

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@lakecountyca.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. 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 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 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



YOCHA DEHE
CULTURAL RESOURCES

April 26, 2022

Lake County Planning Division
255 N. Forbes Street
Lakeport, CA 95453

RE: 11795 North Dr Clearlake Project YD-03252022-02

To Whom It May Concern:

Thank you for your project notification letter, regarding cultural information on or near the proposed 11795 North Dr Clearlake Project. We appreciate your effort to contact us.

The Cultural Resources Department has reviewed the project and concluded that it is not within the aboriginal territories of the Yocha Dehe Wintun Nation. Therefore, we respectfully decline any comment on this project. However, based on the information provided, please defer correspondence to the following:

Middletown Rancheria
Attn: Michael Riviera
PO Box 1035
Middletown, CA 95461

Please refer to identification number YD - 03252022-02 in any future correspondence with Yocha Dehe Wintun Nation concerning this project.

Thank you for providing us with this notice and the opportunity to comment.

Sincerely,

DocuSigned by:

Laverne Bill

F5E6AC2FFD52434...

Laverne Bill
Director of Cultural Resources

cc: Middletown Rancheria

Yocha Dehe Wintun Nation

PO Box 18 Brooks, California 95606 p) 530.796.3400 f) 530.796.2143 www.yochadehe.org

Central Valley Regional Water Quality Control Board

10 May 2022

Andrew Amelung
Lake County Community Development Department
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 21-06 AKWAABA, LLC PROJECT, SCH#2022030660, LAKE COUNTY

Pursuant to the State Clearinghouse's 11 April 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 21-06 Akwaaba, LLC Project, located in Lake County.

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

I. Regulatory Setting

Basin Plan

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

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

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

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

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:

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

Industrial Storm Water General Permit

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.

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



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 21-06 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.



May 09, 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 Akwaaba Farms/Akwaaba, LLC, Minor Use Permit MUP 21-06 Initial Study IS 21-06 (SCH No. 2022030660)

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

DCC offers the following comments concerning the IS/MND.

General Comments (GCs)

GC 1: Acknowledgement of DCC Regulations

The IS/MND could be improved if it acknowledged that DCC is responsible for licensing, regulation, and enforcement of commercial cultivation activities, as defined in the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) and DCC regulations related to cannabis cultivation (Bus. & Prof. Code, § 26102(a)). Additionally, the IS/MND's analysis could benefit from discussion of the protections for environmental resources provided by DCC's cultivation regulations, similar to the discussion provided with regard to County regulations. In particular, the impact analysis for each of the following resource topics could be further supported by a discussion of the effects of state regulations on reducing the severity of impacts for each applicable topic:

- Aesthetics (See 4 California Code of Regulations §16304(a).)
- Air Quality and Greenhouse Gas Emissions (See §§ 15020(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 2: Phasing

The Project Description indicates that the Proposed Project would be constructed in two distinct phases. To the extent that these details are reasonably foreseeable, the IS/MND would be strengthened if it clarified how and/or whether corresponding operations would vary across phases of the project (e.g., variations in the number of employees hired, vehicle trips, equipment usage, and/or requirements for physical resources [e.g., water, energy]). DCC assumes that the IS/MND evaluates Proposed Project operations and maintenance activities as they are anticipated at full buildout (e.g., when all project phases have been completed). The IS/MND would be improved if the County clearly confirmed (or clarified) this assumption.

GC 3: Attachments

The IS/MND includes multiple attachments that can be found on CEQANet. The IS/MND would be improved if it listed these attachments in the introduction of the IS/MND and referenced them throughout the document. This would allow the reader to be aware that this supporting documentation is available and easily reference this information. Furthermore, 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 4: Impact Analysis

Several comments provided in the comment table below relate to the absence of information or support for 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, etc.) was provided to support the impact statements in the checklist, including the sources of information relied upon to make conclusions.

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	18.	3	Description of Project	N/A (General Comment)	The IS/MND would be improved if it provided a description any heavy equipment that will be used for cultivation operations, including tractors, forklifts, mowers, etc.
2	18.	3	Description of Project	Phase 1 43,560 sq. ft. of outdoor canopy area and eighteen (18) 540 sq. ft. mixed-light canopy areas.	The IS/MND would be improved if it described whether these 18 mixed light canopy areas would consist of greenhouses or some other structures, and whether such structures are existing, or would be constructed on site.
3	21.	6	Other public agencies whose approval may be required	N/A (General Comment)	The IS/MND would be improved if it listed all agencies requiring approval and what type of permit is required from each agency listed. This would include cultivation licenses from DCC, and a Lake and Streambed Alteration Agreement from California Department of Fish and Wildlife, or a statement that one is not required.
4	21	7	AB 52 Consultation	Notification of the project was sent to local tribes on May 5th, 2021 for “AB 52” Notification, which allows interested Tribes to request tribal consultation within 30 days of receipt of notice.	The IS/MND would be improved if it listed the tribes that were notified through the AB 52 process.
5	I(c)	10	Aesthetics	N/A (General Comment)	The IS/MND would be improved if it identified all sensitive receptors in the vicinity of the Proposed Project, including nearby residences and

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
					recreationalists such as hikers and boaters. The IS/MND should provide an analysis of aesthetics impacts to each of these receptors.
6	I(d)	10	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).)
7	III(a)	11	Air Quality	The project has potential to result in short-term and long-term air quality impacts by generating fugitive dust emissions through ground-disturbing activities, routine maintenance, uncovered soil or compost piles, and vehicle trips on unpaved roads and during project development.	The analysis of air quality impacts and proposed mitigation measures would be improved if it evaluated the pollutant emissions associated with operation of the Proposed Project by disclosing all possible pollutants, the sources of those emissions, relevant air quality management plan(s) for consideration, and the air emissions significance threshold(s) against which the impacts of the Proposed Project are compared. Furthermore, the IS/MND would be strengthened if it provided an analysis of how Mitigation Measures AQ-1 through AQ-7 would bring air quality impacts to a less than significant level.
8	III(a)	12	Air Quality	No significant odor impacts are anticipated from the proposed cultivation operation, due to the proposed odor control equipment and practices, and the generous setbacks	The IS/MND would be improved if it discussed the odor control equipment and practices that would be incorporated into the Proposed Project. This information would also be appropriate for the discussion in section III(d).

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
				provided from public roads, property lines, and neighboring residences/outdoor activity areas.	
9	III(b)	13	Air Quality	N/A (General Comment)	The IS/MND would be improved if it also discussed particulates generated during regular operations and if these had the potential to violate any air quality standards.
10	IV(a)	16	Biological Resources	N/A (General Comment)	The IS/MND would be improved if it summarized relevant life history for rare species that also have the potential to occur on the project site in the impact analysis discussion.
11	IV(a)	16	Biological Resources	According to the report during the field survey, no listed species or special-status species were observed within the project area or the surrounding study area.	This statement contradicts information in the Project Description found on Page 4, which states that four Konocti Manzanita plants were identified on the Project parcel. The IS/MND also includes Mitigation Measure BIO-1 to address impacts to this special status plant species. The IS/MND would be improved if it: clearly described the potential impacts to special status plants, including Konocti Manzanita; identified mitigation measures to address the potential impacts; and provided an analysis of whether such mitigation measures would be sufficient to reduce potential impacts to less-than-significant levels.

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
12	IV(a)	16	Biological Resources	N/A (General Comment)	The IS/MND would be improved if provided an explanation of the specific potentially significant impacts Mitigation Measures BIO-2 through BIO-5 are intended to mitigate. For example, the impact discussion in IV(a) states that there are no potential jurisdictional water resources; however, Mitigation Measures BIO-4 and BIO-5 appear to be designed to reduce impacts to water resources.
13	VI(a)	18	Energy	The proposed energy usage for this operation is minimal; energy use may include but is not limited to the security system; well pump(s); septic pumps (if necessary); lighting for structures, lighting fixtures and/or power as needed. The proposed use would not result in potentially significant environmental impacts due to wasteful, inefficient or unnecessary consumption of energy resources during project development or operations.	The IS/MND would be improved if it estimated the amount of energy the Proposed Project would require for operational components and provided an analysis of whether project operations would result in significant energy impacts.
14	VI(b)	18	Energy	N/A (General Comment)	The document would be strengthened if it described how the Proposed Project would comply with DCC regulations relating to the use of renewable energy in cultivation

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
					projects. (Cal. Code Regs., tit. 4 § 16305.)
15	VII(b)	19	Geology and Soils	The operation will not result in substantial soils erosion or the loss of top soils as the operation will be developed in a previous disturbed area that has been continuously used for agricultural uses.	The IS/MND would be strengthened if it discussed these past agricultural uses. Furthermore, the IS/MND would be improved if it provided supporting evidence of how previous agricultural uses would prevent substantial soil erosion or the loss of top soils as a result of Proposed Project operations.
16	VII(e)	20	Geology and Soils	The project parcels are currently served and/or will be served with additional onsite waste management systems (septic).	Page 31 of the IS/MND states that there is an existing septic system at the project site. The IS/MND should clarify whether the Proposed Project would be served by an existing septic system or whether a new system is required, and base its analysis on this information.
17	VIII(a)	21	Greenhouse Gas Emissions	Therefore, based on the anticipated trips for the proposed use the levels of greenhouse gasses emitted are not anticipated to be excessive and would not require intensive use of heavy equipment, and as such, would not degrade air quality or produce significant amounts of greenhouse gasses.	The analysis of greenhouse gas emission impacts would be improved if it evaluated the pollutant emissions associated with operation of the Proposed Project by disclosing all possible pollutants, the sources of those emissions, and the emissions significance threshold(s) against which the impacts of the Proposed Project are compared.
18	VIII(b)	21	Greenhouse Gas Emissions	The County of Lake is an ‘air attainment’ County, and does not have established	Although Lake County does not have an established threshold for greenhouse gas emissions; alternative

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
				thresholds of significant for greenhouse gases.	thresholds can be applied. The IS/MND would be improved if it identified a threshold and compared the anticipated CO2 output with that threshold.
19	X(a)	25	Hydrology and Water Quality	The operation will not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.	The IS/MND would be improved if it provided substantial evidence for this conclusion.
20	X(b)	26	Hydrology and Water Quality	According to the Hydrology Study, data from the well performance test indicate that the onsite groundwater well would be able to produce sufficient water for the proposed cultivation operation without causing overdraft conditions.	The IS/MND would be improved if it summarized the evidence leading to a conclusion that the onsite groundwater well would be able to produce sufficient water for the proposed cultivation operation without causing overdraft conditions.
21	X(c)	26	Hydrology and Water Quality	N/A (General Comment)	On page 4, the IS/MND states that “The Project Parcel has been enrolled for coverage under the State Water Resources Control Board’s Cannabis General Order (WQ-2019-0001-DWQ) since October 30th, 2020. The site was assigned WDID No. 5S17CC428962. The General Order requires the preparation of a Site Management Plan (SMP) and a Nitrogen Management Plan (NMP).” The document further states that these plans have been submitted to the Central Valley

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
					Regional Water Quality Control Board. The IS/MND would be improved if it provided a summary of the State Board requirements, required management plans, and the Best Management Practices that are included within them.
22	XIII(a)	27	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 generate, and how the dBA limits in Mitigation Measures NOI -2 and NOI-3 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.
23	XIX(b)	31	Utilities and Services Systems	The operations proposed cannabis cultivation/canopy area is 83,280 square feet with an expected total annual water use of +/- 4 acre-feet or 1,296,900 gallons.	The IS/MND should specify whether the site's calculated water demand includes operational activities other than cannabis irrigation, such as watering roads for dust mitigation, landscaping, employee use, toilets, etc.
24	XIX(d)	33	Utilities and Services Systems	The Local Lake County landfill(s) has sufficient capacity to accommodate the project's solid waste disposal needs.	The IS/MND would be improved if it provided supporting evidence for this statement.
25	XXI(b)	34	Mandatory Findings of	N/A (General Comment)	The IS/MND should identify whether any other cannabis growing operations

Comment No.	Section Nos.	Page No(s).	Resource Topic(s)	IS/MND Text	DCC Comments and Recommendations
			Significance (Cumulative Impacts)		exist or have been proposed in the vicinity of the Proposed Project, and provide an analysis of whether the Proposed Project would make a considerable contribution to any cumulative impacts from these other projects. (See GC 5.)
26	N/A	35	Source List	N/A (general comment)	The Source List would be improved if it provided additional information regarding some of the references. For referenced documents, the author, title, and date of each document could be provided. For personal communications, the agency or organization, person contacted, date of contact, and method of contact should be provided. For websites, the URL and date visited should be provided. In addition, sources that are project-related studies could be made available via weblink or as attachments.

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

Cannabis permit and code enforcement. i am writing you asking for help with my new neighbor. whom is awaiting his cannabis grow permit. you see upon first meeting mr jackson now owning apn...010...019...15.....adjoining our piece apn....010...019...12. he always had his surveyor with him .they worked on this project for two years...now the first time mr jackson moved the fence down maybe...30 to 60 feet..we did not say anything so by dec or so of 21..then in jan or so he moved it another 30 to 80 feet..this of coarse longways on the property..so now the fence starts at 50 or so feet down hill.then working its way to 160 plus feet before ending behind mr jacksons barn ..now there was an original old fence in the left corner of the parcels and as far as gps it is it...are all but gone now,and if mr jackson needs survey for his permit ,why does he not do so ?instead he fences off our property and holds it for ransome.because after speaking with mr jacksons surveyor via certified <https://protect-us.mimecast.com/s/WE06CM86l4c3W3PtwE7i7?domain=mail.is> when we found that this surveyor is retired and now says he surveyed nothing for mr jackson..so mr jackson says.... anything you need to know is at the county building..i had my survey done...if you want to prove that your property is yours hire a surveyor..why ? because mr jackson is going to hold your property hostage until you do.now do not get me wrong ,we are not afraid of mr jackson ,but you cant do things like the old days,if so this letter would not be needed.so here are numbers shot from mr jacksons second time at survey and fencing....38.993.81.....122.694.68.....38.993.77.....122.694.62.....and38.993.00.....122.694.31.....now you should not have any problems seeing where you are..and if you do double click and it will tell you where you are.....and it does not say jackson for 50 to 160 feet up for maybe 1800 feet...we want our property removed from his fence and the fence where it belongs.not where mr jackson wants it.just look at those those 3 spots,and you can come see where the fence is and shoot your own numbers...we will not assist mr jackson in any way shape or form in accessing a permit...he has already showed us his true colors....so if civil is all there..well we will cross that bridge when and if we get to it.now correct me if i am wrong ,but to attempt to extract money and or property by the use of intimidation is ?..... extortion....and intimidation goes much farther than threatened and or scared.thinking that someone is doing things legally and by the book specially while attempting aquisition of a permit...is that not viable ? well definatly intimidation factor comes into play . in a very big way..besides the fact is we did not figure surveying in our equation at this point..mr jackson said he needed for his permit.yet all they did up there is cut the original fence and move their fence down the hill twice...using their mock fisad survey....further p[ushing someones backs further against the wall..basicly do as i say and prove to him that our property in which he has fenced off is still ours.you do not need a survey to prove that.a cell phone and a gps app will tell you exactly where he or she is standing..just like being buried in the snow....its that exact,otherwise alot more people would not survive that type of ordeal.sorry folks they did not make it,damn gps told us to dig 160 feet down the hill.right next to quincy jacksons 3 is a charm fence.....there is always a reason for someone to act like this.....intimidation.and forcing a person to do what you need be done only to retrieve back what was theirs.and is rightfully theirs.mr jackson knows exactly what he is doing....or he would not have made his survey look legitimate..he would surveyed it and recorded in a legitimate manner. ..proving the reason why he moved the fence twice.. he wants us to take care of all of it ...if we want our property on our side of the fence instead he uses of foul play,misleading,connieving,lieing, cheating,stealing,all in the name of good faith...guess you need to background check everybody,,,make sure they are not saying and doing to put your back against the wall.. ,these are not going to be good neighbors.,so what kind of people are being allowed to grow cannabis next door legally....because if someone would do this before recieving a permit whats life going to be like after they get a permit ??????we were not against this

project until the person in charge of this project,decided to strong arm us.and get us to take care of what they need done.....and it was easy fence off 2 or 3 acres of my neighbors property.and then tell them, if you want it back survey it.....no.....this person is picking a fight,and it will not be long before he gets one...after doing what mr jackson has done,there will be no being neighborly...all one can hope for is that someone steps in resolving all ,,i have yet to see anyone ride in on a white horse.....barbaria...707-245-1590...paoli...650-703-3803.....(barbaria paoli apn ...010.019.12)....(akwabba.jackson,???? who knows apn 010.019.15)..



**HABEMATOLEL POMO
CULTURAL RESOURCES**

April 11, 2022

Lake County Dept. of Community Development
Attn: Katherine Schaefer, Assistant Planner

255 North Forbes Street
Lakeport, CA 95453

RE: Akwaaba Farms Inc. LLC. Cannabis Project HP-20210512-01

Dear Ms. Katherine Schaefer:

Thank you for your project notification letter dated March 30, 2022, regarding cultural information on or near the proposed 11795 North Drive, Clearlake Park, CA, 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 that 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 and would like to initiate a formal consultation with the lead agency.

Please contact the following individual to coordinate a date and time for the consultation meeting:

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-20210512-01 in any correspondence concerning this project.

Thank you for providing us the opportunity to comment.

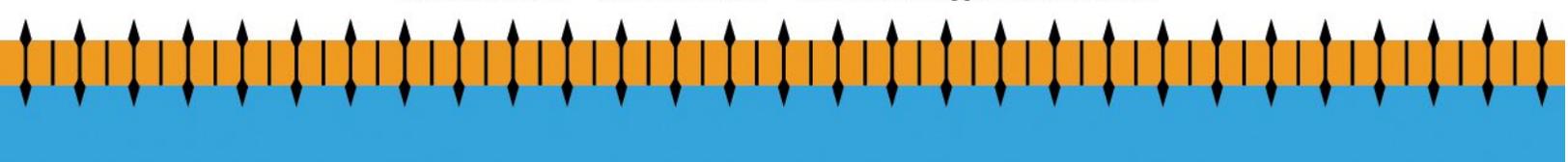
Sincerely,

A handwritten signature in blue ink that reads "Robert Geary". The signature is fluid and cursive.

Robert Geary
Cultural Resources Director/Tribal Historic Preservation Officer

HABEMATOLEL POMO OF UPPER LAKE

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





YOCHA DEHE
CULTURAL RESOURCES

April 26, 2022

Lake County Planning Division
255 N. Forbes Street
Lakeport, CA 95453

RE: 11795 North Dr Clearlake Project YD-03252022-02

To Whom It May Concern:

Thank you for your project notification letter, regarding cultural information on or near the proposed 11795 North Dr Clearlake Project. We appreciate your effort to contact us.

The Cultural Resources Department has reviewed the project and concluded that it is not within the aboriginal territories of the Yocha Dehe Wintun Nation. Therefore, we respectfully decline any comment on this project. However, based on the information provided, please defer correspondence to the following:

Middletown Rancheria
Attn: Michael Riviera
PO Box 1035
Middletown, CA 95461

Please refer to identification number YD - 03252022-02 in any future correspondence with Yocha Dehe Wintun Nation concerning this project.

Thank you for providing us with this notice and the opportunity to comment.

Sincerely,

DocuSigned by:

F5E6AC2FFD52434...
Laverne Bill
Director of Cultural Resources

cc: Middletown Rancheria

Mary Claybon

From: Katherine Vanderwall
Sent: Tuesday, April 5, 2022 4:26 PM
To: Lake County CannabisCEQA
Subject: Comments for UP 21-06 Akwaaba Farms

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: Ahart, Keith <KAhart@gswater.com>
Sent: Wednesday, March 30, 2022 11:22 AM
To: Lake County CannabisCEQA
Subject: [EXTERNAL] Akwaaba Farms - 11795 North Drive

Follow Up Flag: Follow up
Flag Status: Completed

What is the proposed water source for this project? Have any studies been completed to predict impact on the surrounding aquifer? On the water purveyors?

Thank you,

Keith Ahart

Operations Superintendent
Golden State Water Company
Clearlake CSA
(707) 994-0930
kahart@gswater.com

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Mary Claybon

From: rtnc <rtnc@sonic.net>
Sent: Tuesday, May 10, 2022 12:27 PM
To: Andrew Amelung
Subject: [EXTERNAL] UP 21-06 Akwaaba, LLC

To: Andrew Amelung
RE: UP 21-06 Akwaaba, LLC - Updated 4/11/2022
Date: May 9, 2022

In response to the posted Akwaaba cannabis project MUP 21-06, we have some initial comments.

1) Lack of key data.

As with most of the cannabis Property Management Plans (PMP), key information to make informed decisions is lacking. We would like to know the number of plants per acre, the number of plantings per year. This would give a better idea of: amount of water to be used, amount of vegetative waste, time/length of odor issues. In many of the PMP documents, it is "implied" that there are 400 or less plants per acre, when in fact it can be over 2000 per acre. Having these key pieces of data would allow CDD to collect crucial data that could be compared to actual usage, thus providing a better understanding of environmental impacts.

2) Aesthetics/visibility.

From the site plan maps, the cannabis project appears to be located on both sides along the Sulphur Bank ridgeline, with the south side visible from around across the lake (Clearlake Rivas) as well as Mt. Konocti, and the north side visible from Clearlake Oaks on Hwy 20. All are scenic corridors. We would request that CDD consider - first of all - making sure the project is located so there is no visibility from anywhere around the lake of both the outdoor cannabis plantings and the hoop houses. The impact of high visibility white plastic is extremely glaring, it would be preferred to have more camouflaged colors, or even no plastic shielding at all.

3) Oak removal

The biological reports refer to removing oak trees, while the other documents say there will be none removed. We would like to know which is currently planned, as we have issues with tree removal of any type.

We noticed the well test was performed nearly one year ago - would it be appropriate to have another one performed after a second year of drought?

We will wait for the upcoming staff report to see if we have other concerns.

Thank you.
Holly Harris/Chuck Lamb
Clearlake Oaks residents
707-998-0135

Mary Claybon

From: jdm@vom.com
Sent: Saturday, April 16, 2022 10:07 AM
To: Lake County CannabisCEQA
Subject: [EXTERNAL] Fwd: Akwaaba Farms; Major Use Permit(UP 21-06) and Initail Study(IS21-06)

Follow Up Flag: Follow up
Flag Status: Completed

----- Original Message -----

From: 'jdm@vom.com' <jdm@vom.com>
To: cannabisCEOA@lakecountyca.gov
Sent: Fri Apr 15 18:06
Subject: Fwd: Akwaaba Farms; Major Use Permit(UP 21-06) and Initail Study(IS21-06)

County Clerk,

We wish to take this opportunity to express our concerns related to the adoption of a Mitigated Negative Declaration in the above referenced matter.

Our home is located at 11280 North Drive, approximately one-half mile from the Grow Site. We have owned this home for over fifty years; during that time, we have experienced fires and wash-outs on the roads to and from the project location.

An additional concern is the impact on the aquifer. Recently, we have had to replace our shallow well that served us for fifty years with a newly dug deep well at a considerable expense.

Please consider the unavoidable and significant negative impacts on the area and those who live to enjoy this beautiful area of Lake County.

I am opposed to this project and I respectfully request that you deny this permit application.

Thank you for your attention to this matter.

John Musilli and Family

Mary Claybon

From: Tina Rubin
Sent: Friday, March 25, 2022 12:31 PM
To: Lake County CannabisCEQA
Cc: Mary Claybon; Craig Wetherbee
Subject: RE: NOTICE OF INTENT – Mitigated Negative Declaration; Akwaaba Farms UP 21-06: Commercial Cannabis Cultivation

Hi Mary,

It appears that Environmental Health did not perform the initial review for this project. Please forward me the documents from the original RFR so that our office can send you the comments.

Thanks,

Tina Dawn-Rubin
Environmental Health Aide

County of Lake

Department of Health Services
Environmental Health Division
922 Bevins Ct, Lakeport, CA 95453
Tel: 707-263-1164 Fax: 707-263-1681

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From: Lake County Cannabis CEQA [mailto:CannabisCEQA@lakecountyca.gov]
Sent: Friday, March 25, 2022 10:57 AM
To: Katherine Vanderwall <Katherine.Vanderwall@lakecountyca.gov>; Elizabeth Knight <elizabethk@lcaqmd.net>; Richard Ford <Richard.Ford@lakecountyca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Gloria Gregore <Gloria.Gregore@lakecountyca.gov>; Dennis Keithly <Dennis.Keithly@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Cara Salmon <cara.salmon@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; 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; jruygt@comcast.net; centralvalleysac@waterboards.ca.gov; SPKRegulatoryMailbox@usace.army.mil; info@middletownareamerchants.com; Tina Rubin <Tina.Rubin@lakecountyca.gov>; 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; Akwaaba Farms UP 21-06: 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 21-06), and Initial Study (IS 21-06) located on ADDRESS. 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 21-06 will begin on March 24, 2021 and end on April 22, 2021. 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 Lake County Planning Division or via email or via email to cannabisCEQA@lakecountyca.gov.

Thank you,

Mary Claybon
Assistant Planner

Files attached to this message

Filename	Size	Checksum (SHA256)
IS 21-06 - Notice of Intent (NOI) - Akwaaba, LLC.pdf	713 KB	4065938c2d3b02c4b394105448cac7312e02a7c96d39626c307e0fa61e6c3759

Please click on the following link to download the attachments:
<https://filetransfer.co.lake.ca.us/message/V31fHAM97C2hUXyOgYScSL>

This email or download link can be forwarded to anyone.

The attachments are available until: **Friday, 22 April.**

Message ID: V31fHAM97C2hUXyOgYScSL

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Mary Claybon

From: Lori Baca
Sent: Friday, March 25, 2022 1:18 PM
To: Lake County CannabisCEQA
Subject: RE: NOTICE OF INTENT – Mitigated Negative Declaration; Akwaaba Farms UP 21-06: Commercial Cannabis Cultivation

Follow Up Flag: Follow up
Flag Status: Completed

Mary,

The parcel listed in UP 21-06 is outside of any Special Districts service area, no impact.

Happy Friday!

Lori A. Baca

Customer Service Supervisor

Lori.Baca@lakecountyca.gov

Office Number (707) 263-0119

Fax (707) 263-3836



From: Lake County Cannabis CEQA [mailto:CannabisCEQA@lakecountyca.gov]

Sent: Friday, March 25, 2022 10:57 AM

To: Katherine Vanderwall <Katherine.Vanderwall@lakecountyca.gov>; Elizabeth Knight <elizabethk@lcaqmd.net>; Richard Ford <Richard.Ford@lakecountyca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Gloria Gregore <Gloria.Gregore@lakecountyca.gov>; Dennis Keithly <Dennis.Keithly@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Cara Salmon <cara.salmon@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; 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; jruygt@comcast.net; centralvalleysac@waterboards.ca.gov; SPKRegulatoryMailbox@usace.army.mil; info@middletownareamerchants.com; Tina Rubin <Tina.Rubin@lakecountyca.gov>; 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; Akwaaba Farms UP 21-06: 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 21-06), and Initial Study (IS 21-06) located on ADDRESS. 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).

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Thank you,

Mary Claybon
Assistant Planner

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Message ID: V31fHAM97C2hUXyOgYScSL

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Mary Claybon

From: Andrew Amelung
Sent: Monday, April 11, 2022 3:00 PM
To: Christine Asiata; Lake County CannabisCEQA; Jillian Knox
Subject: RE: SCH Number 2022030660

Follow Up Flag: Follow up
Flag Status: Completed

I have already resubmitted with the correct documents.

Thanks,



Andrew Amelung
Program Manager
Community Development Department
255 N. Forbes St.
Lakeport, CA 95453
Phone: (707) 263-2221
Fax: (707) 262-1843
Email: Andrew.Amelung@lakecountyca.gov

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From: Christine Asiata [mailto:Christine.Asiata@OPR.CA.GOV]
Sent: Monday, April 11, 2022 2:59 PM
To: Andrew Amelung <Andrew.Amelung@lakecountyca.gov>; Lake County CannabisCEQA <CannabisCEQA@lakecountyca.gov>; Jillian Knox <Jillian.Knox@OPR.CA.GOV>
Subject: [EXTERNAL] RE: SCH Number 2022030660

To confirm, when should we expect the re-submission? An agency who brought this to our attention was inquiring.

Thank you.

Christine

From: Christine Asiata <Christine.Asiata@OPR.CA.GOV>
Sent: Monday, April 11, 2022 1:58 PM
To: Andrew Amelung <Andrew.Amelung@lakecountyca.gov>; Lake County CannabisCEQA <CannabisCEQA@lakecountyca.gov>; Jillian Knox <Jillian.Knox@OPR.CA.GOV>
Subject: Re: SCH Number 2022030660

Thank you. Please email the memo to state.clearinghouse@opr.ca.gov and someone will respond with updates to your project. Since you will be re-submitting, ensure you will use the same SCH number to submit a new document to the existing number.

Christine Asiata Rodriguez
State Clearinghouse (SCH) Manager

From: Andrew Amelung <Andrew.Amelung@lakecountyca.gov>
Sent: Monday, April 11, 2022 1:12 PM
To: Christine Asiata <Christine.Asiata@OPR.CA.GOV>; Lake County CannabisCEQA <CannabisCEQA@lakecountyca.gov>; Jillian Knox <Jillian.Knox@OPR.CA.GOV>
Subject: RE: SCH Number 2022030660

Hello Christine,

Thank you for getting back to me on this issue. Of the two options I will go ahead and take the first, and resubmit the project for review. Should I upload the memo as well or email it directly to you or both?

Thanks again,



Andrew Amelung
Program Manager
Community Development Department
255 N. Forbes St.
Lakeport, CA 95453
Phone: (707) 263-2221
Fax: (707) 262-1843
Email: Andrew.Amelung@lakecountyca.gov

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From: Christine Asiata [<mailto:Christine.Asiata@OPR.CA.GOV>]
Sent: Monday, April 11, 2022 9:48 AM
To: Andrew Amelung <Andrew.Amelung@lakecountyca.gov>; Lake County CannabisCEQA <CannabisCEQA@lakecountyca.gov>; Jillian Knox <Jillian.Knox@OPR.CA.GOV>
Subject: [EXTERNAL] Re: SCH Number 2022030660

Hello,

Usually if the object has been under review for a week or more and corrections are discovered an extension can be considered, at your agency's discretion.

A couple of ways you can correct this:

1. you can withdraw (note, our agency does not take any documentation's down from CEQANet after it's been published) this project and re-submit with the correct documents. A memo from your agency on letterhead is required for this.
2. Send us your corrected attachments and extend the review period. A memo on letterhead from your agency is required for this as well.

Please advise on what your agency will proceed with.

Christine Asiata Rodriguez
State Clearinghouse (SCH) Manager

From: Andrew Amelung <Andrew.Amelung@lakecountyca.gov>
Sent: Friday, April 8, 2022 5:02 PM
To: Lake County CannabisCEQA <CannabisCEQA@lakecountyca.gov>; Jillian Knox <Jillian.Knox@OPR.CA.GOV>
Cc: Christine Asiata <Christine.Asiata@OPR.CA.GOV>
Subject: RE: SCH Number 2022030660

Hello Jillian,

After reviewing the documents it appears that all of the attachments are for a different project. My assumption is that this project upload needs to be taken down and we can then resubmit the project with the appropriate documents for review early next week. Let me know if this would be the appropriate course of action.

Sincerely,



Andrew Amelung
Program Manager
Community Development Department
255 N. Forbes St.
Lakeport, CA 95453
Phone: (707) 263-2221
Fax: (707) 262-1843
Email: Andrew.Amelung@lakecountyca.gov

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From: Lake County CannabisCEQA
Sent: Friday, April 8, 2022 4:50 PM
To: 'Jillian Knox' <Jillian.Knox@OPR.CA.GOV>; Lake County CannabisCEQA <CannabisCEQA@lakecountyca.gov>

Cc: Christine Asiata <Christine.Asiata@OPR.CA.GOV>

Subject: RE: SCH Number 2022030660

Hello Jillian,

Thank you for bringing this to our attention. As the two projects were uploaded around the same time it is quite possible that the wrong document was attached to the this project.

I will look into this and address it accordingly.

Should the review period be extended due to this issue? Please advise when possible.

Thanks,



Andrew Amelung

Program Manager

Community Development Department

255 N. Forbes St.

Lakeport, CA 95453

Phone: (707) 263-2221

Fax: (707) 262-1843

Email: Andrew.Amelung@lakecountyca.gov

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From: Jillian Knox [<mailto:Jillian.Knox@OPR.CA.GOV>]

Sent: Thursday, April 7, 2022 3:30 PM

To: Lake County CannabisCEQA <CannabisCEQA@lakecountyca.gov>

Cc: Christine Asiata <Christine.Asiata@OPR.CA.GOV>

Subject: [EXTERNAL] SCH Number 2022030660

Hello,

It has come to our attention that the attachments in your submission do not match the submission title/description. Can you confirm if these attachments are incorrect? The title says UP – 21-06 Akawaaba, LLC, yet the attachments state Emerald Mountain Farms.

Please advise at your earliest convenience.

Thanks,

Jillian Knox
State Clearinghouse

(916) 445-0613
Jillian.knox@opr.ca.gov

To view your submission, use the following link.
<https://ceqasubmit.opr.ca.gov/Document/Index/277437/1>