

From: [Ryan Lewelling](#)
To: [Eric Porter](#)
Subject: RE: RFR - UP 23-08, Wellness Ranch III
Date: Thursday, November 30, 2023 4:19:13 PM

Eric,

The Assessor's Office has no comments at this time.

Ryan Lewelling
Cadastral Mapping Specialist,
Assessor-Recorder, County of Lake, California
707-263-2302 | Ryan.Lewelling@LakeCountyCA.gov

From: Eric Porter <Eric.Porter@lakecountyca.gov>
Sent: Thursday, November 30, 2023 2:51 PM
To: Katherine Vanderwall <Katherine.Vanderwall@lakecountyca.gov>; Douglas Gearhart <doug@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; William Collins <William.Collins@lakecountyca.gov>; John Everett <John.Everett@lakecountyca.gov>; Christina Gearhart <Christina.Gearhart@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Vance Ricks <Vance.Ricks@lakecountyca.gov>; Elizabeth Martinez <Elizabeth.Martinez@lakecountyca.gov>; chief800@northshorefpd.com; mike.wink@fire.ca.gov; pgeplanreview@pge.com; tod.elliott@lakecountyca.gov; R2CEQA@wildlife.ca.gov; jesse.robertson@dot.ca.gov; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>
Subject: RFR - UP 23-08, Wellness Ranch III

Hi all,

Wellness Ranch was approved for two minor use permits; the first was approved in 2021 for 10,000 sf of outdoor canopy. The second was for 10,000 additional feet of outdoor canopy and 2,400 sf of indoor inside of an existing shop building. The applicant now wants an additional 3 acres of outdoor and 2,500 sf of indoor inside a new barn-like building that would be built.

Please have any comments you have back to me in two weeks if possible.

Thanks,

Eric Porter
Planning Dept, Lake County

From: [William Collins](#)
To: [Mary Claybon](#)
Subject: RE: Request for Review for Sufficiency (UP 23-08) Wellness Ranch III Commercial Cannabis project
Date: Wednesday, June 12, 2024 9:17:03 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

1. Water storage will need to be calculated per NFPA 1142 and documentation submitted at time of Building Permit Submittal.
2. Complete 4290 & 4291 compliance will be required to all new structures.
3. Accessibility to people with disabilities will be required to the proposes barn style building.
4. Shipping containers will need a compliant means of egress such as a man door that can be opened from the inside without special knowledge or tools.
5. Please make sure they get all applicable building permits.

Sincerely

Bill Collins, CBO, CASp, CFM

Chief Building Official

County of Lake

255 N. Forbes St.

Lakeport, CA 95453

707-263-2221 ex 38123 (Office)

william.collins@lakecountyca.gov



From: Mary Claybon <Mary.Claybon@lakecountyca.gov>

Sent: Friday, June 7, 2024 2:12 PM

To: Katherine Vanderwall <Katherine.Vanderwall@lakecountyca.gov>; Douglas Gearhart <dougg@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Richard Ford <Richard.Ford@lakecountyca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; William Collins <William.Collins@lakecountyca.gov>; Katie Carpenter <Katie.Carpenter@lakecountyca.gov>; Lake County Community Development - Resource Planning <ResourcePlanning@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Vance Ricks <Vance.Ricks@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Scott DeLeon



COUNTY OF LAKE
Health Services Department
Environmental Health Division
922 Bevins Court
Lakeport, California 95453-9739
Telephone 707/263-1090
FAX 707/263-4395

Susan Parker
Interim Health Services Director

Craig Wetherbee
Environmental Health Director

Promoting an Optimal State of Wellness in Lake County

Memorandum

DATE: 1/3/2024

TO: Eric Porter, Associate Planner

FROM: Christina Gearhart, EHS

RE: Major Use Permit UP 23-08; Initial Study IS 23-19;
Applicant: Luis Martinez/Richard Knoll/Wellness
Ranch LLC

APN: APN: 007-045-161/SR0005340

The applicant must meet the Lake County Division of Environmental Health requirements regarding on-site wastewater treatment. This property has a 2019 septic permit (#18625) designed to service a 3-bedroom residence or 450 gallons per day maximum. The applicant is using the existing residence as well as portable/"chemical toilets" restroom facilities for sewage disposal. If the commercial cannabis processing facilities have plumbing (such as restrooms, kitchen, showers, etc.), then the applicant needs to discuss options for sewage disposal for the new structures. This may include a site evaluation and new septic permit, depending on increase in flow and location of structure relative to the existing septic system.

We have documentation of four wells on this property: a 2018 well permit (permit #WE-5116) for a domestic well, and a 2021 and two 2023 well (permits #WE-5617-AG, WE-5965-AG and WE-5981-AG) for three total agricultural wells.

All wells shall be located and with an adequate horizontal distance from potential sources of contamination and pollution. The storage of hazardous materials shall be located a safe distance from any water well to prevent contamination. The applicant is required to implement measures to prevent cross-contamination of the well(s) and associated groundwater aquifers.



Hazardous materials shall not be allowed to leak onto the ground or contaminate surface waters. Any release of hazardous materials shall be recycled or disposed of through a registered waste hauler to an approved site authorized to accept such materials.

Industrial Waste shall not be disposed of on-site without review or permit from the Environmental Health Division or the Regional Water Quality Control Board.

If the applicant stores hazardous materials equal to or greater than 55 gallons of a liquid, 500 pounds of a solid or 200 cubic feet of compressed gas, the applicant will be required to submit a Hazardous Materials Inventory Disclosure Statement/ Business Plan to the Environmental Health Division via the California Electronic Reporting System (CERS) and it shall be renewed and updated annually or if quantities increase. Note that additional California Unified Program Agency (CUPA) requirements may apply depending on the amounts of hazardous materials stored on site.

If the amount of hazardous materials is less than the above quantities, the applicant will need to complete and submit a Hazardous Materials/Waste Declaration stating the names of the materials and the quantities to be stored on site.



From: [Benjamin Moore](#)
To: [Mary Claybon](#)
Subject: RE: Request for Review for Sufficiency (UP 23-08) Wellness Ranch III Commercial Cannabis project
Date: Thursday, June 13, 2024 2:22:35 PM

No Comment

-Ben Moore

From: Lucas Bingham <Lucas.Bingham@lakecountyca.gov>
Sent: Monday, June 10, 2024 11:29 AM
To: Benjamin Moore <Benjamin.Moore@lakecountyca.gov>
Subject: FW: Request for Review for Sufficiency (UP 23-08) Wellness Ranch III Commercial Cannabis project

From: Mary Claybon <Mary.Claybon@lakecountyca.gov>
Sent: Friday, June 7, 2024 2:12 PM
To: Katherine Vanderwall <Katherine.Vanderwall@lakecountyca.gov>; Douglas Gearhart <dougg@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Richard Ford <Richard.Ford@lakecountyca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; William Collins <William.Collins@lakecountyca.gov>; Katie Carpenter <Katie.Carpenter@lakecountyca.gov>; Lake County Community Development - Resource Planning <ResourcePlanning@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Vance Ricks <Vance.Ricks@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; nahc@nahc.ca.gov; pgeplanreview@pge.com; janae.fried@waterboards.ca.gov; jason.schroeder@waterboards.ca.gov; nwic@sonoma.edu; localverification@cannabis.ca.gov; r2ceqa@wildlife.ca.gov; mike.wink@fire.ca.gov; jesse.robertson@dot.ca.gov; jacob.rightnar@dot.ca.gov; preitz@lakeportfire.com
Cc: Susan Parker <Susan.Parker@lakecountyca.gov>; Michael Green <Michael.Green@lakecountyca.gov>; lcfarmbureau@sbcglobal.net; elioth@sscr.org; wshock@mchsi.com; debsal14@gmail.com; roberta.lyons@att.net; redbud.audubon@gmail.com; donnamackiewicz@gmail.com
Subject: Request for Review for Sufficiency (UP 23-08) Wellness Ranch III Commercial Cannabis project

Hello fellow agencies,

An RFR for this project was sent out by Planning Division staff on December 1, 2023. The project scope has remained the same, however the applicant has provided updated documentation for the project's water use analysis, Property Management Plan, and estimated energy calculations. All attachments are available for download. Please provide a comment for this project by June 21, 2024, even if your comment is, "No comment."



LAKEPORT FIRE PROTECTION DISTRICT

445 North Main Street, Lakeport, CA 95453
Telephone: (707) 263-4396 Fax: (707) 263-7087
Web Site: www.lakeportfire.com



Friday, June 21, 2024

Request for Review: Major Use Permit, UP 23-08

APN: 007-045-16

Address: 6751 Ridge Rd, Lakeport

Owner(s): Wellness Ranch, LLC

Items required to be addressed:

1. Road / Driveway Access / Egress
 - a. All driveway length, width, turning radii, and measurements of parking area(s) and hammerhead turnaround required to identified to meet required minimums.
 - b. Owner required to maintain easement at all times to minimum height requirement (13.5' vertically) for full width of easement.
 - i. Trees required to be trimmed to height (13.5' vertically) and clear of easement for full width (20' horizontally).
 - c. Driveway / parking area(s) does not appear large enough to accommodate emergency apparatus with turnaround.
2. Gates
 - a. Driveway, other access / egress gates with widths and opening / closing / locking mechanisms not identified.
 - i. Required installation of Knox Electronic Key Switch for all electric gates or electronic access points for Lakeport Fire Protection District Fire / EMS access; or
 - ii. For non-electric gate access to structure(s) from the driveway: Knox Lock or Knox Box.
3. Addressing
 - a. Posted reflective address sign(s) of contrasting colors, retro-reflective of required size (5" min. with 1" stroke min.); at the main access gate (Ridge Rd.), visible from both directions at the roadway for each address accessed from driveway.
 - i. Additional posted reflective address sign(s) of contrasting colors, retro-reflective of required size; posted at each wye of the driveway(s) indicating direction of residence(es) and grow operations.
 1. Grow operations required to be individually identified by name, number, etc.
 - ii. Individual structures will be signed individually, with letters and / or numbers, in a logical order to aid in locating for emergency services.

4. Knox Box
 - a. Required installation of Knox Box or lock box equipped with Knox keyway for Lakeport Fire Protection District Fire / EMS access for all locked access points / structures.
 - i. Size and location(s) to be determined.
 - ii. Multiple Knox Boxes may be required.
5. Water (Fire Protection)
 - a. Water tank location(s) required to be accessible to fire / emergency apparatus.
 - i. Fire Department access to the water tank(s) not noted in the documents.
 - b. Fire Department Connection(s) not noted in the documents.
 - i. Fire Department Connections required to be approved by Lakeport Fire Protection District.
 - ii. Fire Department Connection (FDC) required to be signed with retro-reflective sign(s) of red background and white letters colors, of required size "FDC Fire Water".
 1. Additional signage may be required.

Owner / developer required to meet with Lakeport Fire Protection District (LFPD) Fire Chief prior to installation of any fire water storage tanks, the connections and markings / identifications.
6. Building Access
 - a. See Knox Box (4.a.i & ii).
7. Other conditions and requirements may be required prior to final approval.

Please do not hesitate to contact the District should there be any questions.

Stay Safe,

/s/ Patrick Reitz

Patrick Reitz, Fire Chief
preitz@lakeportfire.com



December 11, 2023

Eric Porter
County of Lake
255 N Forbes St
Lakeport, CA 95453

Re: UP 23-08
Wellness Ranch III

Dear Eric Porter,

Thank you for providing PG&E the opportunity to review the proposed plans for UP 23-08 dated 11/30/2023. Our review indicates the proposed improvements do not appear to directly interfere with existing PG&E facilities or impact our easement rights.

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

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

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

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

Sincerely,

PG&E Plan Review Team
Land Management

From: [Lake County Community Development - Resource Planning](#)
To: [Mary Claybon](#)
Cc: [Lake County Community Development - Resource Planning](#)
Subject: RE: Request for Review for Sufficiency (UP 23-08) Wellness Ranch III Commercial Cannabis project
Date: Thursday, June 13, 2024 3:24:01 PM
Attachments: [Grading Permits 2024.pdf](#)
[2020 vs. 2023 Water Resources Comparison.pdf](#)
[image001.png](#)

Good afternoon Mary,

The following are my comments concerning grading.

1. All trenching activity for irrigation, any road widening, any clearing of vegetation, and any/all cuts and fills for the project as a whole should undergo a review for grading impacts subsequent to and dependent upon Use Permit approval. Individual grading permits or isolated grading activities cannot be assessed independently. Please give the applicant the attached "Grading Permits 2024" FAQ and relay to the requirement to apply for a grading permit.
2. A formal delineation of waters shall be submitted to the Community Development Department prior to construction work or ground disturbance per pg. 16 of the updated 2020 Biological Report from G.O. Graening.
3. The 2020 Biological Report from G.O. Graening originally submitted for MUP 22-11 on November 9, 2022 differs from the updated version (March 2023) provided for UP 23-08. The report submitted for UP 23-08 should be amended to include a section outlining the changes. For example, the maps depicted on pg. 26 and 28 respectively seems to show an enhanced area for the pond between the gardens, and the disappearance of a previously mapped wetland area (See "2020 vs. 2023 Water Resources Comparison").
4. Please ask the applicant for proof of approval for the pond's expansion (if it was expanded or is currently existing over 1 acre foot). The Initial Study (IS 19-23), Biological Resources Report, and Staff Report accompanying MUP 19-15, do not contain a discussion on the existence of a pond. The Site Plans of MUP 22-11 show an "Existing Permitted Pond" between the two cultivation gardens, and per the 2020 Biological Report from G.O. Graening "...a stock pond was constructed in 2019." Planning records of ZC19-459/GE 19-24 relay that a Grading Exemption was given for this 0.8 acre pond in September 2019, as the pond's dimensions fell below 1-acre foot pursuant to section 17.4.22 of the Lake County Grading Ordinance (Ch. 30 of the Lake County Municipal Code). Additionally, pursuant to Chapter 30, Sec. 30.20, the pond would fall under the category of a "reservoir". Pursuant to the Lake County Zoning Ordinance Article 27, a reservoir would need to have a Zoning Permit if over 1 acre foot, and a major/minor use permit for medium/large reservoirs.
5. Please ensure to include the following discussion from the Biological Resources Report of MUP 19-15, pgs. 10-11 in the Initial Study:

2) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

Areas were found in the vicinity of cultivation sites that would potentially be subject to wetland/waters jurisdiction of the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act and/or would potentially be subject to the Porter-Cologne Act jurisdiction

of the CVRWQCB. The features include a blue line stream, several ephemeral drainages originating in the hills and draining toward the stream, and areas of wetland.

Gary Deghi of HBG [The Huffman Broadway Group Inc.] *discussed the nature of some of the above-mentioned aquatic features in a meeting with Principal Planner Byron Turner of Lake County Community Development Department on April 17, 2019. The discussion centered around whether minor ephemeral drainages are features that would be covered under the requirements of the Lake County Code section stating “Outdoor cultivation, including any topsoil, Pesticide Managements, or fertilizers use for the cultivation of medical marijuana shall not be located within 100 feet of any spring, top of bank of any creek or seasonal stream, edge of lake, delineated wetland or vernal pool.” It was clarified that the 100-foot setback is clearly required to protect aquatic features with significant habitat value, which would include riparian systems with significant canopy vegetation, major drainage systems, natural wetlands and vernal pools, and even stock ponds or irrigation ponds potentially supporting federally-listed threatened species such as California red-legged frog (*Rana draytonii*) or California tiger salamander (*Ambystoma californiense*). Many Lake County sites are riddled with ephemeral drainages of minor habitat value that originate in the hills and pass through lower elevation areas to feed larger drainage systems. Requiring a 100-foot setback from each of these ephemeral drainages would render many sites infeasible for purposes of cannabis cultivation. County staff clarified that these smaller ephemeral drainages should be preserved, but could be protected with a lesser setback (e.g., 20 feet) if Best Management Practices (BMPs) including water quality and erosion control measures were also put into place to ensure that water quality impacts to these ephemeral streams do not occur.*

HBG finds that the onsite ephemeral drainages do not support habitat features that necessarily warrant a 100-foot setback. Instead, HBG recommends that a 100-foot setback apply to the creek that traverses the property. In addition, HBG recommends that all ephemeral drainages found in the vicinity of the cultivation area be protected with a 20-foot setback and installation of erosion control devices placed along the edge of the fence surrounding the cultivation area. Specifically, the applicant agrees to place straw wattles along the fence line along all borders of the cultivation site that are as close as 20 feet from any ephemeral drainage. The creek can be seen in the aerial photograph and plans provided as part of Attachment 3; detailed mapping of ephemeral drainages or wetlands as not been conducted. However, the applicant is committed to establishing and maintaining setbacks from cultivation operations of 100 feet from the blue line stream and 20 feet from all ephemeral drainages with accompanying Best Management Practices. It may require more than one fenced-in cultivation site to ensure these setbacks are maintained, but as long as these conditions are satisfied, there would be no significant impact of the cannabis cultivation project on any biologically important aquatic features.

Thank you,

Katherine Schaefer, MA
Resource Planner
Community Development Department
255 N. Forbes St.
Lakeport, CA 95453
Phone: (707) 263-2221

From: [Lori Baca](#)
To: [Mary Claybon](#)
Subject: RE: Request for Review for Sufficiency (UP 23-08) Wellness Ranch III Commercial Cannabis project
Date: Monday, June 10, 2024 9:30:37 AM
Attachments: [image001.jpg](#)

Mary,

This parcel is outside of any Special Districts service area, no comment.

Happy Monday!

Lori A. Baca

Customer Service Supervisor

Lori.Baca@lakecountyca.gov

Office Number (707) 263-0119

Fax (707) 263-3836



From: Mary Claybon [mailto:Mary.Claybon@lakecountyca.gov]

Sent: Friday, June 7, 2024 2:12 PM

To: Katherine Vanderwall <Katherine.Vanderwall@lakecountyca.gov>; Douglas Gearhart <doug@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Richard Ford <Richard.Ford@lakecountyca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; William Collins <William.Collins@lakecountyca.gov>; Katie Carpenter <Katie.Carpenter@lakecountyca.gov>; Lake County Community Development - Resource Planning <ResourcePlanning@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Vance Ricks <Vance.Ricks@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; nahc@nahc.ca.gov; pgeplanreview@pge.com; janae.fried@waterboards.ca.gov; jason.schroeder@waterboards.ca.gov; nwc@sonoma.edu; localverification@cannabis.ca.gov; r2ceqa@wildlife.ca.gov; mike.wink@fire.ca.gov; jesse.robertson@dot.ca.gov; jacob.rightnar@dot.ca.gov; preitz@lakeportfire.com

Cc: Susan Parker <Susan.Parker@lakecountyca.gov>; Michael Green <Michael.Green@lakecountyca.gov>; lcfarmbureau@sbcglobal.net; elioth@sscra.org; wshock@mchsi.com; debsal14@gmail.com; roberta.lyons@att.net; redbud.audubon@gmail.com; donnammackiewicz@gmail.com

Subject: Request for Review for Sufficiency (UP 23-08) Wellness Ranch III Commercial Cannabis project

Hello fellow agencies,

An RFR for this project was sent out by Planning Division staff on December 1, 2023.
The project scope has remained the same, however the applicant has provided

From: [Vance Ricks](#)
To: [Mary Claybon](#)
Cc: [Cara Salmon](#)
Subject: Fw: RFR - UP 23-08, Wellness Ranch III
Date: Friday, June 7, 2024 2:29:20 PM
Attachments: [image001.png](#)

Hi Mary

There is a record map on file for this site, See Data Notes Sheet 1.

Application will need to confirm setback from North Boundary Line

Thanks

Vance

Good morning. They are within a monumented Parcel Map. Can the applicant prove setbacks are met in the field?



From: Vance Ricks <Vance.Ricks@lakecountycalifornia.gov>
Sent: Friday, December 1, 2023 7:55 AM
To: Cara Salmon <cara.salmon@lakecountycalifornia.gov>
Subject: Fw: RFR - UP 23-08, Wellness Ranch III

From: Eric Porter <Eric.Porter@lakecountycalifornia.gov>
Sent: Thursday, November 30, 2023 2:51:26 PM
To: Katherine Vanderwall; Douglas Gearhart; Ryan Lewelling; William Collins; John Everett; Christina Gearhart; Lori Baca; Vance Ricks; Elizabeth Martinez; chief800@northshorefpd.com; mike.wink@fire.ca.gov; pgeplanreview@pge.com; tod.elliott@lakecountycalifornia.gov; R2CEQA@wildlife.ca.gov; jesse.robertson@dot.ca.gov; Scott DeLeon
Subject: RFR - UP 23-08, Wellness Ranch III

From: [Fried, Janae@Waterboards](mailto:Fried_Janae@Waterboards)
To: [Mary Claybon](mailto:Mary.Claybon@lakecountyca.gov)
Subject: [EXTERNAL] RE: Request for Review for Sufficiency (UP 23-08) Wellness Ranch III Commercial Cannabis project
Date: Wednesday, June 19, 2024 9:58:37 AM

UP 23-08 Wellness Ranch: is enrolled in the Cannabis General Order as a Tier 1L site under WDID 5S17CC409594; the site has been enrolled since 3/20/2019; The APN matches, the responsible party matches. Cultivation Area covered: 26,000 SF; Disturbed Area covered: 36,800 SF. The Site Management Plan was submitted on 3/10/2020 and updated on 7/10/2023. All of the invoices are up to date. All Annual Reports have been submitted.

- The RFR documents are proposing 3 acres of outdoor cultivation, this should be permitted as 130,680 SF cultivation area in addition to the 2500 SF barn for indoor cultivation. The site will need to submit a COI increasing the Cultivation Area and the Disturbed Area and update the Site Management Plan on file with the Water Board *before* any development past their current coverage begins.

Janae Fried (she/her)
Engineering Geologist
Central Valley Water Board, Redding Office
Cannabis Regulation and Enforcement Unit (CREU)
364 Knollcrest Drive, Suite 205
Redding, CA 96002
Office Line: 530-224-3291

From: Mary Claybon <Mary.Claybon@lakecountyca.gov>
Sent: Friday, June 7, 2024 2:12 PM
To: katherine.vanderwall@lakecountyca.gov; doug.gearhart@lakecountyca.gov; elizabethk@lcaqmd.net; richard.ford@lakecountyca.gov; jim.campbell@lakecountyca.gov; william.collins@lakecountyca.gov; katie.carpenter@lakecountyca.gov; resourceplanning@lakecountyca.gov; lucas.bingham@lakecountyca.gov; lori.baca@lakecountyca.gov; vance.ricks@lakecountyca.gov; greg.peters@lakecountyca.gov; scott.deleon@lakecountyca.gov; NAHC@NAHC <NAHC@nahc.ca.gov>; pgeplanreview@pge.com; Fried, Janae@Waterboards <Janae.Fried@Waterboards.ca.gov>; Schroeder, Jason@Waterboards <Jason.Schroeder@Waterboards.ca.gov>; nwc@sonoma.edu; Local Verification@Cannabis <localverification@cannabis.ca.gov>; r2ceqa@wildlife.ca.gov; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; ROBERTSON, JESSE GRAHAM@DOT <jesse.robertson@dot.ca.gov>; Rightnar, Jacob@DOT <Jacob.Rightnar@dot.ca.gov>; preitz@lakeportfire.com
Cc: susan.parker@lakecountyca.gov; michael.green@lakecountyca.gov; lcfarmbureau@sbcglobal.net; elioth@sscra.org; wshock@mchsi.com; debsal14@gmail.com; roberta.lyons@att.net; redbud.audubon@gmail.com; donnammackiewicz@gmail.com
Subject: Request for Review for Sufficiency (UP 23-08) Wellness Ranch III Commercial Cannabis project

Central Valley Regional Water Quality Control Board

11 January 2024

Eric Porter
Lake County Planning Department
255 North Forbes Street
Lakeport, CA 95453
eric.porter@lakecountyca.gov

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, UP 23-08 WELLNESS RANCH III COMMERCIAL CANNABIS PROJECT, SCH#2020060431, LAKE COUNTY

Pursuant to the State Clearinghouse's 13 December 2023 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the UP 23-08 Wellness Ranch III Commercial Cannabis Project, located in Lake County.

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

I. Regulatory Setting

Basin Plan

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

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

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

http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

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

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf

In part it states:

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

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

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

II. Permitting Requirements

Cannabis General Order

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

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

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

Additional information about the Cannabis General Order, Cannabis SIUR Program, and Portal can be found at:

www.waterboards.ca.gov/cannabishttps://public2.waterboards.ca.gov/CGO

For questions about the Cannabis General Order, please contact the Central Valley Water Board's Cannabis Permitting and Compliance Unit at:

centralvalleysacramento@waterboards.ca.gov or (916) 464-3291. For questions about Water Rights (Cannabis SIUR), please contact the State Water Board's Division of Water Rights at: CannabisReg@waterboards.ca.gov or (916) 319-9427.

Construction Storm Water General Permit

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

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Clean Water Act Section 404 Permit

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

Clean Water Act Section 401 Permit – Water Quality Certification

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

Certification, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality/certification/

Waste Discharge Requirements – Discharges to Waters of the State

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

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:

https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Dewatering Permit

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

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

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

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

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

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

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

Peter Minkel

Peter Minkel
Engineering Geologist

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



Fried, Janae@Waterboards

From: janae.fried@waterboards.ca.gov

To: Wellness Ranch Team



Fri, Apr 19 at 2:09 PM ☆

Hi Luis,

I will be out of the office all next week, so I do not have time to prepare an official document. Because you won't be disturbing the additional area until the next fiscal year (July 1, 2024 – June 30, 2025), you do not have to submit any changes to your enrollment at this time. Before you put shovels to the ground, you must submit another COI and get an approved updated NOA. Please share this email with appropriate county staff.

Janae Fried (she/her)

Engineering Geologist

Central Valley Water Board, Redding Office

Cannabis Regulation and Enforcement Unit (CREU)

364 Knollcrest Drive, Suite 205

Redding, CA 96002

Office Line: 530-224-3291



August 8, 2025

Mary Claybon, Senior Planner
Lake County Community Development Department
Courthouse – 255 North Forbes Street
Lakeport, CA 95453
(707) 263-2221
mary.claybon@lakecountyca.gov

Re: Initial Study/Mitigated Negative Declaration (SCH No. 2020060431) – PL-25-59 (UP 23-08) Wellness Ranch 3 Cannabis Cultivation Project

Dear Ms. Claybon:

Thank you for providing the California Department of Cannabis Control (DCC) the opportunity to comment on the Initial Study/Mitigated Negative Declaration (IS/MND) prepared by Lake County for the proposed Wellness Ranch 3 Cannabis Cultivation Project (Proposed Project).

DCC has jurisdiction over the issuance of licenses to commercial cannabis businesses. DCC may issue a cultivation license to a business that meets all licensing requirements, and where the local jurisdiction authorizes these activities. (Bus. & Prof. Code, § 26012(a).) All commercial cannabis businesses within California require a license from DCC. For more information pertaining to commercial cannabis business license requirements, including DCC regulations, please visit: <https://cannabis.ca.gov/cannabis-laws/dcc-regulations/>.

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

DCC offers the following comments concerning the IS/MND.

General Comments (GCs)

GC 1: Acknowledgement of DCC Regulations

The IS/MND does not acknowledge that the project would require one or more cannabis cultivation licenses from DCC. The document could be improved if it acknowledged that DCC is responsible for licensing, regulation, and enforcement of commercial cannabis business activities, as defined in the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) and DCC regulations related to cannabis cultivation and distribution (Bus. & Prof. Code, § 26012(a)). In particular, the analysis could benefit from discussion of the protections for environmental resources provided by DCC's cultivation and distribution regulations. The impact analysis for each of the following resource topics could be further supported by a discussion of the effects of state regulations on reducing the severity of impacts for each applicable topic:

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

Specific Comments and Recommendations

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

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Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	DCC Comments and Recommendations
1	V	28	Cultural Resources	The mitigation measures include CUL-1 and CUL-2, however there is also reference to CUL-3. It appears that this is a typographical error and it should be removed.
2	X	49	Hydrology and Water Quality	Under “Drought Emergency Water Conservation Measures”, should the second bullet point read “.. <u>after</u> sunset”?
3	X	50	Hydrology and Water Quality	Perlite is a common soil amendment however it is typically used to improve soil aeration and drainage. Water retention is not a property of this material. Perlite is also mentioned on page 9.
4	XXI	66-67	Mandatory Findings of Significance	The mitigation measures noted in sections a, b and c mention CUL 1 through 3 and GEO 1 through 7. However only CUL-1 through 2 and GEO-1 through 5 are discussed in the document. It appears that this is a typographical error and it should be removed.

Conclusion

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

Sincerely,

Kevin Ponce
Licensing Program Manager