

## Sateur Ham

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**From:** THPO <thpo@big-valley.net>  
**Sent:** Tuesday, May 4, 2021 3:08 PM  
**To:** Sateur Ham  
**Cc:** Sarah Ryan  
**Subject:** [EXTERNAL] RE: Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (19-61)

Hello Sateur Ham,

This proposed project lies within the Aboriginal Historic Boundaries of the Big Valley Band of Pomo Indians and after reading the site and building plans I would also request to see a copy of the Cultural Report. As this project will require Grading and Vegetation removal which will require ground disturbance we will require consultation. Furthermore on line 19. of your CEQA Environmental Checklist form Initial Study 19-61 It states that a Sensitivity Training was conducted by the Middletown Rancheria (Tribe) on site on May 19<sup>th</sup>, 2020. As this project site is within the Aboriginal Historic Boundaries of the Big Valley Band of Pomo Indians. I believe the comments that "Tribal concerns regarding the project have been properly addressed" is in error. As the wrong Tribe made their assessment of findings, we are unique as each Tribal entity is not the same as the others near or in the same vicinities. I have much respect for our Hinthal (Native) families in Middletown and do not question their judgments written in this request, but these lands were looked after historically by the Big Valley Band of Pomo Indians from the Kelseyville, Lakeport area and we will address all projects within our Tribal Historic Lands.

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

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**From:** Sateur Ham <Sateur.Ham@lakecountyca.gov>  
**Sent:** Monday, May 3, 2021 12:40 PM  
**Subject:** Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (19-61)

Hello,

This email is in regards to the Notice of Intent (NOI) to adopt a Mitigated Negative Declaration for Major Use Permit (UP 19-42), and Initial Study (IS 19-61) located on 10030 & 9900 Bottle Rock Road, Kelseyville, CA. I have attached a copy of the Notice of Intent (NOI) above, along with the Initial Study for you to review/comment on. If you have any questions please feel free to contact me. Additional documents will be posted on the State Clearinghouse, SCH# **2021050007**.

**The public review period for the respective proposed Mitigated Negative Declaration based on Initial Study IS 19-71 will begin on May 3, 2021, and end on June 4, 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 before 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 at [sateur.ham@lakecountyca.gov](mailto:sateur.ham@lakecountyca.gov).

*Sateur Ham*

**Assistant Planner**

Department of Community Development

Planning Division

255 N. Forbes Street

Lakeport, CA 95453

E-mail: [Sateur.ham@lakecountyca.gov](mailto:Sateur.ham@lakecountyca.gov)

Phone: (707)263-2221 ext. 37102



**Jared Blumenfeld**  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

Meredith Williams, Ph.D.  
Director  
8800 Cal Center Drive  
Sacramento, California 95826-3200



**Gavin Newsom**  
Governor

June 2, 2021

Ms. Sateur Ham  
Lake County Community Development Department  
255 North Forbes Street  
Lakeport, CA 95453  
[Sateur.Ham@lakecountyca.gov](mailto:Sateur.Ham@lakecountyca.gov)

MITIGATED NEGATIVE DECLARATION FOR BOTTLE ROCK FARMS FJA TRUST –  
DATED MAY 2, 2021 (STATE CLEARINGHOUSE NUMBER: 2021050007)

Dear Ms. Ham:

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for Bottle Rock Farms FJA Trust (Project). The Lead Agency is receiving this notice from DTSC because the Project includes one or more of the following: groundbreaking activities, work in close proximity to a roadway, work in close proximity to mining or suspected mining or former mining activities, presence of site buildings that may require demolition or modifications, importation of backfill soil, and/or work on or in close proximity to an agricultural or former agricultural site.

DTSC recommends that the following issues be evaluated in the MND Hazards and Hazardous Materials section:

1. The MND should acknowledge the potential for historic or future activities on or near the project site to result in the release of hazardous wastes/substances on the project site. In instances in which releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The MND should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.
2. Refiners in the United States started adding lead compounds to gasoline in the 1920s in order to boost octane levels and improve engine performance. This practice did not officially end until 1992 when lead was banned as a fuel additive in California. Tailpipe emissions from automobiles using leaded gasoline

contained lead and resulted in aerially deposited lead (ADL) being deposited in and along roadways throughout the state. ADL-contaminated soils still exist along roadsides and medians and can also be found underneath some existing road surfaces due to past construction activities. Due to the potential for ADL-contaminated soil DTSC, recommends collecting soil samples for lead analysis prior to performing any intrusive activities for the project described in the MND.

3. If any sites within the project area or sites located within the vicinity of the project have been used or are suspected of having been used for mining activities, proper investigation for mine waste should be discussed in the MND. DTSC recommends that any project sites with current and/or former mining operations onsite or in the project site area should be evaluated for mine waste according to DTSC's 1998 [Abandoned Mine Land Mines Preliminary Assessment Handbook](#)
4. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 [Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers](#).
5. If any projects initiated as part of the proposed project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to [DTSC's 2001 Information Advisory Clean Imported Fill Material](#).
6. If any sites included as part of the proposed project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the MND. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 [Interim Guidance for Sampling Agricultural Properties \(Third Revision\)](#).

DTSC appreciates the opportunity to comment on the MND. Should you need any assistance with an environmental investigation, please submit a request for Lead Agency Oversight Application, which can be found at: <https://dtsc.ca.gov/wp->



Ms. Sateur Ham  
June 2, 2021  
Page 3

[content/uploads/sites/31/2018/09/VCP\\_App-1460.doc](#). Additional information regarding voluntary agreements with DTSC can be found at: <https://dtsc.ca.gov/brownfields/>.

If you have any questions, please contact me at (916) 255-3710 or via email at [Gavin.McCreary@dtsc.ca.gov](mailto:Gavin.McCreary@dtsc.ca.gov).

Sincerely,

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

Gavin McCreary  
Project Manager  
Site Evaluation and Remediation Unit  
Site Mitigation and Restoration Program  
Department of Toxic Substances Control

cc: (via email)

Governor's Office of Planning and Research  
State Clearinghouse  
[State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov)

Mr. Dave Kereazis  
Office of Planning & Environmental Analysis  
Department of Toxic Substances Control  
[Dave.Kereazis@dtsc.ca.gov](mailto:Dave.Kereazis@dtsc.ca.gov)

## Sateur Ham

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**From:** Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>  
**Sent:** Saturday, April 25, 2020 6:00 PM  
**To:** Sateur Ham  
**Cc:** pbleuss@kelseyvillefire.com; Joe Huggins; David Casian; Jack Smalley; Hannan, Jake@CALFIRE  
**Subject:** [EXTERNAL]Re: Request for Review: UP 19-42; IS 19-61; EA 19-67

Good afternoon Planner Ham.

These comments are from CAL FIRE.

This Use Permit is in the SRA (State Responsibility Area). This requires the application of all Fire Safe related Codes, that include but are not limited to Title 14, Title 19, Title 24, CGC 51182, PRC 4290 / 4291 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 19, 24, PRC 4290/91 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 cooperator 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 it is rated to support 75,000 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.

[https://govt.westlaw.com/calregs/Document/I70D8EA3025E411E089088B03F1E6C213?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Document/I70D8EA3025E411E089088B03F1E6C213?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default))

## View Document - California Code of Regulations

(2) Maintain around and adjacent to any such building or structure additional fire protection or firebreak made by removing all bush, flammable vegetation, or combustible growth which is located from 30 feet to 100 feet from such building or structure or to the property line, whichever is nearer, as may be required by the enforcing agency if he finds that, because of extra hazardous conditions ...

govt.westlaw.com

[http://www.fire.ca.gov/fire\\_prevention/fire\\_prevention\\_wildland\\_codes](http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_codes)

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

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[http://www.lakecountycalifornia.gov/Government/Directory/Environmental\\_Health/Programs/cupa.htm](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.

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[Hazardous Materials Management \(CUPA\)](#)

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

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### [Report of the Committee on - NFPA](#)

[www.nfpa.org](http://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]

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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](http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_codes)

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#### [Home](#)

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[http://www.lakecountyca.gov/Government/Directory/Environmental\\_Health/Programs/cupa.htm](http://www.lakecountyca.gov/Government/Directory/Environmental_Health/Programs/cupa.htm)

### [Hazardous Materials Management \(CUPA\)](#)

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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.

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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:** Sateur Ham <Sateur.Ham@lakecountyca.gov>

**Sent:** Friday, April 24, 2020 9:41 AM

**To:** Steven Hajik <Steven.Hajik@lakecountyca.gov>; Andrew Williams <Andrew.Williams@lakecountyca.gov>; BLM <anafus@blm.gov>; Ponce, Kevin@CDFA <Kevin.Ponce@cdfa.ca.gov>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Jackman, Rex A@DOT <rex.jackman@dot.ca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; Stoner, Kyle@Wildlife <Kyle.Stoner@wildlife.ca.gov>; Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Fried, Janae@Waterboards <Janae.Fried@Waterboards.ca.gov>; David Casian <David.Casian@lakecountyca.gov>; Gearhart, Doug@lcaqmd <doug@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Fahmy-Lake County Air Quality <fahmya@lcaqmd.net>; Farm Bureau <lcfarmbureau@sbcglobal.net>; Rightnar, Jacob@DOT <Jacob.Rightnar@dot.ca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Kelseyville Fire <pbleuss@kelseyvillefire.com>; Ch700, Fd@yahoo <fdchf700@yahoo.com>; Greg Peters <Greg.Peters@lakecountyca.gov>; Lake Pillsbury <LPFPD.Chief.950@gmail.com>; 500, chief@LKP <chief500@lakeportfire.com>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Michelle Scully <Michelle.Scully@lakecountyca.gov>; Beristianos, J@NSD <chief800@northshorefpd.com>; PG&E <PGENorthernAgencyIns@pge.com>; PG&E (CGF7@pge.com) <CGF7@pge.com>; POC-BLM <bhalstead@blm.gov>;

Richard Ford <Richard.Ford@lakecountyca.gov>; Rymer-Burnett, Saskia@DOT <Saskia.Rymer-Burnett@dot.ca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Sonoma State <nwic@sonoma.edu>; Fong, Gloria@CALFIRE <Gloria.Fong@fire.ca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Rob Brown <Rob.Brown@lakecountyca.gov>  
**Subject:** Request for Review: UP 19-42; IS 19-61; EA 19-67

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

Good morning,

I hope you are all doing well. Please review the attached documents for commenting no later than May 12, 2020. Biological reports are available upon request due to the size of the document.

Thank you,

*Sateur Ham*

**Assistant Planner I**

Department of Community Development

Planning Division

255 N. Forbes Street

Lakeport, CA 95453

E-mail: [Sateur.ham@lakecountyca.gov](mailto:Sateur.ham@lakecountyca.gov)

Phone: (707)263-2221 ext. 37102

## Sateur Ham

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**From:** Rymer-Burnett, Saskia@DOT <Saskia.Rymer-Burnett@dot.ca.gov>  
**Sent:** Thursday, May 7, 2020 3:11 PM  
**To:** Sateur Ham  
**Subject:** [EXTERNAL]RE: RFR: UP 19-42; IS 19-61; EA 19-67 - Bottle Rock Farms, Kelseyville (1-LAK-29-32.352)  
**Attachments:** all\_agency\_rfr.pdf

Good Afternoon Sateur,

Our review of this application and materials identified no transportation issues relating to the project's scale, operation, or location, which is not near a state highway. Please be advised that the District has no project comments.

Thank you,

**Saskia Rymer-Burnett**

Caltrans District 1  
Transportation Planning  
Ph: (707) 441-2009  
[saskia.rymer-burnett@dot.ca.gov](mailto:saskia.rymer-burnett@dot.ca.gov)

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**From:** Sateur Ham <Sateur.Ham@lakecountyca.gov>  
**Sent:** Friday, April 24, 2020 9:42 AM  
**To:** Steven Hajik <Steven.Hajik@lakecountyca.gov>; Andrew Williams <Andrew.Williams@lakecountyca.gov>; BLM <anafus@blm.gov>; Ponce, Kevin@CDFA <Kevin.Ponce@cdfa.ca.gov>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Jackman, Rex A@DOT <rex.jackman@dot.ca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; Stoner, Kyle@Wildlife <Kyle.Stoner@wildlife.ca.gov>; Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Fried, Janae@Waterboards <Janae.Fried@Waterboards.ca.gov>; David Casian <David.Casian@lakecountyca.gov>; Doug Gearhart <doug@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Fahmy-Lake County Air Quality <fahmya@lcaqmd.net>; Farm Bureau <lcfarmbureau@sbcglobal.net>; Rightnar, Jacob@DOT <Jacob.Rightnar@dot.ca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Kelseyville Fire <pbleuss@kelseyvillefire.com>; Lake Co. Fire <Fdchf700@yahoo.com>; Greg Peters <Greg.Peters@lakecountyca.gov>; Lake Pillsbury <LPFPD.Chief.950@gmail.com>; Lakeport Fire <chief500@lakeportfire.com>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Michelle Scully <Michelle.Scully@lakecountyca.gov>; Northshore Fire <chief800@northshorefpd.com>; PG&E <PGENorthernAgencyIns@pge.com>; PG&E (CGF7@pge.com) <CGF7@pge.com>; POC-BLM <bhalstead@blm.gov>; Richard Ford <Richard.Ford@lakecountyca.gov>; Rymer-Burnett, Saskia@DOT <Saskia.Rymer-Burnett@dot.ca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Sonoma State <nwic@sonoma.edu>; Fong, Gloria@CALFIRE <Gloria.Fong@fire.ca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Rob Brown <Rob.Brown@lakecountyca.gov>  
**Subject:** Request for Review: UP 19-42; IS 19-61; EA 19-67

**EXTERNAL EMAIL.** Links/attachments may not be safe.

I hope you are all doing well. Please review the attached documents for commenting no later than May 12, 2020. Biological reports are available upon request due to the size of the document.

Thank you,

*Sateur Ham*

**Assistant Planner I**

Department of Community Development

Planning Division

255 N. Forbes Street

Lakeport, CA 95453

E-mail: [Sateur.ham@lakecountyca.gov](mailto:Sateur.ham@lakecountyca.gov)

Phone: (707)263-2221 ext. 37102



## Sateur Ham

---

**From:** Carol Munoz <cmunoz@hpultribe-nsn.gov>  
**Sent:** Monday, May 3, 2021 4:00 PM  
**To:** Sateur Ham  
**Subject:** [EXTERNAL] Re: Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (19-61)

Sateur,

I received this notice and wasn't sure if you meant to send it to me or the entire council? Please let me know.  
Carol



**Carol C. Munoz**

Executive Council and BOD, Secretary

Email: [cmunoz@hpultribe-nsn.gov](mailto:cmunoz@hpultribe-nsn.gov)

O: 707.900.6905 | C: 408.828.5384 | F: 707.275.0757

### **Habematolel Pomo of Upper Lake**

635 E. Hwy 20 | P.O. Box 516 | Upper Lake, CA 95485

Website: [www.hpultribe-NSN.gov](http://www.hpultribe-NSN.gov)

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**From:** Sateur Ham <Sateur.Ham@lakecountyca.gov>  
**Sent:** Monday, May 3, 2021 12:39 PM  
**Subject:** Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (19-61)

Hello,

This email is in regards to the Notice of Intent (NOI) to adopt a Mitigated Negative Declaration for Major Use Permit (UP 19-42), and Initial Study (IS 19-61) located on 10030 & 9900 Bottle Rock Road, Kelseyville, CA. I have attached a copy of the Notice of Intent (NOI) above, along with the Initial Study for you to review/comment on. If you have any questions please feel free to contact me. Additional documents will be posted on the State Clearinghouse, SCH# **2021050007**.

**The public review period for the respective proposed Mitigated Negative Declaration based on Initial Study IS 19-71 will begin on May 3, 2021, and end on June 4, 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 before 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 at [sateur.ham@lakecountyca.gov](mailto:sateur.ham@lakecountyca.gov).

*Sateur Ham*

Assistant Planner

Department of Community Development

Planning Division

255 N. Forbes Street  
Lakeport, CA 95453  
E-mail: Sateur.ham@lakecountyca.gov  
Phone: (707)263-2221 ext. 37102

*Middletown Rancheria  
Tribal Historic Preservation Department  
P.O. Box 1035  
Middletown, CA 95461*

May 19, 2020

Via Electronic Mail

Sateur ham  
255 N. Forbes Street  
Lakeport, California 95453  
[sateur.ham@lakecountvca.gov](mailto:sateur.ham@lakecountvca.gov)

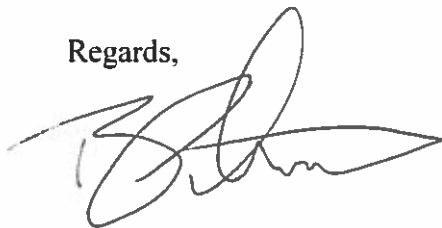
Request: UP 19-42; IS 19-61; EA 19-67  
Location: 10030 Bottle Rock Road, Kelseyville, California  
Applicant: Bottle Rock Farms

Dear Ms. Ham:

The Middletown Rancheria (Tribe) conducted a site visit with the applicant regarding the proposed above mentioned project on May 19<sup>th</sup>, 2020. We thank you, and Ms. Peschken for allowing us to conduct a cultural sensitivity training and address any cultural concerns. The Tribe and our Department takes the preservation of our resources and sacred sites seriously.

Through participation in this sensitivity training with the applicant, Tribal concerns regarding the project have been properly addressed. The Tribe is comfortable with the project moving forward under the mutual understanding that the Tribe is contacted should there be any inadvertent discoveries. We do have a process to protect such important and sacred resources. Thank you for your help in this matter.

Regards,



p.p.  
Ryan Peterson  
Administrative and Projects Coordinator

Signed on behalf of Sally Peterson,  
Tribal Vice-Chairperson, Tribal Historic Preservation Officer

## Sateur Ham

---

**From:** Gordon Haggitt  
**Sent:** Tuesday, May 4, 2021 4:51 PM  
**To:** Sateur Ham  
**Subject:** RE: Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (19-61)

Sateur: I'd confirm the parcels are legal and then require a survey to establish the property setback lines so the inspectors can confirm. This may require a correct survey by a licensed individual.

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**From:** Sateur Ham  
**Sent:** Monday, May 3, 2021 12:40 PM  
**Subject:** Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (19-61)

Hello,

This email is in regards to the Notice of Intent (NOI) to adopt a Mitigated Negative Declaration for Major Use Permit (UP 19-42), and Initial Study (IS 19-61) located on 10030 & 9900 Bottle Rock Road, Kelseyville, CA. I have attached a copy of the Notice of Intent (NOI) above, along with the Initial Study for you to review/comment on. If you have any questions please feel free to contact me. Additional documents will be posted on the State Clearinghouse, SCH# **2021050007**.

**The public review period for the respective proposed Mitigated Negative Declaration based on Initial Study IS 19-71 will begin on May 3, 2021, and end on June 4, 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 before 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 at [sateur.ham@lakecountycalifornia.gov](mailto:sateur.ham@lakecountycalifornia.gov).

*Sateur Ham*

**Assistant Planner**  
Department of Community Development  
Planning Division  
255 N. Forbes Street  
Lakeport, CA 95453  
E-mail: [Sateur.ham@lakecountycalifornia.gov](mailto:Sateur.ham@lakecountycalifornia.gov)  
Phone: (707)263-2221 ext. 37102



May 5, 2021

Sateur Ham  
County of Lake  
255 N Forbes St  
Lakeport, CA 95453

Ref: Gas and Electric Transmission and Distribution

Dear Sateur Ham,

Thank you for submitting the 10030 & 9900 Bottle Rock Rd 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](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 15 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](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.

## Sateur Ham

---

**From:** Fried, Janae@Waterboards <Janae.Fried@Waterboards.ca.gov>  
**Sent:** Tuesday, May 4, 2021 4:48 PM  
**To:** Sateur Ham  
**Subject:** [EXTERNAL] RE: Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (19-61)

This site is enrolled and has turned in all required technical documents.

*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 Cultivation Regulatory Program  
364 Knollcrest Drive, Suite 205  
Redding, CA 96002  
[Janae.Fried@Waterboards.ca.gov](mailto:Janae.Fried@Waterboards.ca.gov)  
Office Line: 530-224-3291 - (Working remotely, will call back from a restricted number)

---

**From:** Sateur Ham <Sateur.Ham@lakecountyca.gov>  
**Sent:** Monday, May 3, 2021 12:40 PM  
**Subject:** Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (19-61)

**EXTERNAL:**

Hello,

This email is in regards to the Notice of Intent (NOI) to adopt a Mitigated Negative Declaration for Major Use Permit (UP 19-42), and Initial Study (IS 19-61) located on 10030 & 9900 Bottle Rock Road, Kelseyville, CA. I have attached a copy of the Notice of Intent (NOI) above, along with the Initial Study for you to review/comment on. If you have any questions please feel free to contact me. Additional documents will be posted on the State Clearinghouse, SCH# **2021050007**.

**The public review period for the respective proposed Mitigated Negative Declaration based on Initial Study IS 19-71 will begin on May 3, 2021, and end on June 4, 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 before 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 at [sateur.ham@lakecountyca.gov](mailto:sateur.ham@lakecountyca.gov).

*Sateur Ham*

**Assistant Planner**

Department of Community Development

Planning Division

255 N. Forbes Street

Lakeport, CA 95453

E-mail: [Sateur.ham@lakecountyca.gov](mailto:Sateur.ham@lakecountyca.gov)

Phone: (707)263-2221 ext. 37102

## Sateur Ham

---

**From:** Jennifer Peschken <jennsellsre@aol.com>  
**Sent:** Thursday, February 25, 2021 4:21 PM  
**To:** Sateur Ham  
**Cc:** jpeschken@hsmartadvantage.com; bottlerockcannabis@gmail.com  
**Subject:** Re: [EXTERNAL] UP 1942

Thank you so much for a thorough update.

**Jennifer Peschken**  
BRE License #01330271  
**HomeSmart Advantage Realty**  
[818 Mendocino Avenue](#)  
[Santa Rosa, CA 95401](#)  
[707-293-8009](#)  
[jpeschken@hsmartadvantage.com](mailto:jpeschken@hsmartadvantage.com)

View my listings on Zillow:  
<http://www.zillow.com/profile/Jennifer-Peschken/>  
Sent from my iPhone

On Feb 25, 2021, at 3:05 PM, Sateur Ham <Sateur.Ham@lakecountycalifornia.gov> wrote:

See response in bold.

Is UP-1942 deemed complete? Can you answer my question specifically as it relates to UP-1942 versus providing a general answer that applies to projects in general.

Essentially, I need a solid status update from you on UP-1942 for the applicant. You are the planner assigned to this application.

Please answer the following questions by answering each in the body of this email:

Is UP 1942 deemed complete?

If yes, what date was it deemed complete?

**The project was deemed complete upon issuance of the early activation permit, however, additional items may be needed due to some changes to the reviewing process.**

Which position in the queue is UP 1942's Initial Study?

**It is still waiting to be re-reviewed.**

How many projects initial study are ahead of UP 1942?

**There are four projects ahead of UP 19-42**

Can UP 1942 provide their initial study?

**You can assist with the study and it can be helpful, however, the community development department is the lead agency and it will still undergo review and will be amended as necessary.**

What is the process for an applicant to provide their initial study?

**I understand many applicants are attempting to provide their initial study report, however, the applicant should be cognizant that this is a legal environmental document and requires background knowledge in environmental law.**

Does your department have anyone you can refer that can provide an initial study to your department on behalf of an applicant that your department typically finds acceptable to use?

**We currently do not have any recommendations at the moment. I would also like to mention that I will likely transfer this project over to a consultant to complete the initial study review. I would not know the timeframe of this or when the transfer will occur but I will let you know when it does come available. As you may be aware, we are currently understaffed and working on other projects, not just yours, so it may delay the reviewing process. I hope that answers all your questions.**

**Best,**

---

**From:** Jennifer Peschken [mailto:jennsellsre@aol.com]  
**Sent:** Thursday, February 25, 2021 8:47 AM  
**To:** Sateur Ham <Sateur.Ham@lakecountycal.gov>; Eric Porter <Eric.Porter@lakecountycal.gov>  
**Cc:** jpeschken@hsmartadvantage.com; bottlerockcannabis@gmail.com  
**Subject:** Re: [EXTERNAL] UP 1942

Is UP-1942 deemed complete? Can you answer my question specifically as it relates to UP-1942 versus providing a general answer that applies to projects in general.

Essentially, I need a solid status update from you on UP-1942 for the applicant. You are the planner assigned to this application.

Please answer the following questions by answering each in the body of this email:

Is UP 1942 deemed complete?

If yes, what date was it deemed complete?

Which position in queue is UP 1942's Initial Study?

How many projects initial study's are ahead of UP 1942?

Can UP 1942 provide their own initial study?

What is the process for an applicant to provide their own initial study?

Does your department have any one you can refer that can provide an initial study to your department on behalf of an applicant that your department typically finds acceptable to use?

**Jennifer Peschken**  
BRE License #01330271  
**HomeSmart Advantage Realty**  
[818 Mendocino Avenue](#)  
[Santa Rosa, CA 95401](#)  
[707-293-8009](#)  
[jpeschken@hsmartadvantage.com](mailto:jpeschken@hsmartadvantage.com)  
View my listings on Zillow:

<http://www.zillow.com/profile/Jennifer-Peschken/>

Sent from my iPhone

On Feb 25, 2021, at 7:26 AM, Sateur Ham <[Sateur.Ham@lakecountycalifornia.gov](mailto:Sateur.Ham@lakecountycalifornia.gov)> wrote:

Good morning Jessica,

The initial study is still in the queue and is not dependent on the date it was submitted. It is dependent on the completeness of the project file and the clock resets. Some projects can be deemed complete earlier based on the project scope and all the necessary documents are provided.

Best,

---

**From:** [jpeschken@hsmartadvantage.com](mailto:jpeschken@hsmartadvantage.com) [<mailto:jpeschken@hsmartadvantage.com>]

**Sent:** Tuesday, February 23, 2021 10:22 AM

**To:** Sateur Ham <[Sateur.Ham@lakecountycalifornia.gov](mailto:Sateur.Ham@lakecountycalifornia.gov)>

**Cc:** [bottlerockcannabis@gmail.com](mailto:bottlerockcannabis@gmail.com)

**Subject:** [EXTERNAL] UP 1942

**Importance:** High

Hello Sateur,

Has the initial study been completed for this UP? The application was submitted November 4, 2019. I notice UP 1904 was heard at the 1/14/2021 Planning Commission Meeting and their initial study was dated 7/28/2020. Can you tell me where you guys are at with IS's? What UP are you guys on now for IS's?

Thank so much!

<image001.jpg>

## Sateur Ham

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**From:** Fahmy Attar <FahmyA@lcaqmd.net>  
**Sent:** Friday, April 24, 2020 10:45 AM  
**To:** Sateur Ham  
**Subject:** [EXTERNAL]Re: Request for Review: UP 19-42; IS 19-61; EA 19-67

Sateur,

For a Cannabis operation site, here is a list of Air Quality requirements that may be applicable to the site:

1. Off-site odor impacts should be mitigated to minimize nuisance to nearby residences, property, and public roads.
2. Any manufacturing or delivery Cannabis operations must comply with LCAQMD rules and regulations. An application must be submitted. Contact LCAQMD for more details.
3. Any demolition or renovation is subject to the Federal National Emissions Standard for Hazardous Air Pollutants (NESHAP) for asbestos in buildings requires asbestos inspections by a Certified Asbestos Consultant for all major renovations and all demolition. An Asbestos Notification Form with the Asbestos inspection report must be submitted to the District at least 14 days prior to beginning any demolition work. The applicant must contact the District for more details and proper approvals. Regardless of asbestos content or reporting requirements all demolition and renovation activities should use adequate water/ amended water to prevent dust generation and nuisance conditions.
4. Construction activities that involve pavement, masonry, sand, gravel, grading, and other activities that could produce airborne particulate should be conducted with adequate dust controls to minimize airborne emissions. A dust mitigation plan may be required should the applicant fail to maintain adequate dust controls.
5. If construction or site activities are conducted within Serpentine soils, a Serpentine Control Plan may be required. Any parcel with Serpentine soils must obtain proper approvals from LCAQMD prior to beginning any construction activities. Contact LCAQMD for more details.
6. All engines must notify LCAQMD prior to beginning construction activities and prior to engine Use. Mobile diesel equipment used for construction and/or maintenance must be in compliance with State registration requirements. All equipment units must meet Federal, State and local requirements. All equipment units must meet RICE NESHAP/NSPS requirements including proper maintenance to minimize airborne emissions and proper record-keeping of all activities, all units must meet the State Air Toxic Control Measures for CI engines, and must meet local regulations. Contact LCAQMD for more details.
7. Site development, vegetation disposal, and site operation shall not create nuisance odors or dust. During the site preparation phase, the District recommends that any removed vegetation be chipped and spread for ground cover and erosion control. Burning is not allowed on commercial property, materials generated from the commercial operation, and waste material from construction debris, must not be burned as a means of disposal.
8. Significant dust may be generated from increase vehicle traffic if driveways and parking areas are not adequately surfaced. Surfacing standards should be included as a requirement in the use permit to minimize dust impacts to the public, visitors, and road traffic. At a minimum, the District recommends chip seal as a temporary measure for primary access roads and parking. Paving with asphaltic concrete is preferred and



should be required for long term occupancy. All areas subject to semi truck / trailer traffic should require asphaltic concrete paving or equivalent to prevent fugitive dust generation. Gravel surfacing may be adequate for low use driveways and overflow parking areas, however, gravel surfaces require more maintenance to achieve dust control, and permit conditions should require regular palliative treatment if gravel is utilized. White rock is not suitable for surfacing (and should be prohibited in the permit) because of its tendency to break down and create excessive dust. Grading and re-graveling roads should utilize water trucks if necessary, reduce travel times through efficient time management and consolidating solid waste removal/supply deliveries, and speed limits.

Best,

**Fahmy Attar**  
Air Quality Engineer  
Lake County Air Quality Management District  
2617 S. Main Street, Lakeport, CA, 95453  
(707) 263-7000 | [fahmya@lcaqmd.net](mailto:fahmya@lcaqmd.net)

On Apr 24, 2020, at 9:41 AM, Sateur Ham <[Sateur.Ham@lakecountyca.gov](mailto:Sateur.Ham@lakecountyca.gov)> wrote:

Good morning,

I hope you are all doing well. Please review the attached documents for commenting no later than May 12, 2020. Biological reports are available upon request due to the size of the document.

Thank you,

*Sateur Ham*

**Assistant Planner I**  
Department of Community Development  
Planning Division  
255 N. Forbes Street  
Lakeport, CA 95453  
E-mail: [Sateur.ham@lakecountyca.gov](mailto:Sateur.ham@lakecountyca.gov)  
Phone: (707)263-2221 ext. 37102

<all\_agency\_rfr.pdf><pmp.pdf><site plans v6.pdf>

## Sateur Ham

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**From:** Lori Baca  
**Sent:** Monday, May 3, 2021 12:40 PM  
**To:** Sateur Ham  
**Subject:** Automatic reply: Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (19-61)

I will be out of the office from 04/20/2021 through 05/10/2021. I will return on Tuesday, 05/11/21. If you have an emergency please call our main office number at (707) 263-0119.

Thank you!

Lori Baca

## Sateur Ham

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**From:** Lori Baca  
**Sent:** Friday, April 24, 2020 10:22 AM  
**To:** Sateur Ham  
**Subject:** RE: Request for Review: UP 19-42; IS 19-61; EA 19-67

Sateur,

Parcels 011-057-22 and -23 are both outside of any Special Districts service area, no impact.

Happy Friday!

**Lori A. Baca, CTA**  
Customer Service Coordinator  
[Lori.Baca@lakecountyca.gov](mailto:Lori.Baca@lakecountyca.gov)  
Office Number (707) 263-0119  
Fax (707) 263-3836



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**From:** Sateur Ham  
**Sent:** Friday, April 24, 2020 9:42 AM  
**To:** Steven Hajik <Steven.Hajik@lakecountyca.gov>; Andrew Williams <Andrew.Williams@lakecountyca.gov>; BLM <anafus@blm.gov>; CalCannabis (kevin.ponce@cdfa.ca.gov) <kevin.ponce@cdfa.ca.gov>; Calfire <mike.wink@fire.ca.gov>; CalTrans-Rex <Rex.Jackman@dot.ca.gov>; Carol Huchingson <Carol.Huchingson@lakecountyca.gov>; CDFW Kyle <kyle.stoner@wildlife.ca.gov>; CEQA CDFW <R2CEQA@wildlife.ca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; CRWQCB (Janae.Fried@Waterboards.ca.gov) <Janae.Fried@Waterboards.ca.gov>; David Casian <David.Casian@lakecountyca.gov>; Doug Gearhart <doug@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Fahmy-Lake County Air Quality <fahmya@lcaqmd.net>; Farm Bureau <lcfarmbureau@sbcglobal.net>; Jacob\_dot <Jacob.Rightnar@dot.ca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Kelseyville Fire <pbleuss@kelseyvillefire.com>; Lake Co. Fire <Fdchf700@yahoo.com>; Greg Peters <Greg.Peters@lakecountyca.gov>; Lake Pillsbury <LPFPD.Chief.950@gmail.com>; Lakeport Fire <chief500@lakeportfire.com>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Michelle Scully <Michelle.Scully@lakecountyca.gov>; Northshore Fire <chief800@northshorefpd.com>; PG&E <PGENorthernAgencyIns@pge.com>; PG&E (CGF7@pge.com) <CGF7@pge.com>; POC-BLM <bhalstead@blm.gov>; Richard Ford <Richard.Ford@lakecountyca.gov>; Saskia Rymer-Burnett <saskia.rymer-burnett@dot.ca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Sonoma State <nwic@sonoma.edu>; South Lake County Fire <Gloria.Fong@fire.ca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Rob Brown <Rob.Brown@lakecountyca.gov>  
**Subject:** Request for Review: UP 19-42; IS 19-61; EA 19-67

Good morning,

I hope you are all doing well. Please review the attached documents for commenting no later than May 12, 2020. Biological reports are available upon request due to the size of the document.

Thank you,

*Sateur Ham*

**Assistant Planner I**

Department of Community Development

Planning Division

255 N. Forbes Street

Lakeport, CA 95453

E-mail: [Sateur.ham@lakecountycalifornia.gov](mailto:Sateur.ham@lakecountycalifornia.gov)

Phone: (707)263-2221 ext. 37102

## Sateur Ham

---

**From:** Ryan Peterson <rpeterson@middletownrancheria.com>  
**Sent:** Friday, April 24, 2020 11:36 AM  
**To:** Sateur Ham  
**Subject:** [EXTERNAL]Re: Request for Review: UP 19-42; IS 19-61; EA 19-67

Hey Sateur,

This project does fall within our Area of Concern. Could you please send us a copy of the cultural resources study for our review?

Regards,

Ryan Peterson  
Admin & Projects Coordinator  
Middletown Rancheria  
Tribal Historic Preservation Department  
PO Box 1035 Middletown, CA 95461  
Phone: (707) 987-1315  
Fax: (707) 987-9091

On Fri, Apr 24, 2020 at 9:42 AM Sateur Ham <[Sateur.Ham@lakecountyca.gov](mailto:Sateur.Ham@lakecountyca.gov)> wrote:

Good morning,

I hope you are all doing well. Please review the attached documents for commenting .

Thank you,

*Sateur Ham*

Assistant Planner I

Department of Community Development

Planning Division

255 N. Forbes Street

Lakeport, CA 95453

E-mail: [Sateur.ham@lakecountyca.gov](mailto:Sateur.ham@lakecountyca.gov)

Phone: (707)263-2221 ext. 37102



## 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 19-42  
9900 & 10030 Bottle Rock Rd  
Kelseyville, Ca 95451

In review of the Security Management Plan for MUP 19-42 submitted to the Lake County Community Development Department, April 2020. The Lake County Sheriff's Office has determined the submitted security plan meets the minimum 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.

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 Lake County Community Development Department.

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



Joey P. Huggins, Fire Chief

**KELSEYVILLE FIRE PROTECTION DISTRICT**

4020 Main Street

Kelseyville, California 95451

Business Phone: (707) 279-4268

Business Fax: (707) 279-4422

May 5, 2020

Request for Review: UP 19-42; IS 19-61; EA 19-67

Re: 9900 and 10030 Bottlerock Road

Kelseyville, CA 95451

Good Afternoon Planner Ham,

This use permit is located in the State Responsibility Area (SRA) so please look for an email from a CAL Fire representative with their requirements.

This location is located within a "VERY HIGH Wildland Fire Severity Zone," therefore all structures and portions of this proposed Major Use Permit shall be in compliance with CAL Fire Defensible Space Standards.

The Kelseyville Fire Protection District (KFPD) has adopted the 2019 California Fire Code (CFC) with Amendments.

Section 903.2.4 is amended to read as follows:

***Group F.*** *An automatic sprinkler system shall be provided throughout buildings containing a Group F occupancy.*

Section 903.2.5 is amended to read as follows:

***Group H.*** *An automatic sprinkler system shall be installed throughout buildings containing group H occupancies.*

Section 903.2.9 is amended to read as follows:

***Group S.*** *An automatic sprinkler system shall be provided throughout buildings containing a Group S occupancy.*



***Section 906.1 Where Required.*** *Portable fire extinguishers shall be installed in all of the following locations:*

- 1. In new and existing Group A, B, E, F, H, I, L, M, R-1, R-2, R-2.1, R-2.2, R-3.1, R-4 and S occupancies.*

A Fire hydrant will be required on site.

***Section 507.3 Fire Flow.*** *Fire-flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method or Appendix B.*

***Section 507.5.1 Where required.*** *Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.*

Section 507.5.7 is added to read as follows:

***Section 507.5.7 Fire hydrant size and outlets.*** *Shall be determined and approved by the Fire Code Official, the Fire Chief or authorized designee to the Fire Chief.*

A Fire Hydrant with a minimum of two 2 ½” discharges will be supplied on site for Fire Suppression.

Fire Department Access roads will comply with Appendix D of the 2019 CFC.

***Section 505.1 Address identification.*** *New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102mm) high*

*with a minimum stroke width of ½ inch (12.7mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.*

Additionally, due to the nature of the proposed complexity of the cultivation sites, clear labeling of each site will be required. However the sites will be referred to by the employees will need to be posted at all intersections. E.g, main residence straight ahead, north cultivation site to the left, south cultivation site to the right and so forth. This is done to aid in emergency response. This can be coordinated with myself, the Fire Chief or the Fire Chiefs designee.

A Knox Box will be supplied at the entrance to the property with appropriate keys to allow for Fire Department access in the event of an emergency.

## Sateur Ham

---

**From:** Mary Camp <admin@rvrpomo.net>  
**Sent:** Monday, May 3, 2021 1:08 PM  
**To:** Sateur Ham  
**Subject:** [EXTERNAL] RE: Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (19-61)

Redwood Valley thanks you for the notice. We would defer to any review, comments or concerns from Big Valley and Scotts Valley Tribes.

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**From:** Sateur Ham <Sateur.Ham@lakecountycal.gov>  
**Sent:** Monday, May 3, 2021 12:40 PM  
**Subject:** Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (19-61)

Hello,

This email is in regards to the Notice of Intent (NOI) to adopt a Mitigated Negative Declaration for Major Use Permit (UP 19-42), and Initial Study (IS 19-61) located on 10030 & 9900 Bottle Rock Road, Kelseyville, CA. I have attached a copy of the Notice of Intent (NOI) above, along with the Initial Study for you to review/comment on. If you have any questions please feel free to contact me. Additional documents will be posted on the State Clearinghouse, SCH# **2021050007**.

**The public review period for the respective proposed Mitigated Negative Declaration based on Initial Study IS 19-71 will begin on May 3, 2021, and end on June 4, 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 before 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 at [sateur.ham@lakecountycal.gov](mailto:sateur.ham@lakecountycal.gov).

*Sateur Ham*

**Assistant Planner**  
Department of Community Development  
Planning Division  
255 N. Forbes Street  
Lakeport, CA 95453  
E-mail: [Sateur.ham@lakecountycal.gov](mailto:Sateur.ham@lakecountycal.gov)  
Phone: (707)263-2221 ext. 37102

CALIFORNIA  
HISTORICAL  
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YOLO

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

May 12, 2020

File No.: 19-1879

Sateur Ham, Project Planner  
Lake County  
Community Development Department  
255 N. Forbes Street  
Lakeport, CA. 95453

re: UP 19-42, IS 19-61, EA 19-67 / APNs 011-057-22, 23 at 9900 & 10030 Bottle Rock Road / Bottle Rock Farms  
FJA Trust

Dear Sateur Ham,

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:** major use permit to allow two (2) A – Type 3: “Outdoor”: Cultivation for adult use cannabis (87,120 ft<sup>2</sup> total canopy and 130,000 ft<sup>2</sup> cultivation area) and two (2) M-Type 3: Cultivation for medicinal use cannabis (87,120 ft<sup>2</sup> total canopy and 130,000 ft<sup>2</sup> cultivation area). According to applicant, this project includes two cannabis compound consisting of 3-acres cannabis cultivation area on each parcel. The applicant is proposing a house for employees, 4,750 square feet processing building for storage and processing, portable toilets, and storage containers.

**Previous Studies:**

XX This office has record of three previous studies that cover portions of the project area. Study # 2167 (Origer et al 1980), Study # 13607 (Greenway 1992), cover approximately 20% of the project area, and Study # 25393 (Flaherty 2001), include approximately 100% of the proposed project area, identified no cultural resources. See recommendation below.

XX As per the Property Management Plan included with this Project Review Request, Natural Investigations did a Study for this project. We are unable to comment any further on that study, as we do not have a copy in our office.

**Archaeological and Native American Resources Recommendations:**

XX We recommend 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.

XX Due to the passage of time since the previous surveys, our office would normally recommend a more current study. The 2001 Flaherty Study falls around that cut off point. As per the negative findings of the previous surveys, the proposed project area has a low possibility of containing unrecorded archaeological sites. Therefore, no further study for archaeological resources is recommended at this time. 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.

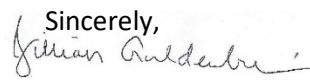
**Built Environment Recommendations:**

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 Lake 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 give us a call (707) 588-8455.

Sincerely,  
  
Jillian Guldenbrein  
Researcher

## Sateur Ham

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**From:** Steven Hajik  
**Sent:** Monday, May 3, 2021 3:42 PM  
**To:** Sateur Ham  
**Subject:** RE: Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (19-61)

I do not oppose this project because it's an isolated area and is zoned RL. Based on the adopted, but still not finalized (as far as I know) Farmland Protection Zone (FPZ) lines, this outdoor cannabis proposal is beyond 1,000 feet from where I think the line is.

Steve Hajik  
Lake County Agricultural Commissioner & Sealer

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**From:** Sateur Ham  
**Sent:** Monday, May 3, 2021 12:40 PM  
**Subject:** Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (19-61)

Hello,

This email is in regards to the Notice of Intent (NOI) to adopt a Mitigated Negative Declaration for Major Use Permit (UP 19-42), and Initial Study (IS 19-61) located on 10030 & 9900 Bottle Rock Road, Kelseyville, CA. I have attached a copy of the Notice of Intent (NOI) above, along with the Initial Study for you to review/comment on. If you have any questions please feel free to contact me. Additional documents will be posted on the State Clearinghouse, SCH# **2021050007**.

**The public review period for the respective proposed Mitigated Negative Declaration based on Initial Study IS 19-71 will begin on May 3, 2021, and end on June 4, 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 before 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 at [sateur.ham@lakecountyca.gov](mailto:sateur.ham@lakecountyca.gov).

*Sateur Ham*

**Assistant Planner**  
Department of Community Development  
Planning Division  
255 N. Forbes Street  
Lakeport, CA 95453  
E-mail: [Sateur.ham@lakecountyca.gov](mailto:Sateur.ham@lakecountyca.gov)  
Phone: (707)263-2221 ext. 37102

## Sateur Ham

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**From:** Terre Logsdon <terre.logsdon@sv-nsn.gov>  
**Sent:** Monday, May 3, 2021 12:42 PM  
**To:** Sateur Ham  
**Subject:** [EXTERNAL] Automatic reply: Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (19-61)

I am out of the office until May 13. I will respond just as soon as I am able.

## Sateur Ham

---

**From:** THPO <thpo@big-valley.net>  
**Sent:** Tuesday, May 4, 2021 3:08 PM  
**To:** Sateur Ham  
**Cc:** Sarah Ryan  
**Subject:** [EXTERNAL] RE: Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (19-61)

Hello Sateur Ham,

This proposed project lies within the Aboriginal Historic Boundaries of the Big Valley Band of Pomo Indians and after reading the site and building plans I would also request to see a copy of the Cultural Report. As this project will require Grading and Vegetation removal which will require ground disturbance we will require consultation. Furthermore on line 19. of your CEQA Environmental Checklist form Initial Study 19-61 It states that a Sensitivity Training was conducted by the Middletown Rancheria (Tribe) on site on May 19<sup>th</sup>, 2020. As this project site is within the Aboriginal Historic Boundaries of the Big Valley Band of Pomo Indians. I believe the comments that "Tribal concerns regarding the project have been properly addressed" is in error. As the wrong Tribe made their assessment of findings, we are unique as each Tribal entity is not the same as the others near or in the same vicinities. I have much respect for our Hinthal (Native) families in Middletown and do not question their judgments written in this request, but these lands were looked after historically by the Big Valley Band of Pomo Indians from the Kelseyville, Lakeport area and we will address all projects within our Tribal Historic Lands.

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

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**From:** Sateur Ham <Sateur.Ham@lakecountyca.gov>  
**Sent:** Monday, May 3, 2021 12:40 PM  
**Subject:** Notice of Intent to Adopt a Mitigated Negative Declaration and Initial Study (19-61)

Hello,

This email is in regards to the Notice of Intent (NOI) to adopt a Mitigated Negative Declaration for Major Use Permit (UP 19-42), and Initial Study (IS 19-61) located on 10030 & 9900 Bottle Rock Road, Kelseyville, CA. I have attached a copy of the Notice of Intent (NOI) above, along with the Initial Study for you to review/comment on. If you have any questions please feel free to contact me. Additional documents will be posted on the State Clearinghouse, SCH# **2021050007**.

**The public review period for the respective proposed Mitigated Negative Declaration based on Initial Study IS 19-71 will begin on May 3, 2021, and end on June 4, 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 before 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 at [sateur.ham@lakecountyca.gov](mailto:sateur.ham@lakecountyca.gov).

*Sateur Ham*

**Assistant Planner**

Department of Community Development

Planning Division

255 N. Forbes Street

Lakeport, CA 95453

E-mail: [Sateur.ham@lakecountyca.gov](mailto:Sateur.ham@lakecountyca.gov)

Phone: (707)263-2221 ext. 37102

## Sateur Ham

---

**From:** Tina Rubin  
**Sent:** Friday, October 29, 2021 4:01 PM  
**To:** Sateur Ham  
**Subject:** RE: Request for Review: UP 19-42  
**Attachments:** 011-057-22 Well & Site Eval.pdf; 011-057-23 Site Plan.pdf

Sateur,

The review was done in 2020 and I have attached the comments in the 011-057-22 attachment.

011-057-23

2004 well permit WE 3356 for a domestic well  
2003 Site Evaluation Report  
A 2004 well pump test  
A 2015 septic permit 16877 for a 2 bed residence  
A 2020 sign off for an Ag Exempt Bldg

011-057-22

A 2003 Site Evaluation Report  
A 2020 well permit WE 5284 for an Ag well

Let me know if you need anything else.

*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:** Sateur Ham  
**Sent:** Friday, October 29, 2021 3:24 PM  
**To:** Tina Rubin <Tina.Rubin@lakecountycalifornia.gov>  
**Subject:** Request for Review: UP 19-42

Good evening Tina,

I was wondering if I can get some septic information on the property located at 9900 and 10030 Bottle Rock Road, Kelseyville. APN 011-057-22 and 011-057-23. They have a developing home on the property and will be proposing a restroom in their proposed processing facility. I never received a comment from Environmental Health and I was wondering if it was permitted. Please see the site plans and the initial study. Thank you



## 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: April 24, 2020

### AB52 TRIBAL CONSULTATION NOTIFICATION

<u>@</u> HERC	<u>@</u> Mishewal-Wappo
<u>@</u> NATIVE AMERICAN HERITAGE	<u>@</u> Middletown Rancheria
TRIBES:	<u>@</u> Redwood Valley
<u>@</u> Big Valley Rancheria	<u>@</u> Robinson Rancheria
<u>@</u> Cortina Rancheria	<u>@</u> Scotts Valley Band of Pomo
<u>@</u> Elem Colony	<u>@</u> Upper Lake Habematolel
<u>@</u> Hopland Band of Pomo	<u>@</u> Yocha Dehe
<u>@</u> Koi Nation	

FROM: Sateur Ham, Assistant Planner  
REQUEST: Major Use Permit, UP 19-42; Initial Study, IS 19-61; Early Activation, EA 19-67  
OWNER: Jennifer Marie Berg  
APPLICANT: Bottle Rock Farms FJA Trust  
APNs: 011-057-22 and 011-057-23  
LOCATION: 9900 and 10030 Bottle Rock Road  
ZONING: "RL-SC-B5 (5ac)" – Rural Lands-Scenic Corridor-Special Lot Size/Density (5 acres)  
GENERAL PLAN: Rural Land  
HAZARDS: Project Parcel located within SRA; an earthquake fault zone in-between two parcel  
FLOOD ZONE: "D" area of undetermined, but possible flood hazard.  
SOIL STABILITY: Generally stable; average cross slope range 30-32%  
EXISTING-DEVELOPMENT: Vacant  
WATER SOURCE: Well  
CONSTRUCTION: Construction will take about two (2) or three (4) weeks and will consist of power tools, work truck, rototiller, tractors, excavator, compactor, skid loader, and cement truck. Grading is anticipated for the metal processing structure.

PROPOSAL: Applicant is requesting approval of a major use permit to allow **two (2) A – Type 3: "Outdoor"**: Cultivation for adult use cannabis (87,120 ft<sup>2</sup> total canopy and 130,000 ft<sup>2</sup> cultivation area) and **two (2) M-Type 3**: Cultivation for medicinal use cannabis (87,120 ft<sup>2</sup> total canopy and 130,000 ft<sup>2</sup> cultivation area). According to applicant, this project include two cannabis compound consisting of 3-acres cannabis cultivation area on each parcel. The applicant is proposing a house for employees, 4,750 square feet processing building for storage and processing, portable toilets, and storage containers. *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.

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 Sateur Ham at [Sateur.Ham@lakecountycalifornia.gov](mailto:Sateur.Ham@lakecountycalifornia.gov) or mail them to the address listed in the letterhead above.

COMMENTS: \_\_\_\_\_

\_\_\_\_\_  
NAME DATE

## Sateur Ham

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**From:** Yuliya Osetrova  
**Sent:** Wednesday, April 29, 2020 4:08 PM  
**To:** Sateur Ham  
**Subject:** RE: Request for Review: UP 19-42; IS 19-61; EA 19-67

Sateur,

For this project comments are:

- Site plans don't have locations of the Stormwater BMPs installations ( the choice of BMPs is described in PMP and is adequate)
- Annual water consumption for the proposed scale of operations is incorrect.
- Well's docs are missing, hence it's not feasible to analyze the water availability
- Installed water levels and flow monitoring devices info is missing

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

---

**From:** Sateur Ham  
**Sent:** Friday, April 24, 2020 9:42 AM  
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**Subject:** Request for Review: UP 19-42; IS 19-61; EA 19-67

Good morning,

I hope you are all doing well. Please review the attached documents for commenting no later than May 12, 2020. Biological reports are available upon request due to the size of the document.

Thank you,

*Sateur Ham*

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