

# MITIGATION MONITORING AND REPORTING PROGRAM

Initial Study (IS 19-34)

Major Use Permit (UP 19-34); Mombacho Mountain Organics Commercial Cannabis Cultivation

Potential Impact	Mitigation Measure	Implementation Responsibility	Monitoring & Reporting Responsibility	Timing	Date Implemented
<b>AESTHETICS</b>					
Potential to impact aesthetics. The following mitigation measures will reduce visual impacts associated with this project.	<u>AES-1</u> : An Outdoor Lighting Plan that meets the darkskies.org lighting recommendations shall be submitted for review and acceptance, or review and revision prior to cultivation.	Applicant	Applicant	Prior to cultivation	
	<u>AES-2</u> : All greenhouses incorporating artificial lighting shall be equipped with blackout film/material to be used at night for maximum light blockage to lessen the impact on the surrounding parcels and the dark skies. Applicant shall submit a <u>Blackout Film/Materials Plan</u> to the Community Development Department for review and approval prior to issuance of any permits.	Applicant, contractor	Applicant	Prior to cultivation	
<b>AIR QUALITY</b>					
Potential to impact air quality temporarily during construction activities and permanently throughout operation.	<u>AQ-1</u> : Prior to cultivation, the applicant shall plant fragrant flowering and herb plants, such as Lavender, Rosemary, Thyme, and Daphne Odora around the southern and eastern sides of the cultivation area. Plants shall be planted at intervals of 5' or less; shall be irrigated, and shall be maintained in a healthy state for the life of the project.	Applicant, contractor	Applicant	Prior to cultivation	
	<u>AQ-2</u> : All Mobile diesel equipment used for construction and/or maintenance shall be compliance with State registration requirements. Portable and stationary diesel powered equipment must meet the requirements of the State Air Toxic Control Measures for CI engines as well as Lake County Noise Emission Standards.	Applicant, contractor	Applicant, contractor	During construction and cultivation	

	<u>AQ-3:</u> Construction and/or work practices that involve masonry, gravel, grading activities, vehicular and fugitive dust shall be managed by use of water or other acceptable dust palliatives to mitigate dust generation during and after site development.	Applicant, contractor	Applicant	During construction and cultivation	
	<u>AQ-4:</u> 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 to the Lake County Air Quality Management District.	Applicant, contractor	Applicant	During construction and cultivation	
	<u>AQ-5:</u> 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.	Applicant, contractor	Applicant	During construction and cultivation	
	<u>AQ-6:</u> 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.	Applicant, contractor	Applicant	During construction	
	<u>AQ-7:</u> All areas subject infrequent use of driveways, over flow parking, etc., shall be surfaced with gravel. Applicant shall regularly use and/or maintain graveled area to reduce fugitive dust generations.	Applicant, contractor	Applicant	During construction	
	<u>AQ-8:</u> Prior to cultivation, all greenhouses and buildings proposed for cannabis processing shall be equipped with filtration systems that prevents the movement of odors, pesticides, and other air borne contaminants out of or into the structure.	Applicant, contractor	Applicant	During construction	
<b>BIOLOGICAL RESOURCES</b>					
The project has some potential to impact biological resources. The following mitigation	<u>BIO-1 (Special Plant Species):</u> Prior to any future ground clearance, including vegetation removal, a “Botanical Survey” shall be performed by a qualified biologist. Additionally, if	Applicant/ Biologist	Applicant	Prior to cultivation	

measures will reduce potential impacts to less than significant.	special-status plant species are detected, it is recommended that these plants be avoided. If they cannot be avoided, transplantations to a protected area should be considered.			truction; life of project	
	<p><u>BIO 2 (Nesting Birds)</u>: Prior to the commencement of vegetation clearing and/or tree falling during the Nesting Bird Breeding season(s), a survey for nesting birds shall be conducted by a qualified biologist.</p> <ul style="list-style-type: none"> <li><i>If active nests are present in the Study Area during construction of the project, CDFW shall be consulted to develop measures to avoid “take” of active nests prior to the initiation of any construction activities. Avoidance measures may include but are not limited to the 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.</i></li> </ul>	Applicant, Biologist	Applicant	Prior to site disturbance	
	<u>BIO-3 (Blue Elderberry)</u> : Prior to operation, the applicant shall establish a no disturbance buffer of at least 75 feet around each elderberry shrub.	Applicant, Biologist	Applicant	Prior to site disturbance	
	<p><u>BIO - 4 (Waterways)</u>: Any project activities that would result in the fill of any waters mapped in Figure W-2 of the Biological assessment, may be required to obtain the following permits.</p> <ul style="list-style-type: none"> <li>US Army Corps of Engineers Nationwide Permit</li> <li>Regional Water Control Board – 401 Water Quality Certification</li> <li>California Department of Fish and Wildlife 1601 Stream Bed Alternation Agreement.</li> </ul>	Applicant, Contractor	Applicant	Prior to site disturbance; life of the project	
	<u>BIO-5 (Erosion Control)</u> : All work in or near any waterways shall incorporate extensive Erosion and Sediment Control Plans/Measure consistent with all Federal, State and local agency requirements to avoid erosion and the potential for transport of sediment into the waterways. Additionally, coverage under the National Pollutant Discharge Elimination System (NPDES),	Applicant, Contractor	Applicant	Prior to site disturbance; life of the project	

	General Permit for Storm Water Discharge associated with a Construction Activity (General Permit) and a Storm Water Pollution Plan (SWPP may be required).				
	<u>BIO-6 (Creek Buffer)</u> : The applicant shall maintain a minimum of a one-hundred (100) foot setbacks from the top of bank of any creek (perennial and intermittent), edge of lake, delineated wetland and/or vernal pool on the lot of record of land.	Applicant, Contractor	Applicant	Prior to site disturbance, life of the project	
	<u>BIO-7 (Staging Area)</u> : The applicant shall ensure to use only previously disturbed areas for staging/storage of materials and/or equipment that is used to maintain the ongoing use. No areas shall be newly developed for the purpose of staging.	Applicant, Contractor	Applicant	Prior to site disturbance, life of the project	
	<u>BIO-8</u> : The applicant shall preserve and/or avoid existing vegetation not otherwise specified for removal, including native tree species.	Applicant, Contractor	Applicant	Prior to site disturbance, life of the project	
	<u>BIO-9</u> : If the total area of ground disturbance from project implementation is greater than 1 acre, the cultivator shall enroll for coverage under the General Permit for Discharges for Storm Water Associated with Construction Activity (Construction General Permit, 2009-0009-DWQ)	Applicant/ Contractor(s)	Applicant/ Contractor(s)	Prior to and during site development and construction; life of project	
<b>CULTURAL / TRIBAL RESOURCES</b>					
The project has some potential to impact cultural / tribal resources. The following mitigation measures are added to limit the potential impacts on cultural and tribal resources. .	<u>CUL-1</u> : Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted in the vicinity of the find(s), the culturally-affiliated Tribe shall be notified, and a qualified archaeologist retained to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. Should any human remains be encountered, they shall be treated in accordance with Public Resources Code Section 5097.98 and with California Health and Safety Code section 7050.5.	Applicant/ Contractor(s)	Applicant	Prior to and during site development and construction; life of project	

	<u>CUL-2</u> : All employees shall be trained in recognizing potentially significant artifacts that may be discovered during ground disturbance. If any artifacts or remains are found, the Middletown Rancheria or other culturally affiliated Tribe shall immediately be notified; a licensed archaeologist shall be notified, and the Lake County Community Development Director shall be notified of such finds.	Applicant/ Contractor(s)	Applicant/ Contractor(s)	Prior to and during site development and construction; life of project	
<b>GEOLOGY / SOILS</b>					
The proposed project has some potential to impact geological resources and soil. The following mitigation measures will reduce impacts to 'less than significant'.	<p><u>GEO-1</u>: 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.</p> <p><u>GEO-2</u>: 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.</p>	Applicant/ Contractor(s)	Applicant	During site development and operation; life of the project	
<b>HAZARDS AND HAZARDOUS MATERIALS</b>					
The proposed project has some potential to impact the environment due to potential hazards and hazardous materials. The following mitigation measures will reduce impacts to 'less than significant'.	<p><u>HAZ-1</u>: The storage of potentially hazardous materials shall be located at least 100 feet from any existing water well or feature. These materials shall not be allowed to leak onto the ground or contaminate surface waters or nearby creeks. Collected hazardous or toxic materials shall be recycled or disposed of through a registered waste hauler to an approved site legally authorized to accept such materials.</p> <p><u>HAZ-2</u>: Any spills of oils, fluids, fuel, concrete, or other hazardous construction material shall be immediately cleaned up. All equipment and materials shall be stored in the staging areas away from all known waterways.</p> <p><u>HAZ- 3</u>: 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, then a Hazardous Materials Inventory Disclosure Statement/Business Plan shall be submitted and maintained in compliance with requirements of Lake County Environmental Health Division. Industrial</p>	Applicant/ Contractor(s)	Applicant	During site development and operation; life of the project	

	<p>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.</p> <p><u>HAZ-4:</u> 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.</p>				
<b>HYDROLOGY AND WATER QUALITY</b>					
<p>The proposed project has some potential to impact hydrology and water quality. The following mitigation measures will reduce impacts to 'less than significant'.</p>	<p><u>HYD-1:</u> The project design shall incorporate appropriate BMPs consistent with County and State storm water drainage regulations to prevent or reduce discharge of all construction or post-construction pollutants and hazardous materials offsite or all surface water.</p> <p><u>HYD-2:</u> The production well shall have a meter installed 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 begun at least three months prior to 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.</p>	Applicant/ Contractor(s)	Applicant	During site development and operation; life of the project	
<b>NOISE</b>					
<p>The proposed project will not have any adverse effect on the noise. However, the future project may create short-term increases in ambient noise levels to uncomfortable levels during project preparation, construction, and operations.</p>	<p><u>NOI-1:</u> All construction activities including engine warm-up shall be limited Monday Through Friday, between the hours of 7:00 a.m. and 7:00 p.m. 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.</p> <p><u>NOI-2:</u> Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00 a.m. to 7:00 p.m. and 45 dBA between the hours of 10:00 p.m. to 7:00</p>	Applicant/ Contractor(s)	Applicant	During site development and operation; life of the project	

	<p>a.m. within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.1) at the property lines.</p> <p><u>NOI-3:</u> The operation of the Air Filtration System shall not exceed levels of 57 dBA between the hours of 7:00 a.m. to 10:00 p.m. and 50 dBA from 10:00 p.m. to 7:00 a.m. within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.2) measured at the property lines.</p>				
TRANSPORTATION					
<p>The proposed project may require some interior road / driveway improvements to meet Public Resource Code (PRC) 4290 and 4291.</p>	<p><u>TRANS-1:</u> Prior to this use permit having any force or effect, the applicant shall comply with Public Resources Code 4290 and 4291 Fire Safe Requirements.</p> <p><u>TRANS-2:</u> Facilities constructed or utilized for new development shall comply with County standards in order to minimize initial and subsequent maintenance costs.</p>	Applicant/ Contractor(s)	Applicant	During site development and operation; life of the project	