

Eric Porter

From: Masuda, Akiko@Waterboards <Akiko.Masuda@Waterboards.ca.gov>
Sent: Monday, October 22, 2018 10:31 AM
To: Eric Porter
Subject: RE: CEQA SCH2018102012, APN 012-004-64.

Thank you very much!!!
Akiko

From: Eric Porter <Eric.Porter@lakecountyca.gov>
Sent: Monday, October 22, 2018 10:29 AM
To: Masuda, Akiko@Waterboards <Akiko.Masuda@Waterboards.ca.gov>
Subject: CEQA SCH2018102012, APN 012-004-64.

Akiko,

Attached are the Property Management Plan, well log, and application for the A-Type 3 cannabis grow for Derum.

Hopefully this is everything you need for your review process to occur.

Take care,
Eric Porter
County of Lake CA

Files attached to this message

Filename	Size	Checksum (SHA256)
2017 Planning Application CCC, UP, IS.pdf	242 KB	571a5d3320159a914a374d28e695cccacdfadb4a093d50cd280cf6be2530e326
Property Managemant Plan.pdf	15.1 MB	a422c9d540a4e478cec50ac6faa24343c835bc5cb23b33413a1e86d4c7429d77
012-004-29 Well and Septic.pdf	602 KB	e1ae356134eb6964097c461ddcee6db8e1268252a0e65d4fef8489ef9cc3e3a8

Please click on the following link to download the attachments:
<https://filetransfer.co.lake.ca.us/message/HOAU3Zov1fDglceDTh2qVB>
This email or download link can be forwarded to anyone.

The attachments are available until: **Monday, 29 October.**

Message ID: HOAU3Zov1fDglceDTh2qVB

[Download Files](#)

Attachment 4

CALIFORNIA
HISTORICAL
RESOURCES
INFORMATION
SYSTEM



ALAMEDA
COLUSA
CONTRA COSTA
DEL NORTE

HUMBOLDT
LAKE
MARIN
MENDOCINO
MONTEREY
NAPA
SAN BENITO

SAN FRANCISCO
SAN MATEO
SANTA CLARA
SANTA CRUZ
SOLANO
SONOMA
YOLO

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

October 10, 2018

File No.: 18-0662

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

re: UP 18-20, EA 18-13, IS 18-24 / 13505 & 13605 Seigler Cyn Road / Richard Derum

Dear Eric Porter,

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

Project Description: Commercial cannabis Type III grow operation

Previous Studies:

XX Study #051193 (Parker 2018), covering approximately 100% of the proposed project area, identified one or more cultural resources (see recommendation below).

Archaeological and Native American Resources Recommendations:

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

XX The proposed project area has a low possibility of containing unrecorded archaeological site(s). According to the field survey of S-051193, an old road bed was identified within the project parcels. However, possible impact to this road bed was mitigated and no significant historic or prehistoric cultural materials were encountered. No further study for archaeological resources is recommended.

Built Environment Recommendations:

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

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

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

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

Sincerely,

A handwritten signature in dark ink, appearing to read 'Cameron Felt', is written above the printed name.

Cameron Felt
Researcher

Eric Porter

From: Jill Shaul
Sent: Wednesday, October 03, 2018 11:39 AM
To: Eric Porter
Subject: RE: Derum major use permit (UP 18-20) - Initial Study attached for your review

Eric,

The subject parcels are outside any Special Districts service areas. No impact.

Thank you,

Jill Shaul, CTA
Customer Service Coordinator
jill.shaul@lakecountyca.gov
phone #263-0119
fax #263-3836

From: Eric Porter
Sent: Monday, October 01, 2018 1:31 PM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Doug Gearhart <dougg@lcaqmd.net>; Casey Moreno <Casey.Moreno@lakecountyca.gov>; Mary Jane Montana <MaryJane.Montana@lakecountyca.gov>; Vallerger, Chris@CALFIRE <Chris.Vallerger@fire.ca.gov>; Ward, Leishara@DOT <leishara.ward@dot.ca.gov>; Vella, Kelsey@Wildlife <Kelsey.Vella@wildlife.ca.gov>; Todd Mansell <Todd.Mansell@lakecountyca.gov>; Tina Rubin <Tina.Rubin@lakecountyca.gov>; 'nwic@sonoma.edu' <nwic@sonoma.edu>; Jill Shaul <Jill.Shaul@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; sryan@big-valley.net; cww281@gmail.com; l.brown.elem@gmail.com; a.garcia@elemindiancolony.org; kkarolaepa@gmail.com; aarroyosr@hpultribe-nsn.gov; lrosas@hpultribe-nsn.gov; kn@koination.com; rpeterston@middletownrancheria.com; jsimon@middletownrancheria.com; btorres@middletownrancheria.com; speterston@middletownrancheria.com; admin@rvrpomo.net; drogers@robinsonrancheria.org; mschaver@robinsonrancheria.org; lrenia.quitiquit@sv-nsn.gov; lbill@yochadehe-nsn.gov; mdelgado@yochadehe-nsn.gov; rrouse@yochadehe-nsn.gov; jkinter@yochadehe-nsn.gov; aroberts@yochadehe-nsn.gov; centralvalleysac@waterboards.ca.gov; Gloria Pulido <Gloria.Pulido@lakecountyca.gov>
Cc: Byron Turner <Byron.Turner@lakecountyca.gov>
Subject: Derum major use permit (UP 18-20) - Initial Study attached for your review

Hi all,

Please see the attached Initial Study for a commercial cannabis major use permit. This application is not yet scheduled for public hearing.

Please have your comments back to me on or before Nov. 1st, 2018 if possible.

Thank you,

Eric J. Porter
Associate Planner
County of Lake
707-263-2221
Eric.Porter@lakecountyca.gov

Eric Porter

From: Mary Camp <admin@rvrpomo.net>
Sent: Tuesday, October 02, 2018 1:47 PM
To: Eric Porter
Subject: RE: Derum major use permit (UP 18-20) - Initial Study attached for your review

Redwood Valley Rancheria defers to comments and concerns from Elem and Middletown Tribes

From: Eric Porter [mailto:Eric.Porter@lakecountyca.gov]
Sent: Monday, October 01, 2018 1:31 PM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Doug Gearhart <doug@lcaqmd.net>; Casey Moreno <Casey.Moreno@lakecountyca.gov>; Mary Jane Montana <MaryJane.Montana@lakecountyca.gov>; Vallerger, Chris@CALFIRE <Chris.Vallerger@fire.ca.gov>; Ward, Leishara@DOT <leishara.ward@dot.ca.gov>; Vella, Kelsey@Wildlife <Kelsey.Vella@wildlife.ca.gov>; Todd Mansell <Todd.Mansell@lakecountyca.gov>; Tina Rubin <Tina.Rubin@lakecountyca.gov>; 'nwic@sonoma.edu' <nwic@sonoma.edu>; Jill Shaul <Jill.Shaul@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; sryan@big-valley.net; cww281@gmail.com; l.brown.elem@gmail.com; a.garcia@elemindiancolony.org; kkarolaepa@gmail.com; aarroyosr@hplultribe-nsn.gov; lrosas@hplultribe-nsn.gov; kn@koination.com; rpeterston@middletownrancheria.com; jsimon@middletownrancheria.com; btortres@middletownrancheria.com; speterston@middletownrancheria.com; admin@rvrpomo.net; drogers@robinsonrancheria.org; mschaver@robinsonrancheria.org; lrenia.quitiquit@sv-nsn.gov; lbill@yochadehe-nsn.gov; mdelgado@yochadehe-nsn.gov; rrouse@yochadehe-nsn.gov; jkinter@yochadehe-nsn.gov; aroberts@yochadehe-nsn.gov; centralvalleysac@waterboards.ca.gov; Gloria Pulido <Gloria.Pulido@lakecountyca.gov>
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Thank you,

Eric J. Porter
Associate Planner
County of Lake
707-263-2221
Eric.Porter@lakecountyca.gov



Eric Porter

From: Gordon Haggitt
Sent: Wednesday, October 03, 2018 10:52 AM
To: Eric Porter
Subject: RE: Derum major use permit (UP 18-20) - Initial Study attached for your review

Eric: If setbacks are an issue a field survey by a licensed professional surveyor will be needed. It appears the grow site is close to the east boundary of the property but not sure what the setbacks are.

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

From: Eric Porter
Sent: Monday, October 01, 2018 1:31 PM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Doug Gearhart <dougg@lcaqmd.net>; Casey Moreno <Casey.Moreno@lakecountyca.gov>; Mary Jane Montana <MaryJane.Montana@lakecountyca.gov>; Vallerger, Chris@CALFIRE <Chris.Vallerger@fire.ca.gov>; Ward, Leishara@DOT <leishara.ward@dot.ca.gov>; Vella, Kelsey@Wildlife <Kelsey.Vella@wildlife.ca.gov>; Todd Mansell <Todd.Mansell@lakecountyca.gov>; Tina Rubin <Tina.Rubin@lakecountyca.gov>; 'nwic@sonoma.edu' <nwic@sonoma.edu>; Jill Shaul <Jill.Shaul@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; sryan@big-valley.net; cww281@gmail.com; l.brown.elem@gmail.com; a.garcia@elemindiancolony.org; kkarolaepa@gmail.com; aaroyosr@hpultribe-nsn.gov; lrosas@hpultribe-nsn.gov; kn@koination.com; rpeterston@middletownrancheria.com; jsimon@middletownrancheria.com; btorres@middletownrancheria.com; speterston@middletownrancheria.com; admin@rvrpomo.net; drogers@robinsonrancheria.org; mschaver@robinsonrancheria.org; lrenia.quitiquit@sv-nsn.gov; lbill@yochadehe-nsn.gov; mdelgado@yochadehe-nsn.gov; rrouse@yochadehe-nsn.gov; jkinter@yochadehe-nsn.gov; aroberts@yochadehe-nsn.gov; centralvalleysac@waterboards.ca.gov; Gloria Pulido <Gloria.Pulido@lakecountyca.gov>
Cc: Byron Turner <Byron.Turner@lakecountyca.gov>
Subject: Derum major use permit (UP 18-20) - Initial Study attached for your review

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Please have your comments back to me on or before Nov. 1st, 2018 if possible.

Thank you,

Eric J. Porter
Associate Planner
County of Lake
707-263-2221
Eric.Porter@lakecountyca.gov



COUNTY OF LAKE

HEALTH SERVICES DEPARTMENT

Division of Environmental Health

Lakeport:

922 Bevins Court, Lakeport, CA 95453-9739

Telephone 707/ 263-1164 FAX: 263-1681

Denise Pomeroy

Health Services Director

Sara Goldgraben, MD, MPH, MBA

Public Health Officer

Jasjit Kang

Environmental Health Director

Memorandum

DATE: December 14, 2018

TO: Mark Roberts, Associate Planner

FROM: Tina Dawn-Rubin, Environmental Health Aide

RE: UP 18-20, M type 3; IS 18-25 Initial Study; EA 18-13
Early Activation

APN: 012-004-29, 012-004-05 – 13605 Seigler Canyon Rd,
Lower Lake

The applicant must meet the Lake County Division of Environmental Health requirements regarding on-site wastewater treatment and potable water requirements.

There is currently one Onsite Wastewater Treatment System (OTWS) on parcel 012-004-29 designed to service a 2 bedroom residence and the original permit dates back to 1981. A domestic well permit from January 2008 is on file. There is no information of file for parcel 012-004-05.

The applicant must meet the Lake County Division of Environmental Health setback requirements to the on-site wastewater treatment system and/or wells, streams, intermittent streams, and ponds.

For any proposed building permits or projects where the parcel is serviced by an Onsite Wastewater Treatment System (OTWS) (aka septic system), the applicant may need to demonstrate the location of any proposed or existing structures including residential or commercial dwellings, garages, sheds, barns, green houses, non-perimeter fences, well houses, etc.; the location of any existing or proposed OTWS; the location of any existing or proposed wells; the location of any existing or proposed driveways; and the location of the proposed project (i.e. commercial cannabis cultivation) on a to-scale site plan prior to building permit issuance and/or project approval.

Lake County Environmental Health requires all applicants to provide a written declaration of the chemical names and quantities of any Hazardous Material to be used on site. As a general rule, if a material has a Safety Data Sheet, that material may be considered as part of the facilities Hazardous Material Declaration.

If the applicant stores hazardous materials equal or greater than 55 gallons of a liquid, 500 pounds of a solid or 200 cubic feet of compressed gas, the applicant will be required to submit a Hazardous Materials Inventory Disclosure Statement/ Business Plan to the Environmental Health Division via the California Electronic Reporting System (CERS) and it shall be renewed and updated annually or if quantities increase.

If the applicant increases hazardous material storage, they will need to update their Hazardous Materials Business Plan.

The storage of hazardous materials shall be located at least 100 feet from any water well. These materials shall not be allowed to leak onto the ground or contaminate surface waters.

Collected hazardous or toxic materials shall be recycled or disposed of through a registered waste hauler to an approved site authorized to accept such materials.

Industrial Waste shall not be disposed of on-site without review or permit from the Environmental Health Division or the Regional Water Quality Control Board.

Hazardous Waste must be handled according to all Hazardous Waste Control Laws.

LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT

2617 South Main Street
Lakeport, CA 95453
Phone (707) 263-7000
Fax (707) 263-0421



Douglas G. Gearhart
Air Pollution Control Officer
doug@lcaqmd.net

-MEMORANDUM-

To: Eric Porter, Associate Planner
LC Community Development Dept.

DATE: October 15, 2018

FROM: Fahmy Attar, AQE

A handwritten signature in cursive script, appearing to read "Fahmy Attar".

SUBJECT: Richard Derum *** APN: 012-004-28 & 64 *** Major UP 18-20 M-Type 3 (outdoor), IS 18-24, and Early Activation 18-13 *** Operate a M-Type 3 outdoor commercial cannabis cultivation at 13605 & 13605 Seigler Canyon Rd., Lower Lake, CA

The Air Quality Management District received the California Environmental Quality Act (CEQA) review for Diener Drive Ranch on October 1, 2018.
The air quality section seems adequate in the CEQA review.

Eric Porter

From: Fahmy Attar <FahmyA@lcaqmd.net>
Sent: Wednesday, October 10, 2018 6:41 PM
To: Eric Porter
Cc: Doug Gearhart
Subject: Cannabis Cultivation CEQA Review
Attachments: Sandtner IS 8.23.18 BT review.doc; Alter IS 8.22.18.doc; Konocti IS 8.24.18 BT Review (Repaired).doc; Morgan Valley IS 8.24.18 BT review.doc; Wertenteil IS 8.21.18 BT review.doc; Derum IS 9.21.18 BT Review.doc

Eric,

After our phone conversation, you've asked me to send you an **example for a good Air Quality conditions** for CEQA reviews.

We have received these **6 CEQA reviews on October 1st** (All are attached), and 5 of them seem to have adequate conditions when it comes to air quality.

I would recommend looking at the **"Sandtner IS 8.23.18 BT review,"** since it does give **the most comprehensive list of air quality conditions** for both indoor and outdoor Cannabis Cultivation. (We are working to research and **improve these conditions** as the Cannabis Cultivation permitting process progresses) The **"Derum IS 9.21.18 BT Review"** is the only one that raises some concerns for air quality, and that's because the Dust Control plan condition is not listed within the documents.

In any case, thank you for your hard work and your call back.
Looking forward to working with you in the future.

Fahmy Attar, Air Quality Engineer
Lake County Air Quality Management District
2617 S. Main St.
Lakeport, CA 95453

Ph: (707) 263-7000
Fx: (707) 2630421
fahmya@lcaqmd.net

LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT

2617 South Main Street
Lakeport, CA 95453
Phone (707) 263-7000
Fax (707) 263-0421



Douglas G. Gearhart
Air Pollution Control Officer
doug@lcaqmd.net

-MEMORANDUM-

To: Mark Roberts, Associate Planner
LC Community Development Dept.

DATE: June 6, 2018

FROM: Van Tsan, AQE

SUBJECT: Richard Derum •• APN: 012-004-29 & 05 •• Major UP 18-20 M-Type 3 (outdoor), IS 18-25, and Early Activation 18-13 •• Operate a M-Type 3 outdoor commercial cannabis cultivation at 13605 Seigler Canyon Rd., Lower Lake, CA

This project has a high potential for air quality impacts. Mitigation measures should be in place prior to operation. The applicant indicates one outdoor canopy area from 10,000 sq. ft. to one acre. An odor control plan is required. Air emission control equipment is required. During operation, odor controls must be utilized to prevent offsite odors and air emissions.

An Authority to Construct (A/C) permit is required for all operations and for any diesel powered equipment, or other equipment with potential for air emissions.

The facility is subject to AB 2588 air emission inventory requirements administered by the LCAQMD if it uses listed hazardous or toxic materials. The operator should maintain records, including the Material Safety Data Sheets (MSDS) for all volatile organic compounds utilized including cleaning materials. The facility is required, upon request, to provide the LCAQMD such information necessary to complete an updated air toxic emission inventory.

Construction activities that involve pavement, masonry, sand, gravel, grading, and other activities that could produce airborne particulate should be conducted with adequate dust controls to minimize airborne emissions. A dust mitigation plan may be required should the applicant fail to maintain adequate dust controls.

Mobile diesel equipment used for construction and/or maintenance must be in compliance with State registration requirements. Portable and stationary diesel-powered equipment must meet the requirements of the State Air Toxic Control Measures for CI engines. The applicant should contact the District for further information if the project includes a backup generator.

Site development and vegetation disposal shall not create nuisance odors or dust. During the site preparation phase, the District recommends that any removed vegetation be chipped and spread for ground cover and erosion control. Burning is not allowed on commercial property, and waste material, including removed vegetation and construction debris, must not be burned as a means of disposal.

Significant dust may be generated from increase vehicle traffic if driveways and parking areas are not adequately surfaced. Surfacing standards should be included as a requirement in the use permit to minimize dust impacts to the public, visitors, and road traffic. At a minimum, the District recommends chip seal as a temporary measure for primary access roads and parking. Paving with asphaltic concrete is preferred and should be required for long term occupancy. All areas subject to semi truck / trailer traffic should require asphaltic concrete paving or equivalent to prevent fugitive dust generation. Gravel surfacing may be adequate for low use driveways and overflow parking areas, however, gravel surfaces require more maintenance to achieve dust control, and permit conditions should require regular palliative treatment if gravel is utilized. White rock is not suitable for surfacing (and should be prohibited in the permit) because of its tendency to break down and create excessive dust. The applicant has indicated grading and re-graveling roads, utilizing water trucks if necessary, reduce travel times through efficient time management and consolidating solid waste removal/supply deliveries, and speed limits.

Close proximity to residences to the South causes concern. Should operations and/or odor control plans failed, there could be a significant impact.

Given the above concerns are adequately addressed and a complete A/C permit application is submitted, the project as proposed with mitigation measures, can be supported for air quality concerns.

Eric Porter

From: Yuliya Osetrova
Sent: Monday, November 05, 2018 3:47 PM
To: Eric Porter
Subject: 012-004-28_FW: Major Use Permit, UP 18-20 Richard Derum

Had no comments for this project, just a note.
Thank you,
Yuliya

From: Yuliya Osetrova
Sent: Monday, June 04, 2018 3:11 PM
To: Mark Roberts <Mark.Roberts@lakecountyca.gov>
Subject: RE: Major Use Permit, UP 18-20 Richard Derum

Mark,

I have reviewed the Management Plan and drawings for this project. My water usage estimations for proposed project were about twice larger than the applicant proposed (707,100 gal per year to 1,010,000 gal per year against the applicant's 463,000 gal per year), however it's all approximate and could be this conservative if they use drip irrigation and such methods that are very environmentally oriented, therefore I have no comments/ concerns.

Best,

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

From: Mark Roberts
Sent: Friday, June 01, 2018 3:37 PM
To: 'R2CEQA@wildlife.ca.gov' <R2CEQA@wildlife.ca.gov>; 'Sheri.Miller@waterboards.ca.gov' <Sheri.Miller@waterboards.ca.gov>; 'sryan@big-valley.net' <sryan@big-valley.net>; 'cww281@gmail.com' <cww281@gmail.com>; 'l.brown.elem@gmail.com' <l.brown.elem@gmail.com>; 'a.garcia@elemindiancolony.org' <a.garcia@elemindiancolony.org>; 'kkarolaepa@gmail.com' <kkarolaepa@gmail.com>; 'aarroyosr@hpultribe-nsn.gov' <aarroyosr@hpultribe-nsn.gov>; 'lrosas@hpultribe-nsn.gov' <lrosas@hpultribe-nsn.gov>; 'kn@koination.com' <kn@koination.com>; 'rpeterson@middletownrancheria.com' <rpeterson@middletownrancheria.com>; 'jsimon@middletownrancheria.com' <jsimon@middletownrancheria.com>; 'jlord@middletownrancheria.com' <jlord@middletownrancheria.com>; 'slreyes@middletownrancheria.com' <slreyes@middletownrancheria.com>; 'btorres@middletownrancheria.com' <btorres@middletownrancheria.com>; 'speterson@middletownrancheria.com' <speterson@middletownrancheria.com>; 'admin@rvrpomo.net' <admin@rvrpomo.net>; 'drogers@robinsonrancheria.org' <drogers@robinsonrancheria.org>; 'mschaver@robinsonrancheria.org' <mschaver@robinsonrancheria.org>; 'lrenia.quitiquit@sv-nsn.gov' <lrenia.quitiquit@sv-nsn.gov>; 'tmartin@hpultribensn.gov' <tmartin@hpultribensn.gov>; 'melissa.m.france@usace.army.mil' <melissa.m.france@usace.army.mil>; 'Ryan_olah@fws.gov' <Ryan_olah@fws.gov>; 'vbrandon@lakelive.info' <vbrandon@lakelive.info>; 'kkarolaepa@elemindiancolony.org' <kkarolaepa@elemindiancolony.org>;

'aarroyosr@hpultribe-nsn.gov' <aarroyosr@hpultribe-nsn.gov>; 'DLRP@conservation.ca.gov' <DLRP@conservation.ca.gov>; 'Kelsey.Vella@wildlife.ca.gov' <Kelsey.Vella@wildlife.ca.gov>; Steven Hajik <Steven.Hajik@lakecountyca.gov>; Doug Gearhart <doug@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Mary Jane Montana <MaryJane.Montana@lakecountyca.gov>; Vallerga, Chris@CALFIRE <Chris.Vallerga@fire.ca.gov>; Todd Mansell <Todd.Mansell@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Tina Rubin <Tina.Rubin@lakecountyca.gov>; Brian Martin <Brian.Martin@lakecountyca.gov>; Gloria Pulido <Gloria.Pulido@lakecountyca.gov>; Casey Moreno <Casey.Moreno@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; David Cowan <David.Cowan@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>

Subject: Major Use Permit, UP 18-20 Richard Derum

Hi All,

Please review the above RFR. I have included a file share-link below for you to review the proposed site plans and property management plan.

FROM: Mark Roberts, Associate Planner
REQUEST: Major Use Permit UP 18-20 – **M-Type 3**, Initial Study, IS 18-25 and Early Activation, EA 18-13
OWNER/APPLICANT: Richard Derum
APNs: 012-004-29; 012-004-05
LOCATION: 13605 Seigler Canyon Road, Lower Lake, CA
ZONING: “RL” Rural Lands
GENERAL PLAN: Rural Lands.
FLOOD ZONE: D – Not in flood zone
PROPOSAL: Permit to operate an M-Type 3 commercial cannabis cultivation with request for Early Activation of Use. Please refer to attached Property Management Plan for details

Description of the type of requested permit:

M - Type 3: "outdoor": Outdoor cultivation for medicinal cannabis without the use of light deprivation and/or artificial lighting in the canopy area at any point in time from 10,001 square feet to one acre, inclusive, of total canopy size on one premises.

Property Managements Plans are available upon request that contains the following sections: Air Quality, Cultural Resources, Energy Usage Fertilizer Usage, Fish and Wildlife Protection, Operations manual, Pest Management, Security, Video Surveillance, Fences, Storm Water management, and Waste Management.

The cultivation sites are required to meet the following **access standards**: Any site where a cannabis related activity is permitted shall have access to a public road or a recorded easement that allows for, but not limited to, delivery trucks, emergency vehicles, sheriff and other law enforcement officers, and government employees who are responsible for inspection or enforcement actions. Driveway encroachments onto County-maintained roadways shall be constructed to current County standards and shall be constructed with an encroachment permit obtained from the Department of Public Works. All driveways shall be constructed and maintained so as to prevent road surface and fill material from discharging to any surface water body. The design of all access to and driveways providing access to the site where the cannabis related activity that is permitted shall be sufficient to be used by all emergency vehicles and shall be approved by the applicable fire district. Gates shall not be constructed across driveways or access roads that are used by neighboring properties or the general public.

Please let us know if this site meets these standards. The applicant is requesting early activation of use. No building construction or grading can be authorized for early activation of use permits.

The following sheets are attached for your reference: Sheet 1 cover, Sheet 2 surrounding area aerial, sheet 3 site plan, existing conditions, Sheet 4 site plan proposed conditions, Sheet 5 Cannabis cultivation Site, Sheet 6 Cannabis Related Building Layouts and Sheet 7 Security.

An Initial Study will be prepared for the project, in compliance with the California Environmental Quality Act. Please advise us if additional information is needed, which permits are required from your agency (if any), and of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **Tuesday, June 12, 2018**. Please email your comments to Mireya Turner at Mark.Roberts@lakecountyca.gov or mail them to the address listed in the letterhead above.

If you have any questions, please let me know

Sincerely,

mark

Please click on the following link to download the attachments:

<https://filetransfer.co.lake.ca.us/message/uB8LpjOazzGT1bZLkaekpA>

This email or download link can be forwarded to anyone.

The attachments are available until: **Friday, 8 June.**

Message ID: uB8LpjOazzGT1bZLkaekpA

LiquidFiles Appliance: <https://filetransfer.co.lake.ca.us>

LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT

2617 South Main Street
Lakeport, CA 95453
Phone (707) 263-7000
Fax (707) 263-0421



Douglas G. Gearhart
Air Pollution Control Officer
doug@lcaqmd.net

-MEMORANDUM-

To: Mark Roberts, Associate Planner
LC Community Development Dept.

DATE: June 6, 2018

FROM: Van Tsan, AQE

SUBJECT: Richard Derum •• APN: 012-004-29 & 05 •• Major UP 18-20 M-Type 3 (outdoor), IS 18-25, and Early Activation 18-13 •• Operate a M-Type 3 outdoor commercial cannabis cultivation at 13605 Seigler Canyon Rd., Lower Lake, CA

This project has a high potential for air quality impacts. Mitigation measures should be in place prior to operation. The applicant indicates one outdoor canopy area from 10,000 sq. ft. to one acre. An odor control plan is required. Air emission control equipment is required. During operation, odor controls must be utilized to prevent offsite odors and air emissions.

An Authority to Construct (A/C) permit is required for all operations and for any diesel powered equipment, or other equipment with potential for air emissions.

The facility is subject to AB 2588 air emission inventory requirements administered by the LCAQMD if it uses listed hazardous or toxic materials. The operator should maintain records, including the Material Safety Data Sheets (MSDS) for all volatile organic compounds utilized including cleaning materials. The facility is required, upon request, to provide the LCAQMD such information necessary to complete an updated air toxic emission inventory.

Construction activities that involve pavement, masonry, sand, gravel, grading, and other activities that could produce airborne particulate should be conducted with adequate dust controls to minimize airborne emissions. A dust mitigation plan may be required should the applicant fail to maintain adequate dust controls.

Mobile diesel equipment used for construction and/or maintenance must be in compliance with State registration requirements. Portable and stationary diesel-powered equipment must meet the requirements of the State Air Toxic Control Measures for CI engines. The applicant should contact the District for further information if the project includes a backup generator.

Site development and vegetation disposal shall not create nuisance odors or dust. During the site preparation phase, the District recommends that any removed vegetation be chipped and spread for ground cover and erosion control. Burning is not allowed on commercial property, and waste material, including removed vegetation and construction debris, must not be burned as a means of disposal.

Significant dust may be generated from increase vehicle traffic if driveways and parking areas are not adequately surfaced. Surfacing standards should be included as a requirement in the use permit to minimize dust impacts to the public, visitors, and road traffic. At a minimum, the District recommends chip seal as a temporary measure for primary access roads and parking. Paving with asphaltic concrete is preferred and should be required for long term occupancy. All areas subject to semi truck / trailer traffic should require asphaltic concrete paving or equivalent to prevent fugitive dust generation. Gravel surfacing may be adequate for low use driveways and overflow parking areas, however, gravel surfaces require more maintenance to achieve dust control, and permit conditions should require regular palliative treatment if gravel is utilized. White rock is not suitable for surfacing (and should be prohibited in the permit) because of its tendency to break down and create excessive dust. The applicant has indicated grading and re-graveling roads, utilizing water trucks if necessary, reduce travel times through efficient time management and consolidating solid waste removal/supply deliveries, and speed limits.

Close proximity to residences to the South causes concern. Should operations and/or odor control plans failed, there could be a significant impact.

Given the above concerns are adequately addressed and a complete A/C permit application is submitted, the project as proposed with mitigation measures, can be supported for air quality concerns.

LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT

2617 South Main Street
Lakeport, CA 95453
Phone (707) 263-7000
Fax (707) 263-0421



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doug@lcaqmd.net

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LC Community Development Dept.

DATE: June 6, 2018

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Close proximity to residences to the South causes concern. Should operations and/or odor control plans failed, there could be a significant impact.

Given the above concerns are adequately addressed and a complete A/C permit application is submitted, the project as proposed with mitigation measures, can be supported for air quality concerns.

Eric Porter

From: Jill Shaul
Sent: Wednesday, October 03, 2018 11:39 AM
To: Eric Porter
Subject: RE: Derum major use permit (UP 18-20) - Initial Study attached for your review

Eric,

The subject parcels are outside any Special Districts service areas. No impact.

Thank you,

Jill Shaul, CTA
Customer Service Coordinator
jill.shaul@lakecountyca.gov
phone #263-0119
fax #263-3836

From: Eric Porter
Sent: Monday, October 01, 2018 1:31 PM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Doug Gearhart <doug@lcaqmd.net>; Casey Moreno <Casey.Moreno@lakecountyca.gov>; Mary Jane Montana <MaryJane.Montana@lakecountyca.gov>; Vallerger, Chris@CALFIRE <Chris.Vallerger@fire.ca.gov>; Ward, Leishara@DOT <leishara.ward@dot.ca.gov>; Vella, Kelsey@Wildlife <Kelsey.Vella@wildlife.ca.gov>; Todd Mansell <Todd.Mansell@lakecountyca.gov>; Tina Rubin <Tina.Rubin@lakecountyca.gov>; 'nwic@sonoma.edu' <nwic@sonoma.edu>; Jill Shaul <Jill.Shaul@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; sryan@big-valley.net; cww281@gmail.com; l.brown.elem@gmail.com; a.garcia@elemindiancolony.org; kkarolaepa@gmail.com; aarroyosr@hpultribe-nsn.gov; lrosas@hpultribe-nsn.gov; kn@koination.com; rpeterston@middletownrancheria.com; jsimon@middletownrancheria.com; btorres@middletownrancheria.com; speterston@middletownrancheria.com; admin@rvrpomo.net; drogers@robinsonrancheria.org; mschaver@robinsonrancheria.org; Irenia.quitiquit@sv-nsn.gov; lbill@yochadehe-nsn.gov; mdelgado@yochadehe-nsn.gov; rrouse@yochadehe-nsn.gov; jkinter@yochadehe-nsn.gov; aroberts@yochadehe-nsn.gov; centralvalleysac@waterboards.ca.gov; Gloria Pulido <Gloria.Pulido@lakecountyca.gov>
Cc: Byron Turner <Byron.Turner@lakecountyca.gov>
Subject: Derum major use permit (UP 18-20) - Initial Study attached for your review

Hi all,

Please see the attached Initial Study for a commercial cannabis major use permit. This application is not yet scheduled for public hearing.

Please have your comments back to me on or before Nov. 1st, 2018 if possible.

Thank you,

Eric J. Porter
Associate Planner
County of Lake
707-263-2221
Eric.Porter@lakecountyca.gov

CALIFORNIA
HISTORICAL
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SANTA CRUZ
SOLANO
SONOMA
YOLO

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

October 10, 2018

File No.: 18-0662

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

re: UP 18-20, EA 18-13, IS 18-24 / 13505 & 13605 Seigler Cyn Road / Richard Derum

Dear Eric Porter,

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

Project Description: Commercial cannabis Type III grow operation

Previous Studies:

XX Study #051193 (Parker 2018), covering approximately 100% of the proposed project area, identified one or more cultural resources (see recommendation below).

Archaeological and Native American Resources Recommendations:

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

XX The proposed project area has a low possibility of containing unrecorded archaeological site(s). According to the field survey of S-051193, an old road bed was identified within the project parcels. However, possible impact to this road bed was mitigated and no significant historic or prehistoric cultural materials were encountered. No further study for archaeological resources is recommended.

Built Environment Recommendations:

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

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

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

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

Sincerely,

A handwritten signature in dark ink, appearing to read 'Cameron Felt', is positioned above the printed name.

Cameron Felt
Researcher

Eric Porter

From: Mary Camp <admin@rvrpomo.net>
Sent: Tuesday, October 02, 2018 1:47 PM
To: Eric Porter
Subject: RE: Derum major use permit (UP 18-20) - Initial Study attached for your review

Redwood Valley Rancheria defers to comments and concerns from Elem and Middletown Tribes

From: Eric Porter [mailto:Eric.Porter@lakecountyca.gov]
Sent: Monday, October 01, 2018 1:31 PM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Doug Gearhart <dougg@lcaqmd.net>; Casey Moreno <Casey.Moreno@lakecountyca.gov>; Mary Jane Montana <MaryJane.Montana@lakecountyca.gov>; Vallerger, Chris@CALFIRE <Chris.Vallerger@fire.ca.gov>; Ward, Leishara@DOT <leishara.ward@dot.ca.gov>; Vella, Kelsey@Wildlife <Kelsey.Vella@wildlife.ca.gov>; Todd Mansell <Todd.Mansell@lakecountyca.gov>; Tina Rubin <Tina.Rubin@lakecountyca.gov>; 'nwic@sonoma.edu' <nwic@sonoma.edu>; Jill Shaul <Jill.Shaul@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; sryan@big-valley.net; cww281@gmail.com; l.brown.elem@gmail.com; a.garcia@elemindiancolony.org; kkarolaepa@gmail.com; aarroyosr@hpultribe-nsn.gov; Irosas@hpultribe-nsn.gov; kn@koination.com; rpeterston@middletownrancheria.com; jsimon@middletownrancheria.com; btorres@middletownrancheria.com; speterston@middletownrancheria.com; admin@rvrpomo.net; drogers@robinsonrancheria.org; mschaver@robinsonrancheria.org; Irenia.quitiquit@sv-nsn.gov; lbill@yochadehe-nsn.gov; mdelgado@yochadehe-nsn.gov; rrouse@yochadehe-nsn.gov; jkinter@yochadehe-nsn.gov; aroberts@yochadehe-nsn.gov; centralvalleysac@waterboards.ca.gov; Gloria Pulido <Gloria.Pulido@lakecountyca.gov>
Cc: Byron Turner <Byron.Turner@lakecountyca.gov>
Subject: Derum major use permit (UP 18-20) - Initial Study attached for your review

Hi all,

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Please have your comments back to me on or before Nov. 1st, 2018 if possible.

Thank you,

Eric J. Porter
Associate Planner
County of Lake
707-263-2221
Eric.Porter@lakecountyca.gov



Eric Porter

From: Gordon Haggitt
Sent: Wednesday, October 03, 2018 10:52 AM
To: Eric Porter
Subject: RE: Derum major use permit (UP 18-20) - Initial Study attached for your review

Eric: If setbacks are an issue a field survey by a licensed professional surveyor will be needed. It appears the grow site is close to the east boundary of the property but not sure what the setbacks are.

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

From: Eric Porter
Sent: Monday, October 01, 2018 1:31 PM
To: Steven Hajik <Steven.Hajik@lakecountyca.gov>; Doug Gearhart <dougg@lcaqmd.net>; Casey Moreno <Casey.Moreno@lakecountyca.gov>; Mary Jane Montana <MaryJane.Montana@lakecountyca.gov>; Vallerger, Chris@CALFIRE <Chris.Vallerger@fire.ca.gov>; Ward, Leishara@DOT <leishara.ward@dot.ca.gov>; Vella, Kelsey@Wildlife <Kelsey.Vella@wildlife.ca.gov>; Todd Mansell <Todd.Mansell@lakecountyca.gov>; Tina Rubin <Tina.Rubin@lakecountyca.gov>; 'nwic@sonoma.edu' <nwic@sonoma.edu>; Jill Shaul <Jill.Shaul@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; sryan@big-valley.net; cww281@gmail.com; l.brown.elem@gmail.com; a.garcia@elemindiancolony.org; kkarolaepa@gmail.com; aarroyosr@hpultribe-nsn.gov; lrosas@hpultribe-nsn.gov; kn@koination.com; rpeterson@middletownrancheria.com; jsimon@middletownrancheria.com; btorres@middletownrancheria.com; speterson@middletownrancheria.com; admin@rvrpomo.net; drogers@robinsonrancheria.org; mschaver@robinsonrancheria.org; lrenia.quitiquit@sv-nsn.gov; lbill@yochadehe-nsn.gov; mdelgado@yochadehe-nsn.gov; rrouse@yochadehe-nsn.gov; jkinter@yochadehe-nsn.gov; aroberts@yochadehe-nsn.gov; centralvalleysac@waterboards.ca.gov; Gloria Pulido <Gloria.Pulido@lakecountyca.gov>
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County of Lake
707-263-2221
Eric.Porter@lakecountyca.gov

LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT

2617 South Main Street
Lakeport, CA 95453
Phone (707) 263-7000
Fax (707) 263-0421



Douglas G. Gearhart
Air Pollution Control Officer
doug@lcaqmd.net

-MEMORANDUM-

To: Mark Roberts, Associate Planner
LC Community Development Dept.

DATE: June 6, 2018

FROM: Van Tsan, AQE

SUBJECT: Richard Derum •• APN: 012-004-29 & 05 •• Major UP 18-20 M-Type 3 (outdoor), IS 18-25, and Early Activation 18-13 •• Operate a M-Type 3 outdoor commercial cannabis cultivation at 13605 Seigler Canyon Rd., Lower Lake, CA

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Close proximity to residences to the South causes concern. Should operations and/or odor control plans failed, there could be a significant impact.

Given the above concerns are adequately addressed and a complete A/C permit application is submitted, the project as proposed with mitigation measures, can be supported for air quality concerns.

Eric Porter

From: Fahmy Attar <FahmyA@lcaqmd.net>
Sent: Wednesday, October 10, 2018 6:41 PM
To: Eric Porter
Cc: Doug Gearhart
Subject: Cannabis Cultivation CEQA Review
Attachments: Sandtner IS 8.23.18 BT review.doc; Alter IS 8.22.18.doc; Konocti IS 8.24.18 BT Review (Repaired).doc; Morgan Valley IS 8.24.18 BT review.doc; Wertenteil IS 8.21.18 BT review.doc; Derum IS 9.21.18 BT Review.doc

Eric,

After our phone conversation, you've asked me to send you an **example for a good Air Quality conditions** for CEQA reviews.

We have received these **6 CEQA reviews on October 1st** (All are attached), and 5 of them seem to have adequate conditions when it comes to air quality.

I would recommend looking at **the "Sandtner IS 8.23.18 BT review,"** since it does give **the most comprehensive list of air quality conditions** for both indoor and outdoor Cannabis Cultivation. (We are working to research and **improve these conditions** as the Cannabis Cultivation permitting process progresses) The **"Derum IS 9.21.18 BT Review"** is the only one that raises some concerns for air quality, and that's because the Dust Control plan condition is not listed within the documents.

In any case, thank you for your hard work and your call back.
Looking forward to working with you in the future.

Fahmy Attar, Air Quality Engineer
Lake County Air Quality Management District
2617 S. Main St.
Lakeport, CA 95453

Ph: (707) 263-7000
Fx: (707) 2630421
fahmya@lcaqmd.net

LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT

2617 South Main Street
Lakeport, CA 95453
Phone (707) 263-7000
Fax (707) 263-0421



Douglas G. Gearhart
Air Pollution Control Officer
doug@lcaqmd.net

-MEMORANDUM-

To: Eric Porter, Associate Planner
LC Community Development Dept.

DATE: October 15, 2018

FROM: Fahmy Attar, AQE

Fahmy

SUBJECT: Richard Derum *** APN: 012-004-28 & 64 *** Major UP 18-20 M-Type 3 (outdoor), IS 18-24, and Early Activation 18-13 *** Operate a M-Type 3 outdoor commercial cannabis cultivation at 13605 & 13605 Seigler Canyon Rd., Lower Lake, CA

The Air Quality Management District received the California Environmental Quality Act (CEQA) review for Diener Drive Ranch on October 1, 2018.

The air quality section seems adequate in the CEQA review.

Eric Porter

From: Fahmy Attar <FahmyA@lcaqmd.net>
Sent: Monday, October 15, 2018 7:16 PM
To: Eric Porter
Cc: Doug Gearhart
Subject: 6 CEQA review Responses
Attachments: Diener Drive Ranch.pdf; Konocti Diversified Agriculture, LLC.pdf; Morgan Valley Road LLC.pdf; 707 Organics c.o. Stephen Sandtner.pdf; Joshua Alter.pdf; Richard Derum.pdf

Eric,

I finished editing the CEQA reviews for Cannabis Cultivation.
Including the discussions we have had over email, the CEQA review is adequate for all of them when it comes to matters of Air Quality.

Thanks,

Fahmy Attar
Air Quality Engineer

LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT

2617 South Main Street
Lakeport, CA 95453
Phone (707) 263-7000
Fax (707) 263-0421



Douglas G. Gearhart
Air Pollution Control Officer
doug@lcaqmd.net

-MEMORANDUM-

To: Eric Porter, Associate Planner
LC Community Development Dept.

DATE: October 15, 2018

FROM: Fahmy Attar, AQE

Fahmy

SUBJECT: Richard Derum *** APN: 012-004-28 & 64 *** Major UP 18-20 M-Type 3 (outdoor), IS 18-24, and Early Activation 18-13 *** Operate a M-Type 3 outdoor commercial cannabis cultivation at 13605 & 13605 Seigler Canyon Rd., Lower Lake, CA

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Eric Porter

From: Yuliya Osetrova
Sent: Monday, November 05, 2018 3:47 PM
To: Eric Porter
Subject: 012-004-28_FW: Major Use Permit, UP 18-20 Richard Derum

Had no comments for this project, just a note.
Thank you,
Yuliya

From: Yuliya Osetrova
Sent: Monday, June 04, 2018 3:11 PM
To: Mark Roberts <Mark.Roberts@lakecountyca.gov>
Subject: RE: Major Use Permit, UP 18-20 Richard Derum

Mark,

I have reviewed the Management Plan and drawings for this project. My water usage estimations for proposed project were about twice larger than the applicant proposed (707,100 gal per year to 1,010,000 gal per year against the applicant's 463,000 gal per year), however it's all approximate and could be this conservative if they use drip irrigation and such methods that are very environmentally oriented, therefore I have no comments/ concerns.

Best,

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

From: Mark Roberts
Sent: Friday, June 01, 2018 3:37 PM
To: 'R2CEQA@wildlife.ca.gov' <R2CEQA@wildlife.ca.gov>; 'Sheri.Miller@waterboards.ca.gov' <Sheri.Miller@waterboards.ca.gov>; 'sryan@big-valley.net' <sryan@big-valley.net>; 'cww281@gmail.com' <cww281@gmail.com>; 'l.brown.elem@gmail.com' <l.brown.elem@gmail.com>; 'a.garcia@elemindiancolony.org' <a.garcia@elemindiancolony.org>; 'kkarolaepa@gmail.com' <kkarolaepa@gmail.com>; 'aarroyosr@hpultribe-nsn.gov' <aarroyosr@hpultribe-nsn.gov>; 'lrosas@hpultribe-nsn.gov' <lrosas@hpultribe-nsn.gov>; 'kn@koination.com' <kn@koination.com>; 'rpeterson@middletownrancheria.com' <rpeterson@middletownrancheria.com>; 'jsimon@middletownrancheria.com' <jsimon@middletownrancheria.com>; 'jlord@middletownrancheria.com' <jlord@middletownrancheria.com>; 'slreyes@middletownrancheria.com' <slreyes@middletownrancheria.com>; 'btorres@middletownrancheria.com' <btorres@middletownrancheria.com>; 'speterson@middletownrancheria.com' <speterson@middletownrancheria.com>; 'admin@rvrpomo.net' <admin@rvrpomo.net>; 'drogers@robinsonrancheria.org' <drogers@robinsonrancheria.org>; 'mschaver@robinsonrancheria.org' <mschaver@robinsonrancheria.org>; 'lrenia.quitiquit@sv-nsn.gov' <lrenia.quitiquit@sv-nsn.gov>; 'tmartin@hpultribensn.gov' <tmartin@hpultribensn.gov>; 'melissa.m.france@usace.army.mil' <melissa.m.france@usace.army.mil>; 'Ryan_olah@fws.gov' <Ryan_olah@fws.gov>; 'vbrandon@lakelive.info' <vbrandon@lakelive.info>; 'kkarolaepa@elemindiancolony.org' <kkarolaepa@elemindiancolony.org>;




AUTHORITY TO CONSTRUCT

Lake County Air Quality Management District

2617 S. Main Street, Lakeport, CA 95453 (707) 263-7000, Fax (707) 263-0421

Permit # A/C 2018-22

By: 
Douglas G. Gearhart, APCO

Type of Issuance: **Temporary**

Issuance Date: 6/20/2018

Valid through: 12/16/2018

Category: II

Operations under this permit must be conducted in compliance with all specifications and data included with the application under which this permit was issued. Equipment must be properly maintained and kept in good condition at all times. Post this permit or a facsimile (with conditions) in a conspicuous location on or near the equipment.

Contact: Mr. Richard Derum
Owner: Richard Derum
Mailing: P.O. Box 1172
Address: Lower Lake, CA 95457

Facility: Specialty Tokes
Location: 13605 Siegler Canyon Road
Lower Lake, CA 95457

Name and Equipment Description: Cannabis Cultivation

Cannabis cultivation site and various support equipment.

Permit Conditions

Condition 1: Emissions

- A. All equipment used at this site shall be regularly maintained in good working order pursuant to manufacturer's guidelines and operated in a manner to prevent or minimize air emissions and odor. The Lake County Air Quality Management District (LCAQMD) shall be notified pursuant to Rule 510, regarding equipment breakdown.
- B. The total Reactive Organic Gases (ROG), Particulate Matter less than 10 microns (PM-10), Sulfur Oxides (SOx), and Nitrogen Oxides (NOx) emission rate for this facility shall not exceed 25 tons per 12-month period.
- C. Visible emissions shall not exceed Ringelmann 1 (20% opacity) from any engine exhaust stack, dust from unpaved roads, and cultivation site for more than three (3) minutes in any one (1) hour.
- D. The herein permitted operation shall not cause a nuisance or make a measurable contribution to any Ambient Air Quality Standard (AAQS) exceed. Odors impacting adjacent parcels, residences, or public areas are not allowed.
- E. All transport vehicles and loading facilities shall have ventilation systems installed and equipped with activated carbon (or equivalent) filters and fans capable of maintaining negative pressure.
- F. Dust generation from vehicle traffic shall be minimized to comply with Condition 1C above. Methods to meet this requirement may include but are not limited to: graveling or paving the roads, regular maintenance, reducing amount of travel, 15 mph or lower speed limits, consolidating deliveries, and/or utilizing water trucks.
- G. No burning is allowed at this facility.

(Conditions 1 through 6 are continued on the back of this card)

RECEIVED

JUN 21 2018

LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.

THIS PERMIT BECOMES VOID UPON CHANGE OF OWNERSHIP OR LOCATION

This permit does not authorize the emission of air contaminants in excess of those allowed by the California Health and Safety Code or the Regulations of the Lake County Air Quality Management District. This permit cannot be considered permission to violate existing laws, ordinances, regulations, or statutes of other government agencies. The provisions of this Permit are severable. If any provision of this Permit is held invalid, the remainder of this Permit shall not be affected thereby.



YOCHA DEHE
CULTURAL RESOURCES

RECEIVED

OCT 22 2018

LAKE COUNTY COMMUNITY
DEVELOPMENT DEPT.

October 18, 2018

County of Lake
Attn: Eric Porter, Associate Planner
255 N. Forbes Street
Lakeport, CA 95453

RE: Specialty Tokes Project UP 18-20

Dear Mr. Porter:

Thank you for your project notification letter dated, September 21, 2018, regarding cultural information on or near the proposed Specialty Tokes Project, Lower Lake, Lake County. We appreciate your effort to contact us.

The Cultural Resources Department has reviewed the project and concluded that it is not within the aboriginal territories of the Yocha Dehe Wintun Nation. Therefore, we respectfully decline any comment on this project.

Should you have any questions, please feel free to contact the following individual:

Kristin Jensen, CRD Administrative Assistant
Yocha Dehe Wintun Nation
Office: (530) 796-0105
Email: kjensen@yochadehe-nsn.gov

Please refer to identification number YD - 10172018-12 in any correspondence concerning this project.

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

Sincerely,

Marilyn Delgado
Director of Cultural Resources

The cultivation sites are required to meet the following access standards: Any site where a cannabis related activity is permitted shall have access to a public road or a recorded easement that allows for, but not limited to, delivery trucks, emergency vehicles, sheriff and other law enforcement officers, and government employees who are responsible for inspection or enforcement actions. Driveway encroachments onto County-maintained roadways shall be constructed to current County standards and shall be constructed with an encroachment permit obtained from the Department of Public Works. All driveways shall be constructed and maintained so as to prevent road surface and fill material from discharging to any surface water body. The design of all access to and driveways providing access to the site where the cannabis related activity that is permitted shall be sufficient to be used by all emergency vehicles and shall be approved by the applicable fire district. Gates shall not be constructed across driveways or access roads that are used by neighboring properties or the general public.

Please let us know if this site meets these standards. The applicant is requesting early activation of use. No building construction or grading can be authorized for early activation of use permits.

The following sheets are attached for your reference: Sheet 1 cover, Sheet 2 surrounding area aerial, sheet 3 site plan, existing conditions, Sheet 4 site plan proposed conditions, Sheet 5 Cannabis cultivation Site, Sheet 6 Cannabis Related Building Layouts and Sheet 7 Security.

An Initial Study will be prepared for the project, in compliance with the California Environmental Quality Act. Please advise us if additional information is needed, which permits are required from your agency (if any), and of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **Tuesday, June 12, 2018**. Please email your comments to Mireya Turner at Mark.Roberts@lakecountyca.gov or mail them to the address listed in the letterhead above.

COMMENTS: I have no comments concerning this proposed project.

NAME Steve Hajik DATE June 4, 2018

cc: 3 Supervisorial District (RFR Only) X Steele Redbud Audubon
Other (Examples: X Sierra Club X Admin Farm Bureau / etc.) (RFR Only)

Central Valley Regional Water Quality Control Board

26 October 2018

Eric Porter
Lake County Planning Department
255 North Forbes Street
Lakeport, CA 95453

CERTIFIED MAIL
7018 1830 0001 0062 2667

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, MAJOR USE PERMIT UP 18-20, EA 18-13, AND IS 18-24 (SPECIALTY TOKES) PROJECT, SCH# 2018102012, LAKE COUNTY

Pursuant to the State Clearinghouse's 4 October 2018 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Major Use Permit UP 18-20, EA 18-13, and IS 18-24 (Specialty Tokes) Project, located in Lake County.

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

I. Regulatory Setting

Basin Plan

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

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

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley

the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

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

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:

http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Cannabis General Order

Cannabis cultivation operations are required to obtain coverage under the State Water Resources Control Board's *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities Order No. WQ 2017-0023-DWQ* (the Cannabis General Order). Cultivators that divert and store surface water (stream, lake, subterranean stream, etc.) to irrigate cannabis also need a valid water right.

The Water Boards Cannabis Cultivation Programs offer an easy to use online Portal for cultivators to apply for both Cannabis General Order coverage and a Cannabis Small Irrigation Use Registration (SIUR) water right, if needed.

Visit the Water Boards Cannabis Cultivation Programs Portal at:
<https://public2.waterboards.ca.gov/CGO>

Additional information about the Cannabis General Order, Cannabis SIUR Program, and Portal can be found at:
www.waterboards.ca.gov/cannabis

For questions about the Cannabis General Order, please contact the Central Valley Water Board's Cannabis Permitting and Compliance Unit at:
centralvalleysacramento@waterboards.ca.gov or (916) 464-3291.

For questions about Water Rights (Cannabis SIUR), please contact the State Water Board's Division of Water Rights at: CannabisReg@waterboards.ca.gov or (916) 319-9427.

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

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

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

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

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Wildlife for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements – Discharges to Waters of the State

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to

