# **Tina Rubin**

From: Byron Turner

Sent: Wednesday, October 10, 2018 4:57 PM
To: chris.vallerga@fire.ca.gov; Doug Gearhart; Mary Jane Montana; nwic@sonoma.edu;

Jeffrey Taylor; Jill Shaul; tmartin@hpultribensn.gov; Todd Mansell;

Melissa.M.France@usace.army.mil; Richard Ford; Jim Campbell; James Scott; Tina Rubin;

Irenia.quitiquit@sv-nsn.gov; mschaver@robinsonrancheria.org;

drogers@robinsonrancheria.org; speterson@middletownrancheria.com; btorres@middletownrancheria.com; slreyes@middletownrancheria.com;

l.brown.elem@gmail.com; a.garcia@elemindiancolony.org; kkarolaepa@gmail.com; aarroyosr@hpultribe-nsn.gov; Yuliya Osetrova; Irosas@hpultribe-nsn.gov; Gordon Haggitt; Brian Martin; jsimon@middletownrancheria.com; Dean Eichelmann; sryan@big-

valley.net; jlord@middletownrancheria.com; David Cowan;

tc@middletownrancheria.com; THPO@middletownrancheria.com;

'Mike.Wink@fire.ca.gov'

**Cc:** Moke Simon; Byron Turner

Subject:RFR - Commercial Cannabis projectAttachments:6. 8.20.18 1 Site Plan SUNNY S COVER Map.pdf: 7. 8.20.18 2

6. 8.20.18 1 Site Plan SUNNY S COVER Map.pdf; 7. 8.20.18 2 Site Plan SUNNY S-SHEET 2 EXISTING.pdf; 8. 8.20.18 3 Site Plan SUNNY S-SHEET 3 EXISTING.pdf; 9. 8.20.18 4 Site Plan SUNNY S-SHEET 4 PROPOSED.pdf; 10. Rev 8.20.18 5 Site Plan SUNNY S-SHEET 5 CANNABIS SITE.pdf; 11. 8.20.18 6 Site Plan SUNNY S-SHEET 6 BUILDING LAYOUTS.pdf; 12. 8.20.18 7A Site Plan SUNNY S-SHEET 7 SECURITY.pdf; 13. 8.20.18 7B Site Plan SUNNY S-SHEET 7 SECURITY.pdf; 4. 10.4.18 Final Sunny S Project Description.pdf; 5. 10.4.18 Final Sunny S Ranch Property Management Plan.pdf

FROM: Byron Turner, Principal Planner

REQUEST: Commercial Cannabis Cultivation, Use Permit 18-43

APPLICANT: Sunny S Ranch

OWNER: Shannon Sanders, 19424 Butts Canyon Road, Middletown CA 95134

APNs: 014-004-20

LOCATION: 19424 Butts Canyon Road, Middletown CA

ZONING: RL - SC, Rural Lands, Scenic Corridor

GENERAL PLAN: Community Commercial

PROPOSAL: The applicant is proposing a commercial cannabis operation consisting ab=n A – Type 3B mixed light cannabis cultivation project including a 1-acre fenced area, 13 –(20'x98') steel frame greenhouses (21,996 sq. ft. of cultivation area), a 40' x 100' one story processing building, and related ancillary facilities Please refer to enclosed plans and for more information.

Please advise us if additional information is needed, which permits are required from your agency, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provision s of state law, it is essential that we receive your comments as soon as possible but in no case later than October 25, 2018. Thank you.

COMMENTS:	See Heteriard memorandum
	SEE CECTURA ITTELL
e	f + 11



# **COUNTY OF LAKE**

**HEALTH SERVICES DEPARTMENT**Division of Environmental Health

Lakeport: 922 Bevins Court, Lakeport, CA 95453-9739 Telephone 707/ 263-1164 FAX: 263-1681 **Denise Pomeroy** Health Services Director

Jasjit Kang Environmental Health Director

# Memorandum

DATE:

October 26, 2018

TO:

Byron Turner, Principal Planner

FROM:

Tina Dawn-Rubin, Environmental Health Aide

RE:

UP 18-43 Minor Use Permit - Commercial Cannabis -

Sunny S Ranch

APN:

014-004-20 19424 Butts Canyon Rd, Middletown

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

Our office has on file a 1979 septic permit designed to service a 3 bedroom residence and a September 2018 septic permit (18528) designed to service a 3 bedroom residence. The site plan submitted with this review did not have any septic systems drawn on the site plan.

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

The applicant will need to demonstrate the location of the existing and/or proposed wastewater systems, wells, existing structures and the location of the proposed project on a to-scale site plan prior to building permit issuance and/or project approval.

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

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

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

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

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

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

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



HIGMBOLDI LAKE MARIN MENDOCINO MONTERES' NAPA SAN BENTFO SAN FRANCISCO SAN MATEO SANTA CLATA SANTA CRUZ SOLAÑO SONOMA VOLO Northwest Information Center Sonoma State University 150 Professional Center Drive, Suite E Rohnert Park, California 94928-3609 Tel: 707,588.8455 nwic@sonoma.edu http://www.sonoma.edu/nwic

File No.: 18-0724

October 12, 2018

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

re:

UP18-43 / 19424 Butts Canyon Road, APN 014-004-20 / Sunny S Ranch

Dear Byron Turner,

Records at this office were reviewed to determine if this project could adversely affect cultural resources.

Please note that use of the term cultural resources includes both archaeological sites and historical buildings and/or structures. The review for possible historic-era building/structures, however, was limited to references currently in our office and should not be considered comprehensive.

**Project Description:** Commercial cannabis cultivation project consisting of a 1-acre fenced area, 13 steel frame greenhouses, a 40'x100' one story processing building, and related ancillary facilities

### **Previous Studies:**

XX This office has no record of any previous <u>cultural resource</u> studies for the proposed project area (see recommendation below).

# **Archaeological and Native American Resources Recommendations:**

- XX The proposed project area has the possibility of containing unrecorded <u>archaeological site(s)</u>. Native American resources in this part of Lake County have been recorded in midslope terraces, valley floors, and near intermittent or perennial watercourses. Due to these environmental factors, a study is recommended prior to commencement of project activities.
- XX We recommend the lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. For a complete listing of tribes in the vicinity of the project, please contact the Native American Heritage Commission at 916/373-3710.

## **Built Environment Recommendations:**

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

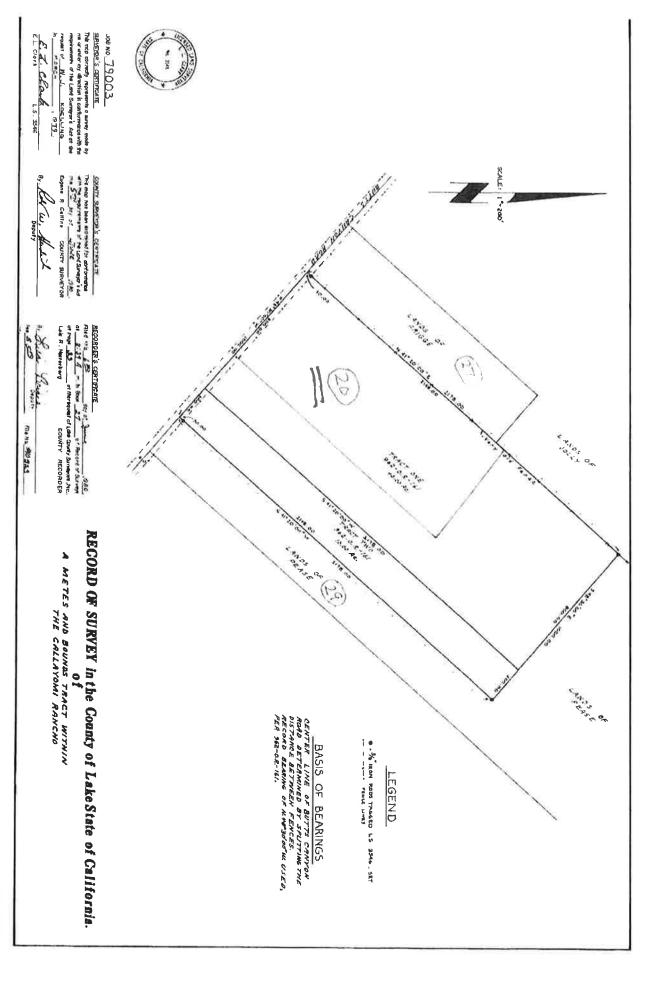
Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that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

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

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

Sincerely,

Cameron Felt Researcher



### **Eric Porter**

From:

Byron Turner

Sent:

Thursday, May 16, 2019 10:34 AM

To:

Eric Porter

Subject:

FW: RFR - Commercial Cannabis project

**Attachments:** 

20181011144214.pdf

From: Gordon Haggitt

Sent: Thursday, October 11, 2018 12:45 PM

**To:** Byron Turner < Byron. Turner@lakecountyca.gov> **Subject:** RE: RFR - Commercial Cannabis project

Byron: I'm attaching another survey map showing a portion of the project. Since they're building a fence and placing the site close to the northeast corner of the property I would require a recorded survey to establish the line for their protection as well as the neighbors.

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

From: Byron Turner

Sent: Wednesday, October 10, 2018 4:57 PM

To: chris.vallerga@fire.ca.gov; Doug Gearhart <dougg@lcaqmd.net>; Mary Jane Montana

< MaryJane. Montana@lakecountyca.gov>; nwic@sonoma.edu; Jeffrey Taylor < Jeffrey. Taylor@lakecountyca.gov>; Jill

Shaul < Jill. Shaul@lakecountyca.gov >; tmartin@hpultribensn.gov; Todd Mansell < Todd. Mansell@lakecountyca.gov >;

Melissa.M.France@usace.army.mil; Richard Ford < Richard.Ford@lakecountyca.gov >; Jim Campbell

<Jim.Campbell@lakecountyca.gov>; James Scott <James.Scott@lakecountyca.gov>; Tina Rubin

<Tina.Rubin@lakecountyca.gov>; Irenia.quitiquit@sv-nsn.gov; mschaver@robinsonrancheria.org;

drogers@robinsonrancheria.org; speterson@middletownrancheria.com; btorres@middletownrancheria.com;

slreyes@middletownrancheria.com; l.brown.elem@gmail.com; a.garcia@elemindiancolony.org;

kkarolaepa@gmail.com; aarroyosr@hpultribe-nsn.gov; Yuliya Osetrova < Yuliya.Osetrova@lakecountyca.gov >;

Irosas@hpultribe-nsn.gov; Gordon Haggitt < Gordon.Haggitt@lakecountyca.gov >; Brian Martin

<Brian.Martin@lakecountyca.gov>; jsimon@middletownrancheria.com; Dean Eichelmann

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<David.Cowan@lakecountyca.gov>; tc@middletownrancheria.com; THPO@middletownrancheria.com;

'Mike.Wink@fire.ca.gov' < Mike.Wink@fire.ca.gov>

Cc: Moke Simon < Moke.Simon@lakecountyca.gov >; Byron Turner < Byron.Turner@lakecountyca.gov >

Subject: RFR - Commercial Cannabis project

FROM:

Byron Turner, Principal Planner

**REQUEST:** 

Commercial Cannabis Cultivation, Use Permit 18-43

APPLICANT:

Sunny S Ranch

OWNER:

Shannon Sanders, 19424 Butts Canyon Road, Middletown CA 95134

APNs:

014-004-20

LOCATION:

19424 Butts Canyon Road, Middletown CA

ZONING:	RL - SC, Rural Lands, Scenic Corridor	
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	The applicant is proposing a commercial cannabis operation consisting ab= $nA - Type 3B$ mixed ation project including a 1-acre fenced area, $13 - (20'x98')$ steel frame greenhouses (21,996 sq. ft. of 0' x 100' one story processing building, and related ancillary facilities Please refer to enclosed plans ation.	
concerns, and whe prepared. Additional environmental impac	additional information is needed, which permits are required from your agency, your environmental ther you recommend that a Negative Declaration or an Environmental Impact Report be ly, please advise if your agency recommends any modifications to the project that would reduce potential ts. Due to the provision s of state law, it is essential that we receive your comments as soon as possible an October 25, 2018. Thank you.	
COMMENTS:		

# **Eric Porter**

From:

PGE Plan Review < PGEPlanReview@pge.com>

Sent:

Monday, June 03, 2019 3:07 PM

To:

**Eric Porter** 

Subject:

UP 18-43 19424 Butts Canyon Rd, Middletown

Attachments:

20190530152328.pdf; Initial\_Response\_Letter\_6-3-2019.pdf

Dear Mr. Porter,

Thank you for submitting the 19424 Butts Canyon Rd plans. The PG&E Plan Review Team is currently reviewing the information provided. Should we find the possibility this project may interfere with our facilities, we will respond to you with project specific comments on or prior to the provided deadline. Attached is general information regarding PG&E facilities for your reference. If you do not hear from us, within 45 days, you can assume we have no comments at this time.

This email and attachment does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. If there are subsequent modifications made to your design, we ask that you resubmit the plans to the email address listed below.

If you have any questions regarding our response, please contact the PG&E Plan Review Team at (877) 259-8314 or pgeplanreview@pge.com.

Thank you,

Plan Review Team 6111 Bollinger Canyon Rd., 3rd Floor Mail Code BR1Y3A San Ramon, CA 94583 pgeplanreview@pge.com

\*\*This is a notification email only. Please do not reply to this message.

----Original Message-----From: Short, Amy

Sent: Thursday, May 30, 2019 3:24 PM To: Short, Amy <AUSB@pge.com>

Subject:

Here is your scanned document.



6111 Bollinger Canyon Road 3370A San Ramon, CA 94583

June 3, 2019

Eric Porter
County of Lake
Community Development Dept
Planning Division

Ref: Gas and Electric Transmission and Distribution

Dear Mr. Porter,

Thank you for submitting the 19424 Butts Canyon Rd plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

- This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: <a href="https://www.pge.com/en\_US/business/services/building-and-renovation/overview/overview.page">https://www.pge.com/en\_US/business/services/building-and-renovation/overview/overview.page</a>.
- 2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
- 3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team Land Management



### Attachment 1 - Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: <a href="http://usanorth811.org/wp-content/uploads/2017/05/CA-LAW-English.pdf">http://usanorth811.org/wp-content/uploads/2017/05/CA-LAW-English.pdf</a>

- 1. Standby Inspection: A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.
- 2. Access: At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.
- 3. Wheel Loads: To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

- 4. Grading: PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.
- 5. Excavating: Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 12 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [24/2 + 24 + 36/2 = 54] away, or be entirely dug by hand.)



Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 12 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible (90° +/- 15°). All utility lines crossing the gas pipeline must have a minimum of 12 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

- 8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.
- 9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.
- 10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.
- 11. Cathodic Protection: PG&E pipelines are protected from corrosion with an "Impressed Current" cathodic protection system. Any proposed facilities, such as metal conduit, pipes,



service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

- 12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.
- 13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.



#### Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

- 1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as "RESTRICTED USE AREA NO BUILDING."
- 2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
- 3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&'s facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
- 4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 15 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
- 5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.
- 6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
- 7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.
- 8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for



proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

- 9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.
- 10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.
- 11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.
- 12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<a href="https://www.dir.ca.gov/Title8/sb5g2.html">https://www.dir.ca.gov/Title8/sb5g2.html</a>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (<a href="http://www.cpuc.ca.gov/gos/GO95/go\_95\_startup\_page.html">http://www.cpuc.ca.gov/gos/GO95/go\_95\_startup\_page.html</a>) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.



6111 Bollinger Canyon Road 3370A San Ramon, CA 94583

June 3, 2019

Eric Porter
County of Lake
Community Development Dept
Planning Division

Ref: Gas and Electric Transmission and Distribution

Dear Mr. Porter,

Thank you for submitting the 19424 Butts Canyon Rd plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

- This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: <a href="https://www.pge.com/en\_US/business/services/building-and-renovation/overview/overview.page">https://www.pge.com/en\_US/business/services/building-and-renovation/overview/overview.page</a>.
- If the project being submitted is part of a larger project, please include the entire scope
  of your project, and not just a portion of it. PG&E's facilities are to be incorporated within
  any CEQA document. PG&E needs to verify that the CEQA document will identify any
  required future PG&E services.
- An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team Land Management



# Attachment 1 - Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: <a href="http://usanorth811.org/wp-content/uploads/2017/05/CA-LAW-English.pdf">http://usanorth811.org/wp-content/uploads/2017/05/CA-LAW-English.pdf</a>

- 1. Standby Inspection: A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.
- 2. Access: At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.
- 3. Wheel Loads: To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

- 4. Grading: PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.
- 5. Excavating: Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 12 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [24/2 + 24 + 36/2 = 54] away, or be entirely dug by hand.)



Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 12 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible (90° +/- 15°). All utility lines crossing the gas pipeline must have a minimum of 12 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

- 8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.
- 9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.
- 10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.
- 11. Cathodic Protection: PG&E pipelines are protected from corrosion with an "Impressed Current" cathodic protection system. Any proposed facilities, such as metal conduit, pipes,



service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

- 12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.
- 13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.



# **Attachment 2 - Electric Facilities**

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

- 1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as "RESTRICTED USE AREA NO BUILDING."
- 2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
- 3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&'s facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
- 4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 15 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
- 5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.
- 6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
- 7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.
- 8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for



proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

- 9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.
- 10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.
- 11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.
- 12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<a href="https://www.dir.ca.gov/Title8/sb5g2.html">https://www.dir.ca.gov/Title8/sb5g2.html</a>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (<a href="http://www.cpuc.ca.gov/gos/GO95/go-95-startup\_page.html">http://www.cpuc.ca.gov/gos/GO95/go-95-startup\_page.html</a>) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.

# COUNTY OF LAKE MAJOR USE PERMIT, UP 18-43 INITIAL STUDY, IS 18-58 SUNNY S FARMS CONDITIONS OF APPROVAL

# EXPIRES IF NOT USED BY: JUNE 27, 2021 VALID UNTIL JUNE 27, 2029

Pursuant to the approval of the Planning Commission on June 27, 2019, there is hereby granted to SHANNON SANDERS representing SUNNY S FARMS, a Major Use Permit, UP 18-43 with the following conditions of approval to allow an A-Type 3B 'mixed light' license, which allows ±20,000 square feet of canopy area within 24,000 square feet of total cultivation area as shown on the approved site plan on property located at 19424 Butts Canyon Road, Middletown, CA; and further described as APN: 014-004-20 subject to the following terms and conditions.

#### A. GENERAL

- 1. The use hereby permitted shall substantially conform to the Site Plan(s), Project Description and Property Management Plan and any conditions of approval imposed by the Major Use Permit and Review Authority for the outdoor cultivation of ±130,000 square feet of canopy area inside two feet fenced enclosures that comprise 168,709 square feet of total cultivation area. The Community Development Director may approve, in writing, minor modifications that do not result in increased environmental impacts. Applicant shall be in substantial conformance with the following:
  - a. Property Management Plan, received 8-21-2018 and 10-1-2018.
  - b. Site plans (sheets 3 through 7) dated August 2018
  - c. Support documentation provided by the Applicant
- 2. This permit does not abridge or supersede the regulatory powers or permit requirements of any federal, state, local agency, special district or department which may retain a regulatory or advisory function as specified by statute or ordinance. The applicant shall obtain permits as may be required from each agency.
- 3. **Prior to cultivation,** the applicant shall contact the Lake County Building Department to schedule an inspection(s) to assure that Public Resource Code sections 4290 and 4291 are being complied with; at 707-263-2221.
- Prior to cultivation, the permit holder shall adhere to all requirements of Chapter 13 of the Lake County Code, including but not limited to adherence with the Hazardous Vegetation requirements.
- 5. The permit holder is responsible for insuring that all project workers are informed of, understand, and agree to abide by the approved plans and project conditions.
- 6. **Prior to cultivation,** all necessary permits shall be obtained from applicable Federal, State and County agencies having jurisdiction over this project.
- The Applicant shall comply with the State of California Track and Trace requirements.
- 8. The applicant shall not sell, transfer and/or give cannabis or cannabis products to any person under the age of 21 and/or allow any person under the age of 21 into the cultivations area and/or employ or retain persons under the age of 21 years old.
- 9. An applicant shall keep accurate records of commercial cannabis activity. All records related to commercial cannabis activity as defined by the State Licensing Authorities shall be maintained for a minimum of seven (7) years.
  - The County may examine the books and records of an applicant and inspect
    the premises of a permittee when the County deems necessary to perform its
    duties under this division. All inspections shall be conducted during standard
    business hours of the permitted facility or at any other reasonable time.
  - Applicants shall keep records identified by the County on the premises of the location permitted and the County may make any examination of the records of any applicant. Applicants shall also provide and deliver copies of such documents to the County upon request.

- An applicant, or its agent or employee, that refuses, impedes, obstructs, or interferes with an inspection of the premises or records of the applicant pursuant to this section, has engaged in a violation of this article.
- All current and future applicants and/or employees shall undergo and pass a background check by the Lake County Sheriff Department. In determining which offenses are substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, the sheriff shall include, but not be limited to, the conditions described in Section 26057 of the California Business and Professions Code.
- 11. **Prior to cultivation**, all structure(s) used for commercial cultivation shall meet accessibility standards. Please contact the Community Development Department Building Division for more information.
- 12. **Prior to cultivation**, all employees shall have access to restrooms and hand-wash stations. The restrooms and hand wash stations shall meet all accessibility requirements.
- 13. The proper storage of equipment, removal of litter and waste, and cutting of weeds or grass shall not constitute an attractant, breeding place or harborage for pest.
- 14. **Prior to cultivation,** the applicant shall pay the Cannabis Cultivation Tax prior to or concurrently with the start of cultivation (the initial planting). Proof of payment is required to be submitted to the Community Development Department. Failure to pay said tax will result in the initiation of permit revocation proceedings.
- 15. **Prior to cultivation**, the applicant must first pay any remaining amount of the County Cannabis Program Service Fee to the Community Development Department.
- 16. The California Department of Fish & Wildlife filing fee shall be submitted as required by California Environmental Quality Act (CEQA) statute, Section 21089(b) and Fish and Game Code Section 711.4. The fee should be submitted to the Community Development Department within five days of approval of the mitigated negative declaration.
- 17. **Prior to cultivation**, the applicant(s) shall submit to the Community Development Department a summary response in writing establishing compliance with these conditions of approval, as well as documenting compliance with all obligations of the Property Management Plan, including dates of compliance and referencing documents or other evidence of compliance.
- This permit shall be null and void if not used by June 27, 2021 or if the use is abandoned for a period of two (2) years. Once activated, this permit is valid for a period of ten (10) years unless the use is discontinued for two years or if this permit is revoked due to non-compliance with these conditions.

#### B. AESTHETICS

- A <u>Lighting Plan</u> shall be submitted to the Community Development Department for review and approval **prior to obtaining the necessary permits and/or installation of any lighting** if any exterior lighting associated with cannabis cultivation is contemplated. All outdoor lighting will need to be directed downward onto the project site and not onto adjacent properties. All lighting equipment will need to comply with the recommendations of darksky org and provisions of Section 21.48 of the Zoning Ordinance.
- The applicant shall provide adequate security on the premises. Fencing cannot exceed seven feet in height unless a building permit is issued by the County for the fence.

# C. AIR QUALITY

- Prior to cultivation, the applicant shall submit an Odor Control Plan to the Lake County Community Development Department for review and acceptance or revision at the discretion of the Department Director.
- All mobile diesel equipment used must be in compliance with State registration requirements. Portable and stationary diesel powered equipment must meet the requirements of the State Air Toxic Control Measures for CI engines. Mitigation measure AQ-2.

3. 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. *Mitigation measure AQ-3*.

### D. CULTURAL RESOURCES:

- 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 Middletown Rancheria or other 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 and Health and Safety Code 7050.5. Mitigation measure CUL-1.
- All employees shall be trained in recognizing potentially significant artifacts that may be discovered during ground disturbance. If any artifacts or remains are found, the Middletown Rancheria or other local overseeing Tribe shall immediately be notified; a licensed archaeologist shall be notified, and the Lake County Community Development Director shall be notified of such finds. Mitigation measure CUL-2.

# E. BIOLOGICAL RESOURCES

- 1. The applicant shall ensure to use only previously disturbed areas for staging/storage of materials and/or equipment that is used to maintain the ongoing use. No areas shall be newly developed for the purpose of staging.
- 2. The applicant shall preserve and/or avoid existing vegetation not otherwise specified for removal, including native tree species.
- The applicant shall maintain a minimum of a one-hundred (100) foot setback from the top of bank of any creek (perennial and intermittent), edge of lake, delineated wetland and/or vernal pool on the lot of record of land.

# F. GEOLOGY & SOILS

The applicant shall submit <u>Erosion and Sediment Control Plans</u> to the Community Development Department for review and approval within thirty (30) days of use permit approval. Said plans shall incorporate <u>Best Management Practices (BMPs)</u> including wattles around the perimeter of each cannabis cultivation area in a manner that channels stormwater runoff away from the seasonal creek and the Deterte Reservoir to the maximum extent possible. The Erosion and Sediment Control Plan shall be designed in a manner to prevent and/or reduce discharge of all construction or post construction pollutants into the County Storm Drainage System and/or nearby waterways. 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. (Typical BMPs can be found in the California Storm Water Quality Association Storm and Water Best Management Practices Handbooks, including the Construction Handbook and the New Development and Redevelopment Handbooks. Handbooks are available for purchase or download at http://www.cabmphandbooks.com).

# G. HAZARDS & HAZARDOUS MATERIALS

- 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.
- 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.
- The storage of hazardous materials equal to or greater than fifty-five (55) gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas, then a <u>Hazardous</u>

<u>Materials Inventory Disclosure Statement / Business Plan</u> shall be submitted and maintained in compliance with requirements of Lake County Environmental Health Division. Industrial waste shall not be disposed of on site without review or permit from Lake County Environmental Health Division or the California Regional Water Quality Control Board. The permit holder shall comply with petroleum fuel storage tank regulations if fuel is to be stored on site.

- If the applicant increases hazardous materials storage, the applicant shall coordinate with Lake County Environmental Health Division to update their Hazardous Material Business Plan within sixty (30) of change and provided written verification to the Community Development Department.
- 4. The storage and use of any potentially hazardous materials, including fertilizer/pesticides shall not be within 100 feet of any springs, top of bank of any creek or seasonal stream, edge of lake, delineated wetland or vernal pool. These materials shall not be allowed to leak onto the ground and/or contaminate any surface water. The use of any pesticide that has been banned for use in the United State is prohibited.
- 5. All employees and/or staff member shall be properly be trained in and wear Personnel Protective Equipment in accordance with all Federal, State and local regulations regarding handling any Biological and Chemical agents.
- 6. Hazardous waste must be handled according to all Hazardous Waste Control and Generator regulations. Waste shall not be disposed of on- site without review or permits from EHD, the California Regional Water Control Board, and/or the Air Quality Board. Collected hazardous or toxic waste materials shall be recycled or disposed of through a registered waste hauler to an approved site legally authorized to accept such material.

# H. HYDROLOGY & WATER QUALITY

- The illicit discharge of irrigation or storm water from the project parcel, as defined in Tile 40 of the Code of Federal regulation, Sections 122.26, which may result in degradation of water quality of any water body is prohibited.
- The applicant shall maintain all necessary permits from the Central Valley Regional Water Quality Control Board and submit written verification to the Community Development Department. The applicant shall contact the Central Valley Water Control Board for details.
- 3. The use of water provided by a public water supply, unlawful water diversions, transported by a water hauler, bottled water, a water-vending machine, or a retail water facility is prohibited.
- 4. The applicant may use water supplied by a licensed retail water supplier, as defined in Section 13575 of the Water Code, on an <u>emergency basis only</u>. The applicant shall notify the Community Development Department within seven (7) days of the emergency and provide the following information: (a) A detailed description of the emergency; (b) Identification of the retail water supplier including license number; (c) The volume of water supplied and actions taken to prevent the emergency in the future.

# I. <u>NOISE</u>

- 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.
- 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.
- 3. Maximum non-construction related sounds levels shall not exceed levels as specified within Zoning Ordinance Section 21-41.11.12 at the property line.

## J. TRANSPORTATION & TRAFFIC

1. All deliveries and/or pickups shall during the hours of Monday through Saturday from 7:00AM to 7:00 p.m. and Sundays from 12:00 p.m. to 5:00 p.m.

- 2. The applicant shall provide a minimum of one (1) parking space per employee on the shift having the largest number of employees. The applicant is proposing up four (4) employees, therefore there shall be a minimum of four (4) employee parking spaces and one (1) Accessibility Compliant Parking Space.
- 3. The applicant shall comply with the State of California Weights and Measures requirements found in the California Food and Agriculture Code, California Code of Regulations, and the California Business and Professions Code.
- 4. The project site(s) shall have access to a public road or a recorded easement that allows for, but not limited to, delivery trucks, emergency vehicles, sheriff and other law enforcement officers, and government employees who are responsible for inspection or enforcement actions. Driveway encroachments onto County-maintained roadways shall be constructed to current County standards and shall be constructed with an encroachment permit obtained from the Department of Public Works.
  - a) All driveways shall be constructed and maintained so as to prevent road surface and fill material from discharging to any surface water body
  - b) The design of all access to and driveways providing access to the site where the cannabis related activity that is permitted shall be sufficient to be used by all emergency vehicles and shall be approved by the applicable fire district.
  - c) Gates shall not be constructed across driveways or access roads that are used by neighboring properties or the general public. Gates constructed across public access easements are subject to removal per State Street and Highway Codes.
- Driveway encroachments onto State and/or County-maintained roadways shall be maintained to current federal, State or local Standards and shall be constructed with an encroachment permit.
- 6. First fifty (50) feet of a driveway beginning at the edge of the existing improved surface shall be constructed and maintained with an all-weather surface. An all-weather surface includes: Six (6) inches of gravel or crushed rock, an oil and rock surface, asphaltic concrete, or concrete as to prevent road surfaces and fill material from discharging to any surface water body. The use of White Rock is prohibited for any road surfacing.
- 7. The applicant shall meet and maintain all the requirements and/or regulations as define in 14 California Code of Regulations (CCCR), Division 1.5, Chapter 7, Subchapter 2, Article 2, §1273.00 through §1273.11 of the California Department of Forestry and Fire Protection (Cal Fire) for Emergency Access and Egress Requirements.
- 8. Gates shall not be constructed across driveways or access roads that are used by neighboring properties or the general public. Gates constructed across public access easements are subject to removal per State Street and Highway Codes. A knox box is required on all gated entrances.
- All handicap parking areas, routes of travel, building access and bathrooms shall meet American with Disabilities Act (ADA) requirements and be subject to review and approval of a CASP, Certified Accessibility Access Specialist.

# K. TIMING & MITIGATION MONITORING

- 1. The permit holder shall permit the County of Lake or representative(s) or designee(s) to make periodic and/or annual inspections at any reasonable time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.
- The applicant shall submit an <u>Annual Performance Review Report</u> their initial date of operation for review and approval by the Planning Commission. The Planning Commission may delegate review of the <u>Annual Performance Review Report</u> to the Community Development Director at the time of the initial hearing or at any time thereafter. The <u>Annual Performance Review Report</u> shall identify the effectiveness of the approved Major Use Permit, Operations Manual, Operating Standards, and Conditions of Approval, as well as the identification and implementation of additional procedures deemed necessary. In the event the Planning Commission identifies issues with the Annual Performance Review Report, it may lead to revocation of the approved

use and/or the Planning Commission may require the submittal of more frequent Performance Review Reports. Additionally, the Performance Review Report shall include the following:

- The project parcel shall be inspected by the Community Development Department on an Annual Basis and/or less frequently if approved by the Community Development Director. A copy of the results from said inspection shall be provided to the applicant to for inclusion in their Performance Review Report.
- A Compliance Monitoring Fee of \$760.00 shall be paid by applicant and accompany the Performance Review Report.
- A Compliance Monitoring Inspection of the Cultivation Site shall be conducted annually during growing season. The applicant shall contact the Community Development Department to schedule such inspection.
- If there are no violation of the use permit and/or State License during the first five (5) years, the inspections may be reduced by the Community Development Director to not less than once every 5 years
- Non-compliance by the applicant in allowing the inspection by the Community
  Development Department, or refusal to pay the required fees, or noncompliance
  in submitting the annual "Performance Review Report" for review by the Planning
  Commission shall be deemed grounds for a revocation of the development
  permit or use permit and subject the holder of the permit(s) to the penalties
  outlined in this Code.
- A record of all complaints and resolution of complaints and provide tally and summary of the issues shall be provided within the Annual Report.
- All wells shall be monitored for monthly usage, and a report by month shall be included within the Annual Report.
- The applicant(s) shall submit an application for **renewal** of the authorized use to the Community Development Department a minimum of 180 days prior to the expirations date of said use. Failure to submit an application for renew by (January 27, 2029) may result in the expiration of the permits. Applicant shall submit the required application, associated fees and the following additional information which may include but is not limited to:
  - A copy of all licenses, permits, and conditions of such licenses or permits related to the project from state agencies as appropriate including, but not limited to the California Department of Food and Agriculture, Department of Pesticide Regulation, Department of Fish and Wildlife, The State Water Resources Control Board, Board of Forestry and Fire Protection, Central Valley or North Coast Regional Water Quality Control Board, and the Department of Public Health.
  - A copy of all reports provided the County and State agencies as determined by the Director.
  - A list of all employees on the premise during the past year and a copy of the background checks certification for each.
  - Documentation that the applicant is still qualified to be an applicant.
  - Any proposed changes to the use permit or how the site will be operated.
  - Payment of all fees as established by resolution by the Board of Supervisors.
- 4. This permit may be revoked if the use for which the permit was granted is conducted as to be detrimental to the public health, safety, or welfare or as to be a nuisance. This permit shall be valid until it expires or is revoked pursuant to the terms of this permit and/or Chapter 21 of the Lake County Code.

	Michalyn DelValle, Director COMMUNITY DEVELOPMENT DEPARTMENT
Prepared by: EJP	By:

**ACCEPTANCE** 

every term and condition thereof.	Floregoing Major Ose Fermis and agree to each an
Date:	Applicant or Authorized Agent Signature
	Printed Name of Authorized Agent

