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## COUNTY OF LAKE

### COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

Courthouse - 255 N. Forbes Street

Lakeport, California 95453

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

November 14, 2019

## CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY (IS 18-62)

1. **Project Title:** Carl Tharp / Obsidian Farms
2. **Permit Numbers:** Major Use Permit UP 19-25  
Initial Study IS 18-62
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):** 7560, 7540 and 7580 S. Highway 29, Kelseyville, CA  
APN: 007-029-10, 12 and 02
6. **Project Sponsor's Name/Address:** Carl Tharp  
7560 S. Highway 29  
Kelseyville, CA
7. **General Plan Designation:** Rural Lands
8. **Zoning:** "RL" Rural Lands
9. **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).**

Supervisor District: District 5

Flood Zone: Not within a designated flood zone.

Slope: Varied; relatively flat at cultivation site

Fire Hazard Severity Zone: High Fire Severity Zone

Earthquake Fault Zone: Partially within a fault zone

Dam Failure Inundation Area: Not within dam failure zone

Parcel Sizes: ±80 acres (cumulatively)

The applicant is requesting approval of a Major Use Permit in order to have 10,000 square feet (sf) of outdoor cultivation on APN 007-029-02, 7,920 sf of mixed light and additional 2,000 sf of nursery on APN 007-029-10, and 14,080 sf of mixed light on APN 007-029-012 to be used for the commercial cultivation of cannabis. Lake County Zoning Ordinance, Article 27, subsection (at) in part regulates cannabis cultivation in Lake County. The 80+ acre property is large enough to support these licenses (20 acres per license is required); that the applicant is not within an "exclusion overlay district", and that the

applicant is pre-enrolled with the Regional Water Board. The applicant must meet all requirements for cannabis cultivation.

The applicant initially applied for three Minor Use Permits, however the County's commercial cannabis cultivation regulations were updated in May 2019 in a manner that allowed clustering of cannabis cultivation sites on contiguous land under identical ownership. The owner, Carl Tharp, requested bundling three licenses under one use permit, and the County created file number UP 19-25. The site will be served by an on-site water retention basin; the applicant has provided water right data for this water source.

The Planning and Building Department did a site inspection on Tuesday November 26, 2019 to determine the following: (1) whether compliance with Public Resource Codes (PRC) 4290 and 4291 were met; (2) whether the site plan accurately depicted the site layout, and (3) whether any buildings were present that were not accounted for on the site plan submitted.

Regarding (1), PRC compliance, the only non-compliant aspect was the 2<sup>nd</sup> gate, which measured 13'-8" at the opening, however the way the metal gate is constructed, it would be easily modified to meet the required 14' opening width.

Regarding (2), the site plan accurately depicts the site configuration with one exception; there are three shipping containers on the site, but only two are shown on the site plan. The applicant indicated by email that the structures might be used. Since they are not considered cultivation area, these containers can be used for chemical and pesticide storage.

Regarding (3), there are six hoop houses on the site that have not been permitted but are shown on the site plan submitted. These hoop houses can be legitimized by conditions of approval associated with the use permit Conditions of Approval, assuming the use permit is approved.

The California Department of Food and Agriculture (CalCannabis) plays a significant role in regulating cannabis cultivation activities once the local land use approval is issued. The Lake County Community Development Department regulates among other things odor control, and a standard condition of approval requires an Odor Control Plan for each cultivation site. No trees will be removed by this action; the site is already cleared from prior Medicinal Marijuana cultivation that was approved in 2017 under former Article 72 of the Lake County Zoning Ordinance.

The applicant also seeks Self Distribution of cannabis to and from the site; this is permitted in Lake County to licensees that are approved for a use permit upon request by the licensees.

### **Construction**

Construction of the site would take place over an estimated one to three month period of time. The site already contains greenhouses that were built prior to any requirements for permits. This applicant has the ability and obligation to obtain permits for these structures following land use approval of the Use Permit. Site preparation for the outdoor cultivation area occurred in 2017 when the applicant was approved for 'Self Certification' (medicinal cannabis), and prior to Self Certification, the applicant was approved for Medicinal Marijuana under Article 72 of the Lake County Zoning Ordinance.

Equipment staging will occur on the previously disturbed portion of the site that is used as roadway / vehicle parking.

Fertilizer is packed in five-gallon, resealable containers. The containers are then stored in a secondary storage container located in a locked storage shed adjacent to the canopy site. When containers are emptied, they are returned to the seller and refilled. Product is entirely organic, and only enough product will be kept on site for ongoing cultivation purposes. The remaining containers are returned to the

supplier. There are no other "chemicals" stored on site. There will be no use of chemical pesticides, rodenticides, or herbicides.

As previously stated, the applicant has amended his application to include self-distribution, which is permissible through recently adopted ordinance 3084. The applicant initially requested on-site drying, trimming and packaging, and will be considered for self-distribution through this permit. The applicant has water rights for surface water diversion. Water will be stored in two 8,000 gallon redwood tanks; this water will be used both for cannabis cultivation and for domestic use. Irrigation will be by low-pressure drip irrigation with rates of approximately 2.5 to 5 gallons per hour through a system of plastic pipes fitted with outlets for water (emitters). The water will be gravity fed from the holding tanks.

According to the applicant, all sticks, twigs, stems and other portions of the plants that contain little THC content will be chipped and spread within the cultivation areas. Other waste material will be bagged and sold to Biomass Engineers. Solid waste will be transported to the solid waste landfill in Clearlake, CA.

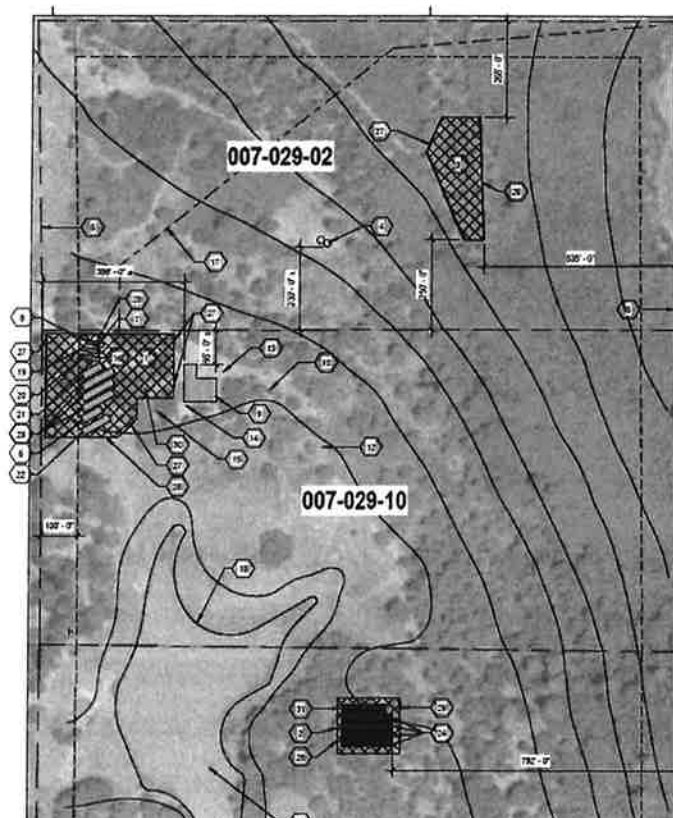
The facility is open for delivery and pick-ups Monday through Saturday, 7:00 AM to 7:00 PM, and Sunday 12:00 PM to 5:00 PM. Any and all visitors to the site will be met by an employee of the site and have the date, time, identification, and purpose of the visit will be logged.

#### 10. Surrounding Land Uses and Setting: Briefly describe the project's surroundings:

North, West and South: "RL" Rural Lands. 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).

East: "RL" Rural Lands, sparsely populated with dwellings.



**Partial Site Plan showing Cultivation Areas**

#### PROJECT INFO

A.P.N.: 007-29-02, 007-29-10 & 007-29-12  
 ACRES: 20 20 40  
 ZONING DISTRICT: RL  
 ZONING: RL-S-SC (5 AC)  
 GEN. PLAN: RL

PRIMARY CAREGIVER NAME: CARL THARP

#### PROPERTY OWNER/APPLICANT

CARL THARP; COAST OAK, INC.  
 7560 HIGHWAY 29  
 KELSEYVILLE, CA 95451  
 T: 916.923.1144  
 E: coast-oak@gmail.com

#### KEYNOTES

1. CAMPUS A EXISTING WOOD LIGHT CURRENTLY SURROUNDED BY CANNABIS CODE COMPLIANT FENCING (1,600 S.F.)
2. CAMPUS B NEW PROPOSED WOOD LIGHT CULTIVATION (1,600 S.F.)
3. EXISTING OUTDOOR CULTIVATION AREA CURRENTLY SURROUNDED BY CANNABIS CODE COMPLIANT FENCING (13,500 S.F.)
4. TWO EXISTING 8,000 GALLON WATER TANKS
5. PROPERTY LINE (PROPERTY BOUNDARY) IS FENCED WITH 6'-0" WOOD POST AND METAL WIRE FENCING
6. EXISTING 28'X60'-0" HOOP HOUSE (1,200 S.F.); LOCATION OF ANNUAL PLANTS
7. EXISTING COVERED SHED
8. EXISTING 180 S.F. ROOM WITHIN SHED FOR INDOOR CULTIVATION OF 78 NURSERY PLANTS
9. EXISTING RESIDENCE
10. EXISTING WELL, NOT USED FOR CULTIVATION OR OTHER RELATED OPERATIONS
11. EXISTING POND AND LEGAL WATER SUPPLY FOR DRINKING AND IRRIGATION (SEE STATE DIVERSION PERMIT ACCESS)
12. EXISTING ACCESS ROAD
13. EXISTING PARKING
14. EXISTING SEPTIC TANK LOCATION
15. EXISTING LEACH FIELD LOCATION
16. EXISTING TRASH (A STORAGE BIN)
17. EXISTING POWER LINES
18. EDGE OF ROAD
19. EXISTING SECURED STORAGE FOR PESTICIDES, CHEMICALS AND CANNABIS WASTE
20. EXISTING DRYING AND STORAGE OF HARVESTED CANNABIS
21. EXISTING 28'X60'-0" HOOP GREENHOUSE (1,200 S.F. CA. 102 UNITS = 2,400 S.F. TOTAL)
22. EXISTING 20'X60'-0" HOOP GREENHOUSE (1,600 S.F. CA. 111 UNITS = 1,800 S.F. TOTAL)

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

**CalCannabis (via Dept. of Food and Agriculture)**

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  
 Northshore Fire Protection District  
 Central Valley Regional Water Quality Control Board  
 California Water Resources Control Board  
 California Department of Forestry & Fire Protection (Calfire)  
 California Department of Fish & Wildlife (CDFW)  
 California Department of Food and Agriculture  
 California Department of Pesticides Regulations  
 California Department of Public Health  
 California Bureau of Cannabis Control  
 California Department of Consumer Affairs  
 California Department of Transportation (CalTrans)

**12. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.? Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3 (c) contains provisions specific to confidentiality.**

Notification of the project was sent to local tribes on November 14, 2018. One response from the Middletown Rancheria Tribe was received; they had no concerns about the project which was out of their area of concern.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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 checked="" type="checkbox"/> Aesthetics            | <input type="checkbox"/> Greenhouse Gas Emissions      | <input type="checkbox"/> Public Services             |
| <input type="checkbox"/> Agriculture & Forestry Resources | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Recreation                  |
| <input checked="" type="checkbox"/> Air Quality           | <input type="checkbox"/> Hydrology / Water Quality     | <input type="checkbox"/> Transportation              |
| <input checked="" type="checkbox"/> Biological Resources  | <input type="checkbox"/> Land Use / Planning           | <input type="checkbox"/> Tribal Cultural Resources   |
| <input checked="" type="checkbox"/> Cultural Resources    | <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Utilities / Service Systems |
| <input type="checkbox"/> Energy                           | <input type="checkbox"/> Noise                         | <input type="checkbox"/> Wildfire                    |

☐ Geology / Soils☐ Population / Housing☒ **Mandatory  
Significance****Findings of****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: 11-27-19

Michalyn DelValle - Director  
Community Development Department

**SECTION 1****EVALUATION OF ENVIRONMENTAL IMPACTS:**

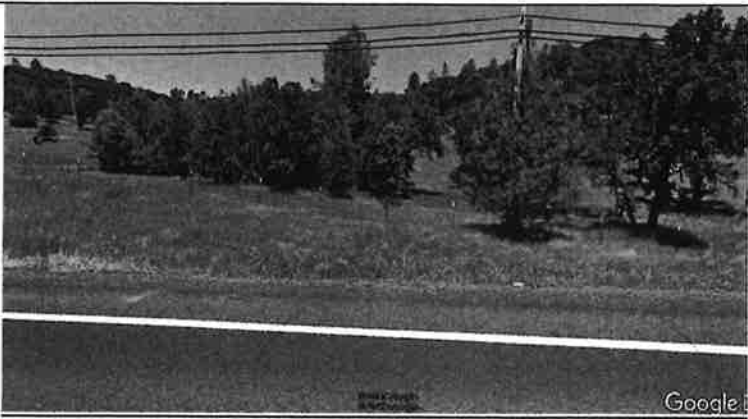
- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact 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.

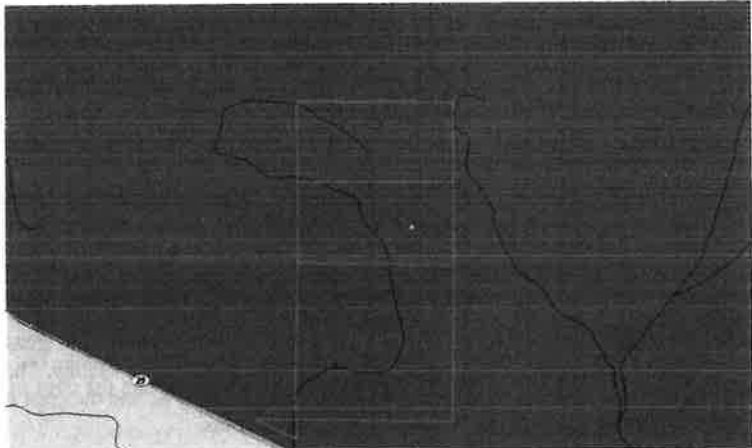
- 3) Once the lead agency has determined that a particular physical impact may occur, and then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is 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>Except as provided in Public Resources Code Section 21099, would the project:</i>						
a) Have a substantial adverse effect on a scenic vista?			X		The site is accessed from State Highway 29, a designated scenic highway. According to the site plan submitted, the closest cultivation area is located about 2000 feet from the highway and outside of the Scenic Combining designated overlay area.	1, 2, 3, 4, 5, 6, 7



IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					 <p style="text-align: right;">Google</p> <p style="text-align: center;"><b><u>View of the Site from Highway 29</u></b></p> <p>The 80+ acre properties have slopes that range from less than 10% to greater than 30%. The property and cultivation sites are accessible from an on-site gravel driveway that accesses Highway 29, a paved State-maintained scenic highway. The cultivation sites are 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>Less than Significant Impact</b></p>	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X		<p>The proposed cultivation sites would not require the removal of any trees; the cultivation sites were prepared in 2017 and require little alterations to accommodate the proposed cultivation sites.</p> <p>No rock outcroppings, historic buildings were observed. The site is within a state scenic highway, however the cultivation areas are just under ½ mile from the scenic highway and cannot be seen from the highway based on topography and vegetation.</p> <p><b>Less Than Significant Impact</b></p>	1, 2, 3, 4, 5, 6, 7, 8
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X		<p>The site is located about 4 miles from the unincorporated town of Kelseyville. As stated in I(b), the cultivation areas are not visible from Highway 29, or from other public roads in the vicinity. The back portion of the 80+ acre properties is very steep, over 30%, and the crest of the hill is located to the northeast of the cultivation areas.</p> <p><b>Less Than Significant Impact</b></p>	1, 2, 3, 4, 5, 6, 7
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 associated with the greenhouse lighting that will be necessary, and to a lesser extent, the security system. The greenhouses are not visible from any neighboring dwellings or driveways, however the applicant must comply with Lake County's darkskies.org outdoor / greenhouse light recommendations.</p> <p><b>Mitigation Measure AES-1 - All greenhouses incorporating artificial lighting shall be equipped with blackout film/material to be used at night for maximum light blockage to lessen the impact on the surrounding parcels and the dark skies. Applicant shall submit a <u>Blackout Film/Materials Plan</u> to the Community Development Department for review and approval prior to issuance of any permits.</b></p> <p><b>Less Than Significant Impact with mitigation measure AES-1 added.</b></p>	1, 2, 3, 4, 5, 6, 7

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<p align="center"><b>II. AGRICULTURE AND FORESTRY RESOURCES</b></p> <p><i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board.</i></p> <p align="center"><i>Would the project:</i></p>						
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X		<p>Most of the site is categorized as Other Land, a category that has no farming value based on soil types. There is a pocket of high value farmland that is approximately 200 feet away from the cultivation area on the northernmost lot, however it will not be impacted by this project.</p> <p><b>Less than Significant Impact.</b></p>	1, 2, 3, 5, 6, 9, 10
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X		<p>As proposed, the project will not impact agricultural uses or Williamson Act contracts given that there are no productive agricultural properties in the immediate vicinity. The project site is zoned "RL" Rural Lands and does not contain a Williamson Act contract. The neighboring properties to the north, west, east and south are zoned Rural Lands. None of the neighboring lots would be adversely impacted by this use.</p>  <p><b>Subject Site and Adjacent Lots – darker green = Rural Lands</b></p> <p><b>Less than Significant Impact.</b></p>	1, 2, 3, 5, 6, 9, 10, 11
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X	<p>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.</p> <p><b>No Impact</b></p>	1, 2, 3, 5, 6
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X	<p>The project would not result in the loss or conversion of forest land to a non-forest use.</p> <p><b>No Impact</b></p>	1, 2, 3, 5, 6, 7
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	<p>As proposed, this project would not induce changes that would result in its conversion to non-agricultural or non-forest use.</p> <p><b>No Impact</b></p>	1, 2, 3, 5, 6, 7, 11

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<p align="center"><b>III. AIR QUALITY</b></p> <p align="center"><i>Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.</i></p> <p align="center"><i>Would the project:</i></p>						
a) Conflict with or obstruct implementation of the applicable air quality plan?		X			<p>The project has some potential to result in air quality impacts. The applicant indicates that two outdoor cultivation areas totaling 17,920 s.f. will be planted. The applicant plans on using fabric pots rather than in-ground planting to enable the applicant to provide higher quality soil. This will also 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 cultivation sites and is downwind from the prevailing wind direction. The applicant has provided a contact in the event of odors, and has indicated that he would resolve the odor issues if they arise.</p> <p>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>Construction of the site will be minimal; the greenhouses already exist but need building permits. The house already exists. Some minor site improvements will be necessary, however the amount of earth that needs to be moved is not significant enough to trigger a grading permit. The staging area for any construction equipment will take place on the portion of the site to be used for employee parking; this area is already disturbed and will not further be degraded significantly by this portion of the site being used as a staging area. Site preparation for the outdoor cultivation areas will be minimal (the 10,000 square foot area is existing).</p> <p><b>Mitigated to less than significant impacts with mitigation measures MM AQ-1, 2, 3 added 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 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.</p> <p><b><u>AQ-3:</u></b> 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>	1, 2, 3, 5, 6, 9, 12, 13
b) 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?				X	<p>The County of Lake is in attainment of state and federal ambient air quality standards.</p> <p><b>No Impact</b></p>	1, 2, 3, 4, 12
c) Expose sensitive receptors to substantial pollutant concentrations?		X			<p>There are residences on properties adjacent to the subject parcel. The nearest residence is approximately 1400 feet from the proposed cultivation area. <b>Less Than Significant with Mitigation Measures AQ-1 through AQ-3 Incorporated</b></p>	1, 2, 3, 4, 7, 12

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
d) Result in other emissions (such as those leading to odors or dust) adversely affecting a substantial number of people?			X		<p>There are residences on properties located in the vicinity of the subject parcel. The nearest residence is approximately 1400 feet from the cultivation area.</p> <p>Some odor impacts are anticipated from this cultivation operation; cannabis cultivation, especially during the flowering phase, generates volatile compounds (terpenes) that some people find objectionable. The <i>Project Management Plan - Air Quality</i> describes the odor mitigation plan to be enacted should odors become objectionable to neighbors. The cannabis facilities are set back 100 feet from property lines along the western property line; this is the area that has the least habituated lots in the vicinity, and the prevailing winds generally blow from the northwest toward the southeast. The applicant must provide an odor mitigation plan to the Lake County Community Development Department for review and acceptance, or for review and revision, prior to cultivation occurring – this is a standard condition of approval for all cultivation activities.</p> <p><b>Less Than Significant Impact</b></p>	1, 2, 3, 4, 7, 12
<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><i>A Biological Assessment</i> was done by Lucy MacMillan, Environmental Scientist, in October 2018. No sensitive species were observed, however 14 sensitive species have been mapped within a five mile radius of the site, and the biologist concluded that certain mitigation measures were pertinent.</p> <p>Ms. MacMillan made the following recommendations which will become mitigation measures:</p> <p><b>BIO-1: If project activities occur during the breeding season (February 1 through August 31), a qualified biologist will conduct a breeding bird survey no more than 14 days prior to project activities to determine if any birds are nesting in trees adjacent to the study area. If nests are found, then the surveying biologist shall establish an exclusion zone.</b></p> <p><b>BIO-2: If initial work is delayed or there is a break in project activities of greater than 14 days within the bird-nesting season, then a follow-up nesting bird survey should be performed to ensure no nests have been established in the interim.</b></p> <p><i>Maternity Roosting Bats</i></p> <p><b>BIO-3: If initial ground disturbance occurs during the bat maternity roosting season (April 1 through September 1), a qualified biologist will conduct a bat roost assessment of trees within 100 feet of the proposed construction. If bats are found, the surveying biologist shall establish an exclusion zone.</b></p> <p><i>Western Pond Turtle</i></p> <p><b>BIO-5: Work within 100 meters of the stock pond should be initiated outside the nesting season for the pond turtle, which is from May 1 to October 1. If work cannot be initiated outside the nesting season, then a pre-construction survey in all work areas within 100 meters of the lower pond shall occur.</b></p>	1, 2, 3, 4, 5, 6, 14, 15, 16

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		There are no mapped sensitive habitats that are on the subject site. There is a small (2 acre) lake on the site that has traditionally been used for agriculture irrigation, but is not mapped as containing sensitive species, or as a creek / waterway destination. There is a small mapped runoff channel on the subject site, which is more than 100 feet away from the proposed cultivation areas.. <b>Less than Significant Impact</b>	1, 2, 3, 5, 6, 7, 14, 15, 16
c) Have a substantial adverse effect on state or federally protected wetlands (including, not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X	There are no federally protected wetlands on the subject site. <b>No Impact</b>	1, 2, 3, 5, 6, 7, 14, 15, 16
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		No fish species will be impacted either directly or indirectly by this action. There are several mapped species of sensitive wildlife in the general vicinity of this site, however impacts can be mitigated to <b>Less than Significant with the inclusion of Mitigation Measures BIO-1 through BIO-4.</b>	1, 2, 3, 5, 6, 14, 15, 16
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X		There are no mapped conservation easements or oak woodlands on this site that might otherwise require extra protection or tree replacement. The applicant has indicated that no trees will be removed, and the cultivation areas are essentially ready for planting. Greenhouses will need to have building permits issued for them following use permit approval. <b>Less than Significant Impact</b>	1, 2, 3, 5, 6
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	There are no Habitat Conservation Plans associated with this property. No trees would need to be removed.  <b>Less Than Significant Impact</b>	1, 2, 3, 5, 6
<b>V. CULTURAL RESOURCES</b> <i>Would the project:</i>						
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?		X			A Cultural Study was prepared for this project by William Roop, archaeologist for Archeological Resource Studies (Rohnert Park, CA).  The Study submitted concluded that "... no artifacts or potentially significant cultural features were observed."  Staff notified all Tribes that are known within Lake County; none of the notified tribes expressed concerns about the project.  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 ground disturbance.  <b>Less than Significant with Mitigation Measures CUL-1 and CUL-2 added.</b>  <b>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 applicant shall notify the local overseeing Tribe, and a qualified archaeologist to evaluate the find(s) and	1, 2, 3, 5, 6

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. Should any human remains be encountered, the applicant shall notify the Sheriff's Department, the local overseeing Tribe, and a qualified archaeologist for proper internment and Tribal rituals per Public Resources Code Section 5097.98 and Health and Safety Code 7050.5.</p> <p><b>CUL-2:</b> 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 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.</p>	
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?			X		<p>No changes are expected to archaeological resources.</p> <p><b>Less Than Significant Impact</b></p>	1, 2, 3, 5, 6
c) Disturb any human remains, including those interred outside of formal cemeteries?		X			<p>Minimal ground-disturbing activities are proposed. Disturbance of human remains is not anticipated. The applicant shall halt all work and immediately contact the Lake County Sheriff's Department, the local overseeing Tribe, and the Community Development Department if any human remains are encountered. <b>Less Than Significant with mitigation measures CUL-1 and CUL-2 added.</b></p>	1, 2, 3, 5, 6
<b>VI. ENERGY</b> <i>Would the project:</i>						
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X		<p>The proposed energy usage for this facility is minimal; energy use would be limited to the security system, the well pump, lighting for the storage building, lighting for six hoop houses, and some outdoor lighting. The applicant is proposing the use of on-grid power, however no adverse impact is anticipated through the use of grid power in this circumstance. <b>Less than Significant Impact</b></p>	1, 2, 3, 5, 6
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				X	<p>The proposed cultivation operations would not conflict with or obstruct an energy plan. <b>No Impact</b></p>	1, 2, 3, 5, 6

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<b>VII. GEOLOGY AND SOILS</b> <i>Would the project:</i>						
<p>a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <ul style="list-style-type: none"> <li>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.</li> <li>ii) Strong seismic ground shaking?</li> <li>iii) Seismic-related ground failure, including liquefaction?</li> <li>iv) Landslides?</li> </ul>			X		<p><u>Earthquake Faults</u> The project site is located partially within a mapped Earthquake Fault area as established by the California Geological Survey. The structures proposed are unlikely to cause harm to persons working in or near the structures, as they are made from lightweight materials ('hoop houses').</p> <p><u>Seismic Ground Shaking and Seismic-Related Ground Failure including liquefaction.</u> These particular lots do not contain mapped unstable soils. 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 mapped landslide area.</p> <p>According to the Property Management Plan, some grading would occur on the property to accommodate the cannabis grow sites for 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, totaling about 32,000 s.f. or less than 1% of the entire property.</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 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.</p> <p><b>Less Than Significant Impact</b></p>	1, 2, 3, 5, 6, 9, 17, 18, 19, 20
<p>b) Result in substantial soil erosion or the loss of topsoil?</p>			X		<p>No erosion or loss of topsoil is anticipated. Some grading occurred in 2017 on this site to accommodate the medicinal marijuana cultivation that had been approved under Article 72 of the Lake County Zoning Ordinance (now defunct).</p> <p>Regarding the new proposal, some minor grading needed for this major use permit will be minimal and well below the threshold for requiring a grading permit. The applicant has also indicated that wattles and other organic materials will be place on the outer boundary of the grow sites to further prevent soil erosion, and stormwater runoff will channel into the existing on-site stormwater retention basin.</p> <p><b>Less Than Significant Impact</b></p>	1, 2, 3, 5, 6, 9
<p>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?</p>			X		<p>According to the soil survey of Lake County, prepared by the U.S.D.A., the soil at the site is considered generally stable. There is a less than significant chance of landslide, subsidence, liquefaction or collapse as a result of the project.</p> <p><b>Less Than Significant Impact</b></p>	1, 2, 3, 5, 6, 9, 20

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**																																																																				
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X		The shrink-swell potential for the project soil type is low to moderate. The proposed project would not increase risks to life or property.  <b>Less Than Significant Impact</b>	1, 2, 3, 5, 6, 9																																																																				
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 project site will be served through an existing onsite waste disposal system.  <b>Less Than Significant Impact</b>	1, 2, 3, 5, 6, 9, 21																																																																				
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X		Disturbance of paleontological resources or unique geologic features is not anticipated, and mitigation measures are in place to assure that in the event any artifacts are found, that the applicant will notify the overseeing Tribe(s) and a licensed Archeologist - CUL-1 and CUL-2. <b>Less than Significant Impact</b>	1, 2, 3, 5, 6																																																																				
<b>VIII. 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		Cannabis cultivation activities would not generate a substantial number of vehicle trips and would not require intensive use of heavy equipment, and as such, would not degrade air quality or produce significant amounts of greenhouse gasses. The applicant has indicated that construction will take place over a short period of time because the site had previously been used (legally) for medicinal cannabis cultivation. The applicant indicates that up to four employees will be working on site depending on the time of year – harvest time will support the maximum of four employees, with one or two employees working in the non-harvest periods. Construction-related daily trips are estimated to be up to ten trips per day, and non-construction (day to day site access) will generate between four and eight daily trips. Since Lake County is an air attainment county, the levels of greenhouse gasses emitted are not anticipated to be excessive. <b>Less than Significant Impact.</b>	1, 2, 3, 5, 6, 12																																																																				
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. The County of Lake is an 'air attainment' County, and does not have established thresholds of significant for greenhouse gases. <b>No Impact.</b>	1, 2, 3, 5, 6, 12																																																																				
<b>IX. 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:  <table border="1"> <caption>Table 1 – Fertilizer and Pesticide Summary</caption> <tbody> <tr><td>Bloom</td><td>Annually (dry season)</td><td>Shed</td><td>Hydroponic Plant Nutrient</td></tr> <tr><td>Cal Mag</td><td>Annually (dry season)</td><td>Shed</td><td>Hydroponic Plant Nutrient</td></tr> <tr><td>Cali Pro Bloom A</td><td>Annually (dry season)</td><td>Shed</td><td>Hydroponic Plant Nutrient</td></tr> <tr><td>Cali Pro Bloom B</td><td>Annually (dry season)</td><td>Shed</td><td>Hydroponic Plant Nutrient</td></tr> <tr><td>Cali Pro Grow A</td><td>Annually (dry season)</td><td>Shed</td><td>Hydroponic Plant Nutrient</td></tr> <tr><td>Cali Pro Grow B</td><td>Annually (dry season)</td><td>Shed</td><td>Hydroponic Plant Nutrient</td></tr> <tr><td>Emerald Goddess</td><td>Annually (dry season)</td><td>Shed</td><td>Hydroponic Plant Nutrient</td></tr> <tr><td>Grow</td><td>Annually (dry season)</td><td>Shed</td><td>Hydroponic Plant Nutrient</td></tr> <tr><td>Honey Chrome</td><td>Annually (dry season)</td><td>Shed</td><td>Hydroponic Plant Nutrient</td></tr> <tr><td>King Kola</td><td>Annually (dry season)</td><td>Shed</td><td>Hydroponic Plant Nutrient</td></tr> <tr><td>Micro</td><td>Annually (dry season)</td><td>Shed</td><td>Hydroponic Plant Nutrient</td></tr> <tr><td>pH DOWN</td><td>Annually (dry season)</td><td>Shed</td><td>Hydroponic Plant Nutrient</td></tr> <tr><td>pH UP</td><td>Annually (dry season)</td><td>Shed</td><td>Hydroponic Plant Nutrient</td></tr> <tr><td>Root Wizard</td><td>Annually (dry season)</td><td>Shed</td><td>Hydroponic Plant Nutrient</td></tr> <tr><td>Sturdy Stalk</td><td>Annually (dry season)</td><td>Shed</td><td>Hydroponic Plant Nutrient</td></tr> <tr><td>AzaMax</td><td>Annually (dry season)</td><td>Shed</td><td>Insecticide</td></tr> <tr><td>Azatrol EC</td><td>Annually (dry season)</td><td>Shed</td><td>Insecticide</td></tr> </tbody> </table>	Bloom	Annually (dry season)	Shed	Hydroponic Plant Nutrient	Cal Mag	Annually (dry season)	Shed	Hydroponic Plant Nutrient	Cali Pro Bloom A	Annually (dry season)	Shed	Hydroponic Plant Nutrient	Cali Pro Bloom B	Annually (dry season)	Shed	Hydroponic Plant Nutrient	Cali Pro Grow A	Annually (dry season)	Shed	Hydroponic Plant Nutrient	Cali Pro Grow B	Annually (dry season)	Shed	Hydroponic Plant Nutrient	Emerald Goddess	Annually (dry season)	Shed	Hydroponic Plant Nutrient	Grow	Annually (dry season)	Shed	Hydroponic Plant Nutrient	Honey Chrome	Annually (dry season)	Shed	Hydroponic Plant Nutrient	King Kola	Annually (dry season)	Shed	Hydroponic Plant Nutrient	Micro	Annually (dry season)	Shed	Hydroponic Plant Nutrient	pH DOWN	Annually (dry season)	Shed	Hydroponic Plant Nutrient	pH UP	Annually (dry season)	Shed	Hydroponic Plant Nutrient	Root Wizard	Annually (dry season)	Shed	Hydroponic Plant Nutrient	Sturdy Stalk	Annually (dry season)	Shed	Hydroponic Plant Nutrient	AzaMax	Annually (dry season)	Shed	Insecticide	Azatrol EC	Annually (dry season)	Shed	Insecticide	1, 2, 3, 5, 6, 22, 23
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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		The applicant has stated the chemicals that will be used on site, including the method of storage in a secure and lockable building. The site is not within a flood inundation area, nor is it within an area mapped as unstable soil according to County GIS data.  <b>Less than Significant Impact</b>	1, 2, 3, 5, 6, 23																								
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, 2, 3, 5, 6, 7																								
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, 2, 3, 4, 5, 6, 24, 25																								

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise 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, 2, 3, 4, 5, 6, 26, 38
f) 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, 2, 3, 4, 5, 6, 22, 38
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X		The project site is located in a high fire hazard severity zone and is in State (CalFire) Responsibility Area. The applicant will adhere to all Federal, State and local fire requirements/regulations. <b>Less Than Significant Impact</b>	1, 2, 3, 4, 5, 6, 22, 27, 28, 38
<b>X. HYDROLOGY AND WATER QUALITY</b> <i>Would the project:</i>						
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X		This project will not violate any water quality standards or waste discharge requirements. The project will employ Best Management Practices (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. Minimal site preparation, construction and/or grading are proposed.  The cultivation sites are positioned in a manner that will allow stormwater runoff to drain into the existing on-site water basin. <b>Less Than Significant Impact</b>	1, 2, 3, 5, 6, 29, 30
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			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 is projected to be about 80,000 gallons during the growing months. Total annual projected use is about 1,000,000 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 two existing 8,000 gallon redwood storage tanks. The water will be pumped uphill from the existing on-site well.  <b>Less Than Significant Impact</b>	1, 2, 3, 5, 6, 31

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<p>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would:</p> <p>i) result in substantial erosion or siltation on-site or off-site;</p> <p>ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;</p> <p>iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or</p> <p>iv) impede or redirect flood flows?</p>			X		<p>There is an unnamed drainage channel on the site, located approximately 300 feet from the nearest cultivation site.</p> <p>According to the <i>Property Management Plan – Storm Water Management Plan</i>, the proposed use would protect downstream water bodies from water quality by implementing measures to prevent potential of contamination from fertilizers and chemicals and using best management practices. The cultivation sites will have stormwater runoff draining into the existing on-site water storage basin.</p> <p><b>Less Than Significant Impact</b></p>	1, 2, 3, 5, 6, 7, 15, 17, 29, 30
<p>d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?</p>			X		<p>The project site is not located in an area of potential inundation by seiche or tsunami. The parcel is not located within a flood zone. In addition, the soils at the project site are generally stable; therefore is minimal potential to induce mudflows. <b>Less Than Significant Impact</b></p>	1, 2, 3, 5, 6, 7, 9, 24, 32
<p>e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?</p>				X	<p>The project would not conflict with or obstruct any water quality or management plans. <b>No Impact</b></p>	1, 2, 3, 5, 6, 29
<p align="center"><b>XI. LAND USE AND PLANNING</b> <i>Would the project:</i></p>						
<p>a) Physically divide an established community?</p>				X	<p>The proposed project site would not physically divide an established community. <b>No Impact</b></p>	1, 2, 3, 5, 6
<p>b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?</p>			X		<p>This project is consistent with the Lake County General Plan, Kelseyville Area Plan, the Lake County Zoning Ordinance, and the Hazard Mitigation Plan.</p> <p>The property is zoned “RL” Rural Lands. Cannabis cultivation is permitted by the Lake County Zoning Ordinance with a use permit. The applicant shall adhere to all incorporated mitigation measures and conditions of approval.</p> <p>California Department of Food &amp; Agriculture (CDFA) is responsible for licensing and regulation of cannabis cultivation and enforcements defined in the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) and CDFA regulations related to cannabis cultivation.</p> <p><b>Less Than Significant Impact</b></p>	1, 2, 3, 5, 6
<p align="center"><b>XII. MINERAL RESOURCES</b> <i>Would the project:</i></p>						
<p>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?</p>				X	<p>The site contains no known mineral resources. <b>No Impact</b></p>	1, 3, 4, 5, 6, 33
<p>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?</p>				X	<p>The site contains no known mineral resources. <b>No Impact</b></p>	1, 2, 3, 5, 6, 33

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<b>XIII. NOISE</b> <i>Would the project result in:</i>						
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X		No permanent increases in ambient noise levels will occur with this project. A small amount of infrequent noise could be anticipated if a properly-permitted backup power generator is activated during any power outage or during generator testing, but these impacts would not be significant or long lasting. Maximum non-construction related sounds levels shall not exceed maximum levels specified in Zoning Ordinance Section 21-41.11 (Table 11.2) at the surrounding residences.  <b>Less Than Significant Impact</b>	1, 2, 3, 5, 6
b) Generation of excessive groundborne vibration or groundborne noise levels?			X		The project is not expected to create unusual groundborne vibration due to site development or operation. The low level truck traffic would create a minimal amount of groundborne vibration. <b>Less Than Significant.</b>	1, 2, 3, 5, 6
c) For a project located within the vicinity of a private airstrip or 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, 2, 3, 5, 6, 26
<b>XIV. POPULATION AND HOUSING</b> <i>Would the project:</i>						
a) Induce substantial unplanned 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, 2, 3, 5, 6
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X	No people or housing will be displaced as a result of the project.  <b>No Impact</b>	1, 2, 3, 5, 6
<b>XV. 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 services: - Fire Protection? - Police Protection? - Schools? - Parks? - Other Public Facilities?			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 Impact</b>	1, 2, 3, 5, 6

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<b>XVI. 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, 2, 3, 5, 6
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, 2, 3, 5, 6
<b>XVII. TRANSPORTATION</b> <i>Would the project:</i>						
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			X		The project site is accessible off of Highway 29, a paved State maintained two-lane highway. The interior road is paved and complies with PRC sections 4290 and 4291. The project is expected to generate an average of ten to twenty vehicle trips per week.  <b>Less Than Significant Impact</b>	1, 2, 3, 4, 5, 6, 34, 35, 38
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			X		The project is expected to generate an average of ten to twenty vehicle trips per week. Significant impacts are not anticipated.  <b>Less Than Significant Impact</b>	1, 2, 3, 4, 5, 6, 34, 35
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X	The proposed project would not increase hazards at the project site.  <b>No Impact</b>	1, 2, 3, 4, 5, 6, 23, 34, 35
d) Result in inadequate emergency access?				X	As proposed, this project will not impact existing emergency access.  <b>No Impact</b>	1, 2, 3, 4, 5, 6, 23, 34, 35
<b>XVIII. 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		The applicant has undertaken a Cultural Resource study. The findings listed in the Study did not indicate that this site is a candidate for listing in the California Register of Historic Resources, and the site is not within any designated 'local sites of historic resource'.  Further, a standard mitigation measure (CUL-1) requires the notification of the overseeing Tribe and contacting a licensed Archeologist if any Native American artifacts or remains are found.  <b>Less Than Significant Impact</b>	1, 2, 3, 5, 6
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			X		There are no mapped significant resources (Tribal Cultural) that are on or immediately adjacent to the site.  <b>Less than Significant Impact</b>	1, 2, 3, 5, 6

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
Resources Code 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.						
<b>XIX. UTILITIES AND SERVICE SYSTEMS</b> <i>Would the project:</i>						
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X		The subject parcel is served by an existing domestic well and onsite septic system. Power is available from PG&E lines along Highway 29 adjacent to the site. No system expansion is required.  <b>Less Than Significant Impact</b>	1, 2, 3, 5, 6, 21
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X		The subject parcel is served by an existing domestic well. Cannabis cultivation will minimize water use by using a low-pressure drip irrigation system.  <b>Less Than Significant Impact</b>	1, 2, 3, 5, 6, 21
c) 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	The subject parcel is served by an onsite septic system.  <b>No Impact</b>	1, 2, 3, 5, 6, 21
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X		The existing landfill has sufficient capacity to accommodate the project's solid waste disposal needs.  According to the Property Management Plan – Waste Management Plan has been developed to help minimize the generation of waste and for the proper disposal of waste produced during the cultivation and processing of cannabis at the project site. The goal is to prevent the release of hazardous waste into the environment, minimize the generation of cannabis vegetative waste and dispose of cannabis vegetative waste properly, and manage 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.  <b>Less Than Significant Impact</b>	1, 2, 3, 5, 6, 36, 37
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X		All requirements related to solid waste will apply to this project.  <b>Less Than Significant Impact</b>	1, 2, 3, 5, 6, 36, 37
<b>XX. WILDFIRE</b> <i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>						
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X		The project site is located in a moderate fire hazard severity zone and is in State (CalFire) Responsibility Area as well as within the Kelseyville Fire Protection District's service area. A site visit on November 26, 2019 confirmed that the site is well-tended; the interior driveway is 20' wide, and there are large areas that contain grass but little or no other undergrowth. There are turn-arounds located at approximate 400 foot intervals in between the gate at Highway 29 and the house, which is the primary focus of the cultivation activity (storage, hoop houses, et cetera). The property is subject to the Lake County Hazard Mitigation Plan, and shall maintain fire breaks around all structures. The applicant will adhere to all Federal, State and local fire requirements/regulations. <b>Less Than Significant Impact</b>	1, 2, 3, 5, 6, 22, 27, 28, 38

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X		The immediate area contains some dense undergrowth and tree coverage, however the site is neat and well maintained, and is largely devoid of manzanita and other fast-burning fuels. The interior road is 20' wide and paved. The cultivation areas proposed will serve to act as a buffer between eastern properties and fires that might originate from the west, however the cultivation activity proposed will have a neutral effect on exposing persons to pollutant concentrations in the event of a wildfire in the area. <b>Less than Significant Impact</b>	1, 2, 3, 5, 6, 22, 27, 28, 38
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X		The cultivation sites are already prepared due to prior (legal) use as cannabis cultivation areas. The 'developed' portions of the site contain fire breaks, which the applicant shall maintain. It appears that no additional infrastructural improvements are needed with the exception of widening the 2 <sup>nd</sup> gate to achieve 14' wide clearance. The gate is presently 13'-8" wide, but can easily be widened to 14' to meet PRC 4290 / 4291 standards for gate widths based on how the gate is constructed. <b>Less than Significant Impact</b>	1, 2, 3, 5, 6, 38
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X		There is an existing residence on the property. The risk of flooding, landslides, slope instability, or drainage changes would not be increased due to this project based on the existing development combined with the direction of slope, and the lack of slope in the cultivation areas. <b>Less Than Significant Impact</b>	1, 2, 3, 5, 6, 20, 29, 32, 38
<b>XXI. MANDATORY FINDINGS OF SIGNIFICANCE</b>						
a) Does the project have the potential to substantially 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, substantially 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 three previously disturbed areas. Because of this, there is minimal risk of degradation, and mitigation measures are proposed that would alleviate most or all of the project-related impacts. As proposed, this project is not anticipated to significantly impact habitat of fish and/or wildlife species or cultural resources, nor will the project contribute to factors that would harm the environment, or add to any wildfire risk. <b>Less Than Significant Impact</b>	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 Aesthetics, Air Quality, Biological Resources, and Cultural Resources. These impacts in combination with the impacts of other past, present and reasonably foreseeable future projects in the vicinity could cumulatively contribute to significant effects on the environment if proper mitigation measures are not put in place. The scope of this project is relatively small, about 1% of the total 80 acre site area. Also, 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. <b>Can be mitigated to Less Than Significant Impact</b>	ALL
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X			The proposed project has potential to result in adverse indirect or direct effects on human beings. In particular, risks associated with Aesthetics, Air Quality, Biological and Cultural Resources, and have the potential to impact human beings. Implementation of and compliance with mitigation measures identified in each section would reduce adverse indirect or direct effects on human beings and impacts to <b>Less Than Significant Impact</b>	ALL

\* Impact Categories defined by CEQA

**\*\*Source List**

1. Lake County General Plan
2. Lake County Zoning Ordinance
3. Kelseyville Area Plan
4. Site Visit, November 26, 2019
5. County of Lake Major Use Permit Application and Supplemental Materials
6. *Project Management Plan for Minor Use Permit*; June 6, 2018
7. U.S.G.S. Topographic Maps
8. California Department of Transportation:  
[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)
9. U.S.D.A. Lake County Soil Survey
10. Important Farmland Map <https://maps.conservation.ca.gov/agriculture/>
11. Lake County Department of Agriculture
12. Lake County Air Quality Management District
13. Lake County Serpentine Soil Mapping
14. California Natural Diversity Database (<https://www.wildlife.ca.gov/Data/CNDDB>)
15. U.S. Fish and Wildlife Service National Wetlands Inventory
16. Fish and Wildlife Protection Plan for the Cannabis Cultivation Operation at 1320 Van Sleeper Road, Upper Lake, California; Prepared by Natural Investigations Company, Inc. dated May 23, 2018
17. Lake County Grading Ordinance, adopted 2007
18. U.S.G.S. Geologic Map and Structure Sections of the Clear Lake Volcanic, Northern California, Miscellaneous Investigation Series, 1995
19. Official Alquist-Priolo Earthquake Fault Zone maps for Lake County
20. 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
21. Lake County Health Services Department
22. Lake County Emergency Management Plan
23. Lake County Hazardous Waste Management Plan, adopted 1989
24. Lake County Natural Hazard database
25. Hazardous Waste and Substances Sites List: [www.envirostor.dtsc.ca.gov/public](http://www.envirostor.dtsc.ca.gov/public)
26. Lake County Airport Land Use Compatibility Plan, adopted 1992
27. California Department of Forestry and Fire Protection - Fire Hazard Mapping
28. Northshore Fire Protection District
29. National Pollution Discharge Elimination System (NPDES)
30. Central Valley Regional Water Quality Control Board
31. State Water Resources Control Board
32. FEMA Flood Hazard Maps
33. Lake County Aggregate Resource Management Plan
34. 2010 Lake County Regional Transportation Plan, Dow & Associates, October 2010
35. California Department of Transportation (CALTRANS)
36. CalRecycle Solid Waste Information System  
<http://www.calrecycle.ca.gov/SWFacilities/Directory/Search.aspx>
37. Lake County Countywide Integrated Waste Management Plan and Siting Element, 1996
38. Lake County Hazard Mitigation Plan, adopted February 2018