

Jim Feenan

From: Donna Mackiewicz <donnammackiewicz@gmail.com>
Sent: Friday, June 17, 2022 5:28 PM
To: Jim Feenan
Subject: [EXTERNAL] RE: UP 21=06 Akwaaba, UP 20-47 Emerald Mountain, UP 19-42 Bottle Rock and UP 21-14 Monte Cristo

RE: UP 21=06 Akwaaba, UP 20-47 Emerald Mountain, UP 19-42 Bottle Rock and UP 21-14 Monte Cristo

Dear Mr. Freenan, Community Development and County Representatives,

There is not much one person can say that would change the outcome of what many consider advancement of Lake County today in 2022 with the approval of the upcoming cannabis projects (especially those that have had more than one violation). But I would like to share a few things that weigh heavily on my mind for each and every project presented before you.

Lake County is so rich in native species and they do not have a voice.

For each project, even though you may not know or see different species, please...

- Remember the **Konocti Manzanita** (*Arctostaphylos manzanita ssp. elegans*). Konocti Common Manzanita (*Arctostaphylos manzanita ssp. elegans*) is a rare native shrub located along High Valley Road (location can be found in the California Natural Diversity Database database) in this amazing county. It is one of 90+ CA Manzanitas and grows in slopes and rocky places, and is a shrub that can grow to 26 feet tall. It's evergreen with white and pink flowers that supports over 46 moths, butterflies and bees. To name a few: Brown Elfin, Ceanothus Silk Moth, Elegant Sheep Moth, Mendocino Silk Moth and Lampet Moth and Sulphur Moth.
- Remember the 2008 BLM resource report on Lake County bats. We have five sensitive species including the **Townsend's Long-eared Bat** (*Plecotus Townsendsii*). I personally see and have bats at my home in the Keys. I love bats and am aware each time I see one how important they are to humans. The bats are in peril from disturbance, loss of habitat to urban development, logging and agriculture. They are overlooked and often undetected by the average person – even those performing site surveys.
- Remember **Cannabis studies are not available that show the long-term impact on the environment**. We don't know what happens to bird's reproduction, animal/human long-term health, the effect the drift has on the water insects and quality. It is too soon to review scientific data. Phoebe Parker-Shames of UC Berkley's studies – the most up-to date data - cannot predict what the future consequences.
- **Remember the birds**. There have been over 100 species spotted just this past spring. Everything we do effects their and our future.

Thank you for your dedication to make Lake County an even more beautiful place to grow, live, and share with visitors as we respect Native Americans culture and all native species that have no voice.

Sincerely,
Donna Mackiewicz
Clearlake Oaks

Sent from [Mail](#) for Windows



April 20, 2022

Andrew Amelung, Program Manager
Lake County Community Development Department
Courthouse – 255 North Forbes Street
Lakeport, CA 95453
andrew.amelung@lakecounty.ca.gov

Re: Initial Study/Mitigated Negative Declaration (IS/MND) for Emerald Mountain Farms, Inc.,
Major Use Permit UP 20-47, Initial Study IS 20-59 (SCH No. 2022030622)

Dear Mr. Amelung:

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

DCC has jurisdiction over the issuance of licenses to cultivate, propagate and process commercial cannabis in California. DCC issues licenses to outdoor, indoor, and mixed-light cannabis cultivators, cannabis nurseries and cannabis processor facilities, where the local jurisdiction authorizes these activities. (Bus. & Prof. Code, § 26012(a).) All commercial cannabis businesses within the 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/resources/rulemaking/>.

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

DCC offers the following comments concerning the IS/MND.

General Comments (GCs)

GC 1: Proposed Project Description

Certain comments provided in the comment table below relate to the need for additional detail regarding the description of the Proposed Project. In general, more detailed information regarding regular operations would be helpful to DCC. The following information would make the IS/MND more informative:

- 1) Description of the size and location of any existing infrastructure; past uses; and natural features, such as vegetation, water features, and topography of the Proposed Project site.
- 2) Description of planned facility operations and maintenance, including:
 - a. Any heavy equipment that will be used for cultivation operations (e.g., tractors, forklifts, mowers);
 - b. Any water efficiency equipment that would be used;
 - c. Utilities that would serve the project; and
 - d. Source(s) and amounts of energy expected to be used in operating the project, including any generators that may be used, as well as any energy management and efficiency features incorporated into the Proposed Project.

GC 2: Acknowledgement of DCC Regulations

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

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

- Aesthetics (See 4 California Code of Regulations §16304(a).)
- Air Quality and Greenhouse Gas Emissions (See §§ 15020(f); 16304(e); 16305; 16306.)
- Biological Resources (See §§ 15006(i); 15011(a)(11); 16304(a-c); 16304(g).)
- Cultural Resources (See § 16304(d).)
- Energy (See §§ 15006(i)(6); 15011(a)(5); 15020(f); 16305; 16306.)
- Hazards and Hazardous Materials (See §§ 15006(i)(5)(c); 15011(a)(4); 15011(a)(12); 16304(f); 16307; 16310.)
- Hydrology and Water Quality (See §§ 15006(i); 15011(a)(3); 15011(a)(7); 15011(a)(11); 16216; 16304(a); 16304(b); 16307; 16310.)
- Noise (See §§ 16304(e); 16306.)

- Public Services (See §§15011(a)(10); 15036; 15042.)
- Utilities and Service Systems (See §§ 16309; 17223.)
- Wildfire (See § 15011(a)(10).)
- Cumulative Impacts (related to the above topics)

GC 3: Impact Analysis

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

GC 4: Site-Specific Reports and Studies

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

GC 5: Evaluation of Cumulative Impacts

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

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

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

Specific Comments and Recommendations

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

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Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
1	Other public agencies whose approval may be required	6	N/A	N/A (General Comment)	<p>The IS/MND could be more informative if it identified the permit(s) or approval(s) required from each of the agencies listed.</p> <p>Also, please note that commercial cannabis regulation and licensing previously under the California Department of Food and Agriculture, the California Department of Public Health, and the Bureau of Cannabis Control have been consolidated into a new single department, the California Department of Cannabis Control.</p>
2	Introduction, Question 18	6	AB52 Compliance	All 11 Tribes located in Lake County were notified of this proposal on June 25, 2020.	The document would be more informative if it listed the tribes that were notified.
3	I(d)	9	Aesthetics	N/A (General Comment)	The IS/MND would be strengthened if it referenced DCC's requirement that all outdoor lighting for security purposes must be shielded and downward facing. (Cal. Code Regs., tit. 4 § 16304(a)(6).)
4	III(a)	10	Air Quality	The project has some potential to result in short- and long-term air quality impacts.	The IS/MND could be improved by describing the potential air quality impacts and providing an analysis of how mitigation measures would reduce impacts to less-than-significant levels.
5	III(a) and (b)	10-11	Air Quality	Dust and fumes may be released as a result of site preparation and vehicular traffic.	The document would be improved if it specified the conditions under which palliatives must be used to control dust on roadways and outdoor cultivation areas. In addition, if mitigation

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
				[...] Dust on site shall be controlled using palliatives (water primarily) on roadways and in the outdoor construction areas both during and after construction.	measures are required, they should be listed, and the document should provide an analysis of how such measures would reduce impacts to less-than-significant levels.
6	III(a)	10	Air Quality	Odors generated by the plants, particularly during harvest season, will be mitigated through passive means (separation distance), and active means (Odor Control Plan). The mitigation measures below would reduce air quality impacts to less than significant.	The IS/MND does not include any mitigation measures that relate to odor control. The document would be improved if it described or listed the measures specified in the Odor Control Plan that would ensure impacts related to odor would be less than significant. In addition, if mitigation measures would be required to ensure that impacts related to odor would be less than significant, the IS/MND should list them and provide an analysis of how they would reduce impacts to less-than-significant levels.
7	III(b)	11	Air Quality	N/A (General Comment)	The IS/MND would be improved by providing a description of applicable air quality standards, proposed equipment required for project operations (e.g., employee vehicle and supply trucks, road and vegetation maintenance, cultivation equipment), and a quantitative assessment of impacts to air quality.
8	III(c)	11	Air Quality	N/A (General Comment)	The document would be strengthened if it disclosed all potential sources of dust and particulate matter anticipated

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
					during project operations (e.g., vehicle travel on dirt roads) and provided an analysis of whether these sources would create a significant impact to sensitive receptors.
9	IV(a)	12	Biological Resources	N/A (General Comment)	The IS/MND would be improved if it summarized relevant life history and occurrence information for rare species within the impact analysis discussion. In addition, the document would be strengthened if it specified the parameters for the review of the California Natural Diversity Database (CNDDDB) and the special-status species lists maintained by the US Fish and Wildlife Service and the California Department of Fish and Wildlife (e.g., what was the radius specified for the search, what quadrants were searched).
10	IV(b)	13	Biological Resources	Riparian habitat associated with the two intermittent watercourses of the Project Parcel was identified in the BRA.	The document would be strengthened if it contained a description of the riparian habitat, including the distance of the habitat from the cultivation area.
11	VI(a)	15	Energy	The cultivation site will require power for security systems, water pumps, and minor outdoor lighting.	The IS/MND would be improved if it estimated the amount of energy the Proposed Project would require for operational components such as cameras, pumps, video surveillance, and lighting.
12	VIII(a)	16	Greenhouse Gas Emissions	N/A (General Comment)	The IS/MND would be improved if it described potential sources of

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
					greenhouse gas emissions from project operations, such as equipment to be used in cultivation, delivery of materials, and shipment of product from the Proposed Project site. The IS/MND should provide an analysis of whether the Proposed Project would generate greenhouse gas emissions in excess of the threshold of significance, which should also be provided.
13	IX(a)	17	Hazards and Hazardous Materials	HAZ-1: [...] Potentially hazardous materials shall not be allowed to leak onto the ground or contaminate surface water bodies.	The mitigation measure would be strengthened if it described the specific management practices to be employed by the Proposed Project to ensure that hazardous materials would not leak into the ground or contaminate surface waters.
14	X(a)	19-20	Hydrology and Water Quality	Access roads and parking areas are/will be graveled to prevent the generation of fugitive dust and sediment laden stormwater runoff [...]	Mitigation Measure AQ-5 states that the applicant shall have the primary access and parking areas surfaced with chip seal, asphalt, or an equivalent all-weather surfacing. The document would be improved if it provided consistent information regarding the required road surface for the Proposed Project and based its analysis on such information.
15	XIII(a)	23	Noise	N/A (General Comment)	The document would be improved if it described the sources of noise (e.g., equipment, operation and maintenance activities) expected to occur during Proposed Project operations, the levels of noise those sources are likely to

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
					generate, and how the dBA limits in Mitigation Measure NOI-2 would be met. In addition, the document should describe the location and distance of any sensitive receptors and whether noise impacts to those receptors would be potentially significant.
16	XIII(a)	23	Noise	NOI-3: The operation of the Air Filtration System shall not exceed levels of 57 dBA between the hours of 7:00AM to 10:00PM and 50 dBA from 10:00PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.2) measured at property lines.	Mitigation Measure NOI-3 specifies noise limits for the Proposed Project's air filtration system; however, the Proposed Project does not appear to include any air filtration systems. If this is a typographical error, the mitigation measure should be removed.
17	XX(b)	28	Wildfire	Overall cannabis cultivation does not exacerbate wildfire risks, and the project would improve emergency vehicle accessibility.	The analysis in the transportation section (XVII(d)) indicates that there would be no changes to the access roads for the Proposed Project. The document would be strengthened if it described how the Proposed Project would improve emergency vehicle access.
18	XXI(b)	29	Mandatory Findings of Significance (Cumulative Impacts)	N/A (General Comment)	The IS/MND would be more informative if it identified any other cannabis growing operations that exist or have been proposed in the vicinity of the Proposed Project, and whether the Proposed Project would make a considerable contribution to any

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
					cumulative impacts from these other projects. (See GC 5.)

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,

Lindsay Rains
Licensing Program Manager

MAR 25 2022

Environmental Health

- ☒ County Clerk
☒ Interested Parties

**COUNTY OF LAKE
NOTICE OF INTENT
TO ADOPT A MITIGATED NEGATIVE DECLARATION -**

Project Title: Emerald Mountain Farms, Inc.; Use Permit (UP 20-47) and Initial Study (IS 20-59)

Project Location: 1850 Ogulin Canyon Road, Clearlake, CA

APN No.: APN 010-053-03, 010-011-01

Project Description: The applicant is seeking a Major Use Permit for a proposed Outdoor Commercial Cannabis Cultivation Operation at 1850 Ogulin Canyon Road near Clearlake, CA on Lake County APN 010-053-03 (Project Parcel), with A-Type 13 Distributor Transport Only, Self-Distribution. The proposed cultivation operation would be composed of a 34,316 ft² outdoor cultivation/canopy area, a 15,000 ft² outdoor cultivation/canopy area, a 10,000 ft² outdoor cultivation/canopy area, a 6,862 ft² outdoor cultivation/canopy area, a 2,384 ft² outdoor cultivation/canopy area, a 120 ft² Pesticides and Agricultural Chemicals Storage Area (existing wooden shed), a 120 ft² Security Center (proposed wooden shed), and nine 5,000-gallon water storage tanks. The proposed cultivation areas will be enclosed with 6-foot tall woven wire fences, covered with privacy screen/mesh where necessary to screen the cultivation/canopy areas from public view. The growing medium of the proposed outdoor cultivation/canopy areas will be an imported organic soilless growing medium (composed mostly of composted forest material) in aboveground fabric pots, with drip irrigation systems. All water for the proposed cultivation operation will come from the existing onsite groundwater well located at Latitude: 38.99555° and Longitude: -122.68973°.

Proposed Additions related to Project:

- 34,316 sq. ft. outdoor canopy area;
- 15,000 sq. ft outdoor canopy area
- 10,000 sq. ft. outdoor canopy area
- 6,862 sq. ft. outdoor canopy area
- 2,384 sq. ft. outdoor canopy area
- 120 sq. ft. wooden shed
- Nine 5,000-gallon water storage tanks
- 6' tall screening fencing

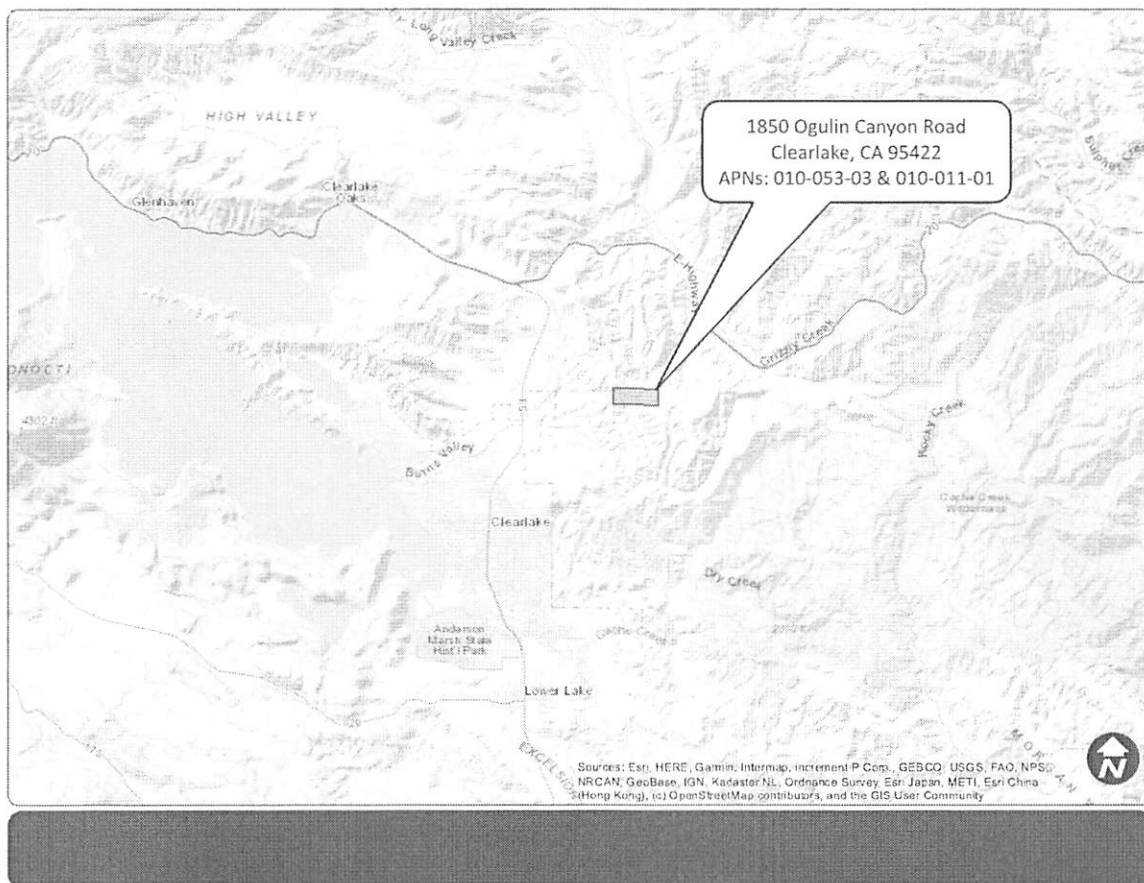
Existing Improvements on the Site related to Project:

- Permitted groundwater well
- 120 sq. ft. wooden shed

- Man-made off stream pond/water storage reservoir
- Residence
- Shop (metal building)

Total Canopy Area (outdoor): 68,562 sq. ft.

The public review period for the respective proposed Mitigated Negative Declaration based on Initial Study IS 20-47 will begin on **March 22, 2022** and end on **April 21, 2022**. You are encouraged to submit written comments regarding the proposed Mitigated Negative Declaration. You may do so by submitting written comments to the Planning Division prior to the end of the review period. Copies of the application, environmental documents, and all reference documents associated with the project are available for review through the **Community Development Department, Planning Division; telephone (707) 263-2221**. Written comments may be submitted to the Planning Division or via email to cannabisCEQA@lakecountyca.gov.



Vicinity Map

Tina Rubin

From: Lake County Cannabis CEQA <CannabisCEQA@lakecountycal.gov>
Sent: Friday, March 25, 2022 11:06 AM
To: Katherine Vanderwall; Elizabeth Knight; Richard Ford; Jim Campbell; Scott DeLeon; Gloria Gregore; Dennis Keithly; Lucas Bingham; Lori Baca; Cara Salmon; Greg Peters; Yuliya Osetrova; chief500@lakeportfire.com; pbleuss@kelseyvillefire.com; chief800@northshorefpd.com; Gloria.Fong@fire.ca.gov; mike.wink@fire.ca.gov; csmith@lakecountyfire.com; Fdchf700@yahoo.com; PGEPlanReview@pge.com; kyle.stoner@wildlife.ca.gov; R2CEQA@wildlife.ca.gov; jacob.rightnar@dot.ca.gov; jesse.robertson@dot.gov; Rex.Jackman@dot.ca.gov; lcfarmbureau@sbcglobal.net; roberta.lyons@att.net; kevin.ponce@cdfa.ca.gov; Janae.Fried@Waterboards.ca.gov; mvigil@blm.gov; cdfa.CalCannabis_Local_Verification@cdfa.ca.gov; jrnygt@comcast.net; centralvalleysac@waterboards.ca.gov; SPKRegulatoryMailbox@usace.army.mil; info@middletownareamarchants.com; Tina Rubin; larrythompson956@gmail.com; localverification@cannabis.ca.gov; sryan@big-valley.net; rmontez@big-valley.net; cww281@gmail.com; l.brown.elem@gmail.com; rgeary@hpultribe-nsn.gov; aarroyosr@hpultribe-nsn.gov; streppa@hpultribe-nsn.gov; EC@hpultribe-nsn.gov; THPO@hpultribe-nsn.gov; kn@koination.com; yolandatovar@koination.com; dbeltran@koination.com; sjelliott@hoplandtribe.com; cfo@hoplandtribe.com; mlrivera@middletownrancheria.com; jsimon@middletownrancheria.com; mshaver@middletownrancheria.com; THPO@middletownrancheria.com; btorres@middletownrancheria.com; sshope@middletownrancheria.com; TC@middletownrancheria.com; scottg@mishewalwappotribe.com; admin@rvrpomo.net; tanderson@rrcbc-nsn.gov; terre.logsdon@sv-nsn.gov; thomas.jordan@sv-nsn.gov; lbill@yochadehe-nsn.gov; jkinter@yochadehe-nsn.gov; aroberts@yochadehe-nsn.gov
Subject: NOTICE OF INTENT – Mitigated Negative Declaration; Emerald Mountain Farms, Inc. UP 20-47: Commercial Cannabis Cultivation

Hello,

This email is in regards to the Notice of Intent (NOI) to adopt a Mitigated Negative Declaration for Major Use Permit (UP 20-47), and Initial Study (IS 20-59) located on 1850 Ogulin Canyon Road, Clearlake, CA. I have attached a copy of the Notice of Intent (NOI) above, to review the Initial Study please visit Query the CEQAnet Database (ca.gov).

The public review period for the respective proposed Mitigated Negative Declaration based on Initial Study IS 20-47 will begin on March 22, 2022 and end on April 21, 2022. You are encouraged to submit written comments regarding the proposed Mitigated Negative Declaration. You may do so by submitting written comments to the Planning Division prior to the end of the review period. Copies of the application, environmental documents, and all reference documents associated with the project are available for review through the Community Development Department, Planning Division; telephone (707) 263-2221. Written comments may be submitted to the Planning Division or via email to cannabisCEQA@lakecountycal.gov.

Files attached to this message

Filename	Size	Checksum (SHA256)
IS 20-59 - Notice of Intent Emerald	394 KB	1a1f0ca129b99176b6dcb89cfe42f26b3f9242f52aee4d87b6d53472b49db14e9a

Filename	Size	Checksum (SHA256)
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Mountain Farms, Inc.pdf		
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Please click on the following link to download the attachments:
<https://filetransfer.co.lake.ca.us/message/14Bxvk3tM0E3x9uLraQah7>
This email or download link can be forwarded to anyone.

The attachments are available until: **Thursday, 21 April.**

Message ID: 14Bxvk3tM0E3x9uLraQah7

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



COUNTY OF LAKE
Health Services Department
Environmental Health Division
922 Bevins Court
Lakeport, California 95453-9739
Telephone 707/263-1164
FAX 707/263-1681

Denise Pomeroy
Health Services Director

Gary Pace, MD
Health Officer

Jasjit Kang
Environmental Health Director

MEMORANDUM

DATE: August 17, 2020

TO: Victor Fernandez, Assistant Planner

FROM: Donna Cloninger, Environmental Health Aide

RE: UP 20-47 Major Use Permit, IS 20-59, EA 20-64
Commercial Cannabis

APN: 010-053-03 1850 Ogulin Canyon Rd.
010-011-01 1800 Ogulin Canyon Rd.

Lake County Division of Environmental Health (EH) has on file for the subject parcel 010-053-03: A 2018 well permit WE-5012 for a domestic well; a 1998 well permit WE-1578 for an agricultural well; a 2004 and 2002 sign off for Ag Exempt storage buildings; a 1998 septic permit 12551 designed to service a 2 bedroom residence. We have nothing on record for APN 010-011-01.

The applicant must meet the EH requirements regarding Onsite Wastewater Treatment System (OWTS) and potable water.

For any proposed building permits or projects where the parcel is serviced by an OWTS or well, the applicant may need to demonstrate the location of any proposed or existing structures including residential or commercial dwellings, garages, driveways, shed, barns, green houses, non-perimeter fences, well houses, etc., and the location of the proposed project on a to-scale site plan prior to building permit issuance and/or project approval.

EH may require a field clearance to validate septic or well locations prior to site plan approval.

If the applicant is proposing a commercial cannabis operation and the operation will be constructing or utilizing an existing structure (i.e., processing facility) that will have plumbing for a restroom, sink, etc., that structure will be required to have its own OWTS, separate from any existing or new OWTS designed to service a residential structure.

If the applicant is proposing portable toilets, EH has no concerns.

If the applicant is proposing an OWTS, then applicant must apply for a site evaluation and, if the site is acceptable to support an OWTS, apply for a permit.

EH requires all applicants to provide a written declaration of the chemical names and quantities of any hazardous material to be used on site. As a general rule, if a material has a Safety Data Sheet, that

Promoting an Optimal State of Wellness in Lake County

material may be considered as part of the facilities hazardous materials declaration.



COUNTY OF LAKE

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

DISTRIBUTION DATE: August 14, 2020

REQUEST FOR REVIEW FOR SUFFICIENCY

<u>@</u> AG. COMMISSIONER	<u> </u> FIRE PROTECTION DIST:	<u>@</u> CA DEPT FISH & WDLF
<u>@</u> AIR QUALITY MGMT	<u>@</u> Kelseyville	<u>@</u> CALTRANS
<u>@</u> ASSESSOR	<u>@</u> Lake County	<u> </u> STATE LANDS COMM.
<u>@</u> BUILDING DIVISION	<u> </u> Lake Pillsbury (no contact info)	<u>@</u> CRWQCB
<u>@</u> DPW - ROADS	<u>@</u> Lakeport County	<u> </u> STATE DEPT. OF HEALTH
<u>@</u> ENVIRON HEALTH	<u>@</u> Northshore	<u>@</u> SONOMA STATE
<u> </u> LAKEBED MANAGEMENT	<u>@</u> South Lake County	<u> </u> NW INFORMATION CENTER
<u> </u> PUBLIC SERVICES	<u>@</u> CalFire	<u>@</u> ARMY CORPS
<u>@</u> SHERIFF	<u> </u>	<u> </u> BLM
<u>@</u> SPECIAL DISTRICTS	<u> </u>	<u>@</u> CALCANNABIS
<u>@</u> SURVEYOR	<u>@</u> PG&E	<u>@</u> GRADING
<u>@</u> TAX COLLECTOR	<u> </u> HOA _____	<u> </u> CITY OF CLEARLAKE
<u> </u> WASTE DISPOSAL	<u> </u> WATER CO _____	<u>@</u> US FISH & WILDLIFE SVC
<u>@</u> WATER RESOURCES	<u> </u> OTHER _____	<u> </u> US FOREST SERVICE

FROM: Victor Fernandez, Assistant Planner
REQUEST: Major Use Permit, UP 20-47; Initial Study IS 20-59; Early Activation EA 20-64
APPLICANT: Emerald Mountain Farms, INC
OWNER: Clear Lake Mountain Partners, LLC

APN: 010-053-03 (Approximately 77.99 acres)
010-011-01 (Approximately 39.98 acres)

Approximate total acreage: 117.97 acres

LOCATION: 1850 and 1800 Ogulin Canyon Road, Clear Lake, CA

ZONING: "RL-WW": Rural Lands-Waterway Combining District.
GENERAL PLAN: Rural Lands

HAZARDS: Project Parcel Located within State Responsibility Area.

FLOOD ZONE: "D": Areas of undetermined, but possible, flood hazard.
"X": Areas of minimal flooding - not in a special flood hazard area.

SOIL STABILITY: Generally Stable
SOIL TYPE(s): Bally-Phipps-Haploxerafls (Type 108)
Skyhigh-Asbill Complex (Type 208)
Sleeper Variant-Sleeper Loams (Type 215)
Phipps Complex (Type 197)

WATER SOURCE: Existing Well

WASTE MANAGEMENT: Existing Septic System

CONSTRUCTION: Construction is expected to take approximately 2-3 weeks. Approximately 74 to 124 truck/vehicle trips per day are expected.

EXISTING DEVELOPMENT: Residence and a shop.

PROPOSAL:

The applicant is requesting approval of a Major Use Permit to allow the following licenses:

Three (3) A – Type 3: **“Outdoor”**: Outdoor cultivation for adult use cannabis without the use of light deprivation and/or artificial lighting in the canopy area at any point in time from 10,001 square feet to one acre, inclusive, of total canopy size on one premises.

One (1) Type 13: **“Distributor Transport Only, Self-Distribution”**: The transport of medicinal cannabis goods between entities licensed pursuant to California Code.

According to the applicant’s application package, the proposal consists of a phased development for the commercial cannabis cultivation operation. The phases have been detailed below:

Phase I:

- 6,820 square foot outdoor cultivation / canopy area
- 2,334 square foot outdoor cultivation / canopy area
- 8’X20’ pesticide & agricultural chemical storage area
- 10’X20’ compost area
- 10’X20’ security center
- Designated refuse area

Phase II:

- 43,560 square foot outdoor cultivation / canopy area
- 25,835 square foot cultivation / canopy area
- 8’X20’ storage container
- 3,000 gallon water storage tanks

Phase III:

- 10,000 square foot outdoor cultivation / canopy area
- 20,000 square foot outdoor cultivation / canopy area
- 69,760 square foot outdoor cultivation / canopy area

The total canopy proposed is 143,320 square feet of canopy area within 143,680 square feet of cultivation area. Additionally, the applicant proposes three (3) to six (6) employees at peak shift. According to the application package, there are four (4) existing parking spaces and four (4) proposed parking spaces (surfacing unknown at this time). **Please refer to attached site plans and project description for further information.**

ACCESS: Any site where a cannabis related activity is permitted shall have access to a public road or a recorded easement that allows for, but not limited to, delivery trucks, emergency vehicles, sheriff and other law enforcement officers, and government employees who are responsible for inspection or enforcement actions.

Please advise us if additional information is needed, which permits are required from your agency (if any), and of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **August 20, 2020**. Please email your comments to victor.fernandez@lakecountycal.gov or mail them to the address listed in the letterhead above.

COMMENTS: See attached memo.

NAME	<i>Donna Cloninger</i>			DATE	<i>8-14-2020</i>
cc:	2	Supervisory District (RFR Only)	Bruno Sabatier	Redbud Audubon	
		Carol Huchingson/Michelle			
	@	Scully/Susan Parker			
		Other (Examples:	Sierra Club /	HOA /	@ Farm Bureau / etc.) (RFR Only)

Asmt: 022-001-030-000 Feeparcel: 022-001-030-000 Status: ACTIVE Owner: TREASURE SOLUTIONS LLC

Situs Address	1580 HUNTER POINT RD UPPER LAKE		
Name Address	TREASURE SOLUTIONS LLC 8646 OLD REDWOOD HIGHWAY WINDSOR CA 95492		
Status	ACTIVE	Status Date	03/01/1977
Taxability Code	000	Descr	NORMAL OWNERSHIP
TRA	068-008	Base Date	08/24/2017
Creating Doc#	1977ICONVERT	Create Date	
Current Doc#	2017R0011268	Cur Date	08/24/2017
Terminating Doc#		Term Date	
Neighborhood Code	022	Supl Cnt	1
Asmt Description			
LandUse 1	5110	RVXXX	
LandUse 2			
Zoning 1	RL	Dwell 1	0
Acres	19.55	SqFt	
Comments			

Values

Land	157,676	MHPP	
Structure		PP	
FixtureRP		Exemption	
Growing		Net	157,676
Total L&I	157,676	Homesite	
Fixtures		R/C #	
TR/Date			
Status			
Description	ENROLLED is BASE YEAR		

<input type="checkbox"/> TPZ	<input type="checkbox"/> Ag Pres	<input type="checkbox"/> Etal	<input type="checkbox"/> Bonds
<input type="checkbox"/> Multi Situs	<input type="checkbox"/> 910 MH	<input type="checkbox"/> Flag 1	<input type="checkbox"/> Flag 2 <input type="checkbox"/> Prop 19
<input type="checkbox"/> Asmt PP	<input type="checkbox"/> Tax PP	<input type="checkbox"/> Appeal	<input type="checkbox"/> Split

Main Ownership Detail Ownership History Mfg Homes Attributes Situs Parcel Desc

1/1 Phy Char. IC Inq. Images

1 records found.

COUNTYOFLAKE\MPTSService, 07/07/2021 1:53:21 PM

Asmt: 022-001-060-000 Feeparcel: 022-001-060-000 Status: ACTIVE Owner: BALDEMAR ALVAREZ

Situs Address	1703 HUNTER POINT RD UPPER LAKE		
Name Address	BALDEMAR ALVAREZ PO BOX 414 REDWOOD VALLEY CA 95470		
Status	ACTIVE	Status Date	03/01/1983
Taxability Code	000	Descr	NORMAL OWNERSHIP
TRA	068-008	Base Date	08/20/2019
Creating Doc#	1983IOWN	Create Date	
Current Doc#	2019R0010188	Cur Date	08/20/2019
Terminating Doc#		Term Date	
Neighborhood Code	022	Supl Cnt	1
Asmt Description			
LandUse 1	5355	RXXXM	
LandUse 2	Z07A	MENDO COMPLEX 7/27/2018	
Zoning 1	RL	Dwell 1	1
Acres	18.21	SqFt	
Comments	BUSINESS ACCOUNT WAS CANCELLED FOR F.Y. 2002-2003. RDR 06-27-2001		

Values

Land	101,036	MHPP	
Structure	25,259	PP	
FixtureRP		Exemption	
Growing		Net	126,295
Total L&I	126,295	Homesite	
Fixtures		R/C #	
TR/Date			
Status			
Description	ENROLLED is BASE YEAR		

<input type="checkbox"/> TPZ	<input type="checkbox"/> Ag Pres	<input type="checkbox"/> Etal	<input type="checkbox"/> Bonds
<input type="checkbox"/> Multi Situs	<input type="checkbox"/> 910 MH	<input type="checkbox"/> Flag 1	<input type="checkbox"/> Flag 2 <input type="checkbox"/> Prop 19
<input type="checkbox"/> Asmt PP	<input type="checkbox"/> Tax PP	<input type="checkbox"/> Appeal	<input type="checkbox"/> Split

Main Ownership Detail Ownership History Mfg Homes Attributes Situs Parcel Desc

1/1 Phy Char. IC Inq. Images

1 records found.

COUNTYOFLAKE\MPTSService, 07/07/2021 1:53:21 PM



March 29, 2022

County of Lake
Community Development Dept

Ref: Gas and Electric Transmission and Distribution

Dear County of Lake,

Thank you for submitting the UP 20-47 plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page.
2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851 filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team
Land Management



Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: <https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf>

1. **Standby Inspection:** A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.
2. **Access:** At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.
3. **Wheel Loads:** To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. **Grading:** PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.
5. **Excavating:** Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 12 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch



wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [$24/2 + 24 + 36/2 = 54$] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 12 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible ($90^\circ \pm 15^\circ$). All utility lines crossing the gas pipeline must have a minimum of 12 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.



11. Cathodic Protection: PG&E pipelines are protected from corrosion with an “Impressed Current” cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E’s facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.



Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as **"RESTRICTED USE AREA – NO BUILDING."**
2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E's facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 10 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.
6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.



8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<https://www.dir.ca.gov/Title8/sb5g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.



**HABEMATOLEL POMO
CULTURAL RESOURCES**

June 17, 2022

Lake County Dept. of Community Development

Attn: Andrew Amelung, Cannabis Program Manager
255 N. Forbes Street
Lakeport, CA 95453

RE: Emerald Mnt. Farms INC. Cannabis Project, HP-20220330-02

Dear Mr. Andrew Amelung:

Thank you for opportunity to conduct a site visit on June 3, 2022, regarding cultural information on or near the proposed 1850 Ogulin, Canyon Road, Clearlake, Lake County. We appreciate your effort to contact us and wish to respond.

The Habematolel Pomo Cultural Resources Department has reviewed the project and concluded it is within the Aboriginal territories of the Habematolel Pomo of Upper Lake. Therefore, we have a cultural interest and authority in the proposed project area.

Based on the information collected from our site visit, the Tribe has concerns that the project could impact known cultural resources. Habematolel Pomo of Upper Lake highly recommends including cultural monitors for all ground disturbance activities. In addition, we recommend cultural sensitivity training for any pre-project personnel prior to construction. Please send a copy of the new mitigation measures with edits that were discussed in our consultation. Please inform the applicant to keep our office updated on the construction start date.

To schedule cultural sensitivity training and set up a Monitor Agreement, please contact the following individual:

Robert Geary, Tribal Historic Preservation Officer (THPO)
Habematolel Pomo of Upper Lake
Office: (707) 900-6923
Email: Rgeary@hpultribe-nsn.gov

Please refer to identification number HP-20220330-02 in any correspondence concerning this project.

HABEMATOLEL POMO OF UPPER LAKE

P: 707.900.6923 F: 707.275.0757 P.O. Box 516 Upper Lake, CA 95485



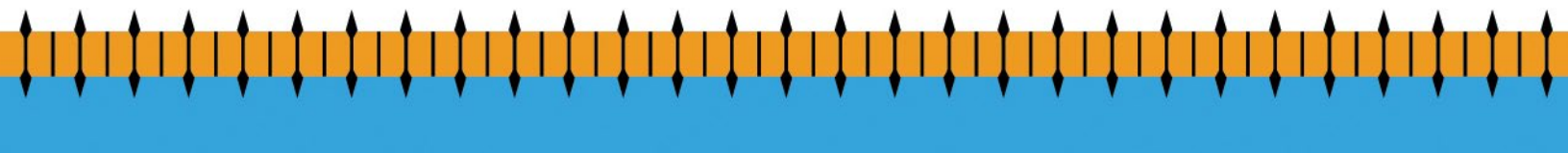
**HABEMATOLEL POMO
CULTURAL RESOURCES**

Thank you for providing us the opportunity to comment.

Sincerely,

A handwritten signature in blue ink, reading "Robert Geary". The signature is fluid and cursive, with the first name "Robert" and last name "Geary" clearly distinguishable.

Robert Geary
Cultural Resources Director/Tribal Historic Preservation Officer



April 20, 2022

Lake County Community Development – Cannabis
UP 20-47 Emerald Farm PRA

I am the property owner of 2002 Ogulin Canyon Rd, the parcel that borders Emerald Farms at 1850 Ogulin Rd to the north. I purchased my property in 2004, and share the private road from county road Ogulin Canyon Rd through the Emerald Farms property to the entrance gate of my property where Ogulin Canyon Rd ends.

I have three areas I would like to comment on: the condition of the easement road to my property, passage on the easement through Emerald Farms, and water usage and well conditions.

The previous owner of 1850 Ogulin Canyon Rd, performed road maintenance before each winter until he sold the property at the end of 2018. For those years the only traffic on the one lane road was residential. Since the property sold to the current owners at the beginning of 2019, traffic has increased to include delivery and work vehicles and employee commutes. The dirt/gravel road has many areas with deep potholes that need to be navigated around, and washboard areas that must be travelled at very slow speed. During summer the dust from the increase in traffic has further degraded the road surface. The road is one lane with some pullout areas, otherwise meeting another vehicle means someone must back up to allow passage. The highest priority for me in the event of an evacuation due to wildfire, is the ability to quickly and safely get out. This is the only ingress and egress to my property, and a well-maintained road will facilitate any necessary evacuation.

There is a security gate at the entrance to Emerald Farms which was installed by the prior owner when it was a private residence. Anyone coming to my property must pass through the security gate and drive on the easement through that property. There were several occasions early in the Emerald Farms residency when the gate codes were changed without my knowledge and passage was blocked for anyone coming to my property. People coming to my property have been followed to my gate by vehicles from Emerald Farms. There was a conflict of interest between my free passage to my property and Emerald Farm's security in theirs.

The final area of comment is the water usage and condition of my well, especially during a severe drought situation. An impromptu test to measure the current depth of water in my well was performed Tuesday April 19, 2022. That test showed the water level had increased over the winter from the test performed last October. There are plans to perform tests at the beginning of the season, and repeat every 2 months this year to monitor the effect of a season of water usage.

Thank you for the opportunity to share my concerns. I have attached two pictures of current road conditions.

Sincerely,

Kristine Sundquist
ksund@saber.net
707.995.2265





Central Valley Regional Water Quality Control Board

21 April 2022

Andrew Amelung
Lake County Community Development Department
- Planning Division
255 North Forbes Street CDD - 3rd Floor
Lakeport, CA 95453
Andrew.Amelung@lakecountyca.gov

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, UP 20-47 EMERALD MOUNTAIN FARMS, INC. PROJECT, SCH#2022030622, LAKE COUNTY

Pursuant to the State Clearinghouse's 23 March 2022 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 20-47 Emerald Mountain Farms, Inc. 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/cannabis

For questions about the Cannabis General Order, please contact the Central Valley Water Board's Cannabis Permitting and Compliance Unit at: centralvalleysacramento@waterboards.ca.gov 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

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

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

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ. For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.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

Mary Claybon

From: Katherine Vanderwall
Sent: Tuesday, April 5, 2022 4:20 PM
To: Lake County CannabisCEQA
Subject: Comments for UP 20-47 Emerald Mountain Farms, Inc.

The applicant needs to obtain an Operator Identification Number and Private Applicator Certificate (or equivalent applicator certification) from the Agriculture Department prior to the purchase and use of any pesticides to comply with pesticide laws & regulations and worker health & safety regulations.

Katherine VanDerWall

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

Mary Claybon

From: Jim Feenan
Sent: Monday, June 20, 2022 9:33 AM
To: Mary Claybon
Subject: FW: RE: UP 21=06 Akwaaba, UP 20-47 Emerald Mountain, UP 19-42 Bottle Rock and UP 21-14 Monte Cristo

From: Donna Mackiewicz [mailto:donnamackiewicz@gmail.com]
Sent: Friday, June 17, 2022 5:28 PM
To: Jim Feenan <Jim.Feenan@lakecountycal.gov>
Subject: [EXTERNAL] RE: UP 21=06 Akwaaba, UP 20-47 Emerald Mountain, UP 19-42 Bottle Rock and UP 21-14 Monte Cristo

RE: UP 21=06 Akwaaba, UP 20-47 Emerald Mountain, UP 19-42 Bottle Rock and UP 21-14 Monte Cristo

Dear Mr. Feenan, Community Development and County Representatives,

There is not much one person can say that would change the outcome of what many consider advancement of Lake County today in 2022 with the approval of the upcoming cannabis projects (especially those that have had more than one violation). But I would like to share a few things that weigh heavily on my mind for each and every project presented before you.

Lake County is so rich in native species and they do not have a voice.

For each project, even though you may not know or see different species, please...

- Remember the **Konocti Manzanita** (*Arctostaphylos manzanita ssp. elegans*). Konocti Common Manzanita (*Arctostaphylos manzanita ssp. elegans*) is a rare native shrub located along High Valley Road (location can be found in the California Natural Diversity Database database) in this amazing county. It is one of 90+ CA Manzanitas and grows in slopes and rocky places, and is a shrub that can grow to 26 feet tall. It's evergreen with white and pink flowers that supports over 46 moths, butterflies and bees. To name a few: Brown Elfin, Ceanothus Silk Moth, Elegant Sheep Moth, Mendocino Silk Moth and Lampet Moth and Sulphur Moth.
- Remember the 2008 BLM resource report on Lake County bats. We have five sensitive species including the **Townsend's Long-eared Bat** (*Plecotus Townsendii*). I personally see and have bats at my home in the Keys. I love bats and am aware each time I see one how important they are to humans. The bats are in peril from disturbance, loss of habitat to urban development, logging and agriculture. They are overlooked and often undetected by the average person – even those performing site surveys.
- Remember **Cannabis studies are not available that show the long-term impact on the environment**. We don't know what happens to bird's reproduction, animal/human long-term health, the effect the drift has on the water insects and quality. It is too soon to review scientific data. Phoebe Parker-Shames of UC Berkeley's studies – the most up-to date data - cannot predict what the future consequences.
- **Remember the birds**. There have been over 100 species spotted just this past spring. Everything we do affects them and our future.

Thank you for your dedication to make Lake County an even more beautiful place to grow, live, and share with visitors as we respect Native Americans culture and all native species that have no voice.

Sincerely,
Donna Mackiewicz
Clearlake Oaks

Sent from [Mail](#) for Windows

Victor Fernandez

From: Victor Fernandez <Victor.Fernandez@lakecountyca.gov>
Sent: Friday, August 14, 2020 3:43 PM
To: sryan@big-valley.net; thpo@big-valley.net; cww281@gmail.com; a.tyler@elemindiancolony.org; aarroyosr@hpultribe-nsn.gov; lrosas@hpultribe-nsn.gov; kn@koination.com; sjelliott@hoplandtribe.com; cfo@hoplandtribe.com; tc@middletownrancheria.com; jsimon@middletownrancheria.com; mshaver@middletownrancheria.com; thpo@middletownrancheria.com; btorres@middletownrancheria.com; sshope@middletownrancheria.com; speterson@middletownrancheria.com; scottg@mishewalwappotribe.com; admin@rvrpomo.net; tanderson@rrcbc-nsn.gov; terre.logsdon@sv-nsn.gov; thomas.jordan@sv-nsn.gov; lbill@yochadehe-nsn.gov; jkinter@yochadehe-nsn.gov; aroberts@yochadehe-nsn.gov
Subject: Request for Review; Major Use Permit UP 20-47; Commercial Cannabis Cultivation

Hello Tribal Agencies,

This email is a request for review for Major Use Permit (UP 20-47), for the commercial cannabis cultivation. Due to the size of the attachments, I have utilized this File Sharing System. Please review the attachments below.

In accordance with Assembly Bill 52 (AB52) and Section 21080.3.1(b) of the California Public Resources Code (PRC), we are responding to your request to be notified of projects in our jurisdiction that will be reviewed under CEQA. We are hereby notifying you of an opportunity to consult with us regarding the potential for this project to impact Tribal Cultural Resources, as defined in Section 21074 of the PRC. The purposes of tribal consultation under AB52 are to determine, as part of the CEQA review process, whether or not Tribal Cultural Resources are present within the project area, and if so, whether or not those resources will be significantly impacted by the project. If tribal cultural resources may be significantly impacted, then consultation will also help to determine the most appropriate way to avoid or mitigate those impacts. In accordance with Section 21080.3.1(b) of the PRC, Consultation request under AB52 must be received in writing within 30 days of receipt of this notice. If the Tribe would like to formally request an AB 52 consultation, please email or write your request and designated lead contact person to victor.fernandez@lakecountyca.gov or mail them to the address listed in the letterhead above.

Sincerely,

Victor Fernandez
Assistant Planner
County of Lake

Files attached to this message

Filename	Size	Checksum (SHA256)
UP 20-47 RFR AB52.pdf	256 KB	a76cdd0dd4db52de4943acd9cb296994663bad3f1c2156695e7aa3dabebe3f01
up_20-47_site_plans_042020.pdf	2.85 MB	e4dad0e50060cd36de7375d6733dcb1e6b958abbc2cf4afe4ab01910e5cc2428
up_20-47_biology_report.pdf	3.82 MB	b83b5f4c97a6f47331a807caa1646e336c8a10e846774c5cdb05b9fc4827275c
up_20-47_grading.pdf	321 KB	675ccc5987677e43b4a35836755f09c6a2dea719010a7d9af0fe5b072916d56f

Filename	Size	Checksum (SHA256)
up_20-47_pmp.pdf	2.11 MB	ffd31962922bd031749d41a4683b5021eb07558666a32fa1adf67eb6e0a73de9

Please click on the following link to download the attachments:

<https://filetransfer.co.lake.ca.us/message/eKLLPI8X7ZERnQ92ebczHR>

This email or download link can be forwarded to anyone.

The attachments are available until: **Wednesday, 9 September.**

Message ID: eKLLPI8X7ZERnQ92ebczHR

Download Files

Reply to this Secure Message



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

Victor Fernandez

From: Victor Fernandez <Victor.Fernandez@lakecountyca.gov>
Sent: Friday, August 14, 2020 3:57 PM
To: aflora@clearlake.ca.us; jburrow@clearlake.ca.us; sgutierrez@clearlake.ca.us
Subject: Request for Expedited Review; Major Use Permit; Commercial Cannabis Cultivation

Good Afternoon,

This email is a request for an expedited review for Major Use Permit (UP 20-47), for the commercial cannabis cultivation. Due to the size of the attachments I have utilized this File Sharing System. Please review the attachments below.

Please advise us if additional information is needed, which permits are required from your agency (if any), and of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than August 20, 2020. Please email your comments to victor.fernandez@lakecountyca.gov or mail them to the address listed in the letterhead above.

Sincerely,

Victor Fernandez
Assistant Planner
County of Lake

Files attached to this message

Filename	Size	Checksum (SHA256)
RFR UP 20-47.pdf	271 KB	2d32d77cd26ea947bd6d4d6974456b417dbdbb66e2de1b3073807800a8555246
up_20-47_site_plans_042020.pdf	2.85 MB	e4dad0e50060cd36de7375d6733dcb1e6b958abb2cf4afe4ab01910e5cc2428
up_20-47_biology_report.pdf	3.82 MB	b83b5f4c97a6f47331a807caa1646e336c8a10e846774c5cdb05b9fc4827275c
up_20-47_grading.pdf	321 KB	675ccc5987677e43b4a35836755f09c6a2dea719010a7d9af0fe5b072916d56f
up_20-47_pmp.pdf	2.11 MB	ffd31962922bd031749d41a4683b5021eb07558666a32fa1adf67eb6e0a73de9

Please click on the following link to download the attachments:
<https://filetransfer.co.lake.ca.us/message/lAC2nYoubt57dB6RAe3GP1>
This email or download link can be forwarded to anyone.

The attachments are available until: **Monday, 31 August.**

Message ID: lAC2nYoubt57dB6RAe3GP1

[Download Files](#)

Victor Fernandez

From: Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>
Sent: Saturday, August 15, 2020 6:08 PM
To: Victor Fernandez
Cc: Ch700, Fd@yahoo; Cory Smith; Jack Smalley; David Casian; Hannan, Jake@CALFIRE; Duncan, Paul@CALFIRE; Beckman, Chase@CALFIRE
Subject: [EXTERNAL] Re: Request for Expedited Review; Major Use Permit UP 20-47; Commercial Cannabis Cultivation

Greetings Planner Fernandez

These comments are from CAL FIRE

This Use Permit is in the SRA (State Responsibility Area). The requires the application of all Fire Codes, which also apply Title 14, PRC 4290 et'al.

The delay of any Fire Safe Standards is not allowed per Title, Code, Regulation et'al, and CAL FIRE does not support any delayed application of minimum fire safe standards.

If the AHJ chooses to not enforce minimum fire safe standards during the permit process that is required by the State Fire Safe Regulations (Title 14, PRC 4290 et'al), they are accepting all responsibility for not requiring the applicant to follow minimum State Fire Safe Regulations required in the SRA.

The Lake County Chief Building Official is also the County Fire Marshall who shall ensure all Codes, Laws, Regulations and etcetera for this project shall be applied. This is also within the local Fire Protection Districts Boundary, where they are a cooperater in applying and enforcing all Codes, Laws, Regulations and etcetera for this project and they will also have comments.

While not in Title, Code or Regulation, CAL FIRE does support the County of Lake's "Dark Sky Initiative". This standard reduces the false reporting of a vegetation fire from light during the night. False activation of the 911 system puts the community and first responders at risk when it can be avoided.

This location is within proximity and or surrounded by a "VERY HIGH Wildland Fire Hazard Severity Zone" area. This is the most extreme and hazardous area category for wildland fire risk. (see below)

Regulations for the AHJ to follow listed below to be , but not be limited to:

- Property line setbacks for structures shall be a minimum of 30 feet. A "Greenhouse" is a structure.
- Addressing that is reflective and of contrasting colors from the public roadway to the location and at every intersection.
- On site water storage for fire protection of each structure per NFPA 1142.
- Per NFPA 1142, fire suppression water storage tanks for commercial use shall be steel or fiberglass (not plastic).

- All private property roads / access used for this project shall meet minimum Fire Safe standards for emergency vehicle ingress and egress
- A "One Way" loop road standard could be used, or a two lane road.
- A "Road" is two 10 foot lanes of travel for a total of 20 feet of derivable surface not including the shoulders.
- A "Driveway" is a 10 foot wide road with a turnout every 400 feet. This shall not be used for commercial applications, or access to more than three structures that are residences.
- A "Turnout" shall be a minimum 10 feet wide and 30 feet long, with a 25 foot taper at each end
- A "One Lane", "One Way" only loop road is 12 feet wide of derivable surface, plus shoulders. A one lane road must connect on both ends to a two lane road or County Road.
- A bridge can meet the "One Lane", "One Way" 12 feet wide road standard with appropriate signage. A bridge must be marked by the owner of the bridge that it is rated to support 75,000 pounds.
- A bridge shall not be less than 12 feet wide.
- A bridge can meet the "Road " 20 feet wide standard. A bridge must be marked by the owner of the bridge that is is rated to support 75,00 pounds.
- Existing roadways on private property shall meet, and or be improved to meet "Road" standards.
- All weather roadway surfaces shall be rated/engineered for 75,000 lb vehicles is the minimum (including bridges).
- All weather roadway surfaces do not ever have mud, standing or flowing water that vehicles have to travel through.
- Maximum roadway slope is 16%.
- Gate width is 14 foot minimum.
- Gate set backs are a minimum of 30 feet from a road to the gate.
- Gates shall have access criteria locks and alike that meet the local Fire Protection District standard "KNOX" (or similar) access program.
- Parking at the site shall allow for turnarounds, hammerhead T, or similar.
- Minimum fuels reduction of 100 feet of defensible space from all structures.
 - Some applications have mention that they may have a gasoline generator for backup power when solar is not available. If this is the case, the generator shall be placed on a minimum of a 10 foot radius of a non combustibile surface. It shall have a minimum of a 3A-40B.C Fire Extinguisher within the 10 foot radius.

- This property will meet the criteria to be, or will be a CERS / CUPA reporting facility/entity to Lake County Environmental Health (see hyperlink below), it shall also comply specifically with PRC4291.3 requiring 300 feet of defensible space and fuels reduction around structures. In summary, any structure or location that stores hazardous, flammable or dangerous items shall establish and maintain 300 feet of defensible space / fuels reduction around its radius.
- While not in Title, Code or Regulation, CAL FIRE does support the County of Lake's "Dark Sky Initiative". This standard reduces the false reporting of a vegetation fire from light during the night. False activation of the 911 system puts the community and first responders at risk when it can be avoided.

http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_codes

[California's Wildland-Urban Interface Code Information - CAL FIRE - Home](http://www.fire.ca.gov)
www.fire.ca.gov

The law requires that homeowners do fuel modification to 100 feet (or the property line) around their buildings to create a defensible space for firefighters and to protect their homes from wildfires. New building codes will protect buildings from being ignited by flying embers which can travel as ...

http://www.lakecountycalifornia.gov/Government/Directory/Environmental_Health/Programs/cupa.htm
[Hazardous Materials Management \(CUPA\)](#)

www.lakecountycalifornia.gov

The Lake County Division of Environmental Health is the Certified Unified Program Agency for all of Lake County, dealing with hazardous waste and hazardous materials.

[Hazardous Materials Management \(CUPA\)](#)
www.lakecountycalifornia.gov

The Lake County Division of Environmental Health is the Certified Unified Program Agency for all of Lake County, dealing with hazardous waste and hazardous materials.

<https://www.nfpa.org/assets/files/AboutTheCodes/1142/1142-A2001-ROP.PDF>
[Report of the Committee on - NFPA](#)

www.nfpa.org

351 Report of the Committee on Forest and Rural Fire Protection Richard E. Montague, Chair FIREWISE 2000, Inc., CA [SE] John E. Bunting, Secretary New Boston Fire Dept., NH [U]

[Report of the Committee on - NFPA](#)
www.nfpa.org

351 Report of the Committee on Forest and Rural Fire Protection Richard E. Montague, Chair FIREWISE 2000, Inc., CA [SE] John E. Bunting, Secretary New Boston Fire Dept., NH [U]

http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_codes

[California's Wildland-Urban Interface Code Information - CAL FIRE - Home](#)

www.fire.ca.gov

The law requires that homeowners do fuel modification to 100 feet (or the property line) around their buildings to create a defensible space for firefighters and to protect their homes from wildfires. New building codes will protect buildings from being ignited by flying embers which can travel as ...

http://www.lakecountyca.gov/Government/Directory/Environmental_Health/Programs/cupa.htm

Hazardous Materials Management (CUPA)

www.lakecountyca.gov

The Lake County Division of Environmental Health is the Certified Unified Program Agency for all of Lake County, dealing with hazardous waste and hazardous materials.

<https://www.nfpa.org/assets/files/AboutTheCodes/1142/1142-A2001-ROP.PDF>

Report of the Committee on - NFPA

www.nfpa.org

351 Report of the Committee on Forest and Rural Fire Protection Richard E. Montague, Chair
FIREWISE 2000, Inc., CA [SE] John E. Bunting, Secretary New Boston Fire Dept., NH [U]

From: Victor Fernandez <Victor.Fernandez@lakecountyca.gov>

Sent: Friday, August 14, 2020 3:40 PM

To: steven.hajik@lakecountyca.gov <steven.hajik@lakecountyca.gov>; fahmya@lcaqmd.net <fahmya@lcaqmd.net>; ryan.lewelling@lakecountyca.gov <ryan.lewelling@lakecountyca.gov>; david.casian@lakecountyca.gov <david.casian@lakecountyca.gov>; scott.deleon@lakecountyca.gov <scott.deleon@lakecountyca.gov>; john.everett@lakecountyca.gov <john.everett@lakecountyca.gov>; kelli.hanlon@lakecountyca.gov <kelli.hanlon@lakecountyca.gov>; lucas.bingham@lakecountyca.gov <lucas.bingham@lakecountyca.gov>; lori.baca@lakecountyca.gov <lori.baca@lakecountyca.gov>; gordon.haggitt@lakecountyca.gov <gordon.haggitt@lakecountyca.gov>; greg.peters@lakecountyca.gov <greg.peters@lakecountyca.gov>; yuliya.osestrova@lakecountyca.gov <yuliya.osestrova@lakecountyca.gov>; 500, chief@LKP <chief500@lakeportfire.com>; pbleuss@kelseyvillefire.com <pbleuss@kelseyvillefire.com>; Ciancio, Mike@NorthShore FPD <chief800@northshorefpd.com>; Fong, Gloria@CALFIRE <Gloria.Fong@fire.ca.gov>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Ch700, Fd@yahoo <fdchf700@yahoo.com>; pgenorthernagencyins@pge.com <pgenorthernagencyins@pge.com>; Stoner, Kyle@Wildlife <Kyle.Stoner@wildlife.ca.gov>; Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>; Rightnar, Jacob@DOT <Jacob.Rightnar@dot.ca.gov>; Fried, Janae@Waterboards <Janae.Fried@Waterboards.ca.gov>; nwc@sonoma.edu <nwc@sonoma.edu>; melissa.m.france@usace.army.mil <melissa.m.france@usace.army.mil>; bhalstead@blm.gov <bhalstead@blm.gov>; kevinponce@cdfa.ca.gov <kevinponce@cdfa.ca.gov>; tracy.cline@lakecountyca.gov <tracy.cline@lakecountyca.gov>; ryan_olah@fws.gov <ryan_olah@fws.gov>

Cc: bruno.sabatier@lakecountyca.gov <bruno.sabatier@lakecountyca.gov>; carol.huchingson@lakecountyca.gov <carol.huchingson@lakecountyca.gov>; michelle.scully@lakecountyca.gov <michelle.scully@lakecountyca.gov>; susan.parker@lakecountyca.gov <susan.parker@lakecountyca.gov>; roberta.lyons@att.net <roberta.lyons@att.net>; vbrandon95457@gmail.com <vbrandon95457@gmail.com>; lcfarmbureau@sbcglobal.net <lcfarmbureau@sbcglobal.net>

Subject: Request for Expedited Review; Major Use Permit UP 20-47; Commercial Cannabis Cultivation

Warning: this message is from an external user and should be treated with caution.

Hello Fellow Agencies,

This email is a request for an expedited review for Major Use Permit (UP 20-47), for the commercial cannabis cultivation. Due to the size of the attachments, I have utilized this File Sharing System. Please review the attachments below.

Please advise us if additional information is needed, which permits are required from your agency (if any), and of your

Victor Fernandez

From: Yuliya Osetrova
Sent: Monday, August 17, 2020 7:41 AM
To: Victor Fernandez
Subject: RE: Request for Expedited Review; Major Use Permit UP 20-47; Commercial Cannabis Cultivation

Victor,

For the project, the comments are:

- Request the straw/fiber wattles and silt fences installation on the canopy perimeter to ensure the water quality
- Installed water monitoring equipment (flow meter and water level reading device) info – missing

Yuliya Osetrova
Water Resources Engineer III
Lake County Water Resources Department
(707) 263-2344

From: Victor Fernandez [mailto:Victor.Fernandez@lakecountyca.gov]
Sent: Friday, August 14, 2020 3:40 PM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; fahmya@lcaqmd.net; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; John Everett <John.Everett@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; chief500@lakeportfire.com; pbleuss@kelseyvillefire.com; chief800@northshorefpd.com; gloria.fong@fire.ca.gov; mike.wink@fire.ca.gov; fdchf700@yahoo.com; pgenorthernagencyins@pge.com; kyle.stoner@wildlife.ca.gov; r2ceqa@wildlife.ca.gov; jacob.rightnar@dot.ca.gov; janae.fried@waterboards.ca.gov; nwic@sonoma.edu; melissa.m.france@usace.army.mil; bhalstead@blm.gov; kevinponce@cdfa.ca.gov; Tracy Cline <Tracy.Cline@lakecountyca.gov>; ryan_olah@fws.gov
Cc: Bruno Sabatier <Bruno.Sabatier@lakecountyca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; Michelle Scully <Michelle.Scully@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; roberta.lyons@att.net; vbrandon95457@gmail.com; lcfarmbureau@sbcglobal.net
Subject: Request for Expedited Review; Major Use Permit UP 20-47; Commercial Cannabis Cultivation

Hello Fellow Agencies,

This email is a request for an expedited review for Major Use Permit (UP 20-47), for the commercial cannabis cultivation. Due to the size of the attachments, I have utilized this File Sharing System. Please review the attachments below.

Please advise us if additional information is needed, which permits are required from your agency (if any), and of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than August 20, 2020. Please email your comments to victor.fernandez@lakecountyca.gov or mail them to the address listed in the letterhead above.

Sincerely,

Victor Fernandez

From: Gordon Haggitt
Sent: Monday, August 17, 2020 4:00 PM
To: Victor Fernandez
Subject: RE: Request for Expedited Review; Major Use Permit UP 20-47; Commercial Cannabis Cultivation

Victor: Make sure they have legal parcels and if acreage is a factor they need a survey to prove the size of the parcels and establish the boundary for setbacks. There appears to be no public access so private easements, if any, are used for access.

Gordon M. Haggitt
County Surveyor, County of Lake
(707)263-2341

From: Victor Fernandez [mailto:Victor.Fernandez@lakecountyca.gov]
Sent: Friday, August 14, 2020 3:40 PM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; fahmya@lcaqmd.net; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; John Everett <John.Everett@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; chief500@lakeportfire.com; pbleuss@kelseyvillefire.com; chief800@northshorefpd.com; gloria.fong@fire.ca.gov; mike.wink@fire.ca.gov; fdchf700@yahoo.com; pgenorthernagencyins@pge.com; kyle.stoner@wildlife.ca.gov; r2ceqa@wildlife.ca.gov; jacob.rightnar@dot.ca.gov; janae.fried@waterboards.ca.gov; nwic@sonoma.edu; melissa.m.france@usace.army.mil; bhalstead@blm.gov; kevinponce@cdfa.ca.gov; Tracy Cline <Tracy.Cline@lakecountyca.gov>; ryan_olah@fws.gov
Cc: Bruno Sabatier <Bruno.Sabatier@lakecountyca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; Michelle Scully <Michelle.Scully@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; roberta.lyons@att.net; vbrandon95457@gmail.com; lcfarmbureau@sbcglobal.net
Subject: Request for Expedited Review; Major Use Permit UP 20-47; Commercial Cannabis Cultivation

Hello Fellow Agencies,

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Please advise us if additional information is needed, which permits are required from your agency (if any), and of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than August 20, 2020. Please email your comments to victor.fernandez@lakecountyca.gov or mail them to the address listed in the letterhead above.

Sincerely,

Victor Fernandez
Assistant Planner
County of Lake

Victor Fernandez

From: Victor Fernandez
Sent: Thursday, March 4, 2021 11:13 AM
To: 'Water Manager'
Cc: 'Temashio Anderson'
Subject: RE: [EXTERNAL] Re: Request for Review; Major Use Permit UP 20-47; Commercial Cannabis Cultivation

Hello!

I am back tracking on emails. I sent a Cultural Assessment report for your review on August 20, 2020. I am just circling back to confirm if the tribe is comfortable with the project moving forward. Thank you.

Sincerely,



Victor Fernandez

Assistant Planner

Department of Community Development

255 N. Forbes St.

Lakeport, CA 95453

Phone: (707) 263-2221

Fax: (707) 263-2225

Email: victor.fernandez@lakecountyca.gov

CONFIDENTIAL OR PRIVILEGED:

This communication contains information intended only for the use of the individuals to whom it is addressed and may contain information that is privileged, confidential or exempt from other disclosure under applicable law. If you are not the intended recipient, you are notified that any disclosure, printing, copying, distribution or use of the contents is prohibited. If you have received this in error, please notify the sender immediately by telephone or by returning it by reply e-mail and then permanently deleting the communication from your system.

From: Victor Fernandez
Sent: Thursday, August 20, 2020 3:05 PM
To: 'Water Manager' <watermgr@rrcbc-nsn.gov>
Cc: Temashio Anderson <tanderson@rrcbc-nsn.gov>
Subject: RE: [EXTERNAL] Re: Request for Review; Major Use Permit UP 20-47; Commercial Cannabis Cultivation

Karola,

Here is the Cultural Assessment for the project.

Sincerely,



Victor Fernandez

Assistant Planner

Department of Community Development

255 N. Forbes St.

Lakeport, CA 95453

Phone: (707) 263-2221

Fax: (707) 263-2225

Email: victor.fernandez@lakecountyca.gov

From: Water Manager [<mailto:watermgr@rrcbc-nsn.gov>]

Sent: Thursday, August 20, 2020 2:39 PM

To: Victor Fernandez <Victor.Fernandez@lakecountyca.gov>

Cc: Temashio Anderson <tanderson@rrcbc-nsn.gov>

Subject: Re: [EXTERNAL] Re: Request for Review; Major Use Permit UP 20-47; Commercial Cannabis Cultivation

Hi Victor

Thank you for your responses to my questions. Yes, can you please send me a copy of the Cultural Assessment report.

Thanks again Karola

Karola Kennedy
Water Resources Manager
Robinson Rancheria
1645 East Hwy 20
Nice, CA 95464
office (707)275-0205
cell (707)530-5320

On Thu, Aug 20, 2020 at 1:42 PM Victor Fernandez <Victor.Fernandez@lakecountyca.gov> wrote:

Good Afternoon,

Thank you for the email. The project is in the initial stages of review. The Initial Study (Environmental Document) has not been created yet. Once the application has been deemed complete then the Initial Study Process commences. Similarly, the EA (Early Activation) is not processed until the application is deemed complete. Additionally, the permit is still going through review. Mitigation measures can be proposed as a part of the Initial Study. Also the Well documents are located within the Property Management Plan (PMP) attachment from the Request for Review.

Additionally, in regards to the stock pond the biological assessment stated the following:

“The stock pond is not likely to be jurisdictional due to the lack of a defined inlet stream, and it is our recommendation that this feature is not an instream reservoir and instead collects subsurface flow locally. The stock pond is small and measures approximately 0.06 surface acres and has an outlet composed of a 24" corrugated metal pipe that is buried into the earthen fill dam and spills out into an area of intact vegetation to the west. There was no streamchannel observed associated with the outfall and it does not appear that the outfall spills every year.”

It seems to indicate that a spring and surface water supplements it. Additionally, a cultural assessment has been done for this project. Are you requesting a copy for your review?

Sincerely,



Victor Fernandez

Assistant Planner

Department of Community Development

255 N. Forbes St.

Lakeport, CA 95453

Phone: (707) 263-2221

Fax: (707) 263-2225

Email: victor.fernandez@lakecountyca.gov

From: Water Manager [mailto:watermgr@rrcbc-nsn.gov]

Sent: Thursday, August 20, 2020 1:07 PM

To: Victor Fernandez <Victor.Fernandez@lakecountyca.gov>

Cc: Temashio Anderson <tanderson@rrcbc-nsn.gov>

Subject: [EXTERNAL] Re: Request for Review; Major Use Permit UP 20-47; Commercial Cannabis Cultivation

Hi Victor

Wondering if you have any of the information I requested. I have located some of my answers in the project description. I listed below what I am still looking for.

1. Can I get a copy of the Initial Study 20-59 and EA 20-64 so I can review those documents?
4. The proposed plan shows where the trees will be removed but not replaced, are there mitigation measures on this?
5. I am questioning the stock pond also. If there is no diversion from the creek, how does this stay with water year around? Is it fed by a spring?
6. Has there been a Cultural Resources Assessment done?

Please provide asap so I can finalize my comments.

Thanks Karola

Karola Kennedy

Water Resources Manager

Robinson Rancheria

1645 East Hwy 20

Nice, CA 95464

office (707)275-0205

cell (707)530-5320

On Tue, Aug 18, 2020 at 10:49 AM Water Manager <watermgr@rrcbc-nsn.gov> wrote:

Hello Victor

I am reviewing major use permit 20-47 and have a few requests and questions.

1. Can I get a copy of the Initial Study 20-59 and EA 20-64 so I can review those documents?
2. Is there a list of specific mitigation measures / BMP's that will happen before, during and after construction?
3. Is there any documentation on the well and septic system? Well logs, permit from EH or Fish and Wildlife 1602 permit for the well, where is septic located on the property, up or down gradient from well?
4. The proposed plan shows where the trees will be removed but not replaced, are there mitigation measures on this?
5. I am questioning the stock pond also. If there is no diversion from the creek, how does this stay with water year around? Is it fed by a spring?
6. Has there been a Cultural Resources Assessment done?

Any additional documents you can provide me on this project would be greatly appreciated.

Thanks Karola

Karola Kennedy

Water Resources Manager

Robinson Rancheria

1645 East Hwy 20

Nice, CA 95464

office (707)275-0205

cell (707)530-5320

----- Forwarded message -----

From: **Victor Fernandez** <Victor.Fernandez@lakecountyca.gov>

Date: Fri, Aug 14, 2020 at 3:43 PM

Subject: Request for Review; Major Use Permit UP 20-47; Commercial Cannabis Cultivation

To: <sryan@big-valley.net>, <thpo@big-valley.net>, <cww281@gmail.com>, <a.tyler@elemindiancolony.org>, <aarroyosr@hpultribe-nsn.gov>, <lrosas@hpultribe-nsn.gov>, <kn@koination.com>, <sjelliott@hoplandtribe.com>, <cfo@hoplandtribe.com>, <tc@middletownrancheria.com>, <jsimon@middletownrancheria.com>, <mshaver@middletownrancheria.com>, <thpo@middletownrancheria.com>, <btorres@middletownrancheria.com>, <sshope@middletownrancheria.com>, <speterson@middletownrancheria.com>, <scottg@mishewalwappotribe.com>, <admin@rvrpomo.net>, <tanderson@rrcbc-nsn.gov>, <terre.logsdon@sv-nsn.gov>, <thomas.jordan@sv-nsn.gov>, <lbill@yochadehe-nsn.gov>, <jkinter@yochadehe-nsn.gov>, <arober

Hello Tribal Agencies,

This email is a request for review for Major Use Permit (UP 20-47), for the commercial cannabis cultivation. Due to the size of the attachments, I have utilized this File Sharing System. Please review the attachments below.

In accordance with Assembly Bill 52 (AB52) and Section 21080.3.1(b) of the California Public Resources Code (PRC), we are responding to your request to be notified of projects in our jurisdiction that will be reviewed under CEQA. We are hereby notifying you of an opportunity to consult with us regarding the potential for this project to impact Tribal Cultural Resources, as defined in Section 21074 of the PRC. The purposes of tribal consultation under AB52 are to determine, as part of the CEQA review process, whether or not Tribal Cultural Resources are present within the project area, and if so, whether or not those resources will be significantly impacted by the project. If tribal cultural resources may be significantly impacted, then consultation will also help to determine the most appropriate way to avoid or mitigate those impacts. In accordance with Section 21080.3.1(b) of the PRC, Consultation request under AB52 must be received in writing within 30 days of receipt of this notice. If the Tribe would like to formally request an AB 52 consultation, please email or write your request and designated lead contact person to victor.fernandez@lakecountyca.gov or mail them to the address listed in the letterhead above.

Sincerely,

Victor Fernandez
Assistant Planner
County of Lake

Files attached to this message

Filename	Size	Checksum (SHA256)
UP 20-47 RFR AB52.pdf	256 KB	a76cdd0dd4db52de4943acd9cb296994663bad3f1c2156695e7aa3dabebe
up_20-47_site_plans_042020.pdf	2.85 MB	e4dad0e50060cd36de7375d6733dcble6b958abbc2cf4afe4ab01910e5cc2
up_20-47_biology_report.pdf	3.82 MB	b83b5f4c97a6f47331a807caa1646e336c8a10e846774c5cdb05b9fc48272
up_20-47_grading.pdf	321 KB	675ccc5987677e43b4a35836755f09c6a2dea719010a7d9af0fe5b072916c
up_20-47_pmp.pdf	2.11 MB	ffd31962922bd031749d41a4683b5021eb07558666a32fa1adf67eb6e0a71

Please click on the following link to download the attachments:

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This email or download link can be forwarded to anyone.

The attachments are available until: **Wednesday, 9 September.**

Message ID: eKLLPI8X7ZERnQ92ebczHR

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

Victor Fernandez

From: Fried, Janae@Waterboards <Janae.Fried@Waterboards.ca.gov>
Sent: Tuesday, August 18, 2020 1:49 PM
To: Victor Fernandez
Subject: [EXTERNAL] Re: Request for Expedited Review; Major Use Permit UP 20-47; Commercial Cannabis Cultivation

Hello Victor,

This site is currently enrolled under the General Order as a Tier 1 - Low Risk site. From reviewing the PMP, it appears they are enrolled correctly *for now*. In 2021, they will need to update their enrollment with the Water Board's as their Disturbed area will then be greater than 1 acre and they should be designated as a Tier 2 site. Beyond that, they are in compliance with the Water Board.

Thank you.

We are currently undergoing a reduced in-office presence from implications due to COVID19. But all efforts are made to reply as quickly as possible.

Janae Fried
Engineering Geologist
Central Valley Regional Water Quality Control Board, Region 5R
Cannabis Permitting Unit
364 Knollcrest Drive, Suite 205
Redding, CA 96002
Janae.Fried@Waterboards.ca.gov
530-224-3291 (Office number - will check voicemail every other morning while telecommuting)

From: Victor Fernandez <Victor.Fernandez@lakecountycalifornia.gov>
Sent: Friday, August 14, 2020 3:40 PM
To: steven.hajik@lakecountycalifornia.gov <steven.hajik@lakecountycalifornia.gov>; fahmya@lcaqmd.net <fahmya@lcaqmd.net>; ryan.lewelling@lakecountycalifornia.gov <ryan.lewelling@lakecountycalifornia.gov>; david.casian@lakecountycalifornia.gov <david.casian@lakecountycalifornia.gov>; scott.deleon@lakecountycalifornia.gov <scott.deleon@lakecountycalifornia.gov>; john.everett@lakecountycalifornia.gov <john.everett@lakecountycalifornia.gov>; kelli.hanlon@lakecountycalifornia.gov <kelli.hanlon@lakecountycalifornia.gov>; lucas.bingham@lakecountycalifornia.gov <lucas.bingham@lakecountycalifornia.gov>; lori.baca@lakecountycalifornia.gov <lori.baca@lakecountycalifornia.gov>; gordon.haggitt@lakecountycalifornia.gov <gordon.haggitt@lakecountycalifornia.gov>; greg.peters@lakecountycalifornia.gov <greg.peters@lakecountycalifornia.gov>; yuliya.osestova@lakecountycalifornia.gov <yuliya.osestova@lakecountycalifornia.gov>; chief500@lakeportfire.com <chief500@lakeportfire.com>; pbleuss@kelseyvillefire.com <pbleuss@kelseyvillefire.com>; chief800@northshorefpd.com <chief800@northshorefpd.com>; Fong, Gloria@CALFIRE <Gloria.Fong@fire.ca.gov>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; fdchf700@yahoo.com <fdchf700@yahoo.com>; pgenorthernagencyins@pge.com <pgenorthernagencyins@pge.com>; Stoner, Kyle@Wildlife <Kyle.Stoner@wildlife.ca.gov>; Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>; Rightnar, Jacob@DOT <Jacob.Rightnar@dot.ca.gov>; Fried, Janae@Waterboards <Janae.Fried@Waterboards.ca.gov>; nwc@sonoma.edu <nwc@sonoma.edu>; melissa.m.france@usace.army.mil <melissa.m.france@usace.army.mil>; bhalstead@blm.gov <bhalstead@blm.gov>; kevinponce@cdfa.ca.gov <kevinponce@cdfa.ca.gov>; tracy.cline@lakecountycalifornia.gov

<tracy.cline@lakecountycal.gov>; ryan_olah@fws.gov <ryan_olah@fws.gov>
Cc: bruno.sabatier@lakecountycal.gov <bruno.sabatier@lakecountycal.gov>; carol.huchingson@lakecountycal.gov
<carol.huchingson@lakecountycal.gov>; michelle.scully@lakecountycal.gov <michelle.scully@lakecountycal.gov>;
susan.parker@lakecountycal.gov <susan.parker@lakecountycal.gov>; roberta.lyons@att.net <roberta.lyons@att.net>;
vbrandon95457@gmail.com <vbrandon95457@gmail.com>; lcfarmbureau@sbcglobal.net
<lcfarmbureau@sbcglobal.net>
Subject: Request for Expedited Review; Major Use Permit UP 20-47; Commercial Cannabis Cultivation

EXTERNAL:

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Sincerely,

Victor Fernandez
Assistant Planner
County of Lake

Files attached to this message

Filename	Size	Checksum (SHA256)
RFR UP 20-47.pdf	271 KB	2d32d77cd26ea947bd6d4d6974456b417dbdbb66e2de1b3073807800a8555246
up_20-47_pmp.pdf	2.11 MB	ffd31962922bd031749d41a4683b5021eb07558666a32fa1adf67eb6e0a73de9
up_20-47_site_plans_042020.pdf	2.85 MB	e4dad0e50060cd36de7375d6733dcb1e6b958abb2cf4afe4ab01910e5cc2428
up_20-47_biology_report.pdf	3.82 MB	b83b5f4c97a6f47331a807caa1646e336c8a10e846774c5cdb05b9fc4827275c

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The attachments are available until: **Monday, 31 August.**

Message ID: 1J1SEIVDtJ2Kt1TNGynhP

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SONOMA
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Northwest Information Center
Sonoma State University
150 Professional Center Drive, Suite E
Rohnert Park, California 94928-3609
Tel: 707.588.8455
nwic@sonoma.edu
<http://www.sonoma.edu/nwic>

August 20, 2020

File No.: 20-0319

Victor Fernandez, Project Planner
County of Lake
Community Development Department
255 N. Forbes Street
Lakeport, CA. 95453

re: County File Numbers UP 20-47, IS 20-59, EA 20-64 / 1800 & 1850 Ogulin Canyon Road, Clear Lake /
Emerald Mountain Farms, Inc.

Dear Mr. Fernandez:

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

Project Description: The proposed project entails a Major Use Permit for three A-Type 3: "Outdoor" licenses for adult use cannabis cultivation from 10,001 square feet to 1 acre, inclusive, of total canopy size, and one Type 13: "Distributor Transport Only, Self-Distribution" license for the transport of medicinal cannabis goods between entities. The project includes three phases with a total proposed canopy size of 143,320 square feet within 143,680 square feet of cultivation area. The applicant proposes 3 to 6 employees at peak shift. The project area includes 4 existing parking spaces and 4 proposed parking spaces (surfacing unknown at this time).

Previous Studies:

XX Studies S-25036 (Flaherty 2001) and S-52215 (Zalarvis-Chase et al. 2017), collectively covering approximately 10% of the proposed project area, identified no cultural resources within those portions of the proposed project area (*see recommendations below*).

Archaeological and Native American Resources Recommendations:

XX The proposed project area has the possibility of containing unrecorded archaeological site(s). A study of the unsurveyed portions of the proposed project area is recommended prior to commencement of project activities.

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

Built Environment Recommendations:

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

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

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

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

Sincerely,

Jessika Akmenkalns, Ph.D.
Researcher

Victor Fernandez

From: John Everett
Sent: Friday, August 28, 2020 10:09 AM
To: Victor Fernandez
Subject: RE: Request for Expedited Review; Major Use Permit UP 20-47; Commercial Cannabis Cultivation

Victor,

Sorry about being late on this review.

I don't have much to say about this proposed development. Except that, the applicant is upgrading the existing dirt roads on-site by upgrading them to an "all-weather" gravel surface as they should. Unfortunately, there is approximately .9 miles of dirt road back to paved, county maintained, Ogulin Canyon Road. I am concerned that this stretch of dirt road will become impassable once the rainy season starts, and regular traffic is required to use it (employees, delivery trucks, etc.). The applicant may have to respond to this event, by upgrading this road surface as well, just to be able to use it. Other than that...I have no other comments.

John Everett PE
Associate Civil Engineer
County of Lake
255 N. Forbes St., Room 309
Lakeport, CA 95453
(707) 263-2719

From: Victor Fernandez [mailto:Victor.Fernandez@lakecountyca.gov]
Sent: Friday, August 14, 2020 3:40 PM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; fahmya@lcaqmd.net; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; John Everett <John.Everett@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; chief500@lakeportfire.com; pbleuss@kelseyvillefire.com; chief800@northshorefpd.com; gloria.fong@fire.ca.gov; mike.wink@fire.ca.gov; fdchf700@yahoo.com; pgenorthernagencyins@pge.com; kyle.stoner@wildlife.ca.gov; r2ceqa@wildlife.ca.gov; jacob.rightnar@dot.ca.gov; janae.fried@waterboards.ca.gov; nwic@sonoma.edu; melissa.m.france@usace.army.mil; bhalstead@blm.gov; kevinponce@cdfa.ca.gov; Tracy Cline <Tracy.Cline@lakecountyca.gov>; ryan_olah@fws.gov
Cc: Bruno Sabatier <Bruno.Sabatier@lakecountyca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; Michelle Scully <Michelle.Scully@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; roberta.lyons@att.net; vbrandon95457@gmail.com; lcfarmbureau@sbcglobal.net
Subject: Request for Expedited Review; Major Use Permit UP 20-47; Commercial Cannabis Cultivation

Hello Fellow Agencies,

This email is a request for an expedited review for Major Use Permit (UP 20-47), for the commercial cannabis cultivation. Due to the size of the attachments, I have utilized this File Sharing System. Please review the attachments below.

Please advise us if additional information is needed, which permits are required from your agency (if any), and of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the

project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than August 20, 2020. Please email your comments to victor.fernandez@lakecountyca.gov or mail them to the address listed in the letterhead above.

Sincerely,

Victor Fernandez
Assistant Planner
County of Lake

Files attached to this message

Filename	Size	Checksum (SHA256)
RFR UP 20-47.pdf	271 KB	2d32d77cd26ea947bd6d4d6974456b417dbdbb66e2de1b3073807800a85552
up_20-47_pmp.pdf	2.11 MB	ffd31962922bd031749d41a4683b5021eb07558666a32fa1adf67eb6e0a73d
up_20-47_site_plans_042020.pdf	2.85 MB	e4dad0e50060cd36de7375d6733dcb1e6b958abb2cf4afe4ab01910e5cc24
up_20-47_biology_report.pdf	3.82 MB	b83b5f4c97a6f47331a807caa1646e336c8a10e846774c5cdb05b9fc482727

Please click on the following link to download the attachments:
<https://filetransfer.co.lake.ca.us/message/IJSEIVDtGJ2Kt1TNGynhP>
This email or download link can be forwarded to anyone.

The attachments are available until: **Monday, 31 August.**

Message ID: 1J1SEIVDtGJ2Kt1TNGynhP

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LAKE COUNTY SHERIFF'S DEPARTMENT

1220 Martin Street • Lakeport, California 95453

Administration
(707) 262-4200

Central Dispatch
(707) 263-2690

Coroner
(707) 262-4215

Corrections
(707) 262-4240

Patrol/Investigation
(707) 262-4230

Substation
(707) 994-6433

Brian L. Martin
Sheriff / Coroner

Lake County Community Development

RE: MUP 20-47
1850 & 1800 Ogulin Canyon Rd
Clearlake, CA

In review of the Security Management Plan submitted for revised MUP 20-47 via the Lake County Community Development Department in August 2020. The Lake County Sheriff's Office has determined the submitted security plan meets the requirements of the County of Lake as set forth in Lake County Ordinance 3084 / 3073.

The Lake County Sheriff's Office's review of the Security Plan is not an endorsement or recommendation of the Security Plan. It is a determination the Security Plan meets the minimum requirements as outlined in Lake County Ordinance 3084 / 3073.

The original, official document is retained by the Lake County Community Development Department. All inquiries regarding the status of cannabis permits or the application process should be directed to the Community Development Department.

L. Bingham
Lieutenant Luke Bingham
Lake County Sheriff's Office
1220 Martin St.
Lakeport, CA 95453
707 262 4200



COUNTY OF LAKE

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

Courthouse - 255 N. Forbes Street

Lakeport, California 95453

Telephone 707/263-2221 FAX 707/263-2225

DISTRIBUTION DATE: August 14, 2020

REQUEST FOR REVIEW FOR SUFFICIENCY

<u>@</u> AG. COMMISSIONER	<u> </u> FIRE PROTECTION DIST:	<u>@</u> CA DEPT FISH & WDLF
<u>@</u> AIR QUALITY MGMT	<u>@</u> Kelseyville	<u>@</u> CALTRANS
<u>@</u> ASSESSOR	<u>@</u> Lake County	<u> </u> STATE LANDS COMM.
<u>@</u> BUILDING DIVISION	<u> </u> Lake Pillsbury (no contact info)	<u>@</u> CRWQCB
<u>@</u> DPW - ROADS	<u>@</u> Lakeport County	<u> </u> STATE DEPT. OF HEALTH
<u>@</u> ENVIRON HEALTH	<u>@</u> Northshore	<u>@</u> SONOMA STATE
<u> </u> LAKEBED MANAGEMENT	<u>@</u> South Lake County	<u> </u> NW INFORMATION CENTER
<u> </u> PUBLIC SERVICES	<u>@</u> CalFire	<u>@</u> ARMY CORPS
<u>@</u> SHERIFF	<u> </u>	<u> </u> BLM
<u>@</u> SPECIAL DISTRICTS	<u> </u>	<u>@</u> CALCANNABIS
<u>@</u> SURVEYOR	<u>@</u> PG&E	<u>@</u> GRADING
<u>@</u> TAX COLLECTOR	<u> </u> HOA _____	<u> </u> CITY OF CLEARLAKE
<u> </u> WASTE DISPOSAL	<u> </u> WATER CO _____	<u>@</u> US FISH & WILDLIFE SVC
<u>@</u> WATER RESOURCES	<u> </u> OTHER _____	<u> </u> US FOREST SERVICE

FROM: Victor Fernandez, Assistant Planner
REQUEST: Major Use Permit, UP 20-47; Initial Study IS 20-59; Early Activation EA 20-64
APPLICANT: Emerald Mountain Farms, INC
OWNER: Clear Lake Mountain Partners, LLC

APN: 010-053-03 (Approximately 77.99 acres)
010-011-01 (Approximately 39.98 acres)

Approximate total acreage: 117.97 acres

LOCATION: 1850 and 1800 Ogulin Canyon Road, Clear Lake, CA

ZONING: "RL-WW": Rural Lands-Waterway Combining District.

GENERAL PLAN: Rural Lands

HAZARDS: Project Parcel Located within State Responsibility Area.

FLOOD ZONE: "D": Areas of undetermined, but possible, flood hazard.
"X": Areas of minimal flooding - not in a special flood hazard area.

SOIL STABILITY: Generally Stable
SOIL TYPE(s): Bally-Phipps-Haploxeralfs (Type 108)
Skyhigh-Asbill Complex (Type 208)
Sleeper Variant-Sleeper Loams (Type 215)
Phipps Complex (Type 197)

WATER SOURCE: Existing Well

WASTE MANAGEMENT: Existing Septic System

CONSTRUCTION: Construction is expected to take approximately 2-3 weeks. Approximately 74 to 124 truck/vehicle trips per day are expected.

EXISTING DEVELOPMENT: Residence and a shop.

P.O. Box 1384
Clearlake Oaks, CA 94523

June 19, 2022

Lake County Planning Commission
225 N. Forbes St.
Lakeport, CA 95453

Re: Monte Cristo Cannabis Project: UP21-14, SCH 2022030675

Dear Planning Commissioners:

I am writing to express my opposition to the commercial cannabis project proposed for the Monte Cristo property at the end of Cerrito Drive in Clearlake Oaks. My wife and I own the property at 12361 Cerrito Drive (APN 060-261-070). While at this time, our property is an undeveloped lot, we are concerned that the proposed expansion of the commercial use of the Monte Cristo operation will negatively impact the future residential use of our lot.

Our primary concern has to do with the fact that Cerrito Drive was not designed for use as a commercial thoroughfare, and as such, expanded commercial traffic on this residential road will negatively impact the residential usages along the road. Cerrito Drive is a steep, winding and narrow road, with few if any locations for vehicles to pull off. My understanding is that the road bed is considerably narrower than commercial usage standards allow. In addition, we know that at certain times of the year, the current Monte Cristo winery traffic is already very heavy on Cerrito Drive.

The proposed Monte Cristo cannabis project will result in expanded traffic on Cerrito Drive as commercial trucks and workers' vehicles travel to and from the Monte Cristo property. This expanded traffic on this residential street will result in negative impacts for the residents of Cerrito Drive, including increases in noise, air pollution, congestion and fire danger. Some residents may even have difficulty entering or leaving their own driveways at certain times of the day due to the Monte Cristo traffic.

In conclusion, I request that you protect the residential usage for which Cerrito Drive was designed. Please reject the Monte Cristo Cannabis Project.

Sincerely,

Paul S Branson

PROPOSAL:

The applicant is requesting approval of a Major Use Permit to allow the following licenses:

Three (3) **A – Type 3: “Outdoor”**: Outdoor cultivation for adult use cannabis without the use of light deprivation and/or artificial lighting in the canopy area at any point in time from 10,001 square feet to one acre, inclusive, of total canopy size on one premises.

One (1) **Type 13: “Distributor Transport Only, Self-Distribution”**: The transport of medicinal cannabis goods between entities licensed pursuant to California Code.

According to the applicant’s application package, the proposal consists of a phased development for the commercial cannabis cultivation operation. The phases have been detailed below:

Phase I:

- 6,820 square foot outdoor cultivation / canopy area
- 2,334 square foot outdoor cultivation / canopy area
- 8’X20’ pesticide & agricultural chemical storage area
- 10’X20’ compost area
- 10’X20’ security center
- Designated refuse area

Phase II:

- 43,560 square foot outdoor cultivation / canopy area
- 25,835 square foot cultivation / canopy area
- 8’X20’ storage container
- 3,000 gallon water storage tanks

Phase III:

- 10,000 square foot outdoor cultivation / canopy area
- 20,000 square foot outdoor cultivation / canopy area
- 69,760 square foot outdoor cultivation / canopy area

The total canopy proposed is 143,320 square feet of canopy area within 143,680 square feet of cultivation area. Additionally, the applicant proposes three (3) to six (6) employees at peak shift. According to the application package, there are four (4) existing parking spaces and four (4) proposed parking spaces (surfacing unknown at this time).

Please refer to attached site plans and project description for further information.

ACCESS: Any site where a cannabis related activity is permitted shall have access to a public road or a recorded easement that allows for, but not limited to, delivery trucks, emergency vehicles, sheriff and other law enforcement officers, and government employees who are responsible for inspection or enforcement actions.

Please advise us if additional information is needed, which permits are required from your agency (if any), and of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **August 20, 2020**. Please email your comments to victor.fernandez@lakecountycalifornia.gov or mail them to the address listed in the letterhead above.

COMMENTS: See attached memo.

NAME	<i>Denna Cloninger</i>			DATE	<i>8-17-2020</i>
cc:	2	Supervisory District (RFR Only)	Bruno Sabatier	Redbud Audubon	
		Carol Huchingson/Michelle			
	@	Scully/Susan Parker			
		Other (Examples:	Sierra Club /	HOA /	Farm Bureau / etc.) (RFR Only)
				@	



COUNTY OF LAKE
Health Services Department
Environmental Health Division
922 Bevins Court
Lakeport, California 95453-9739
Telephone 707/263-1164
FAX 707/263-1681

Denise Pomeroy
Health Services Director

Gary Pace, MD
Health Officer

Jasjit Kang
Environmental Health Director

MEMORANDUM

DATE: August 17, 2020

TO: Victor Fernandez, Assistant Planner

FROM: Donna Cloninger, Environmental Health Aide

RE: UP 20-47 Major Use Permit, IS 20-59, EA 20-64
Commercial Cannabis

APN: 010-053-03 1850 Ogulin Canyon Rd.
010-011-01 1800 Ogulin Canyon Rd.

Lake County Division of Environmental Health (EH) has on file for the subject parcel 010-053-03: A 2018 well permit WE-5012 for a domestic well; a 1998 well permit WE-1578 for an agricultural well; a 2004 and 2002 sign off for Ag Exempt storage buildings; a 1998 septic permit 12551 designed to service a 2 bedroom residence. We have nothing on record for APN 010-011-01.

The applicant must meet the EH requirements regarding Onsite Wastewater Treatment System (OWTS) and potable water.

For any proposed building permits or projects where the parcel is serviced by an OWTS or well, the applicant may need to demonstrate the location of any proposed or existing structures including residential or commercial dwellings, garages, driveways, shed, barns, green houses, non-perimeter fences, well houses, etc., and the location of the proposed project on a to-scale site plan prior to building permit issuance and/or project approval.

EH may require a field clearance to validate septic or well locations prior to site plan approval.

If the applicant is proposing a commercial cannabis operation and the operation will be constructing or utilizing an existing structure (i.e., processing facility) that will have plumbing for a restroom, sink, etc., that structure will be required to have its own OWTS, separate from any existing or new OWTS designed to service a residential structure.

If the applicant is proposing portable toilets, EH has no concerns.

If the applicant is proposing an OWTS, then applicant must apply for a site evaluation and, if the site is acceptable to support an OWTS, apply for a permit.

EH requires all applicants to provide a written declaration of the chemical names and quantities of any hazardous material to be used on site. As a general rule, if a material has a Safety Data Sheet, that

Promoting an Optimal State of Wellness in Lake County

• material may be considered as part of the facilities hazardous materials declaration.



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Ukiah Field Office
2550 North State Street, Suite 2
Ukiah, CA 95482
www.blm.gov/office/ukiah-field-office

August 14, 2020

County of Lake
Community Development Department
Attn: Victor Fernandez
255 N. Forbes Street, Lakeport, CA 95453

Dear Victor,

Thank you for providing the Bureau of Land Management with the opportunity to share our concerns regarding county permitting for cannabis cultivation on private parcels if this affects federal lands or requires federal authorizations.

The Comprehensive Drug Abuse Prevention and Control Act of 1970 and more specifically Title II of the act (the Controlled Substances Act), lists Cannabis as a Schedule I drug. The BLM does not have any discretion to permit activities on the public land that will violate the Controlled Substances Act or any other federal law. The BLM therefore, cannot authorize any activities related to cannabis authorizations on public land such as the *cultivation, production, transportation or distribution* of supplies or product.

We recommend that permit applicants adjacent to or near BLM lands have their parcels surveyed by a professional land surveyor so that their operations do not trespass upon or cause impacts to federal lands. Individuals that cause resource damage (i.e. erosion or soil contamination) to BLM-administered lands from illicit acts, including the manufacturing of cannabis, may be subject to federal criminal and/or civil action. Permit applicants should also be aware that transporting cannabis across an existing right-of-way on federal lands to access a private parcel, is also illegal under federal law, and violators could face federal criminal action.

Thank you again for the opportunity to comment. Please contact me if you would like to further discuss the issue. You can reach me at 707-468-4070.

Sincerely,

Ryan Cooper
Field Manager

Victor Fernandez

From: Lori Baca
Sent: Friday, August 14, 2020 4:24 PM
To: Victor Fernandez
Subject: RE: Request for Expedited Review; Major Use Permit UP 20-47; Commercial Cannabis Cultivation

Victor,

Parcels 010-053-03 and 010-011-010 are both outside of any Special Districts service area, no impact.

Have a great weekend!

Lori A. Baca, CTA

Customer Service Coordinator

Lori.Baca@lakecountyca.gov

Office Number (707) 263-0119

Fax (707) 263-3836



From: Victor Fernandez [mailto:Victor.Fernandez@lakecountyca.gov]

Sent: Friday, August 14, 2020 3:40 PM

To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; fahmya@lcaqmd.net; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; John Everett <John.Everett@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; chief500@lakeportfire.com; pbleuss@kelseyvillefire.com; chief800@northshorefpd.com; gloria.fong@fire.ca.gov; mike.wink@fire.ca.gov; fdchf700@yahoo.com; pgenorthernagencyins@pge.com; kyle.stoner@wildlife.ca.gov; r2ceqa@wildlife.ca.gov; jacob.rightnar@dot.ca.gov; janae.fried@waterboards.ca.gov; nwic@sonoma.edu; melissa.m.france@usace.army.mil; bhalstead@blm.gov; kevinponce@cdfa.ca.gov; Tracy Cline <Tracy.Cline@lakecountyca.gov>; ryan_olah@fws.gov
Cc: Bruno Sabatier <Bruno.Sabatier@lakecountyca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; Michelle Scully <Michelle.Scully@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; roberta.lyons@att.net; vbrandon95457@gmail.com; lcfarmbureau@sbcglobal.net
Subject: Request for Expedited Review; Major Use Permit UP 20-47; Commercial Cannabis Cultivation

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project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than August 20, 2020. Please email your comments to victor.fernandez@lakecountyca.gov or mail them to the address listed in the letterhead above.

Sincerely,

Victor Fernandez
Assistant Planner
County of Lake

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up_20-47_site_plans_042020.pdf	2.85 MB	e4dad0e50060cd36de7375d6733dcb1e6b958abbc2cf4afe4ab01910e5cc24
up_20-47_biology_report.pdf	3.82 MB	b83b5f4c97a6f47331a807caa1646e336c8a10e846774c5cdb05b9fc482727

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The attachments are available until: **Monday, 31 August.**

Message ID: 1J1SEIVDtGJ2Kt1TNGynhP

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Victor Fernandez

From: THPO <thpo@big-valley.net>
Sent: Friday, August 14, 2020 3:57 PM
To: Victor Fernandez
Cc: Sarah Ryan
Subject: [EXTERNAL] RE: Request for Review; Major Use Permit UP 20-47; Commercial Cannabis Cultivation

Hello Mr. Fernandez.

This proposed project is located outside of the Historical Tribal Boundaries of the Big Valley Band of Pomo Indians located in the Lakeport, and Kelseyville areas and we will not request Tribal consultation.

Thank you,

Ronald Montez
Tribal Historic Preservation Officer
The Big Valley Band of Pomo Indians
2726 Mission Rancheria Rd.
Lakeport, CA 95453
Thpo@big-valley.net
707-263-3924 ext. 135
541-570-5799 cell

From: Victor Fernandez <Victor.Fernandez@lakecountyca.gov>
Sent: Friday, August 14, 2020 3:43 PM
To: Sarah Ryan <sryan@big-valley.net>; THPO <thpo@big-valley.net>; cww281@gmail.com; a.tyler@elemindiancolony.org; aarroyosr@hpultribe-nsn.gov; lrosas@hpultribe-nsn.gov; kn@koination.com; sjelliott@hoplandtribe.com; cfo@hoplandtribe.com; tc@middletownrancheria.com; jsimon@middletownrancheria.com; mshaver@middletownrancheria.com; thpo@middletownrancheria.com; btorres@middletownrancheria.com; sshope@middletownrancheria.com; speterson@middletownrancheria.com; scottg@mishewalwappotribe.com; admin@rvrpomo.net; tanderson@rrcbc-nsn.gov; terre.logsdon@sv-nsn.gov; thomas.jordan@sv-nsn.gov; lbill@yochadehe-nsn.gov; jkinter@yochadehe-nsn.gov; aroberts@yochadehe-nsn.gov
Subject: Request for Review; Major Use Permit UP 20-47; Commercial Cannabis Cultivation

Hello Tribal Agencies,

This email is a request for review for Major Use Permit (UP 20-47), for the commercial cannabis cultivation. Due to the size of the attachments, I have utilized this File Sharing System. Please review the attachments below.

In accordance with Assembly Bill 52 (AB52) and Section 21080.3.1(b) of the California Public Resources Code (PRC), we are responding to your request to be notified of projects in our jurisdiction that will be reviewed under CEQA. We are hereby notifying you of an opportunity to consult with us regarding the potential for this project to impact Tribal Cultural Resources, as defined in Section 21074 of the PRC. The purposes of tribal consultation under AB52 are to determine, as part of the CEQA review process, whether or not Tribal Cultural Resources are present within the project area, and if so, whether or not those resources will be significantly impacted by the project. If tribal cultural resources may be significantly impacted, then consultation will also help to determine the most appropriate way to avoid or mitigate those impacts. In accordance with Section 21080.3.1(b) of the PRC, Consultation request under AB52 must be received in writing within 30 days of receipt of this notice. If the Tribe would like to formally request an AB 52 consultation, please email or write your request and designated lead contact person to victor.fernandez@lakecountyca.gov or mail them to the address listed in the letterhead above.

Sincerely,

Victor Fernandez
Assistant Planner
County of Lake

Files attached to this message

Filename	Size	Checksum (SHA256)
UP 20-47 RFR AB52.pdf	256 KB	a76cdd0dd4db52de4943acd9cb296994663bad3f1c2156695e7aa3dabebe3f01
up_20-47_site_plans_042020.pdf	2.85 MB	e4dad0e50060cd36de7375d6733dcb1e6b958abbc2cf4afe4ab01910e5cc2428
up_20-47_biology_report.pdf	3.82 MB	b83b5f4c97a6f47331a807caa1646e336c8a10e846774c5cdb05b9fc4827275c
up_20-47_grading.pdf	321 KB	675ccc5987677e43b4a35836755f09c6a2dea719010a7d9af0fe5b072916d56f
up_20-47_pmp.pdf	2.11 MB	ffd31962922bd031749d41a4683b5021eb07558666a32fa1ad67eb6e0a73de9

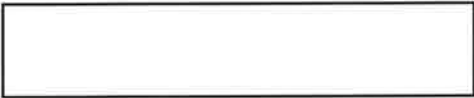
Please click on the following link to download the attachments:
<https://filetransfer.co.lake.ca.us/message/eKLLPI8X7ZERnQ92ebczHR>
This email or download link can be forwarded to anyone.

The attachments are available until: **Wednesday, 9 September.**

Message ID: eKLLPI8X7ZERnQ92ebczHR

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COUNTY OF LAKE

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

Courthouse - 255 N. Forbes Street

Lakeport, California 95453

Telephone 707/263-2221 FAX 707/263-2225

DISTRIBUTION DATE: August 14, 2020

REQUEST FOR REVIEW FOR SUFFICIENCY

@ AG. COMMISSIONER
@ AIR QUALITY MGMT
@ ASSESSOR
@ BUILDING DIVISION
@ DPW - ROADS
@ ENVIRON HEALTH
LAKEBED MANAGEMENT
PUBLIC SERVICES
@ SHERIFF
@ SPECIAL DISTRICTS
@ SURVEYOR
@ TAX COLLECTOR
WASTE DISPOSAL
@ WATER RESOURCES

FIRE PROTECTION DIST:

@ Kelseyville
@ Lake County
Lake Pillsbury (no contact info)
@ Lakeport County
@ Northshore
@ South Lake County
@ CalFire

@ PG&E
HOA _____
WATER CO _____
OTHER _____

@ CA DEPT FISH & WDLF
@ CALTRANS
STATE LANDS COMM.
@ CRWQCB
STATE DEPT. OF HEALTH
@ SONOMA STATE
NW INFORMATION CENTER
@ ARMY CORPS
BLM
@ CALCANNABIS
@ GRADING
CITY OF CLEARLAKE
@ US FISH & WILDLIFE SVC
US FOREST SERVICE

FROM: Victor Fernandez, Assistant Planner
REQUEST: Major Use Permit, UP 20-47; Initial Study IS 20-59; Early Activation EA 20-64
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Sleeper Variant-Sleeper Loams (Type 215)
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WASTE MANAGEMENT: Existing Septic System

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EXISTING DEVELOPMENT: Residence and a shop.

RECEIVED

AUG 18 2020

**LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.**

PROPOSAL:

The applicant is requesting approval of a Major Use Permit to allow the following licenses:

Three (3) **A – Type 3: “Outdoor”**: Outdoor cultivation for adult use cannabis without the use of light deprivation and/or artificial lighting in the canopy area at any point in time from 10,001 square feet to one acre, inclusive, of total canopy size on one premises.

One (1) **Type 13: “Distributor Transport Only, Self-Distribution”**: The transport of medicinal cannabis goods between entities licensed pursuant to California Code.

According to the applicant's application package, the proposal consists of a phased development for the commercial cannabis cultivation operation. The phases have been detailed below:

Phase I:

- 6,820 square foot outdoor cultivation / canopy area
- 2,334 square foot outdoor cultivation / canopy area
- 8'X20' pesticide & agricultural chemical storage area
- 10'X20' compost area
- 10'X20' security center
- Designated refuse area

Phase II:

- 43,560 square foot outdoor cultivation / canopy area
- 25,835 square foot cultivation / canopy area
- 8'X20' storage container
- 3,000 gallon water storage tanks

Phase III:

- 10,000 square foot outdoor cultivation / canopy area
- 20,000 square foot outdoor cultivation / canopy area
- 69,760 square foot outdoor cultivation / canopy area

The total canopy proposed is 143,320 square feet of canopy area within 143,680 square feet of cultivation area. Additionally, the applicant proposes three (3) to six (6) employees at peak shift. According to the application package, there are four (4) existing parking spaces and four (4) proposed parking spaces (surfacing unknown at this time).

Please refer to attached site plans and project description for further information.

ACCESS: Any site where a cannabis related activity is permitted shall have access to a public road or a recorded easement that allows for, but not limited to, delivery trucks, emergency vehicles, sheriff and other law enforcement officers, and government employees who are responsible for inspection or enforcement actions.

Please advise us if additional information is needed, which permits are required from your agency (if any), and of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **August 20, 2020**. Please email your comments to victor.fernandez@lakecountyca.gov or mail them to the address listed in the letterhead above.

COMMENTS: *I am concerned about the 3.2 acre outdoor grow. I realize that this is on RL, but there are two vineyards within a 1/4 mile of the outdoor grow and the possibility of pesticide drift is present. The operator has to obtain a Pesticide Operator ID number to purchase and use pesticides. Pesticides include: organic, conventional, restricted and non-restricted. They also need to obtain a Private Applicator Certificate to train any employees that apply pesticides. Both of these forms can be obtained at the Lake County Ag Commission office.*

NAME

Steve Huch

DATE

8-17-20

cc: 2

Supervisory District (RFR Only)

Bruno Sabatier

Redbud Audubon

Carol Huchingson/Michelle

@

Scully/Susan Parker

Other (Examples:

Sierra Club /

HOA /

@

**Farm Bureau / etc.) (RFR
Only)**