

CALIFORNIA ENVIRONMENTAL QUALITY ACT

ENVIRONMENTAL CHECKLIST FORM
INITIAL STUDY IS 21-09

- 1. Project Title:** Loco, Applicant - Ghost Dance LLC
- 2. Permit Number:** Major Use Permit, UP 21-09
Initial Study, IS 21-09
- 3. Lead Agency Name and Address:** County of Lake
Community Development Department
Courthouse – 255 North Forbes Street
Lakeport CA 95453
- 4. Contact Person:** Andrew Amelung, Cannabis Program Manager
(707) 263-2221
- 5. Project Location(s):** 21080 Loconomi Rd., Middletown, CA 95461
APN: 014-140-12
- 6. Project Sponsor's Name/Address:** Michael Colbruno and Alex Paul
20144 Jerusalem Grade
Lower Lake, CA 95457
- 7. General Plan Designation:** Rural Residential - Resource Conservation
- 8. Zoning:** "RR-WW" Rural Residential -Waterway
- 9. Supervisor District:** District One (1)
- 10. Flood Zone:** X
- 11. Slope:** 0-5% slope; project area is flat
- 12. Fire Hazard Severity Zone:** SRA - Moderate
- 13. Earthquake Fault Zone:** No
- 14. Dam Failure Inundation Area:** Not located within a Dam Failure Inundation Area
- 15. Parcel Sizes:** 20 acres

16. Environmental Setting and Existing Conditions

The proposed Loco cannabis project site is located at 21080 Loconomi Road, approximately over 2 miles east of Middletown and Highway 29. The project site is located within the Middletown Planning Area and in the Butts Canyon Watershed (Watershed HUC-

12180201620303). The property has a Class II watercourse flowing northeast/southwest through the western side of the property and an area classified currently as wetlands. There are no other identified surface water bodies on the Project Site, with only one stream crossing, but no diversions on site. The property is developed with a permitted residence and septic system, residential accessory structures, and an existing well.

The property is accessed from an existing private driveway off Loconomi Road connecting to Butts Canyon Road, 2 miles east of Highway 29. The property has been and is currently being utilized for residential purposes. The proposed project is sited within an approximately 2.5-acre area on the east portion of the property that is mostly clear, flat, and without any use. Records of aerial imagery show the property has been somewhat disturbed in the proposed project area for personal off-road vehicle use as a riding area.

17. Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary).

As shown in Figure 1, Loco is seeking discretionary approval from Lake County for a Major Use Permit (UP 21-09), for a total of 43,560 square feet (sq. ft.) of outdoor canopy area and a total of 47,330 sq. ft. of cultivation area at 21080 Loconomi Road, Middletown (APN 014-140-12), as follows:

(1) *A-Type 3: "outdoor" license*: Outdoor cultivation for adult-use cannabis without the use of light deprivation and/or artificial lighting in the canopy area at any point in time from 10,001 sq. ft. to 43,560 sq. ft. (one acre) of canopy area. The applicant proposes the 43,560 sq. ft. of full-sun outdoor canopy area.

(1) *A-Type 13 Self Distribution license*

The project proposes the following site improvements:

- (1) proposed 60' x 40' processing facility with ADA-compliant restroom
- (1) proposed 60' x 18' Outdoor Storage
- (4) proposed 4,800-gallon water tanks, one being steel or fiberglass for fire suppression
- Proposed 20'-wide access driveway from Loconomi Road
- (6) proposed employee parking spaces, including one (1) ADA-compliant parking space
- Perimeter fence and security cameras

The proposed 43,560 sq. ft. of outdoor cultivation will occur in an open flat area of unused land on APN 014-140-12.

Immature plants will be sourced from an off-site, permitted nursery. Processing activities, such as drying, trimming, curing, and packaging, would occur in the proposed 60' x 40' processing building. Self-transport distribution activities would also operate out of this processing building and would include up to 1 delivery/pickups per day.



Figure 1: Proposed Project Site Plan (Source: Loco Site Plans)

Water for the proposed project will be sourced from the existing onsite well (lat/long 38.750500, -122.573605) located near the entrance to the property, at a depth of 54 ft. Jak Drilling and Pump filed a Well Completion Report on June 4, 2021, which determined that the well is rated at 5.67 gallons per minute.

Water will be pumped from the well to the four (4) proposed 4,800-gallon capacity storage tanks, gravity-fed to the cultivation area through underground water lines and delivered to the plants utilizing drip irrigation techniques to conserve water usage. According to the Water Use Management section of the Property Management Plan, the projected water use for the proposed 43,560 sq. ft. of canopy area is estimated to be 746,735 gallons annually. Table 1 details projected monthly water use estimates for a typical year.

Monthly Water Use Estimates							
April	May	June	July	Aug	Sept	Oct	Nov
46497.8	89,620.7	108,447.6	123,946.9	123,946.9	123,946.9	89,620.7	40,689.1

Table 1: Proposed Monthly Water Use (Source: Loco Management Plan)

Power for the proposed cultivation activities would come from a proposed Pacific Gas and Electric (P.G.& E.) service through the future building permit for the processing facility, and security system. A gasoline-powered generator would be kept onsite for use during emergency situations only.

Approximately five (5) employees are proposed to run the activities during peak seasonal activities. Six (6) parking spots, including one (1) ADA-compliant space, would be made available to employees. One (1) delivery/pickup per day is estimated. Hours of operation for the proposed activities would typically be between 8 am and 6 pm daily, with deliveries and pickups being restricted to 9 am -7pm Monday through Saturday and Sunday from 12 pm to 5 pm. Employees would have access to the ADA-compliant restroom proposed in the 60' x 40' processing facility.

Loco will be fully organic with their supplements of both dry and liquid fertilizers. The proposed dry fertilizers will be from organic compost. Only pesticides listed on the CDFA approved list of pesticides will be used for this cultivation project. Any use of the pesticides and fertilizers will be in limited quantities during the growing months and only used when necessary. All the fertilizers, nutrients, and pesticides will only be purchased and delivered to the property as needed. They will be stored separately in the secure processing facility, in their original containers and used as directed by the manufacturer. All pesticides/fertilizers will be mixed/prepared on an impermeable surface with secondary containment, at least 100 feet from surface water bodies. Empty containers will be disposed of by placing them in a separate seal tight bin with a fitted lid and disposed of at the local solid waste facility within the county. At no time will fertilizers/nutrients be applied at a rate greater than 319 pounds of nitrogen per acre per year (requirement of the State Water Resource Control Board's Cannabis General Order). Water soluble fertilizers/nutrients will be delivered via the drip and micro-spray irrigation system(s) of the proposed cultivation operation to promote optimal plant growth and flower formation while using as little product as necessary. Petroleum products will be stored year-round in State of California-approved containers with secondary containment and separate from pesticides and fertilizers, within the processing facilities.

No hazardous waste would be produced from this project. Organic waste, including stems, root balls, and leaves from the cannabis plants, would be placed in a designated composting area within the cultivation area (outside of stream buffers), to be composted and reused in the cultivation process. All non-organic solid waste would be stored in bins with securely fitted lids in the cultivation area until proper disposal at a Lake County Integrated Waste Management facility, likely Eastlake Landfill.

Security for the site will include an access gate, which will remain locked outside of business hours. The gate will be secured with a heavy-duty chain, commercial grade padlock, and a Knox Box to allow 24/7 access to emergency service vehicles in the event of an emergency. Additionally, a 6 ft.-tall chain-link perimeter fence and privacy mesh screen would be constructed around the entire cultivation area and would be mounted with three (2) security cameras, per the Security Plan (Sheet 3 of Site Plans). An additional camera and security infrastructure will be located inside the proposed 60' x 40' processing facility for compliance with the Department of Cannabis Control regulations for distribution activities.

Construction

The following activities are proposed for the site preparation and construction of the proposed project:

- Ground disturbance and structure construction activities would take place over a 5-to-7-week period. Approximately 130 to 160 truck vehicle trips will be necessary for this construction period.

- The proposed cultivation areas are relatively flat and minimum grading is required in the form of topsoil smoothing. All grading will be reviewed and approved under a building permit or a grading permit prior to any ground disturbing activities.
- The proposed project will require the addition of a short gravel roadway extending from the existing residential driveway to the storage facility and parking area (Refer to Figure 1 from the loop to the parking). Additionally, the existing driveway will be extended to 20' in width where it is not currently that width. There will be parking spaces constructed for the project at the terminus of the fully extended driveway.
- No trees are proposed to be removed.
- Water from the existing onsite well will be used to mitigate the generation of dust when needed during construction.
- Materials and equipment will only be staged on previously disturbed areas. The parcel is currently developed with a residence and residential driveway. Based on satellite images, some ground disturbance has previously occurred in the project area where personal off-road vehicle riding took place. No new areas of ground disturbance will occur for the purpose of staging materials or equipment.
- All construction activities, including engine warm-up, will be limited to Monday through Saturday, between the hours of 9:00 AM to 7:00 PM, and Sunday from 12:00 PM to 5:00 PM.

All equipment will be maintained and operated to minimize spillage or leakage of hazardous materials. All equipment would be refueled in locations more than 100 feet from surface water bodies. Servicing of equipment would occur on an impermeable surface. In an event of a spill or leak, the contaminated soil would be stored, transported, and disposed of consistent with applicable local, state, and federal regulations.

Minimal grading is proposed as part of the project on an existing flat area, as described above. According to the Property Management Plan, the following erosion control measures would be followed:

- Installation of straw wattles made from a non-plastic material around the cultivation area;
- Addition of gravel/crushed rock on the access road;
- Application of native grass seed mixture to exposed or bare areas;
- Frequent visual monitoring inspections during the wet season; and
- Application of erosion control measures as needed to minimize concentrated flow paths.

Post - Construction

- Hours of operation will be 8:00 AM to 6:00 PM
- Up to 5 employees per shift
- Round-trip per day estimated around 12 Average Daily Trips. This included the 5 daily employees and 1 delivery.
- On-grid power with P.G.&E. is proposed with an emergency backup generator
- Existing well would be used for irrigation
- Vegetative waste to be composted on site

Michael Colbruno (Dischargers) of Loco is enrolled with the State Water Resources Control Board (SWRCB) for Tier 2, Low Risk coverage under Order No. WQ 2019-001-DWQ (General Order). The site was assigned WDID No. 5S17CC429247. The General Order requires the preparation of a Site Management Plan (SMP) and a Nitrogen Management Plan (NMP). The purpose of the SMP is to identify Best Practicable Treatment or Control (BPTC) measures that the site will follow for erosion control purposes and to prevent stormwater pollution. The purpose of the NMP is to identify how nitrogen is stored, used, and applied to crops in a way that is protective to water quality. The project will adhere to all of the BMP's identified within its SMP & NMP approved by the State Water Resources Control Board.

A Biological Resource Assessment & Plant Survey was conducted for the project area by Pinecrest Environmental Consulting on December 13, 2020. A follow-up springtime survey from Pinecrest Environmental was conducted on April 20, 2021. A Cultural Resource Evaluation was conducted for the project area by Dr. John Parker on October 19, 2020.

18. Surrounding Land Uses (Figures 2 and Figure 3):

North: Rural Lands (RL) zoned properties, developed with residences.

South: Rural Lands (RL) and Rural Residential (RR) zoned, half of which are vacant, while the remaining are developed with residences.

East: Rural Lands (RL) zoned properties, one property with an agricultural operation and the others vacant.

West: Rural Residential (RR) zoned properties developed with residences.

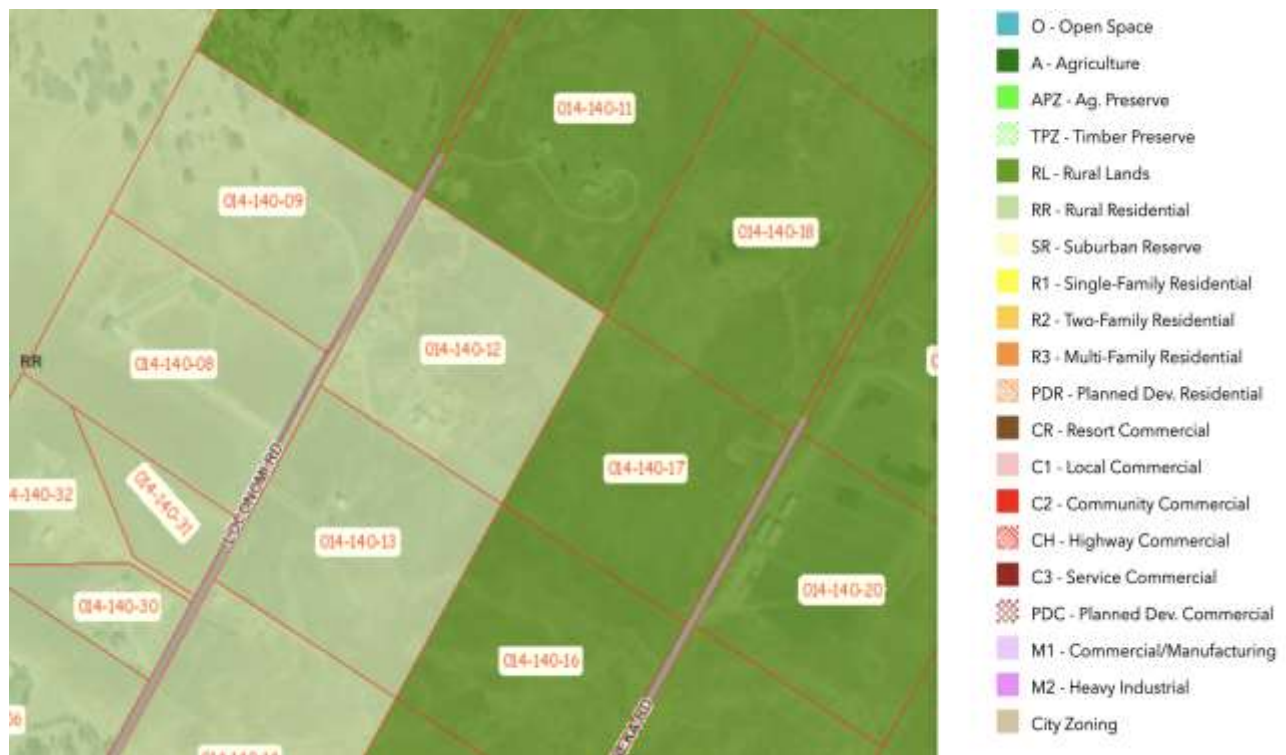


Figure 2. Zoning of Project Parcel (APN 014-140-12) and Surrounding Properties
(Source: Lake County Parcel Viewer, 2021)



Figure 3: General Plan Designations of Project Parcel (APN 014-140-12) and Surrounding Properties
(Source: Lake County Parcel Viewer, 2021)

19. Other public agencies whose approval may be required (e.g., Permits, financing approval, or participation agreement.)

Lake County Department of Environmental Health
 Lake County Air Quality Management District
 Lake County Department of Public Works
 Lake County Department of Public Services
 Lake County Agricultural Commissioner
 Lake County Sheriff Department
 Kelseyville Fire Protection District
 Central Valley Regional Water Quality Control Board
 California Water Resources Control Board
 California Department of Cannabis Control (DCC)
 California Department of Forestry & Fire Protection (Calfire)
 California Department of Fish & Wildlife (CDFW)
 California Department of Food and Agriculture
 California Department of Pesticides Regulations
 California Department of Public Health
 California Department of Consumer Affairs

20. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3 (c) contains provisions specific to confidentiality.

Notification of the project was sent to local tribes on February 11, 2021, in congruence with the Assembly Bill 52 consultation process. AB 52 Tribal Consultation Notification was sent to Big Valley Rancheria, Cortina Rancheria, Elem Colony, Hopland Band of Pomo, Koi Nation, Mishewal-Wappo, Middletown Rancheria, Redwood Valley, Robinson Rancheria, Scotts Valley Band of Pomo, Upper Lake Habematolel, and Yocha Dehe. A request for consultation was received from the Middletown Rancheria. No other responses have been received from any of the notified Tribal Agencies as of the date of this document.

The applicant reached out to Middletown Rancheria and on August 16, 2021, the representative for Middletown Rancheria, Michael Rivera, met with the applicant on the project site. On October 20, 2021, Michael Rivera emailed Lake County Planning Staff that: "The county can proceed, as the applicant is working in good faith with Middletown Rancheria". The AB 52 Tribal Consultation was closed on October 20, 2021, per the comments from the Middletown Rancheria.

21. Attachments:

1. Property Management Plan
2. Site Plan
3. Biological Resource Assessment
4. Biological Springtime Survey
5. Hydrology Report
6. Drought Management Plan
7. Cultural Resources Survey



Figure 4. Aerial Photo of Project Parcel (APN 014-140-12) (Source: Lake County Parcel Viewer, 2021)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Agriculture & Forestry Resources | <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Transportation |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Land Use / Planning | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities / Service Systems |
| <input checked="" type="checkbox"/> Energy | <input checked="" type="checkbox"/> Noise | <input checked="" type="checkbox"/> Wildfire |
| <input checked="" type="checkbox"/> Geology / Soils | <input type="checkbox"/> Population / Housing | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Initial Study Prepared By: Katherine Schaefer, Associate Planner, and LACO Associates

SIGNATURE

Mary Darby – Director
Community Development Department

Date: _____

SECTION 1 - EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, and then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

KEY: 1 = Potentially Significant Impact
2 = Less Than Significant with Mitigation Incorporation
3 = Less Than Significant Impact
4 = No Impact

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
I. AESTHETICS <i>Would the project:</i>						
a) Have a substantial adverse effect on a scenic vista?			X		The project site is accessed by a private driveway off of Loconomi Rd., less than half a mile from Butts Canyon Rd. There are no scenic vistas on or adjacent to the subject site. The proposed project is naturally screened by vegetation and trees surrounding the property. The proposed activities are agricultural in nature and are consistent with the past use of the property as well as the surrounding existing uses. In addition, the applicant is proposing to enclose the cultivation area with a perimeter fence and mesh screening, per the Property management Plan.	1, 2, 3, 4, 5, 6, 9
					Less than Significant Impact	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X		See response I(a). The project parcel does not have a Scenic Corridor (SC) combining zone designation. The nearest highway is 2 miles from the project site and the project cannot be seen by the public from there. Butts Canyon, the nearest road used by the public with frequency, is half a mile away itself.	2, 3, 4, 9
					Less than Significant Impact	
c) Substantially degrade the existing visual character or quality of public views the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X		See response I(b). The site is located in a rural, unincorporated area of Lake County east of Lower Lake and is too great of a distance from Highway 29 to be seen. The project is consistent with the property zoning, surrounding land uses, and general plan land use designations in the area. The project is not located in an Urbanized area,	1, 2, 3, 4, 6, 9
					Less Than Significant Impact	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X			The project has some potential to create additional light and/or glare through exterior security lighting. However, since the proposed use is an outdoor cultivation operation, there will be no additional lighting that typically comes along with cultivating in greenhouses. The following mitigation measure has been implemented to reduce the impacts to less than significant: Less than Significant Impact with Mitigation Measure AES-1 through AES-2 incorporated. AES-1: All outdoor lighting shall be shielded and downcast or otherwise positioned in a manner that would not broadcast light or glare beyond the boundaries of the subject property. All lighting equipment shall comply with the recommendations of the International Dark-Sky Association (www.darksky.org) and provisions of Section	1, 2, 3, 4, 5, 6, 9


					21.48 of the Zoning Ordinance. Security lighting shall be shaded, facing downward, and motion-activated.	
II. AGRICULTURE AND FORESTRY RESOURCES						
<i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:</i>						
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X		Historically, there is no indication of past agricultural uses on the property. There are no existing farming practices currently occurring on site. However, the property is classified as "Grazing" per the Lake County 2016 Farmland Mapping and Monitoring Program (FMMP) (Figure 5). The site is not located within a Farmland Protection Zone. The proposed activities of the project are consistent with the surrounding existing uses, and existing zoning. Therefore, this proposed project would not convert farmland that is important farmland to non-agricultural use.	1, 2, 3, 4, 7, 8, 13, 38
						
				<i>Figure 5. Farmland Mapping and Monitoring Program designations on the project site</i>		
				Less than Significant Impact		
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X		The site is not under a Williamson Act contract. The cultivation site is not located within a Lake County Farmland Protection Zone. The site is zoned Rural Land (RL), which is a designated zone for agriculture, including cannabis cultivation.	1, 2, 3, 4, 5, 7, 8, 11, 13
				Less than Significant Impact		
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as			X		The property is zoned Rural Land (RL) and does not contain forest land. Therefore, the proposed project would not conflict with existing zoning and/or cause the rezoning of forest land as defined by Public Resource Code section 4526, or of timberland as defined by Government Code section 51104(g).	1, 2, 3, 4, 5, 7, 8, 11, 13

defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?					No Impact	
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X	Please see response to Section II (c). The project would not result in the loss or conversion of forest land to a non-forest use, the property is zoned Rural Lands (RL). No Impact	1, 2, 3, 4, 5, 7, 8, 11, 13
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X	The project is proposed on open rural land. As proposed, this project would not induce changes to existing farmland that would result in its conversion to non-agricultural use. No Impact	1, 2, 3, 4, 5, 7, 8, 11, 13
III. AIR QUALITY <i>Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.</i> <i>Would the project:</i>						
a) Conflict with or obstruct implementation of the applicable air quality plan?		X			<p>The project site is located within the Lake County Air Basin, which is under the jurisdiction of the Lake County Air Quality Management District (LCAQMD). The LCAQMD applies air pollution regulations to all major stationary pollution sources and monitors air quality. The Lake County Air Basin is in attainment with both state and federal air quality standards. According to the USDA Soil Survey and the Ultramafic, ultrabasic, serpentine rock and soils map of Lake County, serpentine soils have not been found within the project area or project vicinity.</p> <p>Since the Lake County Air Basin is in attainment for all air pollutants, air quality plans are not required in Lake County.</p> <p>Although the Lake County Air Basin is not required to have an air quality plan, the proposed project has the potential to result in short- and long-term air quality impacts from construction and operation of the proposed project.</p> <p>The applicant developed an Air Quality Management Plan to manage cannabis-related emissions and odors during construction and operation of the proposed project. Construction impacts, which are limited to road improvements, building the processing building, preparing soils for planting, and running gasoline and diesel-powered equipment, would be temporary in nature and would occur over about a 5-to-7-week period. Ongoing field management is considered an operational, not construction, activity.</p> <p>According to the Air Quality Management Plan from Loco, operational impacts would include emissions from the gasoline-powered generator, which is proposed to be used only for emergencies, and from dust and fumes from site preparation of the cultivation area and vehicular traffic, including small delivery vehicles that would be contributors during and after site preparation / construction, totaling 12 trips per day. Odors generated by the plants, particularly during harvest season, would be mitigated through passive means (separation distance), maintenance of native vegetation, and</p>	1, 3, 4, 5, 21, 24, 31, 36

				<p>through the ventilation system (carbon filters/air scrubbers) in the processing facility. Implementation of mitigation measures would reduce air quality impacts to less than significant. Dust during site preparation would be limited by watering during periods of high winds (over 15 mph). All visibly dry, disturbed soil and road surfaces would be watered to minimize fugitive dust emissions.</p> <p>Dust and fumes may be released as a result of vehicular traffic, including small delivery vehicles. Grading under 50 cubic yards for the total project will occur as a result of the project. Additionally, implementation of mitigation measures below would further reduce air quality impacts to less than significant.</p> <p>Impacts would be Less than Significant with Mitigation Measures AQ-1 through AQ-6 incorporated.</p> <p><u>AQ-1:</u> Prior to obtaining the necessary permits and/or approvals for any phase, applicant shall contact the Lake County Air Quality Management District and obtain an Authority to Construct (A/C) Permit for all operations and for any diesel-powered equipment and/or other equipment with potential for air emissions. Or provide proof that a permit is not needed.</p> <p><u>AQ-2:</u> All mobile diesel equipment used must be in compliance with State registration requirements. Portable and stationary diesel-powered equipment must meet all Federal, State, and local requirements, including the requirements of the State Air Toxic Control Measures for CI engines. Additionally, all engines must notify LCAQMD prior to beginning construction activities and prior to engine Use.</p> <p><u>AQ-3:</u> The applicant shall maintain records of all hazardous or toxic materials used, including a Material Safety Data Sheet (MSDS) for all volatile organic compounds utilized, including cleaning materials. Said information shall be made available upon request and/or the ability to provide the Lake County Air Quality Management District such information in order to complete an updated Air Toxic emission Inventory.</p> <p><u>AQ-4:</u> All vegetation during site development shall be chipped and spread for ground cover and/or erosion control. The burning of vegetation, construction debris, including waste material is prohibited.</p> <p><u>AQ-5:</u> The applicant shall have the primary access and parking areas surfaced with chip seal, asphalt or an equivalent all weather surfacing to reduce fugitive dust generation. The use of white rock as a road base or surface material for travel routes and/or parking areas is prohibited.</p> <p><u>AQ-6:</u> All areas subject infrequent use of driveways, overflow parking, etc., shall be surfaced with gravel. Applicant shall regularly use and/or maintain graveled area to reduce fugitive dust generations.</p>	
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b) Violate any air quality standard or result in a cumulatively considerable net increase in an existing or projected air quality violation?			X	<p>The County of Lake is in attainment of state and federal ambient air quality standards. Burning cannabis waste is prohibited within the commercial cannabis ordinance for Lake County, and use of generators are only allowed during a power outage. On-site construction is likely to occur over a relatively short period of time (estimated 5 to 7 weeks) with minimal grading. Potential particulate matter could be generated during construction activities and build-out of the site, however, in general, construction activities that last for less than one year, and use standard quantities and types of construction equipment, are not required to be quantified and are assumed to have a less than significant impact. It is unlikely that this use would generate enough particulates during and after construction to violate any air quality standards.</p> <p>Less than Significant Impact</p>	1, 2, 3, 4, 5, 21, 24, 31, 36
c) Expose sensitive receptors to substantial pollutant concentrations?			X	<p>Land uses that are considered sensitive receptors typically include residences, schools, parks, childcare centers, hospitals, convalescent homes, and retirement homes. There are no schools, parks, childcare centers, convalescent homes, or retirement homes located near the project. The nearest off-site residence appears to be located approximately 650 feet from the proposed cultivation area to the southeast. Article 27 of the Lake County Zoning Ordinance requires that the minimum setback requirement for commercial cannabis cultivation be 200 feet from off-site residences. Pesticide application would be only organic, according to the Property Management Plan, and would only be applied during the growing months and applied carefully to individual plants. The cultivation area would be surrounded by a fence and mesh which would help prevent off-site drift of pesticides. As such, sensitive receptors would not likely be exposed to substantial pollutant concentrations from pesticides. Additionally, no demolition or renovation is proposed that could expose sensitive receptors to asbestos and no serpentine soils are mapped onsite.</p> <p>Less than Significant Impact</p>	1, 2, 3, 4, 5, 10, 21, 24, 31, 36
d) Result in substantial emissions (such as odors or dust) adversely affecting a substantial number of people?			X	<p>See response III(c). Odors generated by the plants, particularly during harvest season, would be mitigated. The processing building would be outfitted with carbon filters/air scrubbers installed to prevent odors from leaving the premises during all processing phases (see Mitigation Measure AQ-7). Additionally, odors would be mitigated through passive means (separation distance) and maintenance of native vegetation surrounding the site (outside of the defensible space buffer). Implementation of mitigation measures would reduce air quality impacts to less than significant.</p> <p>Lake County has adopted the Bay Area Air Quality Management District (BAAQMD) thresholds of significance as a basis for determining the significance of air quality and GHG impacts. Air emissions modeling performed for this project demonstrates that the project, in both the construction phase and the operational phase, would not generate significant quantities of ozone or particulate matter and does not exceed the project-level thresholds established by BAAQMD.</p> <p>The proposed cultivation would generate minimal amounts of emissions from operation of small gasoline engines (tillers, weed eaters, lawn mowers, etc.) and from vehicular traffic associated with staff communicating and delivery / pickups.</p>	1, 2, 3, 4, 5, 21, 24, 31, 36

				<p>Additionally, Mitigation Measures AQ-1 and AQ-6 would reduce impacts of dust generation from on-site roads and parking areas.</p> <p>AQ-7: The applicant shall apply water to the ground during any and all site preparation work that is required for the drying building, as well as during any interior driveway or parking area improvements to mitigate dust migration.</p> <p>Impacts would be Less than Significant with Mitigation Measures AQ-1 through AQ-7 Incorporated.</p>	
IV. BIOLOGICAL RESOURCES <i>Would the project:</i>					
<p>a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p>		X		<p>A Biological Resource Assessment with Botanical Survey (discussed further as “BA”) was prepared by Pinecrest Environmental Consulting in December 13, 2020.</p> <p>Onsite Waters/Wetlands: The proposed project area is within Watershed HUC-12180201620303. The survey resulted in seasonal wetlands. The BA does show also that a Class II Watercourse was identified, however no development is proposed within the required state and county setback of 100 ft.</p> <p>Wildlife: The BA reviewed relevant databases for special-status wildlife species, which showed 14 species as documented within five miles. A survey was conducted to observe potential habitat, which found that potential habitat exists for Foothill Yellow Legged Frog. However, no special status species were observed during the survey, including the Foothill Yellow Legged Frog.</p> <p>Plants: The BA reviewed relevant databases for special-status plant species, which showed 27 species documented within five miles. After the field survey, performed December 13, 2020, it was determined that a few likely occur on site, despite none being spotted during the field survey. This induced a mitigation for seasonal surveys to ensure that there will be no impacts when they flower in other points in the year.</p> <p>On April 20, 2021, Pinecrest Environmental Consulting performed a springtime botanical survey as identified as a mitigation measure within the first Biological Assessment and the mitigation measures were identified.</p> <p>Mitigation Measures:</p> <p>The BA recommended the following mitigation measures:</p> <p>BIO-1: Due to the presence of suitable habitat, and due to the existence of the Foothill Yellow Legged Frog within migration distance of the site, the avoidance and minimization measures related to amphibians in Appendix F7 of the Biological Assessment dated December 13, 2020, be followed at all times.</p>	<p>2, 5, 11, 12, 13, 16, 24, 29, 30, 31, 32, 33, 34, 44</p>

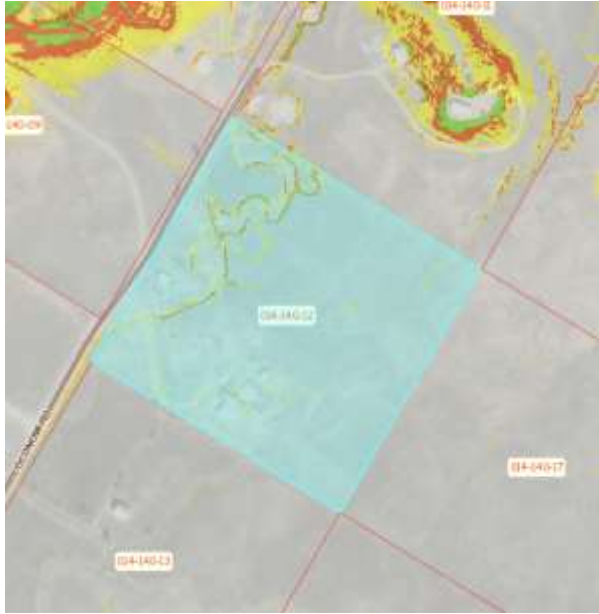
			<p>BIO-2: Avoid the areas where the special status plant species <i>Astragalus breweri</i> (Brewer's milk-vetch) are located as identified in Figure 1 of the Memo from Pinecrest Environmental Consulting dated May 1, 2021 regarding the results of early/mid-season special-status plant survey completed on April 20, 2021.</p>  <p>BIO-3: If individuals of the sensitive plant species <i>Astragalus breweri</i> (Brewer's milk-vetch) are identified within the project area at any time in the future, topsoil should be excavated to a depth of 6 inches and the soil disturbed in an area parcel that is not going to be disturbed.</p> <p>Less than Significant Impact with mitigation measures BIO-1 through BIO-3 added.</p>	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	X		<p>Refer to Section IV(a). None of the vegetative communities in the BA were identified as being sensitive natural communities, however seasonal wetlands were confirmed onsite. All project activities will be set back from watercourses and the seasonal wetlands by 100-feet or more. This setback is consistent with Article 27 of the Lake County Zoning Ordinance that regulates commercial cannabis cultivation. The applicant has provided a Property Management Plan, which addresses controlled water runoff in a manner that reduces impacts to this stream. No development would occur within the drainage buffers and setbacks and there are no sensitive natural communities within the project area.</p> <p>Erosion control measures to control erosion and sedimentation during construction and operation have been identified in the</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 29, 30, 31, 32, 33, 34, 44

				<p>Property Management Plan. Measures include straw wattles and vegetative buffers.</p> <p>The project is enrolled with the State Water Resources Control Board (SWRCB) for Tier 2, Low Risk coverage under Order No. WQ 2019-001-DWQ (General Order). Tier 2 dischargers reflect cultivation sites that disturb over one acre and are located on flat slopes outside of riparian setbacks. The General Order requires the preparation of a Site Management Plan (SMP) and a Nitrogen Management Plan (NMP). The purpose of the SMP is to identify Best Practicable Treatment or Control (BPTC) measures that the site intends to follow for erosion control purposes and to prevent stormwater pollution. The purpose of the NMP is to identify how nitrogen is stored, used, and applied to crops in a way that is protective to water quality. The SMP and NMP are required prior to commencing cultivation activities and were submitted with the application materials.</p> <p>Impacts would be Less Than Significant with Mitigation Measures BIO-1 through BIO-4 Incorporated.</p> <p><u>BIO-4: All work should incorporate erosion control measures consistent with Lake County Grading Regulations and the State Water Resources Control Board Order No. WQ 2019-001-DWQ.</u></p>	
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	<p>Refer to Section IV(a) and (b).</p> <p>According to the BA, there are seasonal wetlands, but no vernal pools in the Study Area, which is not anticipated to experience any impacts with the above mitigations in Section IV (a).</p> <p>No Impact</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	<p>Refer to Section IV(a). No special status wildlife were observed during the onsite survey. Implementation of the project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. Implementation of the project does not conflict with any county or municipal policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.</p> <p><u>BIO-1: Due to the presence of suitable habitat, and due to the existence of the Foothill Yellow Legged Frog within migration distance of the site, the avoidance and minimization measures related to amphibians in Appendix F7 of the Biological Assessment dated December 13, 2020, be implemented.</u></p> <p>Less Than Significant with Mitigation Measures BIO-1</p>	13
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	<p>Refer to Section IV(a-d). This project does not conflict with any local policies or ordinances protecting biological resources. The project does not propose to remove any trees.</p> <p>Implementation of the project does not conflict with any county or municipal policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.</p> <p>Less than Significant Impact</p>	1, 2, 3, 4, 5, 11, 12, 13

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	No special conservation plans have been adopted for this site and no impacts are anticipated. No Impact	1, 2, 3, 4, 5, 13
V. CULTURAL RESOURCES <i>Would the project:</i>					
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?		X		<p>A Cultural Resources Assessment was conducted by Dr. John W. Parker, Registered Professional Archaeologist, dated October 19, 2020. A record search was conducted at the Sonoma State University office of the California Historical Resource Information System, which indicated that no previous archaeological studies had occurred on the project site. Dr. Parker and his associate Cheyenne Parker conducted a pedestrian survey of the proposed project area, all areas were examined on foot using a transect sweep method with transects spaced 5-8 meters apart.</p> <p>No artifacts nor prehistoric sites were found during the survey that were considered to be “significant” cultural resources as defined in the Public Resources Code for the purposes of the California Environmental Quality Act. No prehistoric or historic-era archaeological sites or ethnographic sites were identified during the field survey. The Cultural Resource Evaluation recommended that the proposed project be approved as planned.</p> <p>It is possible, but unlikely, that significant artifacts or human remains could be discovered during project construction. If, however, significant artifacts or human remains of any type are encountered it is recommended that the project sponsor contact the culturally affiliated tribe and a qualified archaeologist to assess the situation. The Sheriff's Department must also be contacted if any human remains are encountered.</p> <p>Impacts would be than Significant with Mitigation Measures CUL-1 and CUL-2 incorporated:</p> <p><u>CUL-1:</u> Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted in the vicinity of the find(s), the applicant shall notify the culturally affiliated Tribe, and a qualified archaeologist to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. Should any human remains be encountered, the applicant shall notify the Sheriff's Department, the culturally affiliated Tribe, and a qualified archaeologist for proper internment and Tribal rituals per Public Resources Code Section 5097.98 and Health and Safety Code 7050.5.</p> <p><u>CUL-2:</u> All employees shall be trained in recognizing potentially significant artifacts that may be discovered during ground disturbance. If any artifacts or remains are found, the culturally affiliated Tribe shall immediately be notified; a licensed archaeologist shall be notified, and the Lake County Community Development Director shall be notified of such finds.</p>	1, 3, 4, 5, 11, 14, 15

b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?		X		Please see response to Section V(a). Less than Significant Impact with Mitigation Measures CUL-1 and CUL-2 incorporated.	1, 3, 4, 5, 11, 14, 15
c) Disturb any human remains, including those interred outside of formal cemeteries?		X		Please see response to Section V(a). The Cultural Study stated that it was unlikely that any significant findings, including human remains, appear likely on this site. Impacts would be Less than Significant with Mitigation Measure CUL-2 Incorporated.	1, 3, 4, 5, 11, 14, 15
VI. ENERGY <i>Would the project:</i>					
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?		X		On-grid power, supplied by PG&E, is the proposed primary energy source for this project. The project will use minimal power for security cameras, security lights. Water pumps would be powered using the proposed solar array. The project would not result in a potentially significant impact due to wasteful consumption of energy. Less than Significant Impact with Mitigation Measure EN-1 incorporated. <u>EN-1:</u> The applicant shall provide energy calculations for the proposed projects buildings prior to the building permit final. Total amperage needs shall be provided within the energy calculations provided. A description of energy use per building may be necessary, as well as engineered energy calculations at the discretion of the Building Official.	5
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	Construction of the proposed project would involve only a small amount of energy use over a short period of time. Project operations would rely on electricity provided by PG&E and solar, which is required to comply with California Renewable Energy Portfolio Standard, which requires that 60% of the state's electricity to come from renewable sources by 2030 and all of the state's electricity to come from renewable sources by 2045 (California Public Utilities Commission 2021). Therefore, this impact is considered less than significant, and no mitigation is required. Less than Significant Impact.	1, 3, 4, 5, 43
VII. GEOLOGY AND SOILS <i>Would the project:</i>					
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.		X		<u>Earthquake Faults</u> There are no mapped earthquake faults on or adjacent to the subject site. <u>Seismic Ground Shaking and Seismic-Related Ground Failure, including liquefaction.</u> The mapping of the site's soil as indicated by the Lake County Parcel Viewer identifies the soil as #164. This soil is stable and not prone to liquefaction. <u>Landslides</u> According to the Landslide Hazard Identification Map prepared by the California Department of Conservation, Division of Mines and Geology, there are no historic landslides in the project footprint; the area is considered generally stable. Less Than Significant Impact with Mitigation Measure GEO-1 Incorporated.	1, 2, 3, 4, 5, 18, 19

ii) Strong seismic ground shaking? iii) Seismic-related ground failure, including liquefaction? iv) Landslides?				<p><u>GEO-1:</u> Prior to operation, all buildings, accessible compliant parking areas, routes of travel, building access, and/or bathrooms shall meet all California Building Code Requirements.</p>	
b) Result in substantial soil erosion or the loss of topsoil?		X		<p>Major grading is not proposed to prepare the site for cultivation as the land is relatively flat, and the project is proposed as outdoor. The applicant would need to import soil for the cultivation activity; however, this would not have any effect on the potential for erosion or the loss of topsoil. The proposed processing building would require grading and the applicant would need to obtain a grading and building permit from the Lake County Community Development Department prior to construction.</p> <p>In addition, the project is enrolled with the State Water Resources Control Board (SWRCB) for Tier 2, Low Risk coverage under Order No. WQ 2019-001-DWQ (General Order). The General Order requires the preparation of a Site Management Plan (SMP) and a Nitrogen Management Plan (NMP). The purpose of the SMP is to identify Best Practicable Treatment or Control (BPTC) measures that the site intends to follow for erosion control purposes and to prevent stormwater pollution. The purpose of the NMP is to identify how nitrogen is stored, used, and applied to crops in a way that is protective to water quality. The SMP and NMP are required prior to commencing cultivation activities and were submitted with the application materials.</p> <p>Impacts would be Less Than Significant with Mitigation Measures BIO-3 and GEO-2 through GEO-5 Incorporated.</p> <p><u>GEO-2:</u> Prior to any ground disturbance for building construction, the permittee shall submit erosion control and sediment plans to the Water Resource Department and the Community Development Department for review and approval. Said erosion control and sediment plans shall protect the local watershed from runoff pollution through the implementation of appropriate Best Management Practices (BMPs) in accordance with the Grading Ordinance. Typical BMPs include the placement of straw, mulch, seeding, straw wattles, silt fencing, and the planting of native vegetation on all disturbed areas. No silt, sediment, or other materials exceeding natural background levels shall be allowed to flow from the project area. The natural background level is the level of erosion that currently occurs from the area in a natural, undisturbed state. Vegetative cover and water bars shall be used as permanent erosion control after project installation.</p> <p><u>GEO-3:</u> Excavation, filling, vegetation clearing, or other disturbance of the soil shall not occur between October 15 and April 15 unless authorized by the Community Development Department Director. The actual dates of this defined grading period may be adjusted according to weather and soil conditions at the discretion of the Community Development Director.</p>	1, 3, 4, 5, 19, 21, 24, 25, 30

				<p>GEO-4: The permit holder shall monitor the site during the rainy season (October 15 – May 15), including post-installation, application of BMPs, erosion control maintenance, and other improvements as needed.</p> <p>GEO-5: If greater than fifty (50) cubic yards of soils are moved, a Grading Permit shall be required as part of this project. The project design shall incorporate Best Management Practices (BMPs) to the maximum extent practicable to prevent or reduce the discharge of all construction or post-construction pollutants into the County storm drainage system. BMPs typically include scheduling of activities, erosion and sediment control, operation and maintenance procedures, and other measures in accordance with Chapters 29 and 30 of the Lake County Code.</p>	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	<p>The project site is not identified as containing landslides or other unstable geologic conditions. The proposed cultivation sites are located within a cleared area and in areas with less than 10 percent slopes (Figure 6). There is a less than significant chance of landslide, subsidence, liquefaction or collapse as a result of the proposed project.</p>  <p><i>Figure 6. Percent Slope Across the Project Parcels (Lake County Parcel Viewer, 2021)</i></p> <p>Less Than Significant Impact</p>	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?		X		<p>The Uniform Building Code is a set of rules that specify standards for structures. Structures proposed for this project include a storage shed and a processing facility with an ADA bathroom.</p> <p>Expansive soils possess a “shrink-swell” characteristic. Shrink-swell is the cyclic change in volume (expansion and contraction) that occurs in fine-grained clay sediments from</p>	5, 7, 38

				<p>the process of wetting and drying. Structural damage may occur over a long period of time due to expansive soils, usually the result of inadequate soil and foundation engineering or the placement of structures directly on expansive soils.</p> <p>Cultivation activities proposed in the application would occur on one type of soil: Maxwell Clay Loam 0 to 2 percent slopes (Map Unit Symbols 164), according to the Soil Survey of Lake County and the USDA Web Soil Survey website (Figure 7).</p> <p>This soil type is very deep, somewhat poorly drained soil with slight erosion potential. The soil type was said to be potentially expansive and has a high shrink-swell potential. However, the project parcel has been historically used for residential uses with no issues.</p> <p>Any new construction requiring a building permit, such as the proposed processing building, would be subject to the Uniform Building Code and California Building Code for foundation design to meet the requirements associated with expansive soils, if they are found to exist with a site-specific geo-technical study.</p>  <p><i>Figure 7. Soil Types (Lake County Parcel Viewer, 2021)</i></p> <p>Less Than Significant Impact with Mitigation Measures <u>GEO-1</u> through <u>GEO-6</u> incorporated.</p> <p><u>GEO-6:</u> Prior to operation, all structure(s) used for commercial cultivation shall meet accessibility and CalFire standard. Please contact the Lake County Community Development Department's Building Division for more information.</p>	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative			X	The proposed project would be served by a proposed ADA-compliant restroom within the proposed processing facility.	2, 4, 5, 7, 13, 38

wastewater disposal systems where sewers are not available for the disposal of waste water?				<p>The restroom is anticipated to rely on the current onsite wastewater treatment septic system.</p> <p>If a new septic is needed, state law requires permits for onsite systems to ensure that they are constructed and sited in a manner that protects human health and the environment. Prior to applying for a permit, Lake County Division of Environmental Health requires a Site Evaluation to determine suitability of the site for a septic system. A percolation test would be conducted to determine the water absorption rate of the soil, and the septic system would be located, designed, and installed appropriately, following all applicable State and County guidelines and requirements.</p> <p>A septic system is not currently proposed to be located in the Type 164 soil. According to the USDA Soil Survey. This soil type has a slow permeability rate not conducive to supporting a septic system. However, the same soil is already supporting an existing septic tank on the property, which is proposed to be used for the project.</p> <p>A new system, if needed, would be reviewed by the County Division of Environmental Health before a permit would be approved and issued.</p> <p>Less Than Significant Impact</p>	
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		<p>The project site does not contain any known unique geologic feature or paleontological resources. Disturbance of these resources is not anticipated.</p> <p>Less than Significant Impact with Mitigation Measures CUL-1 and CUL-2 incorporated.</p>	1, 2, 3, 4, 5, 14, 15
VIII. GREENHOUSE GAS EMISSIONS <i>Would the project:</i>					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	<p>The project site is located within the Lake County Air Basin, which is under the jurisdiction of the LCAQMD. The LCAQMD applies air pollution regulations to all major stationary pollution sources and monitors air quality. Climate change is caused by greenhouse gases (GHGs) emitted into the atmosphere around the world from a variety of sources, including the combustion of fuel for energy and transportation, cement manufacturing, and refrigerant emissions. GHGs are those gases that have the ability to trap heat in the atmosphere, a process that is analogous to the way a greenhouse traps heat. GHGs may be emitted as a result of human activities, as well as through natural processes. Increasing GHG concentrations in the atmosphere are leading to global climate change. The Lake County Air Basin is in attainment for all air pollutants and has therefore not adopted thresholds of significance for GHG emissions.</p> <p>The primary GHGs that are of concern for development projects include Carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O). CO₂, CH₄, and N₂O occur naturally, and through human activity. Emissions of CO₂ are largely by-products of fossil fuel combustion and CH₄ results from off-gassing associated with agricultural practices and landfills. CO₂ is the most common GHG emitted by human activities.</p> <p>In general, greenhouse gas emissions come from construction activities (vehicles) and from post-construction activities (energy to run mixed-light cultivation and the processing</p>	1, 3, 4, 5, 36

				<p>building and employee/delivery vehicles). Construction activities on this site would be minimal, due to the existing flat condition of the proposed site area, which is currently a vineyard. Construction would occur over a 5 to 7 week period and approximately 130 to 160 trips would be needed to complete construction activities over that period. Post-construction, average daily employee trips are anticipated to be 10, including one (1) delivery/pickup trip per day, which is approximately the equivalent of more than half of one single-family dwelling, according to the Property Management Plan, which averages 9.55 average daily trips.</p> <p>Energy would not be required to power the 43,560 sq. ft. of outdoor cultivation but will be for the processing facility (with ventilation/odor control system) and security system. The proposed power for this project is P.G.& E., which would be brought to the cultivation area through the building permit process with Lake County.</p> <p>The California Department of Food and Agriculture regulations for commercial cannabis operations include renewable energy requirements beginning January 1, 2023, which require all indoor and mixed-light cultivators cultivating at greater than 6 watts per sq. ft. of canopy area to ensure that electrical power related to commercial cannabis activities meets the average greenhouse gas emissions intensity required by their local utility provider. As such, Loco would be required to ensure that the electrical power used to power the 43,560 sq. ft. of mixed-light cultivation meets the average greenhouse gas emissions intensity as required by P.G.&E.</p> <p>Less than Significant Impact</p>	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	<p>Lake County has not adopted any specific GHG reduction strategies or climate action plans. Therefore, this project would not conflict with any adopted plans or policies for the reduction of greenhouse gas emissions.</p> <p>As mentioned above, the applicant would be required to meet the DCC requirement to ensure that electrical power used to power the mixed-light cultivation meet average greenhouse gas emissions intensities as required by P.G.& E.</p> <p>Less than Significant Impact</p>	1, 3, 4, 5, 36
IX. HAZARDS AND HAZARDOUS MATERIALS <i>Would the project:</i>					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	<p>Materials associated with the proposed Cultivation of Commercial Cannabis, such as gasoline, pesticides, fertilizers, alcohol, hydrogen peroxide and the equipment emissions may be considered hazardous if released into the environment. The applicant has stated that all potentially harmful chemicals would be stored and locked in a secured building on site.</p> <p>Loco plans to be fully organic with their supplements of both dry and liquid fertilizers. The proposed dry fertilizers will be from organic compost. Only pesticides listed on the CDFA approved list of pesticides will be used for this cultivation project. Any use of the pesticides and fertilizers will be in limited quantities during the growing months and only used when necessary. All the fertilizers, nutrients, and pesticides will only be purchased and delivered to the property as needed. They will be stored separately in the secure processing facility,</p>	1, 3, 5, 13, 21, 24, 29, 31, 32, 33, 34, 40

				<p>in their original containers and used as directed by the manufacturer. All pesticides/fertilizers will be mixed/prepared on an impermeable surface with secondary containment, at least 100 feet from surface water bodies. Empty containers will be disposed of by placing them in a separate seal tight bin with a fitted lid and disposed of at the local solid waste facility within the county. At no time will fertilizers/nutrients be applied at a rate greater than 319 pounds of nitrogen per acre per year (requirement of the State Water Resource Control Board's Cannabis General Order). Water soluble fertilizers/nutrients will be delivered via the drip and micro-spray irrigation system(s) of the proposed cultivation operation to promote optimal plant growth and flower formation while using as little product as necessary. Petroleum products will be stored year-round in State of California-approved containers with secondary containment and separate from pesticides and fertilizers, within the processing facilities.</p> <p>The project would comply with Section 41.7 of the Lake County Zoning Ordinance that specifies that all uses involving the use or storage of combustible, explosive, caustic, or otherwise hazardous materials shall comply with all applicable local, state, and federal safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate firefighting and fire suppression equipment.</p> <p>Additionally, to utilize pesticides for agricultural purposes, the applicant would be required to obtain an Operator Identification Number (OIN) from the California Department of Pesticide Regulation (Mitigation Measure HAZ-8).</p> <p>Any petroleum products brought to the site, such as gasoline or diesel to fuel construction equipment, would be stored under cover and in State of California-approved containers. All pesticides, fertilizers, or petroleum products would be stored a minimum of 100 feet from all potential sensitive areas and watercourses.</p> <p>Cannabis waste, as appropriate, would be chipped and spread on site; burning cannabis waste is prohibited in Lake County.</p> <p>A spill containment and cleanup kit would be kept on site in the unlikely event of a spill. All employees would be trained to properly used all cultivation equipment, including pesticides. Proposed site activities would not generate hazardous waste.</p> <p>All equipment shall be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and contaminated soil shall be stored, transported, and disposed of consistent with applicable local, state, and federal regulations.</p> <p>Impacts would be than Significant with Mitigation Measures HAZ-1 and HAZ-2:</p> <p><u>HAZ-1:</u> All equipment shall be maintained and operated to minimize spillage or leakage of hazardous materials. All equipment will be refueled in locations more than 100 feet from surface water bodies. Servicing of equipment will occur on an impermeable surface. In an event of a</p>	
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				<p>spill or leak, the contaminated soil will be stored, transported, and disposed of consistent with applicable local, state, and federal regulations.</p> <p>HAZ-2: The storage of hazardous materials equal to or greater than fifty-five (55) gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas, then a Hazardous Materials Inventory Disclosure Statement/Business Plan shall be submitted and maintained in compliance with requirements of Lake County Environmental Health Division. Industrial waste shall not be disposed of on site without review or permit from Lake County Environmental Health Division or the California Regional Water Quality Control Board. The permit holder shall comply with petroleum fuel storage tank regulations if fuel is to be stored on site.</p>	
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		X		<p>Refer to Section IX (a).</p> <p>The pesticides and fertilizers proposed would be stored in a secure processing facility. The site preparation would require some construction equipment and would last for about 5 to 7 weeks. All equipment staging would occur on previously disturbed areas on the site. As stated above, a spill kit would be kept on site in the unlikely event of a spill. All equipment would be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and contaminated soil shall be stored, transported, and disposed of consistent with applicable local, State, and Federal regulations.</p> <p>Less than Significant Impact with Mitigation Measures HAZ-1 through HAZ-8 Incorporated.</p> <p>HAZ-3: Prior to operation, the applicant shall schedule an inspection with the Lake County Code Enforcement Division within the Community Development Department to verify adherence to all requirements of Chapter 13 of the Lake County Code, including but not limited to adherence with the Hazardous Vegetation requirements.</p> <p>HAZ-4: Prior to operation, all employees shall have access to restrooms and hand-wash stations. The restrooms and hand wash stations shall meet all accessibility requirements.</p> <p>HAZ-5: The proper storage of equipment, removal of litter and waste, and cutting of weeds or grass shall not constitute an attractant, breeding place, or harborage for pests.</p> <p>HAZ-6: All food scraps, wrappers, food containers, cans, bottles, and other trash from the project area should be deposited in trash containers with an adequate lid or cover to contain trash. All food waste should be placed in a securely covered bin and removed from the site weekly to avoid attracting animals.</p> <p>HAZ-7: The applicant shall maintain records of all hazardous or toxic materials used, including a Material Safety Data Sheet (MSDS) for all volatile organic compounds utilized, including cleaning materials. Said information shall be made available upon request and/or</p>	1, 3, 5, 13, 21, 24, 29, 31, 32, 33, 34, 40

				<p>the ability to provide the Lake County Air Quality Management District such information to complete an updated Air Toxic Emission Inventory.</p> <p><u>HAZ-8:</u> The applicant shall obtain an Operator Identification Number from the California Department of Pesticide Regulation prior to using pesticides onsite for cannabis cultivation.</p>	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	<p>The proposed project is not located within one-quarter mile of an existing or proposed school.</p> <p>No Impact</p>	1, 2, 5
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	<p>The California Environmental Protection Agency (CALEPA) has the responsibility for compiling information about sites that may contain hazardous materials, such as hazardous waste facilities, solid waste facilities where hazardous materials have been reported, leaking underground storage tanks and other sites where hazardous materials have been detected. Hazardous materials include all flammable, reactive, corrosive, or toxic substances that pose potential harm to the public or environment. The following databases compiled pursuant to Government Code §65962.5 were checked for known hazardous materials contamination within ¼-mile of the project site:</p> <ul style="list-style-type: none"> • State Water Resources Control Board (SWRCB) GeoTracker database • Department of Toxic Substances Control EnviroStor database • SWRCB list of solid waste disposal sites with waste constituents above hazardous waste levels outside the waste management unit. <p>The project site is not listed in any of these databases as a site containing hazardous materials as described above.</p> <p>No Impact</p>	2, 39
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?			X	<p>The project is not located within two (2) miles of an airport and/or within an Airport Land Use Plan.</p> <p>Less than Significant</p>	1, 3, 4, 5, 20, 22
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	<p>The project would not impair or interfere with an adopted emergency response or evacuation plan.</p> <p>No Impact</p>	1, 3, 4, 5, 20, 22, 35, 37
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	<p>The site is mapped as being a moderate fire risk and the project is not expected to further heighten fire risks on the site. The area proposed for cultivation is in an open area in proximity to the residential use. The project would utilize vegetation management to maintain defensible space around the cultivation area. Additionally, the project proposes a 4,800 gallon water tank to be used for fire suppression purposes.</p> <p>The applicant would adhere to all Federal, State, and local fire requirements/regulations for setbacks and defensible space required for any new buildings that require a building permit.</p>	1, 3, 4, 5, 20, 35, 37

				<p>All proposed construction is required to be built consistent with current county and State of California Building Code construction standards. To construct the proposed processing building, the applicant would be required to obtain a building permit with Lake County to demonstrate conformance with local and state building codes and fire safety requirements.</p> <p>Refer to Section XX, Wildfire, for additional details.</p> <p>Less than Significant Impact</p>	
X. HYDROLOGY AND WATER QUALITY <i>Would the project:</i>					
<p>a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?</p>		X		<p>The proposed project is located in the Middletown Planning Area. The proposed project area is within the watershed (HUC-12180201620303). The property has a Class II watercourse flowing northeast/southwest through the western side of the property and an area classified currently as potential wetlands, both over 100 feet from the proposed cultivation areas. No development is proposed within 100-feet of this waterbody, and there are no other identified surface water bodies on the property.</p> <p>The Property Management Plan submitted with the application materials address runoff, and certain BMPs during and after construction to reduce impacts associated with water quality.</p> <p>All equipment shall be maintained and operated in a manner that minimizes any spill or leak of pollutants.</p> <p>In addition, the project is enrolled with the State Water Resources Control Board (SWRCB) for Tier 2, Low Risk coverage under Order No. WQ 2019-001-DWQ (General Order). Tier 2 dischargers reflect cultivation sites that disturb over one acre and are located on flat slopes outside of riparian setbacks. The General Order requires the preparation of a Site Management Plan (SMP) and a Nitrogen Management Plan (NMP). The purpose of the SMP is to identify Best Practicable Treatment or Control (BPTC) measures that the site intends to follow for erosion control purposes and to prevent stormwater pollution. The purpose of the NMP is to identify how nitrogen is stored, used, and applied to crops in a way that is protective to water quality. The SMP and NMP are required prior to commencing cultivation activities and were submitted with the application materials.</p> <p>The proposed project has been designed to maintain riparian buffers and wetland setbacks of 100 feet. No development would occur within the drainage buffers and setbacks. Additionally, straw wattles would be staked around the cultivation area to provide an additional buffer between the cultivation area and surface waters.</p> <p>The proposed project is expected to be served by an existing onsite wastewater treatment septic system. The new septic system must adhere to all federal, state, and local regulations regarding wastewater treatment and water usage requirements.</p> <p>State law requires permits for onsite systems to ensure that they are constructed and sited in a manner that protects human health and the environment. A permit from Lake County is required to install a new septic system. Prior to applying for a</p>	<p>1, 2, 3, 4, 5, 13, 21, 23, 24, 33, 34, 41, 42</p>

				<p>permit, Lake County Division of Environmental Health requires a Site Evaluation to determine suitability of the site for a septic system. A percolation test would be conducted to determine the water absorption rate of the soil, and the septic system would be located, designed, and installed appropriately, following all applicable State and County guidelines and requirements.</p> <p>Less Than Significant Impact with Mitigation Measure HYD-1 incorporated.</p> <p><u>HYD-1:</u> Before this permit having any force or effect, the permittee(s) shall adhere to the Lake County Division of Environmental Health requirements regarding on-site wastewater treatment and/or potable water requirements. The permittee shall contact the Lake County Division of Environmental Health for details.</p>	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	<p>The project site does not have a municipal water supply service and would rely on well water. The proposed project would use water from an existing, onsite, permitted, metered well. The meter measures the total gallons pumped and can be used to determine the discharge rate.</p> <p>The project appears to be located adjacent to the Collayomi Valley Groundwater Management Plan Area in the Lake County Groundwater Management Plan (GMP). The Collayomi Valley Basin is the source of water supply for Middletown. The agricultural demand on groundwater in the Basin is approximately 266 acre-feet for an average year. Basin Management Objectives outlined in the GMP for Big Valley primarily focus on increased monitoring and information gathering, in addition to maintaining groundwater levels to assure an adequate irrigation and domestic water supply in the area.</p> <p>The well to be used for cultivation activities is approximately 54'-deep with a 4.5"-diameter casing. The applicant provided a well drawdown test demonstrating a well yield of 5.67 gallons per minute (GPM) and well drawdown over a 6-hour time frame, a 3 ft drawdown amount was recorded. (see Well Test Report performed by Jak Drilling and Pump on June 4th, 2021).</p> <p>The project also has supplied a Hydrology Report conducted by VanderWall Engineering dated September 28, 2021. The Hydrology Report concluded the proposed project has more than adequate water supply even during drought years and will not impact surrounding neighbors water supply.</p> <p>According to the Property Management Plan, the estimated demand for the proposed project would be approximately 746,735 gallons (2.29 acre-feet) annually. Peak monthly usage would be approximately 123,947 gallons (0.38 acre-feet), or a peak of approximately 4,132 gallons per day.</p> <p>Based on the results of the well test report, it is estimated that it would take approximately 12 hours of pumping from the well to meet the project's peak daily water demand. Therefore, based on well yield it appears the well could produce the water required to meet the proposed project's water demand.</p>	1, 2, 3, 4, 5, 13, 21, 23, 24, 33, 34, 41, 42

				<p>The site demand would be approximately 2.29 acre-feet/year. This represents 0.86% of total agricultural demand in the basin in an average year.</p> <p>Therefore, the proposed cannabis development is consistent with local plans and would likely not impede sustainable management of the local groundwater basin.</p> <p>Less than Significant Impact</p>	
<p>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:</p> <p>i) Result in substantial erosion or siltation on- or off-site;</p> <p>ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;</p> <p>iii) Create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;</p> <p>iv) Impede or redirect flood flows?</p>			X	<p>The proposed cultivation would be located an existing flat area currently vacant. The cultivation would require minimal grading and would maintain riparian buffers and grading setbacks of 100 feet. Construction of the proposed processing building would require grading outside of riparian buffers and wetland/watercourse setbacks of 100 feet. No development would occur within the drainage buffers and setbacks. The proposed project has been designed to maintain existing flow paths.</p> <p>(i) As discussed in Section (a) above, construction activities and operation of the proposed project would not result in substantial erosion or siltation, with compliance with the erosion control plan and SWRCB Cannabis General Order.</p> <p>(ii)&(iii) Of the total 47,330 sq. ft. of cultivation area, all would be permeable surface except the 2,600 sq. ft. of processing facility. The proposed impermeable area of 2,600 sq. ft. would represent under .3% of the 20-acre cultivation parcel. Thus, the proposed project is not likely to increase the rate or amount of surface runoff by anything significant. Project BMPs and Buffer Zones proposed by the project in addition to proximity from any development or waterways would have plenty of land to infiltrate into the groundwater basin.</p> <p>(iv) The proposed cultivation area is within a FEMA Zone X and is not prone to flooding.</p> <p>Less than significant impact</p>	1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	<p>The proposed cultivation areas are not located in a floodplain, tsunami or seiche zone, or in a special flood hazard area.</p> <p>Less than Significant Impact</p>	1
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	<p>Refer to Sections X(a) and X(b).</p> <p>The proposed use would not conflict with or obstruct the implementation of water quality control plan or ground water management plan as all hazardous materials including pesticides and fertilizers would be stored in a locked / secured shed, and would meet all Federal, State and Local agency requirements for hazardous material storage and handling.</p> <p>The well is located in the proximity of the Collayomi Valley Groundwater Basin and the Coyote Valley Groundwater Basin. According to the California Department of Water Resources, these basins are Very Low priority groundwater basins and do not require sustainable groundwater management plans. Therefore, the proposed project would not conflict with or obstruct the implementation of a sustainable groundwater management plan.</p>	1, 3, 4, 5, 10, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34


					Less than Significant Impact	
XI. LAND USE AND PLANNING						
<i>Would the project:</i>						
a) Physically divide an established community?				X	The proposed project site would not physically divide an established community. No Impact	1, 3, 4, 5, 6
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X		This project is consistent with the Lake County General Plan, the Middletown Area Plan, and the Lake County Zoning Ordinance. Less than Significant Impact	1, 3, 4, 5, 20, 21, 22, 27
XII. MINERAL RESOURCES						
<i>Would the project:</i>						
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X	The Aggregate Resource Management Plan (ARMP) does not identify the project area as a Quarry Resource Area. The proposed project has no impact on any quarry and is not identified in a location of having an important source of aggregate. No Impact	1, 3, 4, 5, 26
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X	The County of Lake's General Plan, the Middletown Area Plan nor the Lake County Aggregate Resource Management Plan designates the project site as being a locally important mineral resource recovery site. No Impact	1, 3, 4, 5, 26
XIII. NOISE						
<i>Would the project result in:</i>						
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X			Noise related to outdoor cannabis cultivation typically occurs either during construction, or as the result of machinery related to post construction equipment such as well pumps or emergency backup generators during power outages. This project would have some noise related to site preparation (hours of construction are limited through standard conditions of approval). There may be a need for an emergency backup generator, however generator usage would be limited to power outages. Although the property size would help to muffle noises heard by neighboring properties, mitigation measures are needed to further limit the potential sources of noise. Impacts would be Less than Significant with Mitigation Measures NOI-1 and NOI-3 Incorporated. <u>NOI-1:</u> All construction activities including engine warm-up shall be limited Monday Through Friday, between the hours of 7:00am and 7:00pm, and Saturdays from 12:00 noon to 5:00 pm to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels. <u>NOI-2:</u> Maximum non-construction related sounds levels	1, 3, 4, 5, 13

				<p>shall not exceed levels of 55 dBA between the hours of 7:00AM to 10:00PM and 45 dBA between the hours of 10:00 PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.1) at the property lines.</p> <p>NOI-3: Generators shall only be used as Emergency Power Backup supply and shall not be used for regular power provision to this facility.</p>	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	<p>The project is not expected to create significant groundborne vibration due to construction or to post-construction facility operation. Some minimal grading will occur to smooth out the cultivation area which is a flat area of 0-2% slope. However, the minimal amount of earth movement is not expected to generate groundborne vibration or noise levels. The low-level truck traffic during construction and for deliveries would create a minimal amount of groundborne vibration.</p> <p>Less Than Significant Impact</p>	1, 3, 4, 5, 13
XIV. POPULATION AND HOUSING <i>Would the project:</i>					
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	<p>The project is anticipated to induce population growth to the area through employment, however, it is not expected to be substantial the increased employment will be approximately five (5) employees hired locally.</p> <p>No Impact</p>	1, 3, 4, 5
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?			X	<p>No housing would be displaced as a result of the project.</p> <p>No Impact</p>	1, 3, 4, 5
XV. PUBLIC SERVICES <i>Would the project:</i>					
<p>a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</p> <ul style="list-style-type: none"> - Fire Protection? - Police Protection? - Schools? - Parks? - Other Public Facilities? 			X	<p>The project does not propose housing or other uses that would necessitate the need for new or altered government facilities. No new roads are proposed.</p> <p>The project would be required to comply with all applicable local and state fire code requirements related to design and emergency access.</p> <p>Construction and operation of the proposed project may result in accidents or crime emergency incidents that would require police services. Construction activities would be temporary and limited in scope. Accidents or crime emergency incidents during operation are expected to be infrequent and minor in nature. The Lake County Sheriff's Department, Lakeport Police Department and other law enforcement agencies were notified of the proposed project.</p> <p>There will not be a need to increase fire or police protection, schools, parks or other public facilities as a result of the project's security plan implementation.</p> <p>Less than Significant Impact</p>	1, 2, 3, 4, 5, 20, 21, 22, 23, 27, 28, 29, 32, 33, 34, 36, 37
XVI. RECREATION <i>Would the project:</i>					

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	<p>The project will generate business income, an increase in local employment opportunities, and increase public fee and tax revenue which may result in slight increases in population growth, which could lead to increased use of park and recreation facilities. However, the increased use of park and recreation, would occur over the region and in multiple sites and therefore be diminished and would not substantially deteriorate local existing parks or other recreational facilities. Therefore, the project would not have any impacts on existing parks or other recreational facilities.</p> <p>No Impact</p>	1, 2, 3, 4, 5
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	<p>This project will not necessitate the construction or expansion of any recreational facilities.</p> <p>No Impact</p>	1, 3, 4, 5
XVII. TRANSPORTATION <i>Would the project:</i>					
a) Conflict with a plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian paths?			X	<p>According to the application submitted, the project site is accessed by one (1) private driveway directly off Loconomi Road. The driveway is proposed to be widened to 20-ft where it is not already and graveled to meet CalFire Standards.</p> <p>There are no known pedestrian or bicycle facilities on Loconomi Rd., or in the vicinity of the project.</p> <p>Less than Significant Impact</p>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
b) For a land use project, would the project conflict with or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)(1)?			X	<p>State CEQA Guidelines Section 15064.3, Subdivision (b) states that for land use projects, transportation impacts are to be measured by evaluating the proposed project's vehicle miles traveled (VMT), as follows:</p> <p><i>"Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact."</i></p> <p>The estimated trips per day are 10 during operation and less than 5 during construction (130 to 160 total during the 5-to-7-week construction period).</p> <p>To date, the County has not yet formally adopted its transportation significance thresholds or its transportation impact analysis procedures. The proposed project would not generate or attract more than 100 trips per day; therefore, it is not expected for the project to have a potentially significant level of VMT, therefore, impacts related to CEQA Guidelines section 15064.3. subdivision (b) would be less than significant.</p> <p>Less than Significant Impact.</p>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
c) For a transportation project, would the project conflict with or be inconsistent with CEQA			X	<p>The project is not a transportation project. The proposed use would not conflict with and/or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)(2).</p>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35

Guidelines section 15064.3, subdivision (b)(2)?				No Impact.	
d) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	As the project itself does not propose any changes to road alignment or other features, the project does not result in the introduction of any obstacles, nor does it involve incompatible uses that could increase traffic hazards. Less than Significant Impact	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
e) Result in inadequate emergency access?			X	The proposed project would not alter the physical configuration of the existing roadway network serving the area and would have no effect on access to local streets or adjacent uses (including access for emergency vehicles). Internal roadways would meet CalFire requirements for vehicle access. Furthermore, as noted above under impact discussion (a), increased project-related operational traffic would be minimal. The proposed project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities. The proposed project would not interfere with the County's adopted emergency response plan. Less than Significant Impact	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
XVIII. TRIBAL CULTURAL RESOURCES <i>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</i>					
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			X	See response to Section V(a) (Cultural Resources). Less than Significant Impact	1, 3, 4, 5, 11, 14, 15
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			X	See response to Section V(a) (Cultural Resources). Notification of the project was sent to local tribes on February 11, 2021. The Middletown Rancheria formally requested AB52 Consultation for this project. The applicant reached out to Middletown Rancheria and on August 16, 2021, the representative for Middletown Rancheria, Michael Rivera, met with the applicant on the project site. On October 20, 2021, Michael Rivera emailed Assistant Planner Katherine Schaefer: "The county can proceed, as the applicant is working in good faith with Middletown Rancheria". AB52 Tribal Consultation was closed on October 20, 2021, as per the comments from the Middletown Rancheria. Impacts would be Less than Significant with Mitigation Measures CUL-1 and CUL-2 Incorporated.	1, 3, 4, 5, 11, 14, 15
XIX. UTILITIES AND SERVICE SYSTEMS <i>Would the project:</i>					
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause			X	The proposed project would be served by an existing onsite irrigation well rated at 5.67 gallons per minute. A new onsite wastewater treatment system is not currently proposed. State law requires permits for onsite systems to ensure that they are constructed and sited in a manner that protects human health and the environment. A permit from Lake County is required to install a new septic system. Prior to applying for a permit, Lake County Division of Environmental Health requires a site Evaluation to determine suitability of the site for the	1, 3, 4, 5, 29, 32, 33, 34, 37

significant environmental effects?				<p>wastewater treatment/septic system. A percolation test would be conducted to determine the water absorption rate of the soil, and the septic system would be located, designed, and installed appropriately, following all applicable State and County guidelines and requirements.</p> <p>Less than Significant Impact.</p>	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X	<p>Refer to section X (b).</p> <p>According to the Water Use / Water Availability Study, the existing well can sustainably produce the water required to meet the proposed projects water demand.</p> <p>The applicant is prohibited from trucking in water other than a one-time emergency delivery and only with written permission from the Community Development Department Director or designee.</p> <p>Less Than Significant Impact</p>	1, 3, 4, 5, 29, 32, 33, 34, 36, 37
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	<p>The site is not connected to a wastewater treatment provider. Staff would use a private ADA restroom in the proposed processing facility. The processing facility would be constructed through a building permit with Lake County. Therefore, a less than significant impact would occur.</p> <p>Less than Significant Impact</p>	1, 3, 4, 5, 29, 32, 33, 34, 37
d) Generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure?			X	<p>According to the Property Management Plan, the site would generate organic waste to be composted. The site would also generate solid waste. All recyclable waste would be collected separately from non-recyclable waste. All waste and recycling would be hauled to the Lake County Transfer and Recycling Facility where it would be sorted and deposited at the Eastlake Sanitary Landfill (Landfill). The Landfill is well below its current capacity of 6,050,000 cubic yards, with 2,859,962 cubic yards (47%) remaining capacity. In addition, the Lake County Public Services Department is proposing an expansion of the Landfill to extend the landfill's life to about the year 2046; increasing the landfill footprint from 35 acres to 56.6 acres. Therefore, the Landfill would have sufficient capacity accommodate the solid waste generated by the project.</p> <p>Less than Significant Impact</p>	1, 2, 3, 34, 36
e) Negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals?			X	<p>The applicant would chip and spread the cannabis waste on site.</p> <p>Less than Significant Impact</p>	1, 3, 4, 5, 29, 32, 33, 34, 36
f) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	<p>The County uses a standard condition of approval regarding compliance with all Federal, State and Local management for solid waste. The cultivator would be required to chip and spread any vegetative waste on-site.</p> <p>Less than Significant Impact</p>	1, 3, 4, 5, 29, 32, 33, 34, 36

XX. WILDFIRE <i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>					
a) Impair an adopted emergency response plan or emergency evacuation plan?		X		<p>The project site is not located in the CalFire State Responsibility Area (SRA) but within the South Lake County Fire Protection District (LRA). The project is subject to all state fire safe related codes. The parcel is classified as having Moderate fire risk (Figure 8).</p>  <p><i>Figure 8: Fire Hazard Severity Zones on APN 014-140-12 (Source: Lake County WebGIS)</i></p> <p>Per Lake County's Fire History mapper, no fire has occurred on the site since 1920, when fires started to be tracked.</p> <p>Access to the property is a private driveway off of Loconomi Road. Improvements to the private driveway are proposed to meet PRC 4290 and 4291 CalFire Standards, including widening the road to 20' (See Site Plans). The road would be graveled with a surface engineered for 75,000 lb. capacity. Should this site need to evacuate, Highway 29 would be the evacuation route.</p> <p>Like much of Lake County, this area is prone to wildfire. This site is no more prone to excessive fire risk than other sites in Lake County. The applicant will adhere to all regulations of California Code Regulations Title 14, Division 1.5, Chapter 7, Subchapter 2, and Article 1 through 5 shall apply to this project; and all regulations of California Building Code, Chapter 7A, Section 701A, 701A.3.2.A.</p> <p>Per the Applicant's Property Management Plan, wildfire prevention techniques would include maintaining the vegetation surrounding the cultivation area, ensuring that gas and diesel-powered equipment is stored indoors and turned off when not in use, and ensuring that two personnel are always onsite during the use of equipment which has the potential to cause fire. Additionally, the applicant also proposes to install and maintain a 4,800-gallon fire suppression tank made out of steel or fiberglass (not plastic).</p> <p>Approval of this permit would not further exacerbate the risk of wildfire, nor would it interfere with emergency evacuation should this be necessary.</p> <p>Less than Significant Impact with GEO-5 and GEO-6 incorporated.</p>	1, 2, 4, 5, 6, 20, 23, 31, 37,

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	Refer to Section XX (a). Additionally, the cultivation area is on an existing flat land area. The project proposes to clear maintain defensible space around the cultivation area to help reduce fire risk. The site driveway allows for fire access. Approval of this project would not increase the fire risk in this area. Less than Significant Impact	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X	The site is served by Loconomi Rd. a paved County maintained road. Access is from Loconomi Rd. to the site from an existing private driveway. The driveway is proposed to be upgraded to a 20-foot width and 6-in compacted gravel. A turnaround at the cultivation area is proposed for emergency vehicle access. No other infrastructural improvements appear to be necessary for this project. Less than Significant Impact	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	The site is generally flat near the cultivation area; there is little chance of risks associated with post-fire slope runoff, instability or drainage changes based on the lack of site changes that would occur by this project. Less than Significant Impact	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
XXI. MANDATORY FINDINGS OF SIGNIFICANCE					
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	Per the impact discussions above, the potential of the proposed project to substantially degrade the environment is less than significant with incorporated mitigation measures. As described in this Initial Study, the proposed project has the potential for impacts related to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Hazards & Hazardous Materials, Hydrology and Water Quality, Noise, Tribal Cultural Resources, and Wildfire. However, these impacts would be avoided or reduced to a less-than-significant level with the incorporation of avoidance and mitigation measures discussed in each impact section. Impacts would be Less than Significant with Mitigation Incorporated.	All
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	Potentially significant impacts have been identified related to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Hazards & Hazardous Materials, Hydrology and Water Quality, Noise, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire. These impacts in combination with the impacts of other past, present and reasonably foreseeable future projects could cumulatively contribute to significant effects on the environment. However, implementation of and compliance with mitigation measures identified in each section as project conditions of approval would avoid or reduce potential impacts to less than significant levels and would not result in cumulatively considerable environmental impacts. Impacts would be Less than Significant with Mitigation Measures Incorporated.	All
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	The proposed project has potential to result in adverse indirect or direct effects on human beings in the areas of Aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Hazards & Hazardous Materials, Hydrology and Water Quality, Noise, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire.	All

					Implementation of and compliance with mitigation measures identified in each section as conditions of approval would not result in substantial adverse indirect or direct effects on human beings and impacts would be considered less than significant.	
					Impacts would be Less than Significant with Mitigation Measures Incorporated.	

* Impact Categories defined by CEQA

****Source List**

1. Lake County General Plan
2. Lake County GIS Database
3. Lake County Zoning Ordinance
4. Middletown Area Plan
5. Loco Cannabis Cultivation Application – Major Use Permit.
6. U.S.G.S. Topographic Maps
7. U.S.D.A. Lake County Soil Survey
8. Lake County Important Farmland Map, California Department of Conservation Farmland Mapping and Monitoring Program
9. Department of Transportation's Scenic Highway Mapping Program, (http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm)
10. Lake County Serpentine Soil Mapping
11. California Natural Diversity Database (<https://www.wildlife.ca.gov/Data/CNDDB>)
12. U.S. Fish and Wildlife Service National Wetlands Inventory
13. Biological Resource Assessment prepared by Pinecrest Environmental Consulting on December 13, 2020.
14. Cultural Resource Evaluation prepared by Dr. John Parker, October 19, 2020.
15. California Historical Resource Information Systems (CHRIS); Northwest Information Center, Sonoma State University; Rohnert Park, CA.
16. Water Resources Division, Lake County Department of Public Works Wetlands Mapping.
17. U.S.G.S. Geologic Map and Structure Sections of the Clear Lake Volcanic, Northern California, Miscellaneous Investigation Series, 1995
18. Official Alquist-Priolo Earthquake Fault Zone maps for Lake County
19. Landslide Hazards in the Eastern Clear Lake Area, Lake County, California, Landslide Hazard Identification Map No. 16, California Department of Conservation, Division of Mines and Geology, DMG Open –File Report 89-27, 1990
20. Lake County Emergency Management Plan
21. Lake County Hazardous Waste Management Plan, adopted 1989
22. Lake County Airport Land Use Compatibility Plan, adopted 1992
23. California Department of Forestry and Fire Protection - Fire Hazard Mapping
24. National Pollution Discharge Elimination System (NPDES)
25. FEMA Flood Hazard Maps
26. Lake County Aggregate Resource Management Plan, Adopted 1992
27. Lake County Bicycle Plan
28. Lake County Transit for Bus Routes
29. Lake County Environmental Health Division
30. Lake County Grading Ordinance
31. Lake County Natural Hazard database
32. Lake County Countywide Integrated Waste Management Plan and Siting Element, 1996
33. Lake County Water Resources
34. Lake County Waste Management Department

35. California Department of Transportation (CALTRANS)
36. Lake County Air Quality Management District website
37. South Lake Fire Protection District
38. United States Department of Agriculture – Natural Resources Conservation Service Web Soil Survey
39. Hazardous Waste and Substances Sites List, www.envirostor.dtsc.ca.gov/public
40. Department of Pesticide Regulation Operator Identification Number Requirements
41. State Water Resources Control Board (SWRCB) Cannabis Policy and General Order (https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2019/wqo2019_0001_dwq.pdf)
42. Lake County Groundwater Management Plan, March 31st, 2006. <http://www.lakecountycalifornia.gov/Assets/Departments/WaterResources/IRWMP/Lake+County+Groundwater+Managment+Plan.pdf>
43. California Public Utilities Commission. 2021. Renewables Portfolio Standard (RPS) Program webpage. Accessed by Max Hilken on November 9, 2021 at: <https://www.cpuc.ca.gov/rps/>
44. Biological Springtime Survey prepared by Pinecrest Environmental Consulting on April 20, 2021
45. Hydrology Report prepared by Vanderwall Engineering on September 28, 2021
46. Drought Management Plan