

Counter Copy  
10/31/18  
District 5

- ☒ County Clerk  
☒ Interested Parties

**COUNTY OF LAKE  
NOTICE OF INTENT  
TO ADOPT A MITIGATED NEGATIVE DECLARATION**

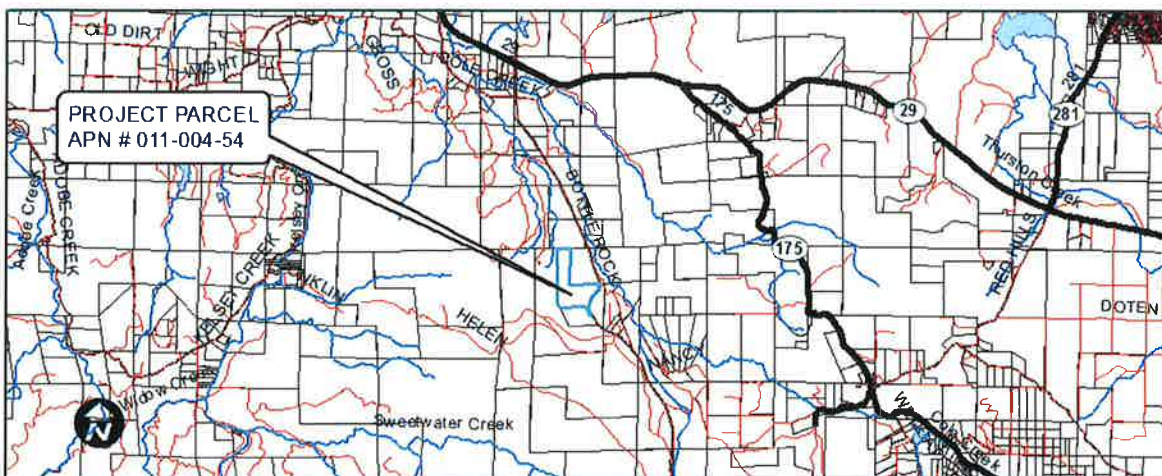
**Project Title:** Draper / Smith; Use Permit (UP 18-25 and UP 18-26); Initial Study (IS 18-31)

**Project Location:** 9475 Bottle Rock Road, Kelseyville, CA

**APN No.:** 011-004-54, 55 and 56 (recently merged)

**Project Description:** Request for approval of one A-Type 3 and one A-Type 3b Indoor and Outdoor Commercial Cannabis cultivation, each up to 43,560 square feet of canopy size via Major Use Permits (UP) 18-25 and 18-26, and Initial Study (IS) 18-31. The applicant is proposing using greenhouses for the Type 3b cultivation area. The 77+ acre parcel contains a dwelling, a barn to be used for pesticide and fertilizer storage, a well which will be used to irrigate the potted cannabis plants, and an in-ground septic system. Annual water use is estimated to be 190,000 gallons according to the applicant. Cole Creek, a Class I tributary, is about 1800 feet from the edge of the grow site. The applicant has developed an Odor Control Plan that will be implemented before the plants flower. The parcel is accessible through an existing paved County road, Bottle Rock Road. In addition to the dwelling, the project site is currently developed with a graveled access road, and the carports / cultivation areas will be enclosed by a 7 foot chain link fence and steel gate with a combination lock. There are no mapped sensitive species on the site.

**The public review period for the respective proposed Mitigated Negative Declaration based on Initial Study IS 18-31 will begin on November 2, 2018 and end on December 1, 2018. Comments on the actual use permit will be accepted up to the public hearing date. The hearing date has not yet been set; a separate notice will be sent to you regarding the hearing date and time.** You are encouraged to submit written comments regarding the proposed Mitigated Negative Declaration. You may do so by submitting written comments to the Planning Division prior to the end of the review period. Copies of the application, environmental documents, and all reference documents associated with the project are available for review through the **Community Development Department, Planning Division; telephone (707) 263-2221.** Written comments may be submitted to the Planning Division or via email at [eric.porter@lakecountycalifornia.gov](mailto:eric.porter@lakecountycalifornia.gov).



**Attachment 7**

EP

**County of Lake**  
COMMUNITY DEVELOPMENT DEPARTMENT  
COURTHOUSE – 255 N. Forbes Street  
LAKEPORT, CALIFORNIA 95453



## 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: October 22, 2018

### CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY IS 18-31

1. **Project Title:** Draper
2. **Permit Number:** Major Use Permit, UP 18-25 and UP 18-26  
Initial Study, IS 18-31
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):** 9475 Bottle Rock Road, Kelseyville, CA  
APN: 011-004-54, 55 and 56
6. **Project Sponsor's Name/Address:** Mary Draper  
9475 Bottle Rock Road  
Kelseyville, CA
7. **General Plan Designation:** Rural Lands
8. **Zoning:** "RL" Rural Lands
9. **Supervisor District:** District Five (5)
10. **Flood Zone:** None
11. **Slope:** Moderate to Steep
12. **Fire Hazard Severity Zone:** High Fire Severity Zone
13. **Earthquake Fault Zone:** None
14. **Dam Failure Inundation Area:** None
15. **Parcel Sizes (based on GIS data):**

APN 011-004-54:	45.85 acres
APN: 011-004-55:	13.65 acres
APN: 011-004-56	17.82 acres

**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 applicant is proposing two (2) commercial cannabis A-Type 3 cultivation operations. The project parent site, known as 'Draper' in this document, is located in a rural area of the County and is approximately 77+ acres in size. The parcel is accessible from Bottle Rock Road, an existing paved County maintained road. The site is currently developed with a graveled access road, a single-family residence served by an existing onsite septic system and existing well, and two existing outdoor sites for previous (medicinal) cannabis cultivations.

The applicant is requesting approval of a Major Use Permit to obtain the following license for the Cultivation of Commercial Cannabis:

- Two Type 3 Cultivation Licenses [outdoor cultivation for adult use cannabis without the use of light deprivation and/or artificial lighting in the canopy area, and the second area containing greenhouses for indoor cultivation] with each area being about 1 acre in size (canopy area) on two contiguous parcels (APN 011-004-54 and 56). The proposed grow areas will be up to 65,000 s.f. in size and fully enclosed with a 7' tall metal fence, metal gates and security locks. The site and growing facility will be protected by security surveillance cameras.

The parent parcel (APN 011-004-54) contains a 2700 s.f. dwelling, a well, a 2750 s.f. barn and several smaller out buildings. According to the application material submitted, there are three water tanks on site used to irrigate cannabis; one 1500 gallon tank, one 2500 gallon tank, and one 5000 gallon tank. Annual water use is estimated to be 190,000 gallons according to the applicant.

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

North, West and South: RL 'Rural Land.' Parcel sizes generally range from 45 to 160 acres that are primarily undeveloped. A property located northeast of the northern subject lot contains a vineyard.

West: RR 'Rural Residential'; four lots in total. All four lots contain dwellings; three are used for crop production (vineyards and orchards).

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 type="checkbox"/> <u>Agriculture &amp; Forestry</u>                    | <input 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 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

Eric Porter  
 SIGNATURE

Date: 10.31.18

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		<p>Bottle Rock Road is a scenic corridor that has greater setbacks due to its scenic designation. The subject site is located on a hill, and is not visible from Bottle Rock Road; the grow site area is protected by the natural topography and flora.</p>  <p><b>Entrance to the Site from Bottlerock Road</b></p> <p>The 77+ acre site has slopes that range from less than 10% to greater than 30%. The property and grow sites are accessible from an on-site gravel driveway that accesses Bottle Rock Road, a paved County maintained road. The grow site area is situated in a manner that would not obstruct views of the natural features and scenic resources in the area, which is consistent with County policies for preserving scenic viewsheds. Also, the topography and natural vegetation would act as a visual screen. <b>Impacts are less than significant</b></p>	1, 3, 4, 5, 9, 38
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X		<b>See Section I(a) above.</b>	1, 3, 4, 5, 9, 15, 35, 38
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X		The project parcel and more particularly the grow sites are shielded from view by existing vegetation and topography along Bottle Rock Road. 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, 6, 9, 38
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X			<p>The project has some potential additional light tied to the security system. All lighting shall comply with the County's Dark Skies lighting ordinance. <b>Less Than Significant with Mitigation Measure AES-1 added.</b></p> <p><b>Mitigation Measure AES-1: Prior to start of operations, the applicant shall submit a Lighting Plan. The Plan shall meet all of Lake County's Dark Skies Ordinance and shall include fixture 'cut sheets' or illustrations showing lumens, and placement of lights on the site via site plan.</b></p>	1, 3, 4, 5, 9, 38

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<b>II. AGRICULTURE AND FORESTRY RESOURCES</b> <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> <i>Would the project:</i>						
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X		The site is not categorized as 'prime farmland', but does contain Class 1 through 4 soil. The site has not been used for agricultural uses in the past other than a medicinal marijuana grow site. According to the Farmland Mapping and Monitoring Program and the County's Soil Data Base, provided by the NRCS (National Resource Conservation Service), the site is suitable for use as 'Other land', and is not regarded as significant farming land. The surrounding lots all contain Class 1 through 4 soil. Lots to the east and northeast are used for crop production, primarily vineyards and orchards. It appears that no impacts to farmland would occur with construction of the proposed project. <b>Less than Significant Impact.</b>	1, 3, 4, 5, 6, 7, 8, 11, 16, 38
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X		As proposed, the project will not impact agricultural uses or Williamson Act contracts given that there are no Ag Preserve zoned properties in the immediate vicinity. The project site is zoned "RI," Rural Lands and does not contain Williamson Act contracts. The neighboring properties to the north, west and south are zoned Rural Lands; the properties to the east are zoned Rural Residential. Three of the eastern adjacent lots are crop producing, and a vineyard exists to the northeast on an RL zoned lot. None of the neighboring lots would be adversely impacted by this use. <b>Less than Significant Impact.</b>	1, 3, 4, 5, 6, 7, 8, 11, 16, 38
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. The parent parcel contains indigenous Blue and Valley Oak trees, but is not a significant timber source and has not been used for timber production in the past. The property is not zoned as Timber Preserve, and has no Oak Conservation easements on it. <b>Less than Significant Impact.</b>	1, 3, 4, 5, 6, 7, 8, 11, 16, 38
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, 16, 38
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		As proposed, this project would not induce any other 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, 16, 38
<b>III. AIR QUALITY</b> <i>Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.</i> <i>Would the project:</i>						
a) Conflict with or obstruct implementation of the applicable air quality plan?		X			The project has some potential to result in air quality impacts. The applicant indicates that one 43,000 s.f. outdoor cultivation site will be planted using pots rather than planting 'in ground'; this will result in less dust-related particulates. The driveway will initially be treated with calcium chloride for dust mitigation, and will be maintained using on-site water. There is no mapped serpentine soil on the site, although some serpentine soil exists in the vicinity. Odors however have not been mitigated on the outdoor grow sites and may be released as a result of the proposed cannabis growing operation. The nearest house is located about 1,400 feet to the southeast of the grow sites and is downwind from the prevailing wind direction. The applicant has provided a contact in the event of odors, and has indicated that she would resolve the odor issues if they arise. An Odor Control Plan shall be required as a mitigation measure. <b>MM AQ-9.</b>	1, 3, 4, 5, 21, 24, 36

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>Regarding the indoor (greenhouse) grow areas, carbon filters will be used to reduce odors.</p> <p>According to the <i>Property Management Plan - Air Quality Management Plan</i> the applicant would be using organic methods and preventative pest management strategies in order to help reduce the amount of air pollution and/or particulates.</p> <p>The following fungicides will be used: <b>Mycorrhizae Fungi Inoculant, Regalia, Triact 70, Zerotel, Oxidate</b></p> <p>The following pesticides will be used: <b>Azamax, Monterey Garden BTI, Venerate, Grandevo</b></p> <p>Construction of the site would take place over a short period of time, would mostly apply to constructing the greenhouses, and would be temporary, which would not result in significant air quality impacts. Site preparation for the 'outdoor grow area' will be minimal, since the applicant is proposing to use pots rather than 'in ground' planting.</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 as follows:</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.</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> 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><u>AQ - 7:</u></b> All areas subject to low use (driveways, over flow parking, etc.) shall be surfaced with gravel. Applicant shall regularly use and/or</p>	

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>maintain graveled area to reduce fugitive dust generations.</p> <p><b>AQ - 8:</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> <p><b>AQ - 9:</b> An Odor Mitigation Plan that reduces or eliminates cannabis odors shall be provided prior to the start of the 2019 grow season.</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-9.</b></p>	1, 3, 4, 5, 21, 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. <b>No Impact.</b></p>	1, 3, 4, 5, 21, 24, 36
d) Expose sensitive receptors to substantial pollutant concentrations?		X			<p>Sensitive receptors in the area include near proximity residents. As described in Section III (a) above, with <b>implementation of mitigation measures MMs AQ-1 through AQ-9, impacts are anticipated to be less than significant.</b></p>	1, 3, 4, 5, 21, 24, 36
e) Create objectionable odors affecting a substantial number of people?		X			<p>The proposed use is Cultivation of Commercial Cannabis. The size of the grow area is relatively large (86,000 s.f.), but the indoor portion will be controlled by carbon filters, and the outdoor portion should not generate significant objectionable odors or fugitive dust following site preparation. Dust generated during site preparation shall be mitigated by the use of water. <b>With implementation of mitigation measures MMs AQ-1 through AQ-9, impacts are anticipated to be less than significant.</b></p>	1, 3, 4, 5, 21, 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 done by Jacobzoon Associates (JA) in October 2017. JA queried the California Dept. of Fish and Wildlife's 'Threatened and Endangered Species' data base according to the PEIR submitted. No sensitive species were found in the site survey, however there are mapped Konocti Manzanita shown in the County's Sensitive Species data base which is acknowledged in the Biological Assessment, which recommends re-assessing the site during the spring of 2019 for Konocti Manzanita starts.</p> <p><b>The site shall be reassessed in the spring of 2019 per the biologic study recommendation. Less than Significant Impact with the reassessment of the site in the Spring 2019. <u>MM Bio-1</u></b></p> <p><u><b>Riparian Habitat:</b></u></p> <p>There is a riparian habitat on the southern portion of the property adjacent to Bottle Rock Road that generally follows Kelsey Creek. The County' GIS layer shows this vicinity as being a part of a Ciprinid / Castomid stream that might contain sensitive species. The applicant had a biological study done that indicated the grow area was not in direct conflict with mapped or observed sensitive species. <b>Less Than Significant Impact.</b></p>	1, 3, 4, 5, 11, 12, 13, 16, 29, 33

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		The County data base shows an unnamed seasonal stream about 215 feet northeast of the grow sites, and the Cole Creek riparian habitat in the vicinity of Bottle Rock Road to the east. The grow sites are located about 1800 feet west of the edge of the mapped riparian area, and no plans submitted show disturbance to the ground within or next to the mapped area. <b>Less than Significant Impact.</b>	1, 3, 4, 5, 11, 12, 13, 16, 29, 33
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, hydrologic 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, 16, 29, 33
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		The County 'sensitive species' data base shows Clear Lake Cipomid / Castotstonid habitat within Cole Creek near Bottle Rock Road. The mapped riparian area is located about 1600 feet from the cultivation sites, and no proposals for disturbance of the mapped area are shown graphically or in text. <b>Less than Significant.</b>	1, 3, 4, 5, 11, 12, 13, 16, 29, 33
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. It appears that several oak trees will be removed with this project, however there are no mapped conservation easements or oak woodlands on this site that might otherwise require extra protection or tree replacement. <b>Less than Significant Impact.</b>	1, 3, 4, 5, 11, 12, 13, 16, 29, 33
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, 16, 29, 33
<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>Two cultural studies were undertaken for this property in 1979 and again in 1998. Neither study yielded any artifacts or finds of archeological significance.</p> <p>Sonoma State was notified of this proposal and indicated that a further study was needed due to outdated survey methods used in the original studies.</p> <p>In October 2017, Alicia Ringstadt, Senior Biologist and Project Manager for Jacobzoon and Associates, undertook a partial Archeological study on the disturbed portions of the subject site proposed as the cultivation sites. She took samples in 1-1/2 meter intervals for the entirety of the cultivation site boundary areas and found no evidence of any cultural usage of the site. Her conclusion was that the cultivation sites were unlikely to contain significant cultural resources. Further, a California Mitigation Measure requiring immediate cessation of any site disturbance is in place in the event of discovery of any artifacts or human remains (CR-1).</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 overseeing 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</p>	1, 3, 4, 5, 11, 14, 15

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>ground disturbance.</p> <p><b>Less than Significant with Mitigation Measures CUL-1 and CUL-2 added.</b></p> <p><b>Mitigation Measure:</b>  <b>MM CUL-1:</b> 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 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> <p><b>MM CUL-2:</b> Employees shall be trained in recognizing potentially significant artifacts that may be discovered during ground disturbance, and in who to notify should this occur.</p>	
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, 11, 14, 15
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, 11, 14, 15
d) Disturb any human remains, including those interred outside of formal cemeteries?		X			See Response to Section V (a).	1, 3, 4, 5, 11, 14, 15
<b>VI. GEOLOGY AND SOILS</b> <i>Would the project:</i>						
<p>a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <p>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.</p> <p>ii) Strong seismic ground shaking?</p> <p>iii) Seismic-related ground failure, including liquefaction?</p> <p>iv) Landslides?</p>			X		<p><u>Earthquake Faults</u>  The project site is located near (but not in) a mapped Earthquake Fault Zone as established by the California Geological Survey. The proposed project would not expose people or structures to substantial adverse effects due to earthquakes based on the size and function of the proposed use.</p> <p><u>Seismic Ground Shaking and Seismic-Related Ground Failure including liquefaction.</u>  This particular lot does not contain unstable soils or mapped faults, although it is near a mapped fault. It appears unlikely that ground shaking, ground failure or liquefaction will occur on this property in the future; the eastern hillside next to Bottle Rock Road is steep, but also heavily vegetated. The disturbed area is far enough away from the watershed that it will not impact this hillside with runoff, thus reducing risk of liquefaction.</p> <p><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 prone to erode and has a high shrink-swell character, but is not located within and/or adjacent to an existing known "landslide area".</p> <p>According to the property Management Plan, some grading would occur on the property to enlarge the existing medicinal cannabis grow site to accommodate the proposed commercial grow areas; however the amount of grading needed is minimal and would not require a grading permit. The cannabis plants will help to anchor the soil in place on the terraced grow sites, and the total area that will be graded and prepared for additional plants is relatively small at 80,000+ square feet, or about 2% of the total site size.</p> <p>Project design shall incorporate Best Management Practices (BMPs) to the maximum extent possible to prevent or reduce discharge of all construction or post construction pollutants into the County storm drainage system. BMPs</p>	1, 3, 5, 6, 7, 10, 17, 18, 19, 20, 25, 31, 36

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					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>	
b) Result in substantial soil erosion or the loss of topsoil?			X		Grading needed for this major use permit will be minimal and well below the threshold for requiring a grading permit. The grow sites contain a mix of 107 (Bally-Phipps complex, 1S to 30 percent slopes) and 117 (Bottlerock-Glenview-Arrowhead complex, 5 to 30 percent slope) soil types; both types are moderate to severely prone to erosion, however the grow area is comparatively small, and the cannabis plants will help anchor the soil in place. The applicant has also indicated that wattles and other organic materials will be placed on the outer boundary of the grow sites to further prevent soil erosion.  <b>Less Than Significant</b>	1, 3, 5, 6, 7, 10, 17, 18, 19, 20, 25, 31, 36
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 actual grow sites and the overall disturbed area around it contains soil that is relatively stable.  <b>Less Than Significant Impact</b>	1, 3, 5, 6, 7, 10, 17, 18, 19, 20, 25, 31, 36
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		The soil on the site (Types 107 and 117) are not shown as being overly expansive soil types.  <b>Less Than Significant Impact.</b>	1, 3, 5, 6, 7, 10, 17, 18, 19, 25, 31, 36
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 subject site consists of 3 lots that are over 70 acres in total size, large enough to easily support septic systems.  <b>Less Than Significant Impact.</b>	1, 3, 5, 6, 7, 10, 17, 18, 19, 25, 31, 36
<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). No diesel generators will be used; the emergency generators proposed are powered by gasoline and do not produce the amount of noxious gasses released by diesel generators. Greenhouse gas emissions resulting from temporary construction would be negligible and would not result in a significant impact to the environment. <b>Less than Significant Impact.</b>	1, 3, 5, 21, 24, 32, 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, 5, 21, 24, 32, 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		Materials to be used on site are as follows:	1, 3, 5, 12, 13, 16, 20, 21, 24, 29, 31, 32, 36

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**																														
					<table><tr><td>Advanced Nutrients pH Down</td><td>Regalia</td></tr><tr><td>Advanced Nutrients pH Up</td><td>Sanidate</td></tr><tr><td>Azamax</td><td>Sparetime Supply Archipelago Bat Guano</td></tr><tr><td>Botanicare Cal-Mag Plus</td><td>Sparetime Supply Glacial Rock Dust</td></tr><tr><td>Canadian Kelp Meal</td><td>Sparetime Supply Mocha Bat Guano</td></tr><tr><td>Clorox Bleach</td><td>Sparetime Supply Nitrogen Bat Guano</td></tr><tr><td>Earth Juice Catalyst</td><td>Sparetime Supply Phillippine Bat Guano</td></tr><tr><td>EB Stone Organics Earthworm Castings</td><td>Sparetime Supply Steamed Bone Meal</td></tr><tr><td>Grandevo</td><td>Stutzman Farms Chicken Manure</td></tr><tr><td>Hydrogen Peroxide</td><td>Triact 70</td></tr><tr><td>Isopropyl Alcohol</td><td>Ultra Fine AG Gypsum</td></tr><tr><td>Monterey Garden BTI</td><td>Venerate</td></tr><tr><td>Mycorrhizae Fungi Inoculant</td><td>Vital Garden Supply Tea</td></tr><tr><td>Oxidate</td><td>Zerotol</td></tr><tr><td>Pacific Pearl Oyster Shell Flour</td><td>[Blank]</td></tr></table> <p>Materials associated with the proposed Cultivation of Commercial Cannabis, such as gasoline, pesticides, fertilizers, alcohol, hydrogen peroxide and the equipment emissions may be considered hazardous if released into the environment. The applicant has stated that all potentially harmful chemicals will be stored in a locked, secured building on site.</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 - Fertilizer Management Plan</i>, the fertilizer used will consist primarily of organic materials (bat guano, chicken guano, seashells, kelp, fish oil to name several fertilizers that are planned to be used).</p> <p>According to the <i>Property Management Plan – Pest Control</i>, all pesticides will be stored in a secure building on site.</p> <p>a. The following Fungicides are used on site:</p> <p>Mycorrhizae Fungi Inoculant, Regalia, Triact 70, Zeritol, Oxidate</p> <p>b. The following Pesticides are used on site:</p> <p>Azamax, Monterey Garden BTI, Venerate, Grandevo</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. <b>Less than Significant Impact.</b></p>	Advanced Nutrients pH Down	Regalia	Advanced Nutrients pH Up	Sanidate	Azamax	Sparetime Supply Archipelago Bat Guano	Botanicare Cal-Mag Plus	Sparetime Supply Glacial Rock Dust	Canadian Kelp Meal	Sparetime Supply Mocha Bat Guano	Clorox Bleach	Sparetime Supply Nitrogen Bat Guano	Earth Juice Catalyst	Sparetime Supply Phillippine Bat Guano	EB Stone Organics Earthworm Castings	Sparetime Supply Steamed Bone Meal	Grandevo	Stutzman Farms Chicken Manure	Hydrogen Peroxide	Triact 70	Isopropyl Alcohol	Ultra Fine AG Gypsum	Monterey Garden BTI	Venerate	Mycorrhizae Fungi Inoculant	Vital Garden Supply Tea	Oxidate	Zerotol	Pacific Pearl Oyster Shell Flour	[Blank]	
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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		See Response to Section VIII (a). <b>Less than Significant Impact.</b>	1, 3, 5, 12, 13, 16, 20, 21, 24, 29, 31, 32, 36																														

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
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, 5, 12, 13, 16, 20, 21, 24, 29, 31, 32, 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, 5, 12, 13, 16, 21, 24, 29, 31, 32, 36
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, 5, 12, 13, 16, 21, 22, 24, 29, 31, 32, 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, 5, 12, 13, 16, 20, 21, 22, 24, 29, 31, 32, 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, 5, 12, 13, 16, 20, 21, 22, 23, 24, 29, 31, 32, 36, 37
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 located in a <i>Severe Fire Hazard Area (State Responsibility Area)</i> . The applicant will adhere to all Federal, State and local fire requirements/regulations. <b>Less Than Significant Impact.</b>	1, 3, 5, 12, 13, 16, 20, 21, 23, 24, 29, 31, 32, 36, 37
<b>IX. HYDROLOGY AND WATER QUALITY</b> <i>Would the project:</i>						
a) Violate any water quality standards or waste discharge requirements?			X		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.  The development activities will occur on less than two (2) acres; therefore the project will not require coverage under a Construction General Permit for storm water management. <b>Less than significant</b>	1, 3, 4, 5, 12, 13, 16, 29, 33, 34
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?			X		According to the <i>Property Management Plan – Water Resources Management Plan</i> , the projected monthly water usage would occur primarily between late spring and early fall (June through October), and monthly usage would vary between 1,000 gallons and 6,000 gallons during the growing months. Total annual projected use is 204,000 gallons according to the applicant. Environmental Health and Water Resources were notified of this activity and had no adverse comments on the proposal. The method of water storage on site will be one 1,500 gallon water storage tank, one 2,500 gallon water storage tank, and one 5,000 gallon water storage tank. The water will be pumped from the existing on-site well. The 'well log' provided is a table developed by the consulting firm Jacobzoon Associates, and only shows 2 months' worth of usage, which is 4,500 gallons and 7,500 gallons during the months of January and February (year not listed).  <b>Less than significant</b>	1, 3, 4, 5, 12, 13, 16, 29, 33, 34

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on-site or off-site?		X			The project site is located on a hill approximately 1800 feet from Cole Creek, a Class I tributary.  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. The applicant is proposing wattles and organic barriers around the outer perimeter of the grow area to prevent and minimize rainwater runoff into the watershed.  <b>MM HWQ-1:</b> The permit holder shall protect all disturbed areas by applying BMPs, which may include the placement of straw, mulch, seeding, straw wattles, silt fencing and/or planting of native vegetation on all disturbed areas to prevent erosion. <b>Less than significant with the mitigation measure added.</b>	1, 3, 4, 5, 12, 13, 16, 29, 33, 34
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 not located within a flood zone; construction of the project will not induce flooding on-site or off-site. <b>Less than Significant</b>	1, 3, 4, 5, 12, 13, 16, 29, 33, 34
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 project site is marginally developed with a medicinal cannabis grow site, a dwelling, and several out buildings. The project does not propose to create a substantial amount of additional impermeable surfaces, therefore the project would not create a substantial amount of additional run-off and impacts would be less than significant. Lake County Water Resources and Environmental Health were notified of this action and had no adverse comments. The applicant will be required to comply with all federal, state and local regulations pertaining to erosion and storm water as applicable. <b>Less Than Significant</b>	1, 3, 4, 5, 12, 13, 16, 29, 33, 34
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, 2, 3, 4, 5, 12, 13, 16, 29, 33, 34
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	The project is not located within a 100-year flood zone. <b>No Impact</b>	1, 2, 3, 4, 5, 12, 13, 16, 29, 33, 34
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X	See Response in Section IX (g). <b>No Impact</b>	1, 2, 3, 4, 5, 12, 13, 16, 29, 33, 34
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 flood zone. <b>No Impact</b>	1, 2, 3, 4, 5, 12, 13, 16, 29, 33, 34
j) Inundation by seiche, tsunami, or mudflow?			X		The project site is not located in an area of potential inundation by seiche or tsunami. The grow sites are on a relatively flat portion of the knoll on the hilltop, which will minimize the likelihood of a mudflow occurring on the property. Additional mitigation measures do not appear to be necessary. <b>Less than Significant</b>	1, 3, 4, 5, 12, 13, 16, 29, 33, 34
<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>Less Than Significant</b>	1, 3, 4, 5, 20, 27, 28, 35

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
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		This project is not inconsistent with the Lake County General Plan, The Kelseyville Area Plan and the Lake County Zoning Ordinance, and most significantly with Article 27, which established the rules for commercial cannabis cultivation within Lake County.  <b>Less than Significant.</b>	1, 3, 4, 5, 8, 20, 21, 22, 27, 33, 34
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X	This project area is not located within the boundaries of a habitat or natural community conservation plan, although it is near an unnamed seasonal drainage channel (215 feet away) and the Cole Creek habitat area (approximately 1800 feet away). <b>Less than Significant Impact</b>	1, 3, 4, 5, 8, 21, 22, 27, 33, 34
<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 County's 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, 7, 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 General Plan, the Lower Lake 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, 7, 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, and potentially through the use of certain emergency generators. The applicant is proposing to use gasoline power generators as an emergency backup power source. Specifications on the generators must be provided to Lake County Planning Department; noise levels generated that exceed the County's noise standards (daytime and nighttime) shall be mitigated to acceptable levels. <b>Less Than Significant with the following Mitigation Measures added:</b>  <b><u>NOI-1:</u></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><u>NOI-2:</u></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.  <b><u>NOI-3:</u></b> The operation of the Heating and Ventilation Units and generators shall not exceed levels of 57 dBA between the hours of 7:00AM to 10:00PM and 50 dBA from 10:00PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.2); the noise levels are measured at the property lines.  <b><u>NOI-4:</u></b> Generators shall only be used as Emergency Power Backup supply and shall not be used for regular power provision to this facility.	1, 3, 4, 5

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
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, 3, 4, 5
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-4 would reduce impacts to Less than Significant.</b>	1, 3, 4, 5
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-4 would reduce impacts to Less than Significant.</b>	1, 3, 4, 5
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 expose people residing or working in the project area to excessive noise levels?				X	Project is not located within an airport land use plan or within two miles of a public airport. <b>No Impact</b>	1, 3, 4, 5, 22
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X	Project is not located in the vicinity of a private airstrip. <b>No Impact</b>	1, 3, 4, 5, 22
<b>XIII. POPULATION AND HOUSING</b> <i>Would the project:</i>						
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X	The project is not anticipated to induce population growth. <b>No Impact</b>	1, 3, 4, 5
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X	No housing will be displaced as a result of the project. <b>No Impact</b>	1, 3, 4, 5
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X	No people will be displaced as a result of the project. <b>No Impact</b>	1, 3, 4, 5
<b>XIV. PUBLIC SERVICES</b> <i>Would the project:</i>						
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public			X		The project does not propose housing or other uses that would necessitate the need for new or altered government facilities. There will not be a need to increase fire or police protection, schools, parks or other public facilities as a result of the project's implementation. <b>Less than Significant.</b>	1, 3, 4, 5, 23, 29, 36, 37

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
services: - Fire Protection? - Police Protection? - Schools? - Parks? - Other Public Facilities?						
<b>XV. RECREATION</b> <i>Would the project:</i>						
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X	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 located on a parcel with slopes from approximately 10% or less, to greater than 30%. The project site is accessible by Bottle Rock Road, a paved County public road, and the site is served by a gravel driveway that takes access from Bottle Rock Road. A minimal increase in traffic is anticipated due to construction, employees exiting and entering premises, routine maintenance and weekly and/or monthly incoming and outgoing deliveries. Lake County Public Works was notified of this action and had no adverse comments regarding traffic impacts. <b>Less than Significant</b>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35, 37
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		See Response to Section XVI (a). <b>Less than Significant Impact.</b>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35, 37
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, 9, 20, 22, 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	Bottle Rock Road that serves this location is a paved public County road. The additional trips generated by this use are anticipated to be similar to those generated from a single family dwelling, and no changes to this public road are proposed. Therefore, this project would not increase hazards at the project site. <b>No Impact</b>	1, 3, 4, 5, 9, 20, 22, 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, 9, 20, 22, 35, 37

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
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 only parking associated with the project would be for the applicant and her employees. The applicant has indicated that there will be 3 full time employees, with an additional 6 employees during trimming season. The property has ample room for parking near the residence. If the applicant did need additional parking, there is adequate parking available throughout the project parcel. <b>No Impact</b>	1, 3, 4, 5, 9, 20, 22, 27, 28, 35, 37
<b>XVII. TRIBAL CULTURAL RESOURCES</b> <i>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</i>						
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or		X			<p>The applicant has not undertaken a Cultural Resource study, but did contact Sonoma State's Natural Resources Agency who collects data on surveys done on private property in Northern California. The NWIC (Sonoma State) has indicated that two earlier studies (1979 and 1998 respectively) had been undertaken covering 100% of the site.</p> <p>In October 2017, Senior Biologist and Project Manager Alicia Ringstadt (Jacobzoon and Associates) undertook a partial Archeological Study of the proposed 'disturbance areas' (grow sites), and the study yielded no finds of archeological significance. No further studies were required at that point.</p> <p>Further, a standard mitigation measure requires the notification of the overseeing Tribe and contacting a licensed Archeologist of any Native American artifacts or remains are found.</p> <p><b>Implementation of CUL-1 and CUL-2 would reduce impacts to Less than Significant.</b></p>	1, 3, 4, 5, 11, 14, 15
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		X			<p><b>See Response to Section XVII.</b></p> <p><b>Implementation of CUL-1 and CUL-2 would reduce impacts to Less than Significant.</b></p>	1, 3, 4, 5, 11, 14, 15
<b>XVIII. UTILITIES AND SERVICE SYSTEMS</b> <i>Would the project:</i>						
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X		The subject parcel is served by an existing well and septic system. The applicant shall adhere to all Federal, State and Local regulations regarding wastewater treatment and water usage requirements. <b>Less Than Significant</b>	1, 3, 4, 5, 7, 13, 16, 21, 24, 25, 26, 29, 31, 32, 33
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>According to the plan, the proposed grow sites are anticipated to use a monthly rate ranging from 1,000 gallons of water to 30,000 gallons of water to irrigate the plants for a total annual use of 190,000 gallons. The applicant will have a total storage capacity of 9,000 gallons of water held in three water storage tanks of varied sizes. Environmental Health and Water Resources were notified of this activity and had no adverse comments on the proposal.</p> <p><b>Less than significant</b></p>	1, 3, 4, 5, 7, 13, 16, 21, 24, 25, 26, 29, 31, 32, 33
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		The disturbed area will be about 80,000 square feet. The existing grow site from the Self Certification process approved in 2017 is about 22,000 square feet in gross area. The increase in disturbed area is small given the overall size of the property (77 acres). <b>Less Than Significant</b>	1, 3, 4, 5, 7, 13, 16, 21, 24, 25, 26, 29, 31, 32, 33

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X		Environmental Health and Water Resources were notified of this activity and had no adverse comments on the proposal. <b>Less Than Significant</b>	1, 3, 4, 5, 7, 13, 16, 21, 24, 25, 26, 29, 31, 32, 33
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		Environmental Health and Water Resources were notified of this activity and had no adverse comments on the proposal. <b>Less Than Significant</b>	1, 3, 4, 5, 7, 13, 16, 21, 24, 25, 26, 29, 31, 32, 33
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X		<p>The existing landfill has sufficient capacity to accommodate the project's solid waste disposal needs.</p> <p>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 growing medium and dispose of 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.</p> <p><b>Less than Significant.</b></p>	1, 3, 4, 5, 7, 13, 16, 21, 24, 25, 26, 29, 31, 32, 33
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. The solid waste provider, South Lake Disposal, does not have capacity issues. Further, this use is not expected to generate much solid waste, and no adverse comments have been received for this proposal. <b>Less than Significant.</b>	1, 3, 4, 5, 7, 13, 16, 21, 24, 25, 26, 29, 31, 32, 33
<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

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
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. Draper Commercial Cannabis Cultivation Major Use Permit Application, including the Property Management Plan and all support studies and documents.
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/CNDDDB>)
12. U.S. Fish and Wildlife Service National Wetlands Inventory
13. Biological Assessment ('Initial Study') for the Draper Property; Prepared by Jacobzoon and Associates, Ukiah office and dated November 6, 2017.
14. Cultural Resource/Archaeological Survey of subject property; Prepared by Alicia Ringstadt, Senior Biologist, Jacobzoon and Associates, Ukiah office.
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 – November 1, 2018