



**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:** November 15, 2018  
**TO:** Byron Turner, Principal Planner  
**FROM:** Tina Dawn-Rubin, Environmental Health Aide  
**RE:** UP 18-49, 50, 51 Minor Use Permit - Commercial  
Cannabis – Obsidian Farms  
**APN:** 007-029-02, 10, 12 – 7580, 7560, 7540 S State Hwy 29,  
Kelseyville

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. The site plan submitted with this review did not have any septic system details drawn on the site plan and only indicated general area of the septic tank/leach field location.

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.

**ATTACHMENT 3**

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.

**Eric Porter**

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**From:** Ryan Peterson <rpeterson@middletownrancheria.com>  
**Sent:** Thursday, August 1, 2019 1:22 PM  
**To:** Eric Porter  
**Cc:** Sally Peterson  
**Subject:** Re: Request for comments and outreach for possible Tribal Consultation

Good afternoon,

The Middletown Rancheria of Pomo Indians of California (the "Tribe") or ("Middletown Rancheria") is in receipt of your notification dated 7/25/19 and attached to this email regarding the referenced project in the subject line of this email correspondence.

Middletown Rancheria is a Sovereign Tribal Nation comprised of several tribelets, including Pomo, Wintu, Wappo and Lake Miwok. The natural ancestral boundaries of our aboriginal lands are dictated by our Lake Miwok language. Our Tribal Historic Preservation Office has reviewed the project and concluded that it is not within the aboriginal territories of the Middletown Rancheria. Therefore, we respectfully decline any comment on this project.

Should you have any questions, please feel free to contact our office:

Middletown Rancheria  
Tribal Historic Preservation Department  
Office: (707) 987-1315  
Email: [THPO@middletownrancheria.com](mailto:THPO@middletownrancheria.com)

We thank you for providing us with this notice and the opportunity to provide comments to the referenced project(s). Nothing herein should be construed to be a waiver of or limitation of any of Middletown Rancheria's rights in law, equity or otherwise. All rights, claims and remedies are specifically reserved.

Regards,

Ryan Peterson  
Middletown Rancheria  
Tribal Historic Preservation Department  
PO Box 1035 Middletown, CA 95461  
Phone: (707) 987-1315  
Fax: (707) 987-9091

On Thu, Jul 25, 2019 at 3:37 PM Eric Porter <[Eric.Porter@lakecountycalifornia.gov](mailto:Eric.Porter@lakecountycalifornia.gov)> wrote:

Greetings!

We have received a commercial cannabis application. The applicant wants an A-Type 3B (mixed light) commercial cannabis license that would take place on 5 sites on the property. The applicant is proposing the

use of well water, and shows a 'porta-potty' on the site, which is not typically allowed by the Planning Commission.

Please submit your comments within the time-frame specified in the attached RFR document.

Thank you,

Eric Porter

# LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT

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



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

## -MEMORANDUM-

**To:** Byron Turner, Principal Planner  
LC Community Development Department

**DATE:** November 26, 2018

**FROM:** Fahmy Attar, Air Quality Engineer

*Fahmy*

**SUBJECT:** Carl Tharp/Obsidian Farms \*\*\* APN: 007-029-010, 021, 012 \*\*\* (Indoor, State License Type 2) Commercial Cannabis Cultivation Use Permit 18-49, (Mixed Light, State License Type 3) Use Permit 18-50 and (Nursery, State License Type 4) Use Permit 18-51 \*\*\* Indoor and Mixed Light Commercial Cannabis Cultivation at 1760 Hwy 29, Kelseyville, CA 95451

The Air Quality Management District received a Request for Review from the LC Community Development Department regarding Carl Tharp/Obsidian Farms on November 14, 2018. The applicant requests 3 Use permits, a 10,000 square feet outdoor cultivation on APN 007-029-021, a 7,920 square feet mixed light cultivation with a 2,000 square feet nursery on APN 007-029-010, and a 14,080 square feet mixed light cultivation on APN 007-029-012. The Air Quality impact potential is high, and mitigation measures should be in place prior to operation. An Authority to Construct Application with an Odor Mitigation plan is required with the Lake County Air Quality Management District.

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

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

Construction activities that involve pavement, masonry, sand, gravel, grading, and other activities that could produce airborne particulate should be conducted with

adequate dust controls to minimize airborne emissions. A dust mitigation plan may be required should the applicant fail to maintain adequate dust controls.

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

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

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

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

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