



## COUNTY OF LAKE

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

Courthouse - 255 N. Forbes Street

Lakeport, California 95453

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

Dated: **December 17, 2018** ~~August 24, 2018~~

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM AMENDED INITIAL STUDY IS 18-23**

1. **Project Title:** Konocti Diversified Agriculture LLC
2. **Permit Number:** Major Use Permit, UP 18-19  
Initial Study, IS 18-23
3. **Lead Agency Name and Address:** County of Lake  
Community Development Department  
Courthouse – 255 North Forbes Street  
Lakeport CA 95453
4. **Contact Person:** Eric Porter, Associate Planner (707) 263-2221
5. **Project Location(s):** 3430 Gaddy Lane, Kelseyville, CA 95451  
APN: 008-027-11
6. **Project Sponsor's Name/Address:** Mike Mitzel  
C/O Richard Knoll  
12285 E. Turquoise Ave. (Mitzel)  
Scottsdale, AZ 85259
7. **General Plan Designation:** Agriculture
8. **Zoning:** "APZ-FF-SC" Agricultural Preserve – Floodway  
Fringe – Scenic Combining District
9. **Supervisor District:** District Four (4)
10. **Flood Zone:** AO
11. **Slope:** Flat (less than 10%)
12. **Fire Hazard Severity Zone:** None
13. **Earthquake Fault Zone:** Partially within Fault Zone
14. **Dam Failure Inundation Area:** Not located within Dam Failure Zone
15. **Parcel Size:** 20.11 Acres

**Attachment 6b**

**16. 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).**

The Project is a proposed Cannabis cultivation operation that is applying for licensing under the CalCannabis Cultivation Program. This cannabis cultivation operation is located on a 20.11-acre parcel (APN 008-027-11) at 3430 Gaddy Lane, Kelseyville, California. The site has historically been used for growing pears, grapes and hay, and contains soil classified as 'prime farmland'. The subject site is under Williamson Act contract. The site presently consists of a 2,400 square foot wood and metal building used as an office; a 24' by 40' manufactured home, a dirt driveway, a concrete apron containing five (5) parking spaces including two (2) ADA parking spaces; three wells (an ag well, a domestic well, and a County monitoring well). There are irrigation lines from the ag well to the farmed areas.

Access to the site is from Gaddy Lane, a paved County public road. The Project Area is the sum of all the areas used for cultivation, including gardens, soil staging and material storage areas, ancillary buildings, irrigation system, and access roads. For this cultivation operation, the Project Area includes a proposed greenhouse, 41,060 square feet in size, located within a fenced area situated in the approximate center of the parcel. Within this enclosed area is 17,850 square feet of 'grow area'; 3,570 square feet of cultivation bench area for non-flowering plants, and 8,120 square feet of area to be used as office / head house. The total enclosed area within the fence is approximately 1 acre in size. The cultivation operation will not be visible from public roads because it is located inside the greenhouse. The application indicates that there will be up to 15 employees per peak shift. There are presently 5 parking spaces on the site, and the application indicates that an additional 10 to 15 spaces will be added. ADA compliance is required by this commercial use; that includes requirements for ADA lavatory(s) and parking spaces that are signed and striped appropriately.

The operation would have 3 fleet vehicles (light duty trucks), and would use a 'scissor lift' and a forklift. The applicant anticipates 4 to 5 flatbed trucks to be used during construction, which is likely to occur between 7 am and 4 pm Monday through Friday following approval of this use permit. Equipment will be staged and stored adjacent to the construction site and on the subject lot. The site is already devoid of trees, so no additional trees would be removed. It is anticipated that less than 50 cubic yards of soil would be removed during construction. A slab will be poured to support the greenhouse structure.

The applicant has indicated that construction will take between 8 months and 1 year.

The Project Site is not within a community boundary or an exclusion area, however the entire site is located in the AO flood plain. The site contains Class 1 through 4 soils that are stable. The soil on the site is categorized as Prime Farmland. On prime farmland, all cultivation must take place indoors; thus the applicant has proposed the large greenhouse.

Water will be provided via on-site well. The applicant believes that the grow operation will require about 1800 gallons per day.

Sewage disposal will occur via new on-site septic system. There is presently a two bedroom manufactured home on the site, however the applicant is proposing new restrooms for employees within the greenhouse, which will require a separate system.

Lastly, the site will also contain a vineyard and potentially other traditional crops in addition to the cannabis grow operation.

**17. Surrounding Land Uses and Setting: Briefly describe the project's surroundings:**

The site is surrounded by "A" Agriculture-zoned properties that contain active agricultural uses. Most of the adjacent lands contain dwellings.

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

Lake County Community Development Department  
 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 Water Resource Control  
 California Department of Forestry & Fire Protection (CalFire)  
 California Department of Cannabis Control  
 California Department of Food and Agriculture  
 California Department of Pesticides Regulations  
 California Department of Public Health  
 California Department of Consumers Affairs

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

**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:  
Eric Porter, Associate Planner

  
SIGNATURE

Date: 12.17.18

Michalyn DelValle - Director  
Community Development Department

## 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**
<b>I. AESTHETICS</b> <i>Would the project:</i>						
a) Have a substantial adverse effect on a scenic vista?			X		The project site is located near Kelseyville, a semi-urbanized area of the County. The use will be fully contained within a greenhouse, and will not be visible from Gaddy Lane or neighboring lots. The greenhouse however will be highly visible, and will require special treatment such as non-reflective surfacing and earth-tone colors for the siding material so the building will blend in better with its agricultural surroundings. The site is partially located in a scenic corridor, however the building is beyond 500 feet from the source of the scenic corridor designation (Gaddy Lane); therefore the size and height of the building is not impacted by the scenic corridor designation of Gaddy Lane. <b>Impacts to scenic vistas would be less than significant</b>	1, 3, 4, 5

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X		See Section I(a) above.	1, 3, 4, 5
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X		The cultivation area will be shielded from view from public roads (Gaddy Lane) and neighboring sites as it will be located within a large greenhouse. Therefore, the proposed use would not substantially degrade the existing visual character or quality of the site and surrounding area. <b>Less Than Significant.</b>	1, 3, 4, 5
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X		The project is not anticipated to create additional light or glare. Non-glare paints shall be required to be used on structures that are non-fabric sided. If the applicant wishes to install lighting at a future date, the applicant must adhere to the Lake County Dark Skies policy regarding outdoor lighting; this is indicated in the applicant's submittal package. <b>Less Than Significant.</b>	1, 3, 4, 5
<p align="center"><b>II. AGRICULTURE AND FORESTRY RESOURCES</b></p> <p align="center"><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.</i></p> <p align="center"><i>Would the project:</i></p>						
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		The site contains Class I through 4 farmland that is mapped as Prime Farmland. The act of cannabis growing is not yet acknowledged as an agricultural crop, however the act of cannabis growing is similar to growing more traditional crops; therefore the proposal will not convert prime farmland into a non-agricultural use. <b>Less than Significant Impact.</b>	1, 3, 4, 5, 6, 7, 8, 11
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X		<u>Prior to the adoption of the Lake County Cannabis Ordinance (Ord. No. 3073 and subsequently Article 27 of the Zoning Ordinance), the County contacted the State Department of Conservation regarding the compatibility of cannabis with other traditional crops. The County was informed that cannabis is a compatible use in the Agricultural Preserve Zoning District. As proposed, the project will not impact other agricultural uses or Williamson Act contracts, particularly since the growing will occur indoors. The project site does not contain Williamson Act contracts.</u> Uses surrounding the project site consist of parcels containing agricultural uses located in the "A" Agriculture Zone. Further, upon issuance of a Major Use Permit the proposed project would be in conformance with the Lake County Zoning Ordinance. <b>Less than Significant Impact.</b>	1, 3, 4, 5, 6, 7, 8, 11
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?			X		As proposed, the project will not conflict with existing zoning for, and/or cause rezoning of forest lands and/or timberlands or timberlands in production. <b>Less than Significant Impact.</b>	1, 3, 4, 5, 6, 7, 8, 11
d) Result in the loss of forest land or conversion of forest land to non-forest use?			X		See response to Section II (c). The project would not result in the loss or conversion of forest land to a non-forest use. <b>Less than Significant Impact.</b>	1, 3, 4, 5, 6, 7, 8, 11

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
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		See Section II (a) and (c) above. As proposed, this project would not induce changes to existing Farmland that would result in its conversion to non-agricultural use. <b>Less than Significant Impact.</b>	1, 3, 4, 5, 6, 7, 8, 11
<p align="center"><b>III. AIR QUALITY</b></p> <p align="center"><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></p> <p align="center"><i>Would the project:</i></p>						
a) Conflict with or obstruct implementation of the applicable air quality plan?		X			<p>The project has the potential to result in some air quality impacts. The applicant indicates one indoor (greenhouse) cultivation area; odor control will be possible through an air filtration system(s), which is proposed by the applicant. Dust during site preparation can be mitigated by wetting the soil with a mobile water tank and hose.</p> <p>According to the <i>Property Management Plan</i>, pesticides would be approved by a licensed Pesticide Control Advisor (PDA); the named advisor is Mar I. Hooper, PCA #73404, Crop Production Services, Lake County, CA.</p> <p>Construction of the project would begin following approval of the major use permit, and would last between 8 months and 1 year. There would be minimal soil disturbance, given that the site is flat.</p> <p>Additionally, implementation of mitigation measures below would further reduce air quality impacts to less than significant. <b>Less Than Significant with Mitigation Measures Incorporated.</b></p> <p><b><u>Mitigation Measures:</u></b></p> <p><b><u>AQ-1:</u></b> 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.</p> <p><b><u>AQ-2:</u></b> All Mobile diesel equipment used for construction and/or maintenance must be 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 as well as Lake County Noise Emission Standards.</p> <p><b><u>AQ-3:</u></b> Construction and/or work practices that involve masonry, gravel, grading activities, vehicular and fugitive dust shall be management by use of water or other acceptable dust palliatives to maintain two inches of visibly-moist soil in the project area and to ensure that dust does not leave the property.</p> <p><b><u>AQ-4:</u></b> The Cultivation of Commercial Cannabis is subject to AB 2588 Air Emission Inventory requirements administrated by the Lake County Air Quality Management District. Therefore, 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><b><u>AQ-5:</u></b> 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><b><u>AQ-6:</u></b> Prior to obtaining the necessary permits and/or approvals for any</p>	1, 3, 4, 5, 10, 24, 36



IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>phase, the applicant shall submit an <b>Odor Control Plan</b> to the Lake County Air Quality Management District, apply for and receive a temporary permit.</p> <p><b>AQ – 7:</b> 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.</p> <p><b>AQ – 8:</b> All areas subject to semi-truck/trailer traffic shall be paved with asphaltic concrete or an all-weather surfacing to reduce fugitive dust generation.</p> <p><b>AQ -9:</b> All areas subject to low use (driveways, over flow parking, etc.) shall be surfaced with gravel. Applicant shall regularly use and/or maintain graveled area to reduce fugitive dust generations.</p> <p><b>AQ-10:</b> The use of White Rock is prohibited for any road surfacing, including parking areas as it breaks down and would create excessive dust.</p>	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X			<p>See Section III (a) above. <b>Less Than Significant with Mitigation Measures Incorporated.</b></p> <p><b>Mitigation: Implement MMs AQ-1 through AQ-10.</b></p>	1, 3, 4, 5, 10, 24, 36
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under and applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?		X			<p>The County of Lake is in attainment of state and federal ambient air quality standards.</p>	1, 3, 4, 5, 10, 24, 36
d) Expose sensitive receptors to substantial pollutant concentrations?		X			<p>Sensitive receptors in the area include adjacent and near proximity residents. As described in Section III (a) above, with <b>implementation of mitigation measures MMs AQ-1 through AQ-10 impacts are anticipated to be mitigated to less than significant.</b></p>	1, 3, 4, 5, 10, 24, 36
e) Create objectionable odors affecting a substantial number of people?		X			<p>Lake County Air Quality Management District (AQMD) has expressed concern over odor mitigation measures on the part of the applicant in the adjacent site. This application is essentially identical to another cannabis cultivation site that AQMD comments were provided for (Wertentiel); therefore the potential for odor migration is significant. The Cultivation of Commercial Cannabis may create objectionable odors. Mitigation measure MM AQ-6 requires the submittal and affirmative review of an Odor Control Plan during the Use Permit Review process. Such plan shall address mitigating odors related to the growing and harvesting process. Additionally, as described in Section III (a) above, with <b>implementation of mitigation measures MMs AQ-1 through AQ-10 impacts are anticipated to be mitigated to less than significant.</b></p>	1, 3, 4, 5, 10, 24, 36
<b>IV. BIOLOGICAL RESOURCES</b> <i>Would the project:</i>						
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?			X		<p><u><b>A Biological Assessment</b></u> was undertaken by Natural Investigations Company in April 2018. There are no mapped sensitive biological flora or fauna on or near the subject site, and the Biological Assessment yielded no new sensitive species on the site.</p> <p><u><b>Riparian Habitat:</b></u></p> <p>There are no riparian habitats mapped on the subject site. The site is in the AO floodplain and is subzoned 'Floodway Fringe', however there are no wetlands or other evident riparian areas on or adjacent to the site.</p> <p><b>Less Than Significant Impact</b></p>	1, 3, 4, 5, 11, 12, 13, 25



IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
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		Please see response to IV.a. <b>Less than Significant Impact.</b>	1, 3, 4, 5, 11, 12, 13, 25
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X	There are no federally protected wetlands on the subject site. <b>No Impact.</b>	1, 3, 4, 5, 11, 12, 13, 25
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		There are no native resident wildlife that are mapped for this property, and there are no mapped native resident fauna or migratory fish on the site. There are several sensitive species located approximately 1000 feet to the south of the subject site, however this project will have no adverse effect on these sensitive species given the separation distance between the site and the mapped species. <b>Less than Significant Impact.</b>	1, 3, 4, 5, 11, 12, 13, 25
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X		According to Section 21083.4 of the California Public Resources Code, if a county determines that there may be a significant effect to oak woodlands, mitigation measures must be put in place in order to alleviate the impact created through the conversion of oak woodlands. No oak trees are proposed for removal with this project, and there are no mapped conservation easements on this site. <b>Less than Significant Impact.</b>	1, 3, 4, 5, 11, 12, 13, 25
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 expected. <b>No Impact.</b>	1, 3, 4, 5, 11, 12, 13, 25
<b>V. CULTURAL RESOURCES</b> <i>Would the project:</i>						
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?		X			<p>An Archeological Research Study was not conducted for this site, which has historically been used for crop production.</p> <p>In keeping with CEQA Guidelines, if archaeological resources are uncovered during construction, work at the place of discovery should be halted immediately until a qualified archaeologist can evaluate the finds [§15064.5(f)]. Further, upon discovery of any 'significant' artifacts, the Pomo Tribe shall be contacted, and if the Tribe determines that it is relevant to their cultural heritage, they shall choose the method of involvement in overseeing the construction of the site for the duration of ground disturbance.</p> <p><b><u>Mitigation Measure:</u></b>  <b>MM CUL-1:</b> Prior to pouring the concrete pad, a pre-construction survey of the to-be-improved area shall be undertaken by a qualified Cultural Specialist. 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 local overseeing Pomo Tribe shall be notified, and a qualified archaeologist retained 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, they shall be treated in accordance with Public Resources Code Section 5097.98.</p>	1, 3, 4, 5

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?		X			See Response to Section V (a).	1, 3, 4, 5
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X			See Response to Section V (a).	1, 3, 4, 5
d) Disturb any human remains, including those interred outside of formal cemeteries?		X			See Response to Section V (a).	1, 3, 4, 5
<b>VI. GEOLOGY AND SOILS</b> <i>Would the project:</i>						
a) Expose people or structures to 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.  ii) Strong seismic ground shaking?  iii) Seismic-related ground failure, including liquefaction?  iv) Landslides?			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 indicates that the 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, the project parcel soil is considered "stable" and not located within and/or adjacent to an existing known "landslide area".  Project design shall incorporate Best Management Practices (BMPs) to the maximum extent practicable to prevent or reduce discharge of all construction or post construction pollutants into the County storm drainage system. BMPs include scheduling of activities, erosion and sediment control, operation and maintenance procedures and other measures in accordance with Chapter 29 of the Lake County Code.  <b>Less than Significant.</b>	1, 3, 4, 5, 6, 7, 8, 10, 11, 17, 18, 19, 20
b) Result in substantial soil erosion or the loss of topsoil?			X		Grading activities associated with project development have the potential to result in a minimal loss of topsoil given the lack of slope on the site (flat site). The site however is comprised of Prime Farmland. According to the soil survey of Lake County, prepared by the U.S.D.A, the soil within the project is as follows: <ul style="list-style-type: none"> <li>Clear Lake Clay (Type 121; 100% of site). This soil type yields 11 tons of pears per year per acre, 0.4 tons of wine grapes per year per acre, and 3 tons of hay per acre per year. This soil type is clayey, and has significant shrink-swell potential and marginal strength.</li> </ul> <b>See Response to Section VI (a). Less Than Significant</b>	1, 3, 4, 5, 6, 7, 8, 10, 11, 17, 18, 19, 20, 30
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		According to the soil survey of Lake County, prepared by the U.S.D.A., the soil at the site is considered "stable" and there is little potential for landslide, subsidence, debris flows, liquefaction or collapse.  <b>See Response to Section VI (a). Less Than Significant</b>	1, 3, 4, 5, 6, 7, 8, 10, 11, 17, 18, 19, 20

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X		Type 121 soil has significant shrink-swell potential. The greenhouse building will be built on a 6" deep concrete pad, and the building will be engineered. Special treatment of the footings is necessary because of the presence of the AO flood zone over the entire site; this will be addressed during the structural review of the greenhouse, particularly since this is a non-habitable structure.  <b>See Response to Section VI (a). Less Than Significant</b>	1, 3, 4, 5, 6, 7, 8, 10, 11, 17, 18, 19
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?			X		The 20 acre project site will be served through a new onsite septic system. The 20 acre property has adequate area to accommodate a new septic system on site.  <b>See Response to Section VI (a). Less Than Significant</b>	1, 3, 4, 5, 6, 7, 8, 10, 11, 17, 18, 19
<b>VII. GREENHOUSE GAS EMISSIONS</b> <i>Would the project:</i>						
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X		In general, greenhouse gas emissions from construction activities include the use of construction equipment, trenching, landscaping, haul trucks, delivery vehicles, and stationary equipment (such as generators, if any are used). Greenhouse gas emissions resulting from temporary construction would be negligible and would not result in a significant impact to the environment. Further, the cannabis crop will be indoors (inside a greenhouse) that will have an air filtration system, and which should not generate measurable greenhouse gases. <b>Less than Significant.</b>	1, 3, 4, 5, 24, 36
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X	This project will not conflict with any adopted plans or policies for the reduction of greenhouse gas emissions. <b>No Impact</b>	1, 3, 4, 5, 24, 36
<b>VIII. HAZARDS AND HAZARDOUS MATERIALS</b> <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>One function of the <i>Property Management Plan – Hazardous Waste Management Plan</i> is to identify and evaluate hazards associate with cannabis cultivation at the subject site. This includes analysis of cultivation, processing, storing and packaging as well as all other activities associated with the production of cannabis. The goal of the plan is to determine whether there are existing hazards which require preventative control. Hazards include biological, chemical or physical. The plan also indicates All employees are required to follow the procedures outlined in this plan. Any deviations from this plan must be immediately brought to the attention of Director of Cultivation.</p> <p>Materials associated with the proposed cultivation of commercial cannabis, such as gasoline, diesel, carbon monoxide, pesticides, fertilizers and the equipment emissions may be considered hazardous if released into the environment.</p> <p>Routine construction materials and all materials associated with the proposed cultivation of commercial cannabis shall be transported and disposed of properly in accordance with all applicable Federal, State and local regulations.</p> <p>According to the <i>Property Management Plan</i>, all fertilizers would be stored in their original package and may only be used in strict accordance with the product label requirements including, but not limited to directions pertaining to application, storage and disposal of the fertilizer product. The <i>Property Management Plan</i> states that during a typical growing season, the cultivation operation will store any chemicals in a storm-proof on-site room located within the greenhouse. No soils are imported or stockpiled. The applicant has not stated which fertilizers will be used, however the fertilizers used will be administered at the direction of a Certified Crop Advisor (CCA). No fertilizer will be used within 100 feet of any spring, stream, lake, vernal pool or wetland.</p>	1, 3, 4, 5, 10, 16, 17, 21, 24, 31, 32, 33, 34, 36

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>According to the Plan, there are no RCRA or Non-RCRA hazardous wastes located on the premises. Original packages will be used for the storage of potentially hazardous waste and clearly labeled to display the volume and type of material stored. These packages will be kept inside a storm-proof shed, a locked storage area that will only be accessible to authorized staff. When removing materials from storage the employee name, the type of material, date, and time will be entered into a hazardous waste manifest located within the secure storage area and will be stored for five years. When returning material into storage, the type of material, volume used, name of employee, date and time will be entered into the manifest. Storage areas containing hazardous waste will be inspected weekly by staff/employees to ensure accurate record keeping and safe storage conditions.</p> <p>The project shall 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>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><b>Mitigation Measure HHM-1:</b> Storage of potentially hazardous waste shall be in its original package, and shall be clearly labeled to display the volume and type of material stored. These packages will be kept inside a storm-proof shed, a locked storage area that will only be accessible to authorized staff. When removing materials from storage the employee name, the type of material, date, and time will be entered into a hazardous waste manifest located within the secure storage area and will be stored for five years. When returning material into storage, the type of material, volume used, name of employee, date and time will be entered into the manifest. Storage areas containing hazardous waste will be inspected weekly by staff/employees to ensure accurate record keeping and safe storage conditions.</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			<b>See Response to Section VIII (a). Less than Significant Impact with mitigation measure HHM-1.</b>	1, 3, 4, 5, 10, 16, 17, 21, 24, 31, 32, 33, 34, 36
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	The proposed project is not located within one-quarter mile of an existing or proposed school. <b>No Impact</b>	1, 3, 4, 5, 10, 16, 17, 21, 24, 31, 32, 33, 34, 36
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		The project site is not listed as a site containing hazardous materials in the databases maintained by the Environmental Protection Agency (EPA), California Department of Toxic Substance, and Control State Resources Water Control Board. <b>Less Than Significant Impact.</b>	1, 3, 4, 5, 10, 16, 17, 21, 24, 31, 32, 33, 34, 36

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
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 for people residing or working in the project area?				X	The project is not located within two (2) miles of an airport and/or within an Airport Land Use Plan. <b>No Impact</b>	1, 3, 4, 5, 10, 16, 17, 21, 24, 31, 32, 33, 34, 36
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X	Project is not located within an airport land use plan or within two (2) miles of an airport and/or private airstrip. <b>No Impact</b>	1, 3, 4, 5, 10, 16, 17, 21, 24, 31, 32, 33, 34, 36
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X		The project would not impair or interfere with an adopted emergency response or evacuation plan. <b>Less Than Significant Impact.</b>	1, 3, 4, 5, 10, 16, 17, 20, 21, 24, 31, 32, 33, 34, 36
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X		The project site is not located in a Severe Fire Hazard Area (State Responsibility Area). The applicant will adhere to all Federal, State and local fire requirements/regulations. <b>Less Than Significant Impact.</b>	1, 3, 4, 5, 6, 23, 37
<b>IX. HYDROLOGY AND WATER QUALITY</b> <i>Would the project:</i>						
a) Violate any water quality standards or waste discharge requirements?			X		<p>This project will not violate any water quality standards or waste discharge requirements. The project will employ BMPs related to erosion and water quality to reduce impacts related to storm water and water quality and adhere to all federal, state and local requirements, as applicable.</p> <p>According to the Property Management Plan – Storm Water Management Plan is designed to help protect the water quality of surface water and the storm water management systems managed by Lake County. According to the plan, it includes measures to monitor and evaluate the performance of the plan, as well as ensure that all data and information is reported to the appropriate local agencies, such as the County of Lake. According to the plan, it would focus on the following:</p> <ul style="list-style-type: none"> <li>Protecting downstream water bodies from water quality degradation</li> <li>Cultivation site, topsoil, fertilizer, and pesticide risks</li> <li>How illicit discharges will be prevented</li> <li>Downstream roads and bridges</li> <li>Storm Water discharge to adjacent properties</li> <li>Compliance with the Storm Water Management Ordinance of The Lake County Ordinance</li> <li>Proposed Grading, Construction and post-construction best management practices, including Parameters and methodology of monitoring</li> </ul> <p><u>Pest Management</u></p> <p>The Pest Management Plan submitted does not indicate which chemicals will be used for pest control, however the applicant does indicate that all chemicals used will be used under the direction of Marc I. Hooper, certified Pest Control Specialist. Further, the following protocols shall be met:</p> <p>Compliance with CFDA Code and the California Code of Regulations</p> <p>Pesticide labels will be kept on packaging and compliance will be insured by a county certified pesticide applicator</p> <p>Chemicals will be stored in secured room inside the greenhouse to prevent</p>	1, 3, 4, 5, 16, 21, 24, 25, 29, 32, 33

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>wildlife access</p> <p>Cleaning supplies will be stored a secured room inside the greenhouse to maintain chemical leaks and clean up any spills</p> <p>Pesticides will be applied under the direction of the certified Pest Control Advisor.</p> <p>No spraying will occur directly onto surface water or drift onto surface water</p> <p>Only properly labeled pesticides shall be used.</p> <p>No pesticides shall be used within 100 ft of a body of water</p> <p>Water usage is projected to be 1800 gallons per day. The existing ag well produces 230 gallons per minute on a steady basis.</p> <p>If development activities will occur on over one (1) acre of new disturbance, the project will require coverage under a Construction General Permit for storm water management, including a Storm Water Pollution Prevention Plan (SWPPP). <b>Less than Significant Impact.</b></p>	
<p>b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?</p>			X		<p>As proposed, the daily water usage is projected to be 1800 gallons from the ag well.</p> <p>According to the Property Management Plan – <i>Storm Water Management Plan</i> would protect downstream waterways and water bodies from runoff and/or erosion through the design and implementation of operational tactics, which includes but is not limited to the following:</p> <p><u>1) Site Design Measures (BPMs):</u></p> <ul style="list-style-type: none"> <li>• Locate cultivation site more than 300 feet from any spring or top bank</li> <li>• Locate covered storage areas more than 100 feet from any spring or top bank.</li> <li>• Minimize compaction of highly permeable soil and use of impervious surfaces.</li> <li>• Limit clearing and grading of native vegetation at the site to the minimum area needed to build the project, allow access and provide fire protection.</li> <li>• Minimize impervious surfaces by concentrating development on the least sensitive portions of the site, while leaving the remaining land in a natural, undisturbed state.</li> <li>• Planting tree lines and preserving natural ecosystem.</li> <li>• Establish rooftop and impervious surface drainage system with rain barrels and cisterns to catch storm water.</li> <li>• Use alternative engineered hardscape surfaces such as porous concrete to prevent runoff.</li> </ul> <p><u>2) Erosion and Sediment Prevention Methods (BMPs)</u></p> <ul style="list-style-type: none"> <li>• Hire an experienced, reputable, and licensed operator to conduct operations if heavy equipment is required to develop roads and the grow site, including Oak Tree removal.</li> <li>• Minimizes grading and soil disturbance during grow site development and road construction.</li> <li>• Seed, mulch, or rock areas that have been disturbed by grading, excavation or road construction activities.</li> <li>• Native grass seed should be applied to disturbed areas before installation of mats/blankets and wattles.</li> <li>• Remove excess soil and other debris and place used material in safe and dry environment.</li> <li>• All necessary control structures should be in place and functioning, and all areas of exposed soil because of grading should be stabilized as soon as possible after grading is complete and before any precipitation event that could cause erosion and/or deliver storm water runoff to a water</li> </ul>	<p>1, 3, 4, 5, 16, 21, 24, 25, 29, 32, 33</p>

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>body.</p> <ul style="list-style-type: none"> <li>Riparian zones should be avoided and vegetation should be maintained to protect watercourses from growing operations.</li> <li>Do not service, fuel, or store equipment within 200 feet of surface water bodies.</li> </ul> <p><b>3) Storm Water Management Construction Plan (BMP's)</b></p> <ul style="list-style-type: none"> <li>Schedule construction activities during dry weather and keep grading operations to a minimum during the rainy season.</li> <li>Protect any exposed slope once before rain arrives or send out a crew to repair a wet, muddy and slippery slope every time it rains.</li> <li>Protect and establish vegetation to prevent dislodging and transporting of soil.</li> <li>Train and educate construction crews and personnel to better understand the effects of storm water pollution from construction projects and learn ways to prevent or minimize pollution on the job.</li> <li>Stabilize construction entrances and exits to prevent tracking onto roadways.</li> <li>Protect exposed slopes from erosion through preventative measures such as covering the slopes to avoid contact with storm water by hydro-seeding, applying mulch or using plastic sheeting.</li> <li>Use brooms and shovels whenever possible to maintain a clean site instead of a hose. Introducing more water than necessary only adds to water pollution.</li> <li>Designate a concrete washout area to avoid wash water from concrete tools or trucks from entering gutters, inlets or storm drains. Maintain washout area and dispose concrete waste on a regular basis.</li> <li>Establish a vehicle storage, maintenance and refueling area to minimize the spread of oil, gas and engine fluids. The use of oil pans under stationary vehicles is strongly recommended.</li> <li>Protect drainage inlets from receiving polluted storm water using filters such as fabrics, gravel bags or straw wattles.</li> <li>Check the weather forecast and be prepared for rain by having necessary materials onsite before the rainy season.</li> <li>Inspect all BMPs before and after a storm event. Maintain BMPs on a regular basis and replace as necessary.</li> </ul> <p>The plan also indicates "<i>Parameters and Methods of Monitoring</i>" would occur through annual reporting to the Central Valley Regional Water Quality Control Board and/or the California State Water Board and the reporting forms would be made available to the Lake County Community Development Department. The cultivation site and property road system would be inspected during a rain event predicted to accumulate one (1) inch over a 24 hour period. The logs would report the overall functioning of the Storm Water Management Plan and areas in need of improvement would be noted and any failing elements within the system that may result in the illicit discharge of storm water are addressed immediately. Ongoing storm water reporting logs will be made available to the County.</p> <p>According to the Property Management Plan – Water Resources Management Plan has been designed to minimize adverse impacts on surface and groundwater resources and to help ensure that onsite water resources and management is in full compliance with applicable local, county and state regulations. All employees are required to follow the procedures outlined in this plan. Any deviations from this plan must be immediately brought to the attention of Director of Cultivation.</p> <p><b>Less than significant</b></p>	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a			X		The project site is currently developed with a dirt access road, a single-family (manufactured) dwelling served by an existing onsite septic system and well(s), and a 2,400 square foot 'office' building traditionally used for crop management. The new greenhouse containing the cultivation site will be	1, 3, 4, 5, 16, 21, 24, 25, 29, 32, 33



IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
stream or river, in a manner that would result in substantial erosion or siltation on-site or off-site?					<p>41,500+ square feet in size, and will be on its own concrete pad, which will be approximately one acre in total square feet. This will cause 5% of the site to be newly non-permeable surface.</p> <p>The soil on the site is Clear Lake Clay, which has generally poor permeability according to NCRA Soil Ratings. Consequently stormwater runoff from the one acre site will need to be mitigated.</p> <p>The applicant's engineer is proposing a bioswale for drainage retention; the bioswale is 4' wide, 6" deep, and 250' in length. The sides of the bioswale are shown at a 1:3 slope, consistent with Lake County water retention slope requirements. According to the application material submitted, bioswale should be able to accommodate a 50 year storm event.</p> <p>According to the <i>Property Management Plan – Storm Water Management Plan</i>, the proposed use would protect downstream water bodies from water quality by implementing measures to prevent potential of contamination from fertilizers and chemicals and using best management practices. However given the flat terrain and the indoor nature of the cultivation area, the risk for downstream migration of pollutants is extremely low.</p> <p>The permit holder shall protect all disturbed areas by applying BMPs, which may include the placement of straw, mulch, seeding, straw wattles, and silt fencing and planting of native vegetation on all disturbed areas to prevent erosion. Therefore, proposed use would not substantially alter the existing drainage pattern of the site or area. <b>Less than significant.</b></p>	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-site or off-site?			X		The project site is located within the AO flood zone; construction of the concrete pad (roughly one acre in area) has some potential to affect drainage patterns on the site. There are two (new) shallow drainage channels on the site intended to contain runoff during storm events; these shallow bioswales have been engineered, and are intended to mitigate on-site drainage migration onto public roads or other properties. <b>Less than Significant</b>	1, 3, 4, 5, 16, 21, 24, 25, 29, 32, 33
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?			X		The shallow bioswales proposed are adequate to accommodate a 50 year storm event. <b>Less Than Significant</b>	1, 3, 4, 5, 16, 21, 24, 25, 29, 32, 33
f) Otherwise substantially degrade water quality?			X		The applicant shall adhere to all Federal, State and Local regulations regarding water quality and usage. <b>Less Than Significant.</b>	1, 3, 4, 5, 16, 21, 24, 25, 29, 32, 33
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?		X			<p>The project is located within the AO flood plain; this will require special engineering for the footings / connection with the ground, which will be addressed during building permit review. No housing is proposed however; the house on the property is existing. <b>Less than Significant Impact provided footings for the greenhouse are engineered.</b></p> <p><b>MM HWQ-1: The footings for the greenhouse shall be engineered due to the presence of the AO flood plain. The Engineer shall have a valid California Civil Engineer or Licensed Professional Surveyor stamp, and all engineered footing drawings shall be wet stamped.</b></p>	1, 2, 3, 4, 5, 16, 21, 24, 25, 29, 33
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?		X			<b>See Response in Section IX (g). MM HWQ-1</b>	1, 2, 3, 4, 5, 16, 21, 24, 25, 29, 32, 33

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X	The project parcel is not located within a dam inundation area. <b>No Impact</b>	1, 3, 4, 5, 16, 21, 24, 25, 29, 33
j) Inundation by seiche, tsunami, or mudflow?			X		The project site is not located in an area of potential inundation by seiche or tsunami. In addition, the soils at the project site are relatively stable; therefore is minimal potential to induce mudflows. <b>Less than Significant</b>	1, 3, 4, 5, 16, 17, 18, 19, 20, 25, 29, 33
<b>X. LAND USE AND PLANNING</b> <i>Would the project:</i>						
a) Physically divide an established community?				X	The proposed project site would not physically divide an established community. <b>No Impact.</b>	1, 3, 4, 5
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X		<p>This project is consistent with the Lake County General Plan, The Kelseyville Area Plan and the Lake County Zoning Ordinance. <b>Less Than Significant.</b></p> <p><b><u>Lake County General Plan, Section 3.2 Land Use Designations</u></b> The General Plan Land Use Designation is "Agriculture". The proposed use is consistent with the General Plan designation.</p> <p>The purpose of Agriculture designation is to allow agriculturally related development in areas that contain high value farmland. Uses such as orchards and vineyards are common on these lands.</p> <p><b><u>Section 3.9 Economic Development</u></b> <b><u>Goal LU-6:</u></b> "To maintain a healthy and diverse local economy that meets the present and future employment, shopping, recreational, and service needs of lake County residents".</p> <ul style="list-style-type: none"> <li><b><u>Policy LU 6.1:</u></b> "The County shall actively promote the development of a diversified economic base by continuing to promote agriculture, recreation services and commerce and by expanding its efforts to encourage industrial and non-industrial corporate developments, and the developments of geothermal resources".</li> </ul> <p>The proposed Commercial Cannabis Operation, would create diversity within the local economy, create future employment opportunities for local residents and allow access to agricultural products to the community as a whole.</p> <p><b><u>Kelseyville Area Plan</u></b> The Kelseyville Area Plan does not regulate cannabis operations.</p> <p><b><u>Lake County Zoning Ordinance.</u></b></p> <ul style="list-style-type: none"> <li>A Major and/or Minor Use Permits shall be obtain for the proposed use. On May 2, 2018, the applicant has submitted Major Use Permit, UP 18-19.</li> <li>The applicant shall adhere to all incorporated Mitigation Measures, including all Conditions of Approval.</li> </ul> <p><b><u>Konocti Diversified Agriculture Property Management Plan</u></b> The applicant(s), including staff/employees shall adhere to all aspects discussed in the Property Management Plan.</p> <p><b>Less than Significant.</b></p>	1, 3, 4, 5, 6, 7, 8, 9
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X	This project is not located within the boundaries of a habitat or natural community conservation plan. <b>No Impact</b>	1, 3, 4, 5, 6, 11, 12

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<b>XI. MINERAL RESOURCES</b> <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 this project as having an important source of aggregate. <b>No Impact</b>	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 Kelseyville Area Plan nor the Lake County Aggregate Resource Management Plan designates the project site as being a locally important mineral resource recovery site. <b>No Impact</b>	1, 3, 4, 5, 26
<b>XII. NOISE</b> <i>Would the project result in:</i>						
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X			Short-term increases in ambient noise levels to uncomfortable levels could be expected during project grading and/or construction. Mitigation measures will decrease these noise levels to an acceptable level. <b>Less Than Significant with Mitigation Incorporation</b>  <u><b>Mitigation Measures:</b></u>  <b>NOI-1:</b> All construction activities including engine warm-up shall be limited Monday Through Friday, between the hours of 7:00am and 7:00pm to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels. This mitigation does not apply to night work.  <b>NOI-2:</b> Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00AM to 10:00PM and 45 Dba between the hours of 10:00PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.1) at the property lines.	1, 2, 3, 4, 5, 30
b) Exposure of persons to or generation of groundborne vibration or groundborne noise levels?			X		The project is not expected to create unusual groundborne vibration due to site development or facility operation. The low level truck traffic during construction and for deliveries would create a minimal amount of groundborne vibration. <b>Less Than Significant</b>	1, 2, 3, 4, 5, 30
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?		X			No permanent increases in ambient noise levels will occur with this project. A small amount of infrequent noise could be anticipated if the proposed backup power generator is activated during any power outage or during generator testing, but these impacts would not be significant or long lasting. <b>Implementation of NOI-1 through NOI-3 would reduce impacts to Less than Significant.</b>  <b>See Response to Section XII (a)</b>	1, 2, 3, 4, 5, 30
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		X			During construction, a temporary increase in noise is expected. Mitigation measures have been incorporated that will limit the short-term impacts of noise associated with the project. <b>Implementation of NOI-1 through NOI-3 would reduce impacts to Less than Significant.</b>  <b>See Response to Section XII (a)</b>	1, 2, 3, 4, 5, 30



IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
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	The project will not have any impacts on existing parks or other recreational facilities. <b>No Impact</b>	1, 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	This project will not necessitate the construction or expansion of any recreational facilities. <b>No Impact</b>	1, 3, 4, 5
<b>XVI. TRANSPORTATION / TRAFFIC</b> <i>Would the project:</i>						
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X		The project site is flat and fronts Gaddy Road, a County maintained public road. The project was routed to the County Road Department, who had no adverse comments regarding increased construction, delivery or employee-related trips generated by this project. <b>Less than Significant</b>	1, 3, 4, 5, 27, 28, 35
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X		<b>See Response to Section XVI (a).</b>	1, 3, 4, 5, 20, 22, 27, 28, 35
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?				X	The project location is not located in the vicinity of any airfield. <b>No Impact</b>	1, 3, 4, 5, 20, 27, 28, 35, 37
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X	Gaddy Lane that serves this location is a paved public County maintained road. The site is flat, and has an excellent line-of-sight leading from the driveway onto Gaddy Lane. The Lake County Road Department had no adverse comments regarding this proposal. <b>Less than Significant Impact</b>	1, 3, 4, 5, 20, 27, 28, 35, 37
e) Result in inadequate emergency access?				X	As proposed, this project will not impact existing emergency access. <b>No Impact</b>	1, 3, 4, 5, 20, 27, 28, 35, 37
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X		The existing site contains 5 parking spaces including 2 ADA spaces. The Plan submitted by the applicant indicates that the facility will have up to 15 employees. The applicant has stated that a total of '10 to 15' new parking spaces will be added. This is adequate to serve the projected number of employees. Design of the parking lot will occur during the course of Use Permit review following this environmental evaluation.  <b>Less than Significant Impact</b>	1, 3, 4, 5, 20, 27, 28, 35, 37

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<p align="center"><b>XVII. TRIBAL CULTURAL RESOURCES</b></p> <p><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></p>						
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			<p><b>See Response to Section V(a).</b></p> <p><b>Implementation of CUL-1 would reduce impacts to Less than Significant.</b></p>	1, 3, 4, 5
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			<p><b>See Response to Section V(a).</b></p> <p><b>Implementation of CUL-1 would reduce impacts to Less than Significant.</b></p>	1, 3, 4, 5
<p align="center"><b>XVIII. UTILITIES AND SERVICE SYSTEMS</b></p> <p><i>Would the project:</i></p>						
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X		<p>The subject parcel is served by an existing well and septic system; a new septic system would be installed to serve the restrooms proposed inside the greenhouse structure. The septic system has been engineered, and will be evaluated by Environmental Health for adequate capacity and location during the permit review process for the structure. The applicant shall adhere to all Federal, State and Local regulations regarding wastewater treatment and water usage requirements. <b>See Response to Section IX (a)(b). Less Than Significant</b></p>	1, 3, 4, 5, 21, 24, 29, 33, 34
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X		<p><b>See Response to Section IX (a)(b). Less Than Significant</b></p> <p>According to the plan, the proposed use is anticipated to use a daily rate of 1,800 gallons of water to irrigate the plant. The existing ag well generates 230 GPM. The house is on a domestic well.</p> <p><b>Less than significant</b></p>	1, 3, 4, 5, 21, 24, 29, 33, 34
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X		<p><b>See Response to Section IX (a)(b). Less Than Significant</b></p>	1, 3, 4, 5, 21, 24, 29, 33, 34
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X		<p><b>See Response to Section IX (a)(b). Less Than Significant</b></p>	1, 3, 4, 5, 21, 24, 29, 33, 34
e) 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><b>See Response to Section IX (a)(b). Less Than Significant</b></p>	1, 3, 4, 5, 21, 24, 29, 33, 34

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X		The existing landfill has sufficient capacity to accommodate the project's solid waste disposal needs.  According to the Property Management Plan – Waste Management Plan has been developed to help minimize the generation of waste and for the proper disposal of waste produced during the cultivation and processing of cannabis at the project site. The goal is to prevent the release of hazardous waste into the environment, minimize the generation of cannabis vegetative waste and dispose of cannabis vegetative waste properly, and manage the growing medium and dispose of the growing medium properly. All employees are required to follow the procedures outlined in this plan. Any deviations from this plan must be immediately brought to the attention of Director of Cultivation.  <b>Less than Significant.</b>	1, 3, 4, 5, 21, 24, 29, 33, 34
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X		All requirements related to solid waste will apply to this project. <b>See Response to Section XVIII (f). Less than Significant.</b>	1, 3, 4, 5, 21, 24, 29, 33, 34
<b>XIX. MANDATORY FINDINGS OF SIGNIFICANCE</b>						
a) Does the project have the potential to 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, 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			The project proposes a Cultivation of Commercial cannabis in previously disturbed area. As proposed, this project is not anticipated to significantly impact habitat of fish and/or wildlife species or cultural resources with the incorporated mitigation measures described above.	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 Air Quality, Cultural Resources, Hazards & Hazardous Materials, Noise, and Tribal Cultural Resources. 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. 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.	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 particular, to Air Quality, Cultural Resources, Hazards & Hazardous Materials, Noise, and Tribal Cultural Resources have the potential to impact human beings. 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.	ALL

\* Impact Categories defined by CEQA

**\*\*Source List**

1. Lake County General Plan
2. Lake County Building Official
3. Lake County Zoning Ordinance
4. Kelseyville Area Plan



5. Konocti Diversified Agriculture / Lake County 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](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 Assessment for “Konocti Diversified Agriculture LLC”, prepared by Natural Investigation Company, Inc.; dated April 30, 2018.
14. Cultural Study – none undertaken.
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
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. Kelseyville Fire Protection District
38. Site Visit – September 14, 2018





## COUNTY OF LAKE

### COMMUNITY DEVELOPMENT DEPARTMENT

Courthouse - 255 N. Forbes Street

Lakeport, California 95453

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

## MEMORANDUM

**DATE:** December 18, 2018

**TO:** Earl Grundy, California Department of Conservation  
Jim Campbell, Lake County Tax Assessor's Office

**FROM:** Eric Porter, Associate Planner

**SUBJECT:** Revised Initial Study, file no. IS 18-20; 'Konocti Diversified LLC'

**ATTACHMENT:** Revised Initial Study IS 18-20

**ADDRESS:** 3430 Gaddy Lane, Kelseyville, CA 955451

**APN NUMBER:** 008-027-11

### DISCUSSION

On September 14, 2018, Lake County Planning Department submitted the Initial Study for major use permit UP 18-19, a commercial cannabis cultivation request.

The Initial Study contained an erroneous finding pertaining to the Williamson Act status of this property by indicating that the property is not tied to a Williamson Act contract.

In fact, the property is bound by Contract No. 7807 (see next page).

Based on the Planning Department's understanding that the cannabis use would not conflict with the agricultural use(s) found on the property, the finding in the Initial Study did not change in impact, but the existence of the Williamson Act contract has been noted.

If either of you have any questions, comments or concerns, please don't hesitate to contact me. My number is 707-263-2221; my email is [eric.porter@lakecountyca.gov](mailto:eric.porter@lakecountyca.gov).

ASW0100 - Megabyte Property Tax System - County of LAKE

File Edit View Reports Help

ASW0100v2.4.0.5420: Main Assessor Inquiry Dec 13, 2018 8:36:12 AM (-08:00)

Asmt: 000-022-110-01 Feeparcel: 000-027-110-01 Status: ACTIVE Owner: MITZEL DUANE L & MITZEL ALLYS

Site Address: 3430 GADSDY LN KELSEYVILLE  
 Name Address: MITZEL DUANE L & MITZEL ALLYS TRUSTEE  
 12283 E TURQUOISE AVE  
 SCOTTSDALE AZ 85259

Status: ACTIVE Status Date: 03/01/1977  
 Taxability Code: 050 Descr: AGRICULTURAL PRI  
 TRA: 050-059 Base Date:  
 Creating Doc#: 19777CONVERT Create Date:  
 Current Doc#: 201780009703 Cur Date: 07/26/2017  
 Terminating Doc#: Term Date:  
 Neighborhood Code: 000 Supl Cnt: 3

Asmt Description:  
 LandUse 1: 1030 AVOCLO  
 LandUse 2:  
 Zoning 1:  
 Acres: 20.10 Dwell 1: 3  
 SSN 1: SSN 2:  
 Comments:

Values

	Taxroll	Current	Apdate
Land	243,040	243,040	06/07/2018
Structure	261,500	261,500	06/07/2018
Features			
Growing	33,000	33,000	06/07/2018
Total L&I	537,540	537,540	
Features			
PP&M			
PP			
Exemption			
Net	537,540	537,540	
Homestead			

R/C # TR/Date Status  
 Description: ENROLLED in RESTRICTED  
 1/3

TPZ ☐ Ag Pres ☒ Etal ☐ Bonds  
 Multi Situs ☐ 910 P&M ☐ Flag 1 ☒ Flag 2  
 Asmt PP ☐ Tax PP ☐ Appeal ☐ Split

Main Has Notes Ownership Detail Ownership History Exemptions Mfg Incentives Attributes Value History Sales Sales Parcel Desc

Update Phy Char. DE MH TC Inq Apr Cnt R/C W/S Images

COUNTYOF LAKE\MPTSService. 07/26/2018 5:20:57 PM

ASW0100 - Megabyte Property Tax System - County of LAKE

File Edit View Reports Help

ASW0100v2.4.0.5420: Attributes Assessor Inquiry Dec 13, 2018 9:07:11 AM (-08:00)

Asmt: 000-022-110-01 Feeparcel: 000-027-110-01 Status: ACTIVE Owner: MITZEL DUANE L & MITZEL ALLYS

Open Space | Asmt | Business | Possessory Interest | Allocated

Openspace Attributes

Asmt	000-027-110-000
Feeparcel	000-027-110-000
Contract #	
Effective	01/01/1977
Expiration	
Preserve #	7807
Next Seq #	0
2nd Notice	N
Non Renewal	N
Recalc'd Values	N
Suppress Infl	N
Sec. 51 Fee Req.	N
Sec. 51 Fee Pd	N

Openspace Acreage

Homestead	0
Openspace	0
Growing	0
Urban	0
Prime	20
Total Acres	20

Openspace Values

Homestead	0
Land	0

Growing: 0  
 Flood: 0  
 Additional: 0

Openspace Risk Factors

Main Has Notes Ownership Detail Ownership History Exemptions Mfg Incentives Attributes Value History Sales Sales Parcel Desc

Update Phy Char. DE MH TC Inq Apr Cnt R/C W/S Images

1 records found.