures may include establishment of a buffer zone using construction fencing or the postponement of vegetation removal until after the nesting season, or until after a qualified biologist has determined the young have fledged and are independent of the nest site. The extent of these buffers would be determined by a wildlife biologist and would depend on the special-status species present, the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. These factors shall be analyzed to make an appropriate decision on buffer distances.

Less than Significant Impact with Mitigation Measure BIO-1 and BIO-2 incorporated:

BIO-1: A pre-construction survey for special-status species shall be performed by a qualified biologist to ensure that special-status species are not present prior to the onset of disturbance and construction.

BIO-2: If construction activities require the removal of trees or shrubs, or disturbance to riparian habitat, and if these activities occur during the nesting season (February 1st to August 31st), a pre-construction survey for the presence of special-status bird species or any nesting bird species shall be conducted by a qualified biologist within 500 feet of proposed construction areas. If active nests are identified in these areas, the California Department of Fish and Wildlife or the US Fish and Wildlife Service shall be consulted to develop measures to avoid a “take” of active nests prior to the initiation of any construction activities. Avoidance measures may include establishment of a buffer zone using construction fencing or the postponement of vegetation removal until after the nesting season, or until after a qualified biologist has determined the young have fledged and are independent of the nest site.

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 (Attachment 2) on the parcel, it was determined that no substantial adverse effect will result from the project.

Soda Creek, an intermittent Class I watercourse, flows through the central portion of the Project area from north to south. Multiple unnamed ephemeral and intermittent watercourse flow through the Project area and into Soda Creek. No wetlands or vernal pools identified in the Project area. Each of the ephemeral and intermittent watercourses within the Project area have been mapped, and no cannabis cultivation activities nor agricultural chemicals storage is proposed within 100 feet of the unnamed ephemeral and intermittent watercourses or within 150 feet of Soda Creek.

The applicant has provided a Property Management Plan (Attachment 1), which addresses controlled water runoff in a manner that reduces impacts to surface water bodies. According to the applicant's Property Management Plan (Attachment 1), established vegetation within and around the proposed cultivation operation will be maintained/protected to the extent possible, as a permanent erosion and sediment control measure. Stormwater runoff from the structures and cultivation areas will be discharged to the well-vegetated buffers surrounding the proposed cultivation operation to filter and/or remove any sediment, nutrients, and/or pesticides mobilized by stormwater runoff, and prevent those pollutants from reaching nearby surface water bodies.

A native grass seed mixture and certified weed-free straw mulch will be applied at a rate of two tons per acre to all areas of exposed soil outside of the proposed cultivation areas, prior to November 15th of each year, until permanent stabilization has been achieved. Straw wattles / fiber rolls will be installed and maintained throughout the proposed cultivation operation per the Cannabis Cultivation Site Plans (Attachment 1) following site development, until permanent stabilization has been achieved. If areas of concentrated stormwater runoff begin to develop, additional erosion and sediment control measures will be implemented to protect those areas and their outfalls. The Applicant will conduct monthly monitoring inspections to confirm that this operation is in compliance with California Water Code/SWRCCB's (Attachment 3) Cannabis General Order.

There are two existing dry ford watercourse crossings on the shared private gravel access road in the southeastern corner of the Project Property. The applicant plans to improve the existing dry ford crossings with culverted watercourse crossings capable of passing the expected 100-year flood flow at each. A 36" diameter round culvert with native fill and rock armoring would be installed at the unnamed ephemeral Class III watercourse crossing. A 12-foot wide and 5-foot-tall box culvert with native fill, rock armoring, and concrete wing walls would be installed at the unnamed intermittent Class II watercourse crossing. The applicant will need obtain and comply with a Lake or Streambed Alteration Agreement from the CDFW for the work to improve the existing crossings.

Less Than Significant Impacts with Mitigation Measures BIO-3 and BIO-4 incorporated:

BIO-3: All work shall incorporate erosion control measures consistent with the engineered Cannabis Cultivation Site, Grading and Erosion Control Plans submitted, the Lake County Grading Regulations, and the State Water Resources Control Board Order No. WQ 2019-001-DWQ.

BIO-4: Prior to commencement of activities within the bed or bank of a creek, a Lake or Streambed Alteration Agreement shall be obtained from the California Department of Fish and Wildlife. All the conditions of such permit shall be adhered to throughout the course of the project to reduce the impacts to a less than significant level.

- c) According to the BRA, the 2023 Updated Water of the United States (WOTUS) Rule reversed former rulings such that only perennial aquatic resources with documented connections to navigable waterways are currently regulated under the Clean Water Act). Therefore, the Project area does not contain any “waters of the U.S.” including wetlands, given the lack of perennial streams and wetlands with a direct connection to a navigable waterway. Refer to Section 2.0 of the BRA for more information. Soda Creek is the only identified Class I stream within the Project area and all proposed disturbance will be maintained a minimum of 150 feet from the narrow riparian zone that runs along the edge of the creek. Therefore, the Project area does not include any waters subject to regulation under the Clean Water Act (CWA). Soda Creek, the only Class I stream within the Project area, will be avoided with the required 150-ft setback. Lastly, the applicant is required to obtain an LSA with CDFW for the proposed culverts within the Class II and Class III drainages. As such, the Project would not have a substantial adverse effect on state or federally protected wetlands.

Refer to Section IV(a) and (b).

Less Than Significant Impact with Mitigation Measures BIO-3 and BIO-4 incorporated.

- d) The BRA stated that, given the large areas of open space within and adjacent to the Project area, any resident or migratory species that would use the Project area as a wildlife corridor or nursery site would be able to move through and in/out of the Project area with minimal disturbance.

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.

Less than Significant Impact

- e) In Article 27 of the County of Lake, CA Zoning Ordinance, under §27.13 on Conditions for Commercial Cannabis Cultivation, Tree Removal is listed under Prohibited Activities, whereas “(the) removal of any commercial tree species as defined by the California Code of Regulations section 895.1, Commercial Species for the Coast Forest District and Northern Forest District, and the removal of any true oak species (*Quercus* species) or Tan Oak (*Notholithocarpus* species) for the purpose of developing a cannabis cultivation site shall be avoided and minimized.”

Furthermore, the County of Lake General Plan Policy OSC-1.13 states the County shall support the conservation and management of oak woodland communities and their habitats, and Resolution Number 95-211 was adopted as a Management Policy for Oak Woodlands in Lake County, whereas the County of Lake aims to monitor oak woodland resources, pursue education of the public, federal, state and local agencies on the importance of oak woodlands, promote incentive programs that foster the maintenance and improvement of oak woodlands, and, through federal, state, and local agency land management programs, foster oak woodlands on their respective lands within the county.

The Property Management Plan (Attachment 1) for the project has incorporated conservation and mitigation measures similar to those that have been included in other county oak woodlands conservation plans used in the State of California, which follow Assembly Bill 242, referred to as the Oak Woodlands Conservation Act. The project does not propose to remove any trees greater than 6-inches DBH, and trees must be inspected for the presence of active bird nests before tree felling or ground clearing. If active nests are present in the project area during construction of the project, the California Department of Fish and Wildlife will be consulted to develop measures to avoid “take” of active nests prior to the initiation of any construction activities.

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.

Less than Significant Impact with Mitigation Measure BIO-2 incorporated.

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
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Would the project:

a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

- a) A Cultural Resources Study (CRS) for the proposed cultivation project was completed by Historic Resource Associates to identify potentially significant cultural resources. A California Historical Resources Information System (CHRIS) records search was completed by the Northwest Information Center (NWIC) on August 2, 2022, and an intensive pedestrian survey (field survey) within the project Area on September 2, 2022.

The CHRIS records search indicates that two prior studies have been conducted within the project Area. According to the two prior studies, there are archaeological sites in the vicinity of the project Area. During the course of the field survey, several isolated basalt flakes were observed west of the southernmost project Area. According to the CRS, taking into account the diffuse nature of the lithics identified in the small portion of the southernmost project area, no further archeological study is recommended, however, with projects of this nature a discovery clause is necessary if during ground disturbing activities archaeological sites, features or artifacts are discovered, work must stop and a qualified professional archaeological must be notified to examine the find and determine if the resource is significant.

Based on the findings of the CRS, 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 Impacts with Mitigation Measures CUL-1 and CUL-2 incorporated:

CUL-1: All employees shall be trained in recognizing potentially significant archaeological, paleontological, or cultural materials that may be discovered during ground disturbance. 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.

CUL-2: Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted within 100 feet of the find(s). A professional archaeologist certified by the Registry of Professional Archeologists (RPA) shall be notified and shall evaluate the find(s) and recommend mitigation procedures, if necessary. The findings and mitigation measures shall be reviewed and approved by the Lake County Community Development Director prior to commencing work.

CUL-3: Should any human remains be encountered, the applicant shall halt all work within 100 feet, 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

b) A Cultural Resources Study (CRS) for the proposed cultivation project was completed by Historic Resource Associates to identify potentially significant cultural resources. A California Historical Resources Information System (CHRIS) records search was completed by the Northwest Information Center (NWIC) on August 2, 2022, and an intensive pedestrian survey (field survey) within the project Area on September 2, 2022. No archaeological resources were identified within the project Area by the CHRIS records search, CRS or field survey.

Less than Significant Impact with Mitigation Measures CUL-1 through CUL-3 incorporated.

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

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

Less than Significant Impacts with Mitigation Measure CUL-3 incorporated.

VI. ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
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Would the project:

a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a) Individual photovoltaic solar panels will be used to power the security cameras and lights around the proposed cultivation operation. Roof-mounted solar panels will be used to power the monitoring and recording station of the proposed Security Center/Shed. A solar array installed on a portable trailer bed that can be moved around the cultivation area as needed will be used to power the water pumps of the proposed cultivation operation. Cannabis will be cultivated outdoors with no supplemental lighting.

Less than Significant Impact

b) According to the California Department of Cannabis Control's Title 4 Division 19 §15010 on compliance with 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. Individual photovoltaic solar panels will be used to power the security cameras and lights around the proposed cultivation operation. Roof-mounted solar panels will be used to power the monitoring and recording station of the proposed Security Center/Shed. A solar array installed on a portable trailer bed that can be moved around the cultivation area as needed will be used to power the water pumps of the proposed cultivation operation. Cannabis will be cultivated outdoors with no supplemental lighting. While not required for outdoor cultivation, the project would meet the standards of Title 4 Division 19 §16305 Renewable Energy Requirements. Gasoline-powered generators will be onsite for emergency backup energy.

No Impact

VII. GEOLOGY AND SOILS

Potentially Significant Impact	Less Than Significant With Mitigation Measures	Less Than Significant Impact	No Impact
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Would the project:

a) Directly or indirectly cause potentially substantial adverse effects, including the risk of loss, injury, or death involving:

- i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
- ii) Strong seismic ground shaking?
- iii) Seismic-related ground failure, including liquefaction?
- iv) Landslides?

b) Result in substantial soil erosion or the loss of topsoil?

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a) 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 known earthquake fault zones within five (5) miles of the subject site. Because there are no known faults zones located near the project site, there is little potential for the project site to rupture during a seismic event. Thus, no rupture of a known earthquake fault is anticipated and the proposed project would not expose people or structures to an adverse effects related rupture of a known earthquake fault as no structures for human occupancy are being proposed.

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)

Topography of the project cultivation site is generally gentle without significant slopes. 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) Development of the proposed project would require some grading, disturbing approximately 2 acres and the movement of approximately 200 cubic yards of earthen material, in addition to earthwork for the proposed culverts. The applicant will need to obtain a Complex Grading Permit, as well as a building permit from the Lake County Community Development Department prior to site development. The applicant provided Site Plans (Attachment 1) for grading and erosion control prepared by a Civil Engineer with their Property Management Plan (Attachment 1).

According to the applicant's Property Management Plan (Attachment 1), the following erosion and sediment control measures will be used to prevent erosion and/or the loss of topsoil. Established vegetation within and around the proposed cultivation operation will be maintained/protected to the extent possible, as a permanent erosion and sediment control measure. All structures and cultivation areas will be located more than 100 feet from the nearest surface water bodies, and stormwater runoff from the structures and cultivation areas will be discharged to the well-vegetated buffers surrounding the proposed cultivation operation to filter and/or remove any sediment, nutrients, and/or pesticides mobilized by stormwater runoff, and prevent those pollutants from reaching nearby surface water bodies.

A native grass seed mixture and certified weed-free straw mulch will be applied at a rate of two tons per acre to all areas of exposed soil outside of the proposed cultivation areas, prior to November 15th of each year, until permanent stabilization has been achieved. Straw wattles / fiber rolls will be installed and maintained throughout the proposed cultivation operation per the Cannabis Cultivation Site Plans (Attachment 1) following site development, until permanent stabilization has been achieved. If areas of concentrated stormwater runoff begin to develop, additional erosion and sediment control measures will be implemented to protect those areas and their outfalls. The Applicant will conduct monthly monitoring inspections to confirm that this operation is in compliance with California Water Code/SWRCB's (Attachment 3) Cannabis General Order

Less Than Significant Impacts with Mitigation Measures GEO-1 through GEO-3 and BIO-3 incorporated:

GEO-1: Prior to any ground disturbance, the permittee shall obtain a Grading Permit from the Lake County Community Development Department. The project design shall incorporate Best Management Practices (BMPs) to the maximum extent practicable to prevent or reduce the discharge of all construction or post-construction pollutants into the County storm drainage system. Typical BMPs include the placement of straw, mulch, seeding, straw wattles, silt fencing, and the planting of native vegetation on all disturbed areas, and other measures in accordance with Chapters 29 and 30 of the Lake County Code. No silt, sediment, or other materials exceeding natural background levels shall be allowed to flow from the project area. The natural background level is the level of erosion that currently occurs from the area in a natural, undisturbed state. Vegetative cover and water bars shall be used as permanent erosion control after project installation.

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

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 maintenance, and other improvements as needed.

BIO-3: All work shall incorporate erosion control measures consistent with the engineered Grading and Erosion Control Plans submitted, the Lake County Grading Regulations, and the State Water Resources Control Board Order No. WQ 2019-001-DWQ.

- c) The United States Geological Survey Geologic Map of the Santa Rosa Quadrangle defines the area in the vicinity of the project site as the Franciscan Complex. Soils of the Project Property are identified as the Maymen-Millsholm-Bressa complex, Millsholm-Bressa loams, and Skyhigh-Millsholm loams by the NRCS Web Soil Survey. The proposed cultivation areas and ancillary facilities would be located on soils identified as the Maymen-Millsholm-Bressa complex and Millsholm-Bressa loams, characterized as gravelly clay loams with a parent material of residuum weathered from sedimentary rock. No serpentine soils are present on-site.

The proposed cultivation operation will increase the impervious surface area of the Project Property by approximately 1,000 sq. ft., or less than 0.1% of the Project Property, through the installation of two 120 sq. ft. wooden buildings and four 5,000-gallon water storage tanks. The proposed outdoor cultivation/canopy areas would not increase the impervious surface area of the Project Property and should not increase the volume of runoff from the Project Site. Culvert installation and associated gravel/rip rap will be installed in compliance with CDFW's LSA program and Chapters 29 and 30 of the Lake County Municipal Code. Furthermore, it is unlikely that any subsidence, liquefaction or collapse will occur as a result of the proposed project, as no large structures are proposed. Due to this, the impacts would be less than significant with mitigation measures described in the Section XII(b).

Less Than Significant Impacts with Mitigation Measures GEO-1 through GEO-3 and BIO-3 incorporated.

- d) The Expansive soils possess a “shrink-swell” characteristic. Shrink-swell is the cyclic change in volume (expansion and contraction) that occurs in fine-grained clay sediments from the process of wetting and drying. Structural damage may occur over a long period of time due to expansive soils, usually the result of inadequate soil and foundation engineering or the placement of structures directly on expansive soils.

The proposed cultivation areas and ancillary facilities would be located on soils identified as the Maymen-Millsholm-Bressa complex and Millsholm-Bressa loams, characterized as gravelly clay loams with a parent material of residuum weathered from sedimentary rock. Gravelly clay loams have a moderate shrink-swell potential due to the gravel in the composition.

The Uniform Building Code is a set of rules that specify standards for structures. No structures are proposed that would require a building permit. Any new construction requiring a building permit would be subject to the Uniform Building Code and California Building Code for foundation design to meet the requirements associated with expansive soils, if they are found to exist within a site-specific study.

Less Than Significant Impact

e) The proposed project will be served by an American Disability Act compliant portable toilet. No facilities requiring a septic system are proposed, and the project does not include a proposed septic system or other wastewater treatment systems.

No Impact

f) The project site does not contain any known unique geologic feature or paleontological resources. Disturbance of these 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
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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?

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

Discussion:

a) The project consists of approximately 1.8 acres of outdoor cannabis cultivation area with 42,066 sq. ft. of canopy. 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 BAAQMD threshold for GHGe (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 CO₂e per year. According to the CalEEMod estimates for this project (using figures from the Property Management Plan (Attachment 1) and other parameters that most closely match the project description) the estimated annual emissions of CO₂e for overall operations would be 6.875 metric tons of CO₂e per year and estimates for site preparation and construction period (less than 30 days) are 47.959 metric tons of CO₂e. Both of these figures are well below BAAQMD threshold. These calculations show that the project would have a less than significant impact on GHG emissions.

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 on May 17, 2024. No comments have been received from the LCAQMD regarding the proposed project.

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 CO₂e per capita by 2030 and no more than two (2) metric tons CO₂e per capita by 2050. As described in the Property Management Plan (Attachment 1), 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 CO₂e per year, the per capita figure of 2.29 metric tons of operational CO₂e 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.

The Project, as proposed, does not conflict with these local, regional, or state-wide policies. The Project is for outdoor cannabis cultivation, without the use of energy-intensive lighting or fans. No wasteful use of energy is proposed. Therefore, the impacts would be less than significant.

Less than Significant Impact

IX. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
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Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) Materials associated with the proposed cultivation of commercial cannabis, such as gasoline, pesticides and fertilizers (agricultural chemicals), and 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. According to the Property Management Plan (Attachment 1) for the proposed project, 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 Property Management Plan (Attachment 1), 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 Property Management Plan (Attachment 1) also addresses the following:

All fertilizers/nutrients and pesticides, when not in use, will be stored in their manufacturer's original containers/packaging, undercover, and at least 100 feet from surface water bodies, inside the secure Pesticides & Agricultural Chemicals Storage Area/Shed (proposed wooden building). Petroleum products will be stored under cover, in State of California-approved containers with secondary containment, and separate from pesticides and fertilizers within the proposed Pesticides & Agricultural Chemicals Storage Area/Shed. Spill containment and cleanup equipment will be maintained within the proposed Pesticides and Agricultural Chemicals Storage Area/Shed, as well as Materials Safety Data Sheets (MSDS/SDS) for all potentially hazardous materials used onsite.

All fertilizers/nutrients will be mixed/prepared on an impermeable surface that is at least 100 feet from surface water bodies. Personnel will be trained how to appropriately prepare and apply fertilizers/nutrients before being allowed to use them. When using/preparing fertilizers and other chemicals, personnel will be required to use personal protective equipment (PPE) consistent with the MSDS/SDS recommendations for the product they're using/preparing. PPE to be used by staff include safety glasses, gloves, dust masks, boots, pants, and long-sleeved shirts.

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

Solid waste will be stored in bins with secure fitting lids, located directly adjacent to the proposed cultivation/canopy areas. Solid waste from the bins will be deposited into a trailer ("dump trailer") and hauled away to a Lake County Integrated Waste Management facility, at least every seven (7) days/weekly.

Less Than Significant Impact with Mitigation Measures HAZ-1 through HAZ-2 incorporated:

HAZ-1: All equipment shall be maintained and operated to minimize spillage or leakage of hazardous materials. All equipment will be refueled in locations more than 100 feet from surface water bodies. Servicing of equipment will occur on an impermeable surface. In an event of a spill or leak, the contaminated soil will be stored, transported, and disposed of consistent with applicable local, state, and federal regulations.

HAZ-2: With the storage of hazardous materials equal to or greater than fifty-five (55) gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas, a Hazardous Materials Inventory Disclosure Statement and Business Plan shall be submitted and maintained in compliance with requirements of Lake County Environmental Health Division. Industrial waste shall not be disposed of on site without review or permit from Lake County Environmental Health Division or the California Regional Water Quality Control Board. The permit holder shall comply with petroleum fuel storage tank regulations if fuel is to be stored on site.

- b) The project involves the use of 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 range from high to very high.

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

Less than Significant Impact with Mitigation Measures HAZ-1 through HAZ-7 incorporated:

HAZ-3: Prior to operation, the applicant shall schedule an inspection with the Lake County Code Enforcement Division within the Community Development Department to verify adherence to all requirements of Chapter 13 of the Lake County Code, including but not limited to adherence with the Hazardous Vegetation requirements.

HAZ-4: Prior to operation, all employees shall have access to portable restrooms and hand-wash stations. The restrooms and hand wash stations shall meet all accessibility requirements.

HAZ-5: The proper storage of equipment, removal of litter and waste, and cutting of weeds or grass shall not constitute an attractant, breeding place, or harborage for pests.

HAZ-6: All food scraps, wrappers, food containers, cans, bottles, and other trash from the project area shall be deposited in trash containers with an adequate lid or cover to contain trash. All food waste shall be placed in a securely covered bin and removed from the site weekly to avoid attracting animals.

HAZ-7: The applicant shall maintain records of all hazardous or toxic materials used, including a Material Safety Data Sheet (MSDS) for all volatile organic compounds utilized, including cleaning materials. Said information shall be made available upon request and/or the ability to provide the Lake County Air Quality Management District such information to complete an updated Air Toxic Emission Inventory.

- c) There are no schools located within one-quarter mile of the proposed project site. The nearest school is the Coyote Valley Elementary School located over three (3) miles west of the 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 over 15 miles from Lampson Field, administered by the Lake County Airport Land Use Commission, which has not adopted an Airport Land Use Compatibility Plan. In accordance with regional Airport Land Use Compatibility Plans, the site would not be located within an area of influence for the airport. Therefore, there will be no hazard for people working in the project area from Lampson Field.

No Impact

f) The project site is accessed via a shared private access road off of Jerusalem Grade. The project site does not contain any emergency facilities, nor does it serve as an emergency evacuation route or is located adjacent to an emergency evacuation route. During long-term operation, adequate access for emergency vehicles via Jerusalem Grade and connecting roadways will be available. Furthermore, the project would not result in a substantial 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 located within an area of high to very high fire risk. Most of the vegetation and trees on the property were burned in 2020 as a result of the Hennessey Fire (part of the LNU Lightning Complex), reducing much of the fuel that would place the cultivation area at a greater risk of wildfire. Additionally, the proposed project proposes one 5,000-gallon water storage tank that will be available in case of wildfire, and the establishment and maintenance of defensible space around the project area.

The applicant shall 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.

Less than Significant Impact

X. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
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Would the project:

- a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
- b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:
 - i) result in substantial erosion or siltation on-site or off-site;
 - ii) Substantially increase the rate or amount of surface runoff in a manner which 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?
- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Discussion:

- a) The project property is enrolled in the State Water Resources Control Board's Cannabis General Order (Order No. WQ 2019-001-DWQ) (Attachment 3) as a Tier 2, Low Risk site (WDID: 5S17CC414604). As required in the Cannabis Order's Policy for coming into compliance with Best Practicable Treatment or Control (BPTC) measures, the applicant had to prepare a Site Management Plan (SMP) and a Nitrogen Management Plan (NMP) within 90 days of enrollment. "The purpose of the Cannabis Policy is to ensure 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, and springs" (State Water Board, 2019). BPTC measures have been implemented at the site for erosion control and stormwater pollution. 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 applicant is required to complete online Annual Monitoring and Reporting to assess compliance with the Cannabis General Order and Notice of Applicability. This includes BPTC measures for winterization

Development of the proposed project would require some grading, disturbing approximately 2 acres and the movement of approximately 200 cubic yards of earthen material. Additionally, the project includes the improvement of two existing dry ford watercourse crossings with culverted watercourse crossings capable of passing the expected 100-year flood flow. A 36" diameter round culvert with native fill and rock armoring would be installed at the unnamed ephemeral Class III watercourse crossing. A 12-foot wide and 5-foot-tall box culvert with native fill, rock armoring, and concrete wing walls would be installed at the unnamed intermittent Class II watercourse crossing.

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. Regulations at both the County and State levels require the creation and implementation of an erosion control and stormwater management plan. The applicant provided site and grading plans with erosion control measures prepared by a Civil Engineer for the proposed project (including the proposed culverted watercourse crossings) with their Property Management Plan (Attachment 1). The applicant will need to obtain a grading a building permit from the Lake County Community Development Department prior to site development, and a Lake or Streambed Alteration Agreement from the California Department of Fish and Wildlife prior to improving the existing watercourse crossings.

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). Additionally, cultivators who are 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).

Less Than Significant Impact with Mitigation Measures GEO-1 through GEO-3, BIO-3 and BIO-4, and HAZ 1 through HAZ-7 incorporated.

- 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 (Attachment 4) 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 uses to surrounding areas due to the project

Water Use

The applicant had a Hydrogeologic Assessment Report (HAR) (Attachment 4) prepared by a Certified Hydrogeologist / California-licensed Geologist for the proposed project. According to the Site Development and Water Use section of the HAR, the total estimated site groundwater use for the proposed project is 639,669 gallons or 1.96 acre-feet per year. The estimated peak water demand at the site will occur annually between August and September with a peak daily water demand of approximately 4,785 gallons per day.

The Average daily water demand at the site over expected 210-day growing season is estimated to be 3,045 gallons per day.

All water for the proposed project will come from two existing onsite groundwater wells, with one well (located at Latitude 38.83517° and Longitude -122.49787° on APN 136-071-02) serving as the primary water supply source, and the second well (located at Latitude 38.834508° and Longitude -122.497737° on APN 136-071-03) serving as a backup water supply source. Water from the groundwater wells will be stored within four 5,000-gallon heavy-duty plastic water storage tanks, and delivered to the proposed outdoor cultivation areas via PVC water supply lines.

A 6-hour well yield test was performed of the primary water source well on November 26, 2023. The initial static water level within the well was measured at 21.33 feet below the top of the well casing prior to the start of the well yield test. During the well yield test, the water level within the well dropped to 74.83 feet, where it stabilized for the last 130 minutes of the well yield test while the well was pumped at 25 gallons per minute. The well recovered 98.7% within one hour following the well yield test. According to the HAR, the well yield test shows that the primary water source well alone is an adequate water supply for the proposed project.

Regional Groundwater

The project site is located within the Soda Creek Sub-watershed of the Middle Putah Groundwater Basin. The Middle Putah Groundwater Basin is bordered by Clear Lake to the north, the Clear Lake Volcanics to the east and the Franciscan Formation borders the basin to the west and south. The Middle Putah Inventory Unit is in the southeastern portion of Lake County. The Inventory Unit is rural and includes approximately 62,654 acres. The 2001 population of the Middle Putah Inventory Unit was 229. The primary irrigated crop types in this region are pasture and grapes. The total irrigated crop area in 2001 was 1,522 acres, and total dry-farmed crop area was 67 acres. Walnuts are the non-irrigated crops in this region. The Middle Putah Inventory Unit does not contain any water agencies that supply domestic or agricultural water; all domestic and agricultural water users are self-supplied. Groundwater is the primary source of supply for all water users.

The Middle Putah Groundwater Basin has not been identified by the California Department of Water Resources (DWR) as a critically over-drafted basin. Critically over-drafted basins are defined by DWR as, "A basin subject to critical overdraft when continuation of present water management practices would probably result in significant adverse overdraft-related environmental, social, or economic impacts." In addition, as part of the California Statewide Groundwater Elevation Monitoring (CASGEM) Program, DWR created the CASGEM Groundwater Basin Prioritization statewide ranking system to prioritize California groundwater basins in order to help identify, evaluate, and determine the need for additional groundwater level monitoring. California's groundwater basins were classified into one of four categories: 1) high-priority; 2) medium-priority; 3) low-priority; or 4) very low-priority. The Middle Putah Groundwater Basin is ranked as very low-priority basin by the CASGEM ranking system.

Groundwater Recharge

Groundwater recharge is the replenishment of an aquifer with water from the land surface. According to the HAR, the estimated average annual groundwater recharge for the project property is 11.85 acre-feet per year, and the estimated groundwater recharge for extreme drought years is 3.13 acre-feet. Based on the estimated annual recharge to the site aquifer during extreme drought (3.13 acre-feet/year) and the estimated total Site groundwater

usage (1.96 acre-feet/year), it appears that the Site aquifer has sufficient groundwater resources to meet the proposed demands of the project without creating an aquifer overdraft condition.

Potential Impacts to Streams and Neighboring Wells

To evaluate potential well pumping impacts to wells on other properties, the potential lateral extent of pumping from the primary water source well was estimated. A zone of pumping influence approximately 160 feet from the well was calculated from data collected during the well yield test. The primary water source well is located approximately 370 feet east of Soda Creek, and approximately 200 feet north of the nearest groundwater well (onsite backup water supply well). The horizontal and vertical separations between the primary water source well and the nearest streams and neighboring properties are sufficient and groundwater pumping at the Site should not result in significant well interference or impacts to creeks.

Water level monitoring is required by the Lake County Zoning Ordinance. Ordinance Article 27 Section 27.11(at) requires the well to have a water level monitor. Additionally, the applicant has provided a Drought Management Plan (Attachment 4) that would reduce onsite water usage by at least 10% during periods of drought. With these required measures in place, the impact is expected to be less than significant with Mitigation Measures HYD-1 and HYD-2 incorporated.

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

HYD-1: The production well shall have a meter to measure the amount of water pumped. The production wells shall have continuous water level monitors. The methodology of the monitoring program shall be described. A monitoring well of equal depth within the cone of influence of the production well may be substituted for the water level monitoring of the production well. The monitoring wells shall be constructed, and monitoring began at least three months before the use of the supply well. An applicant shall maintain a record of all data collected and shall provide a report of the data collected to the County annually and/or upon made upon request.

HYD-2: The applicant shall adhere to the measures described in their Drought Management Plan during periods of declared drought emergency.

- c) According to Lake County Ordinance Section 27.13 (at) 3, the Property Management Plan (Attachment 1) 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.

Establishment of the cultivation operation will require some grading, but would not require the construction of new buildings, paved roads, or other permanent and impermeable surfaces that would significantly alter runoff. No cannabis cultivation activities nor agricultural chemicals storage is proposed within 100 feet of the unnamed ephemeral and intermittent watercourses or within 150 feet of Soda Creek.

The applicant has provided a Property Management Plan (Attachment 1), which addresses controlled water runoff in a manner that reduces impacts to surface water bodies. According to the applicant's Property Management Plan (Attachment 1), established vegetation within and around the proposed cultivation operation will be maintained/protected to the extent possible, as a permanent erosion and sediment control measure. Stormwater runoff from the structures and cultivation areas will be discharged to the well-vegetated buffers surrounding the proposed cultivation operation to filter and/or remove any sediment, nutrients, and/or pesticides mobilized by stormwater runoff, and prevent those pollutants from reaching nearby surface water bodies.

A native grass seed mixture and certified weed-free straw mulch will be applied at a rate of two tons per acre to all areas of exposed soil outside of the proposed cultivation areas, prior to November 15th of each year, until permanent stabilization has been achieved. Straw wattles / fiber rolls will be installed and maintained throughout the proposed cultivation operation per the Cannabis Cultivation Site Plans (Attachment 1) following site development, until permanent stabilization has been achieved. If areas of concentrated stormwater runoff begin to develop, additional erosion and sediment control measures will be implemented to protect those areas and their outfalls. The Applicant shall conduct monthly monitoring inspections to confirm that this operation is in compliance with California Water Code/SWRCB's (Attachment 3) Cannabis General Order.

Due to the natural conditions of the project site and with the proposed erosion and sediment control measures, the project i) will not result in substantial erosion or siltation on-site or off-site; ii) will not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite; iii) 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 iv) will not impede or redirect flood flows.

Less Than Significant Impacts with Mitigation Measures GEO-1 through GEO-3 and BIO-3 incorporated.

- d) The project site is not located in an area of potential inundation by seiche or tsunami. The project site is designated to be in Flood Zone X – areas of minimal flooding – not in a special flood hazard area. While some soils on the parcel are susceptible to erosion, the gentle slopes are the project site are relatively stable, with minimal potential to induce mudflows.

Less than Significant Impact

- e) The project property is located within the Sacramento River Basin. The Water Quality Control Plan for the California Regional Water Quality Control Board Central Valley Region (Basin Plan) is applicable to the Sacramento River Basin, as well as the San Joaquin River Basin. The State Water Resource Control Board's Cannabis General Order (2019-001-DWQ) adheres to water quality and management standards identified and outlined within the Basin Plan. Compliance with the Cannabis General Order will ensure that the project does not conflict with or obstruct implementation of a water quality control plan.

There are no groundwater management plans for the affected groundwater basin(s) at this time. Groundwater use and monitoring data collected and reported to comply with the Lake County Zoning Ordinance could be used in the development of a sustainable groundwater management plan at some point in the future.

Less Than Significant Impact with Mitigation Measures GEO-1 through GEO-3, BIO-3 and BIO-4, HAZ 1 through HAZ-7 and HYD-1 and HYD-2 incorporated.

XI. LAND USE PLANNING

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
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Would the project:

- a) Physically divide an established community?
- b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Discussion:

- a) The project property consists of +37 acres of undeveloped land in the Lower Lake Planning Area. The closest community growth boundary is Hidden Valley Lake, which is approximately 2.8 miles away, and separated by rugged, mountainous terrain. The area is characterized by large parcels of rural, undeveloped land within some proximity to limited agricultural uses such as vineyards, orchards, and small horse ranches. The proposed project site would not physically divide any established community.

No Impact

- b) The General Plan Land Use Zone and Zoning District designation currently assigned to the project property is Rural Land (RL). The Lake County Zoning Ordinance allows for commercial outdoor cannabis cultivation in the RL land use zone with a major use permit. The proposed project does not conflict with the Lake County General Plan and Lower Lake Area Plan, and would create diversity within the local economy and future employment opportunities for local residents.

Less than Significant Impact

XII. MINERAL RESOURCES

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

Discussion:

a) The Lake County Aggregate Resource Management Plan does not identify any portion of the project property as having an important source of aggregate resources. The California Department of Conservation describes the generalized rock type for the project property as the Franciscan Complex (KJf): Cretaceous and Jurassic sandstone with smaller amounts of shale, chert, limestone, and conglomerate. Additionally, according to the California Department of Conservation, Mineral Land Classification, there are no known mineral resources on the project site, and thus no impact.

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 Lower Lake 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
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

b) Generation of excessive groundborne vibration or groundborne noise levels?

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

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. Electricity will be supplied via solar power, with small gasoline-powered generators used as a backup electricity supply source.

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 on at the property line, mitigation measures will still be implemented to further limit the potential sources of noise.

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

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 7:00am and 7:00pm, and Saturdays from 12:00 noon to 5:00 pm 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 7:00AM to 10:00PM and 45 dBA between the hours of 10:00PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.1) at the property lines.

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 phase from the use of heavy construction equipment. 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 are located over one thousand (1,000) feet from the nearest point of construction activities and 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 15 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 AND HOUSING

	Potentially Significant Impact	Less Than Significant With Mitigation Measures	Less Than Significant Impact	No Impact
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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)?
- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Discussion:

- a) The project is not anticipated to induce significant population growth to the area. The increased employment will be approximately two (2) fulltime and up to two (2) seasonal employees to be hired locally.

No Impact

- b) The project will not displace any people or 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
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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 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 South Lake County Fire Protection District provides fire protection services to the proposed project area. The proposed project would be served by the South Lake County Fire Protection Station in Middletown, an existing station located approximately 12 roadway miles from the project site. 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 would be conditioned by the County to provide a minimum of fire safety and support fire suppression activities and installations, including compliance with State and local fire codes, as well as minimum private water supply reserves for emergency fire use. With these measures in place, the project would have a less than significant impact on fire protection.

2) Police Protection

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

3) Schools

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

4) Parks

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

5) Other Public Facilities

There will not be a need to increase other public facilities as a result of the proposed project. The small staff needed for the proposed project is anticipated to be hired locally, and no impacts are expected.

Less than Significant Impact

XVI. RECREATION

Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
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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?
- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- a) Since most, if not all, of the Project's staff will be hired locally, there would be no significant increase in the use of existing neighborhood and regional parks or other recreational facilities that would be the direct result of this project.

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
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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?
- b) For a land use project, would the project conflict with or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)?
- c) For a transportation project, would the project conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(2)?
- d) Substantially increase hazards due to geometric design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- e) Result in inadequate emergency access?

Discussion:

a) Roadway Analysis

The project site is accessed via a shared private road off of Jerusalem Grade. Vehicles traveling to the site will utilize Spruce Grove Road either from the north or south, and take Jerusalem Grade east towards the project site. 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 proposed project is located in a remote rural area of the County that is not serviced by public transportation. The proposed project does not conflict with any existing program plan, ordinance or policy addressing transit systems, including Chapter 6 of the General Plan.

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 4 to 12 during construction and operation.

The applicants will be operating under an A-Type 13 Cannabis Distributor Transport Only, Self-distribution License. In the "RL" zoning district the Type 13 Distributor Only, Self-distribution State licenses are an accessory use to an active cannabis cultivation or cannabis manufacturing license site with a valid 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 State or County maintained road or an access easement to such a road, the permittee shall not transport any cannabis product that was not cultivated by the permittee, and all non-transport related distribution activities shall occur within a locked structure.

The proposed project would not generate or attract more than 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. Equipment used in cultivation will be transported to the project site as needed and will not need to be operated on Jerusalem Grade.

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 will meet CALFIRE requirements for vehicle access according to PRC §4290, including adequate width requirements. 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 County'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
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the +resource to a California Native American tribe?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

i) A Cultural Resources Study (CRS) for the proposed cultivation project was completed by Historic Resource Associates to identify potentially significant cultural resources. A California Historical Resources Information System (CHRIS) records search was completed by the Northwest Information Center (NWIC) on August 2, 2022, and an intensive pedestrian survey (field survey) of the project property was conducted on September 2, 2022.

The CHRIS records search indicates that two prior studies have been conducted within the project Area. According to the two prior studies, there are archaeological sites in the vicinity of the project Area. During the course of the field survey, several isolated basalt flakes were observed near the project area. However, due to the location and diffused nature of these findings no further archeological study is recommended. Regardless, there is a potential for unanticipated discoveries during earthwork activities. Mitigation Measures TCR-1 and TCR-2

require tribal cultural resource training for all workers and establishes produces for unanticipated discoveries.

In accordance with AB 52, notification of the project was sent to local tribes from the Lake County Community Development Department on May 17, 2024. The Tribal Historic Preservation Officer for the Habematolel Pomo of Upper Lake responded deferring comments to the Middletown Rancheria. No further comments or concerns were received from local tribes regarding this project to date.

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the project on July 9, 2024. Results of the record search were negative.

Based on the negative findings of the CHRIS search, NAHC SLF record search, field survey/CRS, and outreach efforts with local 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, Mitigation Measure CUL-3 requires that all activity be halted in the vicinity of the find(s) and the applicant to notify the culturally affiliated Tribe, and a qualified archaeologist to evaluate the find(s) and recommend mitigation procedures. Additionally, CUL-3 requires the applicant to notify the Sheriff's Department, the culturally affiliated Tribe, and a qualified archaeologist for proper internment and Tribal rituals per Public Resources Code Section 5097.98 and Health and Safety Code 7050.5, should any human remains are encountered. Finally, Mitigation Measure CUL-2 requires that all employees are trained in recognizing potentially significant artifacts, and the notification of the culturally affiliated Tribe a licensed archaeologist, and the Lake County Community Development Director if any artifacts or remains are found.

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

ii) Based on the negative findings of the CHRIS search, NAHC SLF record search, field survey/CRS, and outreach efforts with local tribes, there is no indication of the presence of tribal cultural resources on the project site. Therefore, the lead agency has determined that, in its discretion and supported by substantial evidence, no resources pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1 will be affected by the proposed project.

Less than Significant Impact with Mitigation Measures TCR-1 and TCR-2 incorporated.

XIX. UTILITIES	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact

Would the project:

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

a) The proposed project will be served by two existing onsite groundwater wells, and onsite solar energy systems with gasoline-powered generator backups, for all project-related energy and water demands. An ADA-compliant portable toilet and handwashing station will be maintained on the project site for staff.

The project will not 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

Less than Significant Impact

b) The applicant had a Hydrogeologic Assessment Report (HAR) (Attachment 4) prepared by a Certified Hydrogeologist / California-licensed Geologist for the proposed project. According to the Site Development and Water Use section of the HAR, the total estimated site groundwater use for the proposed project is 639,669 gallons or 1.96 acre-feet per year. The estimated peak water demand at the site will occur annually between August and September with a peak daily water demand of approximately 4,785 gallons per day. The Average daily water demand at the site over expected 210-day growing season is estimated to be 3,045 gallons per day.

All water for the proposed project will come from two existing onsite groundwater wells, with one well (located at Latitude 38.83517° and Longitude -122.49787° on APN 136-071-02) serving as the primary water supply source, and the second well (located at Latitude 38.834508° and Longitude -122.497737° on APN 136-071-03) serving as a backup water supply source. Water from the groundwater wells will be stored within four 5,000-gallon heavy-duty plastic water storage tanks, and delivered to the proposed outdoor cultivation areas via PVC water supply lines.

A 6-hour well yield test was performed of the primary water source well on November 26, 2023. The initial static water level within the well was measured at 21.33 feet below the top of the well casing prior to the start of the well yield test. During the well yield test, the water level within the well dropped to 74.83 feet, where it stabilized for the last 130 minutes of the well yield test while the well was pumped at 25 gallons per minute. The well recovered 98.7% within one hour following the well yield test. According to the HAR, the well yield test shows that the primary water source well alone is an adequate water supply for the proposed project.

According to the HAR, the estimated average annual groundwater recharge for the project property is 11.85 acre-feet per year, and the estimated groundwater recharge for extreme drought years is 3.13 acre-feet. Based on the estimated annual recharge to the site aquifer during extreme drought (3.13 acre-feet/year) and the estimated total Site groundwater usage (1.96 acre-feet/year), it appears that the Site aquifer has sufficient groundwater resources to meet the proposed demands of the project without creating an aquifer overdraft condition

Less than Significant Impact

c) The project will rely on the use of portable toilets and hand washing stations. A wastewater treatment provider does not serve, nor is likely to serve, the project property, due to its remote location.

No Impact

d) The Eastlake Landfill, South Lake Refuse Center, and Quackenbush Mountain Resource Recovery and Compost Facility are all located within reasonable proximity of the project site. As of 2019, the Eastlake Landfill had 659,200 cubic yards available for solid waste, with an additional 481,000 cubic yards approved in 2020.

The estimated annual solid waste generated from the proposed project is approximately 1 ton. The existing landfill has sufficient capacity to accommodate the project's solid waste disposal needs. 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

XX. WILDFIRE

	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
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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?
- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- 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?
- 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?

Discussion:

a) The project site is located in a remote rural area of the County, accessed via a shared private road off of Jerusalem Grade. Only two (2) to four (4) staff will be needed to operate the proposed project at any given time. The project will not 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.

Less than Significant

b) The project site is situated in a high to very high fire hazard severity zone and a wildland fire hazard area. Through the improvement of two existing onsite watercourse crossings, the project would improve fire access and the ability to fight fires at or from the project site and other sites accessed from the same roads through the upkeep of the property area and the proposed water tanks. The mitigation measures below would ensure that the proposed project will not further exacerbate the risk of wildfire.

Less than Significant Impact with Mitigation Measures WDF-1 through WDF-4 incorporated:

WDF-1: Grading and construction activities shall not occur during a red flag warning (per the local fire department and/or national weather service) when there is an increased risk of wildfire spread should equipment create a spark.

WDF-2: A water tender shall be present onsite during earth work to reduce risk of wildfire and dust.

WDF-3: The applicant shall create and maintain 30' of defensible space around the proposed outdoor cultivation areas and associated infrastructure.

WDF-4: The applicant shall designate one 5,000-gallon water storage tank, exclusively for fire protection purposes. The tanks shall have connectors that can be used by emergency services and shall be made of steel or fiberglass.

- c) The proposed project, as described in the application documents and confirmed through site visits to the property, would not require the installation or maintenance of associated infrastructure that may exacerbate fire risk. Maintenance of defensible space around the proposed project may result in minor impacts to the environment immediately surrounding the proposed project.

Less than Significant Impact

- d) The project site is situated in a high to very high fire hazard severity zone and a wildland fire hazard area. The erosion and sediment control measures identified in the applicants' Property Management Plan (Attachment 1) would likely be destroyed in the event of wildfire. Therefore, the erosion and sediment control measures would need to be re-installed post wildfire to reduce risks of downslope/downstream flooding or landslides as a result of runoff and post-fire slope instability.

Less than Significant Impact with Mitigation Measure WDF-5 incorporated:

WDF-5: The applicant shall re-install the erosion and sediment control measures identified in their Property Management Plan as soon as possible following a wildfire emergency affecting the project property.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
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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

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animal, or eliminate important examples of the major periods of California history or prehistory?

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)?

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

Discussion:

a) According to the biological (Attachment 2) and cultural studies conducted, the MIT Farms 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 meet local, state, and federal regulations to prevent significant impacts on water quality. With the implementation of mitigation measures described in the biological assessment (Attachment 2) 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 AES-1 and AES-2; AQ-1 through AQ-6; BIO-1 through BIO-4; CUL-1 through CUL-3; GEO-1 through GEO-3; HAZ-1 through HAZ-7; HYD-1 and HYD-2; NOI-1 and NOI-2; TCR-1 and TCR-2; and WDF-1 through WDF-5.

b) Potentially significant impacts have been identified related to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazardous Material, Hydrology, Noise, Tribal Cultural Resources, and Wildfire. These impacts in combination with the impacts of other past, present, and reasonably foreseeable future projects could cumulatively contribute to significant effects on the environment. Of particular concern would be the cumulative effects on hydrology and water resources.

To address this issue, the Lake County Board of Supervisors adopted Ordinance 3106 on July 27, 2021, requiring the applicant to submit a Hydrological Study and Drought Management Plan (Attachment 4). Upon review of the Hydrological Study and Drought Management Plan (Attachment 4), along with the implementation of hydrological mitigation measures, the project is expected to have a less than significant cumulative impact.

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 AES-1 and AES-2; AQ-1 through AQ-6; BIO-1 through BIO-4; CUL-1 through CUL-3; GEO-1 through GEO-3; HAZ-1 through HAZ-7; HYD-1 and HYD-2; NOI-1 and NOI-2; TCR-1 and TCR-2; and WDF-1 through WDF-5.

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

Less than significant with AES-1 and AES-2; AQ-1 through AQ-6; BIO-1 through BIO-4; CUL-1 through CUL-3; GEO-1 through GEO-3; HAZ-1 through HAZ-7; HYD-1 and HYD-2; NOI-1 and NOI-2; TCR-1 and TCR-2; and WDF-1 through WDF-5.

Source List

1. Lake County General Plan
2. Lake County GIS Database
3. Lake County Zoning Ordinance
4. Lower Lake Area Plan
5. MIT Farms 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 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. MIT Farms, LLC Cannabis Cultivation Project (APN: 136-071-002, -003) Biological Resources Assessment, prepared by Greg Matuzak Environmental Consulting, LLC, December 2023.
14. Cultural Resources Study – MIT Farms Cannabis Project, prepared by Historic Resource Associates, November 2023.
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 County Fire Protection District
38. United States Department of Agriculture – Natural Resources Conservation Service Web Soil Survey
39. Hazardous Waste and Substances Sites List
40. State Water Resources Control Board (SWRCB) Cannabis Policy and General Order
41. Lake County Groundwater Management Plan, March 31st, 2006.
42. Lake County Rules and Regulations (LCF) for On-Site Sewage Disposal
43. Lake County Municipal Code: Sanitary Disposal of Sewage (Chapter 9: Health and Sanitation, Article III)
44. Special-Status Plant Survey Technical Memorandum for a Cannabis Cultivation Project Located at 22368 and 22430 Jerusalem Grade in Middletown, CA, prepared by Greg Matuzak Environmental Consulting, LLC, April 29, 2024
45. Hydrogeologic Assessment Report – 22368 and 22430 Jerusalem Grade Road, Lake County CA 95453, APN 136-071-02 and 136-071-03, prepared by Hurvitz Environmental Services, Inc., December 11, 2023.
46. Drought Management Plan – MIT Farms