

**COUNTY OF LAKE****Community Development Department  
PLANNING DIVISION**COURTHOUSE - 255 N. Forbes Street  
Lakeport, California 95453

Phone (707) 263-2221 FAX (707) 263-2225

Board of Supervisors  
Of the County of Lake

RECEIVED

Date

5-30-19

MAY 30 2019

LAKE COUNTY COMMUNITY  
Planning Division Application DEVELOPMENT DEPT  
(Please type or print)Project name: Bachelor Valley Farm MUP 18.39  
Assessors Parcel #: 003 - 018 - 10**INITIAL FEES:**

AB 19-05	\$1,065.00
Sub Total:	\$1,065.00
Technology recovery 2% Cost	\$21.30
General Plan Maintenance Fee	\$50.00
Total:	\$1,136.30

Zoning: \_\_\_\_\_

General Plan: \_\_\_\_\_

Receipt #: \_\_\_\_\_

Initial: ASB**APPLICANT:**NAME: Vivian Smith / Michael Smith  
MAILING ADDRESS: 10544 Bachelor Valley Rd  
CITY: Upper Lake  
STATE: CA ZIP: 95485  
PRIMARY PHONE: ( )  
SECONDARY PHONE: ( )  
EMAIL: \_\_\_\_\_**PROPERTY OWNER (IF NOT APPLICANT):**NAME: Todd W. Hostelt Trustee  
MAILING ADDRESS: 995 S. Main St  
CITY: Lakeport  
STATE: CA ZIP: 95453  
PRIMARY PHONE: ( )  
SECONDARY PHONE: ( )  
EMAIL: \_\_\_\_\_**PROJECT LOCATION**

ADDRESS: 10544 Bachelor Valley Rd.

**PRESENT USE OF LAND:**

Rural residential AG

**DESCRIPTION OF PROJECT:**Commercial Cannabis Cultivation  
Project with accessory  
structures**SURROUNDING LAND USES:**North: Hostelt Property [APN 003-018-060] Residential  
South: \_\_\_\_\_  
East: \_\_\_\_\_  
West: \_\_\_\_\_**PARCEL SIZE(S):**Existing: \_\_\_\_\_  
Proposed: \_\_\_\_\_**BOS Exhibit A**Existing/Proposed Water Supply: \_\_\_\_\_  
Existing/Proposed Sewage Disposal: \_\_\_\_\_  
Fire Protection District: \_\_\_\_\_  
School District: \_\_\_\_\_

## At-Cost Project Reimbursement

I, Andre M Ross, the undersigned, hereby authorize the County of Lake to process the above referenced permit request in accordance with the County of Lake Code. I am paying an initial fee of \$ \_\_\_\_\_ as an estimated cost for County staff review, coordination and processing costs related to my permit (Resolution No. 2017-19, February 7, 2017). **In making this initial fee, I acknowledge and understand that the initial fee may only cover a portion of the total processing costs. Actual costs for staff time are based on hourly rates adopted by the Board of Supervisors in the most current County fee schedule. I also understand and agree that I am responsible for paying these costs even if the application is withdrawn or not approved.**

I understand and agree to the following terms and conditions of this Reimbursement Agreement:

1. Time spent by County of Lake staff in processing my application and any direct costs will be billed against the available initial fee. **"Staff time" includes, but is not limited to, time spent reviewing application materials, site visits, responding by phone or correspondence to inquiries from the applicant, the applicant's representatives, neighbors and/or interested parties, attendance and participation at meetings and public hearings, preparation of staff reports and other correspondence, processing of any appeals, responding to public records act requests or responding to any legal challenges related to the application. "Staff" includes any employee of the Community Development Department.**
2. If processing costs exceed the available initial fee, I will receive invoices payable within 30 days of billing.
3. As the owner of the project location, I have the authority to authorize and I hereby do authorize the County of Lake or authorized representative(s) to make inspections at any reasonable time as deemed necessary for the purpose of review and processing this application.
4. If I fail to pay any invoices within 30 days, the County will stop processing my permit application. All invoices must be paid in full prior to issuance of the applied for permit.
5. If the County determines that any study submitted by the applicant requires a County-contracted consultant peer review, I will pay the actual cost of the consultant review. This cost may vary depending on the complexity of the analysis. Selection of any consultant for a peer review shall be at the sole discretion of the Community Development Director or his designee.

6. I agree to pay the actual cost of any public notices for the project as required by State Law and the Lake County Zoning Ordinance.
7. I may, in writing, request a further breakdown or itemization of invoices, but such a request does not alter my obligation to pay any invoices in accordance with the terms of this agreement.
8. I agree to pay all costs related to permit condition compliance as specified in any conditions of approval for my permit/entitlement including compliance monitoring.
9. I agree not to alter the physical condition of the property during the processing of this application by removing trees, demolishing structures, altering streams, and/or grading or filling. I understand that such alteration of the property may result in the imposition of criminal, civil or administrative fines or penalties, or delay or denial of the project.
10. Applicant shall defend, indemnify and hold harmless the County and its agents, including consultants, officers and employees from any claim, action or proceeding against the County or its agents, including consultants, officers or employees to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney's fees, or expert witness costs that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, including any claim for private attorney general fees claimed by or awarded to any party against the County, and shall also include the County's costs incurred in preparing the administrative record which are not paid by the petitioner. The County shall promptly notify the applicant of any claim, action or proceeding. Notwithstanding the foregoing, the County shall control the defense of any such claim, action or proceeding unless the settlement is approved by the applicant and that the applicant may act in its own stead as the real party in interest in any such claim, action or proceeding.
11. I have checked the current Hazardous Waste and Substances Sites List pursuant to Government Code Section 65962.5(f). [www.envirostor.dtsc.ca.gov/public/](http://www.envirostor.dtsc.ca.gov/public/) The proposed project site is ☐ or is not ☐ included on the most recent list.
12. I understand that pursuant to State Fish and Games Code Section 711.4, a filing fee is required for all projects processed with a Negative Declaration or Environmental Impact Report unless it has been determined by the California Department of Fish (CDFW) that the project will have no effect on fish and wildlife. The fees are collected by the County Community Development Department, Planning and Environmental review Division (PER) for payment to the State. I understand that I will be notified of the fee amount upon release of the environmental document for the project.

13. I hereby agree that any drainage studies and/or drainage models that are provided to the County as part of the technical studies for this entitlement process will be provided with a license or other satisfactory release allowing the County to duplicate, distribute, and/or publish the studies and models to the general public without restriction. I understand that failure to provide such license or release to the satisfaction of the County may result in comment that the study and or model is inadequate to support the entitlement request.

The signature(s) below signifies legal authority and consent to file an application in accordance with the information above. The signature also signifies that the submitted information and accompanying documents are true and accurate, and that the items initialed above have been read and agreed to.

Note: This agreement does not include other agency review fees or the County Clerk Environmental Document filing fees.

**APPLICATIONS WILL NOT BE ACCEPTED WITHOUT SIGNATURE(S) OF LEGAL PROPERTY OWNERSHIP**  
**OR OFFICIAL AGENT/AUTHORITY TO FILE (circle one)**

Ownership

Contract to Purchase\*

Letter of Authorization\*

Power of Attorney\*

\*Must Attach Evidence

Name of Property Owner or Corporate Principal Responsible or Appointed Designee for Payment of all At-Cost Project Reimbursement Fees:

Todd W. Hostelt, Trustee 10455 Bachelor Valley Rd  
(Please Print) Upper Lake, CA

Name of Company or Corporation (if applicable):

(Please Print)

Mailing Address of the Property Owner or Corporation/Company responsible for paying processing fees:

(If a Corporation, please attach a list of the names and titles of Corporate officers authorized to act on behalf of the Corporation)

Name: Audrey Date: \_\_\_\_\_

Email address: ross@aleportlawyers.com Phone Number: \_\_\_\_\_

Audrey

Signature of Owners/Agent\* Name

Date

Signature of Applicant

Date

**COUNTY OF LAKE**

Community Development Department  
255 N. Forbes St.  
Lakeport, CA 95453  
(707) 263-2382

Receipt No.: **49950**  
Receipt Date: **05/30/2019**

## RECEIPT

**RECORD & PAYER INFORMATION**

Record ID: AB19-05  
Record Type: Planning Entitlement  
Property Address: 10544 BACHELOR VALLEY RD, WITTER SPRINGS 95493  
Parcel Number: 003-018-10  
Description of Work: APPEAL OF PC APPROVAL OF MUP18-39 FOR COMMERCIAL CANNABIS CULTIVATION  
Job Value: \$0.00  
Payer: EWING AND ASSOCIATES (GENERAL)  
Applicant: VIVIAN MICHAEL SMITH  
, CA  
Owner: THE ENTRUST GROUP INC FBO

**PAYMENT DETAIL**

Date	Payment Method	Reference	Cashier	Comments	Amount
05/30/2019	Check	4809	COUNTER	AB19-05 AGAINST MUP18-39	\$1,136.30

**FEE DETAIL**

Fee Description	Account Code	Fee Amount	Current Paid
Appeal to the Board	001-2702-492.79-90	\$1,000.00	\$1,000.00
Appeal to the Board	001-1908-492.79-90	\$65.00	\$65.00
General Plan Maintenance	001-2702-461.66-21	\$50.00	\$50.00
Technology Recovery 2% Cost	001-2702-461.66-19	\$21.30	\$21.30
		<u>\$1,136.30</u>	<u>\$1,136.30</u>





**COUNTY OF LAKE**  
COMMUNITY DEVELOPMENT DEPARTMENT  
Planning Division  
Courthouse - 255 N. Forbes Street  
Lakeport, California 95453  
Telephone 707/263-2221 FAX 707/263-2225

RECEIVED

MAY 30 2019

LAKE COUNTY COMMUNITY  
DEVELOPMENT DEPT.

**APPEAL TO BOARD OF SUPERVISORS**

Date: May 30, 2019

Project Name (if applicable): Bachelor Valley Cannabis Farm MAP/8.39

Appellant's Name: Vivian Smith d/b/a California Cannabis Consultants

Appellant's Mailing Address: % Ewing & Associates

995 S. Main Street, Lakeport CA Phone #: (707) 263-6400

Appellant's Representative Andre M Ross, Esq [CSBN 176126]

see address above Phone #: see above

Location of Project: 10544 Bachelor Valley Rd  
[APN 003-018-10]

Assessor's Parcel Number: APN 003-018-10

Previous Action Taken: Planning Commission Approval

May 23, 2019 Date: \_\_\_\_\_

Reason for Appeal: (Attach extra sheets if necessary)  
Mistakes of fact; mistakes of law; failure to create  
proper record of proceedings by failing to  
secure sworn testimony from participating  
witnesses. See attached Exhibits comprising  
Attachment 4.

Andre M Ross

Signature of Appellant/s

**FOR OFFICE USE ONLY**

Appeal Number: \_\_\_\_\_

Related File#: \_\_\_\_\_

Fee: \_\_\_\_\_

Receipt #: \_\_\_\_\_

Date Received: \_\_\_\_\_

Received By: \_\_\_\_\_

# APPEAL TO LAKE COUNTY BOARD OF SUPERVISORS

## Attachment "A"

PROJECT: Bachelor Valley Commercial Cannabis Farm MUP 18.39 at:  
10544 Bachelor Valley Road [APN 003-018-10] (the "Project")

APPLICANT: VIVIAN SMITH d/b/a California Cannabis Consultants ("Applicant")

OWNER: MICHAEL R. SMITH, Trustee

APPELLANT: TODD W. HOSFELT, Trustee ("Appellant")  
10455 Bachelor Valley Road [APN 003-018-060]

### REASON(S) FOR APPEAL:

Applicant is requesting the County of Lake's issuance of a commercial cannabis cultivation license under Major Use Permit UP 18-39 for a 30,000 square foot six (6) greenhouse cannabis grow in Bachelor Valley. On May 23, 2019, the Lake County Planning Commission approved the issuance of a Minor Use Permit for the Project subject to Conditions of Approval.

Appellant was present at the May 23, 2019 hearing but was not represented by legal counsel at that time. Appellant owns the residential real property located at 10455 Bachelor Valley Road. Appellant is now represented by the undersigned counsel.

On May 20, 2019, Appellant submitted to Lake County Planner Eric Porter, via e-mail, Appellant's substantive objections to the Applicant's pending Project. A true and correct photocopy of the e-mail reflecting Appellant's comments and objections is attached hereto as Exhibit "A", Pages A1 to A3, and such objections are hereby incorporated by reference.

Appellant notes further with respect to MUP 18-39 that the Project- in its current planned scope and configuration- very likely endangers Bachelor Valley's status and availability as a location which residents, visitors and the occasional tourist can enjoy, without substantial interference, Lake County's proclaimed status as a "Dark Sky Community" in accordance with the Board's November 20, 2018 "Proclamation" that "Lake County is a Dark Sky Community." See Exhibit "B", Pages B1 and B2, attached hereto.

The CDD Staff Report dated May 13, 2019 regarding this Project omits any reference to the possible addition of a significant amount of light pollution to the evening skies

over Bachelor Valley. While the conditions of approval approved by the Planning Commission on May 23, 2019 would seem to require the Applicant's adherence to darkskies.org lighting standards, those conditions do not expressly limit the Applicant's hours of operation in relation to high-intensity greenhouse lighting. Also, it does not appear that the Applicant has completed the preparation of a lighting plan or any documented specifications and standards governing the use of "darkening screening" for the Project.

With respect to on-site sources of surface waters, it appears that a number of meaningful disputes may exist between neighboring property owners with respect to at least one on-site pond/reservoir/dammed area/vernal pool where additional excavation/grading/dredging may have been completed quite recently in conjunction with the Applicant's planned Project. Attached hereto as Exhibit "C", Pages C1 and C2, are pertinent sections of the current Lake County Zoning Ordinance.

Appellant has requested from the CDD, but has not yet received, a true and correct copies of the "Water Availability Analysis, prepared by a qualified professional" that is specifically referenced in Par. I, Sub. Par I-1 of the Project's recently approved Conditions of Approval. The Stormwater Management Plan supplied by Applicant to the County of Lake Planning Dept. promises that "Stormwater runoff . . . will discharge a stormwater detention pond" (whatever that means).

Also, Applicant seems to make a implicit promise that her Project "will not increase the volume of stormwater discharges from the Project Property onto adjacent properties or flood elevations downstream." Such a meaningful covenant reasonably can, and should, be expressly incorporated into Applicant's conditions of approval and use under any resulting MUP 18.39.

DATED: May 30, 2019

EWING & ASSOCIATES



By: Andre M. Ross  
Attorneys for TODD W. HOSFELT,  
Trustee



MAY 23RD 2019 UP 18-39 SMITH

Eric Porter

**From:** Todd Hosfelt <todd@hosfeltgallery.com>  
**Sent:** Monday, May 20, 2019 1:46 PM  
**To:** Eric Porter  
**Cc:** louis schump  
**Subject:** use permit: 10544 Bachelor Valley Road, Witter Springs; APN 003-018-10 Project Title: Smith; Use permit (UP18-39); Initial Study (IS 18-52)

20 May 2019

Eric Porter

Project Planner

and

Michalyn DelValle

Community Development Director

County of Lake

Courthouse – 255 N. Forbes Street

Lakeport, CA 95453

RE: Proposed Commercial Cannabis Cultivation license at 10544 Bachelor Valley Road, Witter Springs, CA. Project Title: Smith; Use permit (UP18-39); Initial Study (IS 18-52)

We are writing to object to the proposed commercial cannabis cultivation and processing facilities referenced above. We are the owners of 10455 Bachelor Valley Road -- the property contiguous and downhill from the site of the proposed development. The site of the proposed development is a very steep property upon which a seasonal creek originates. That creek passes under Bachelor Valley road via a culvert, then runs through our property.

We believe that if the Community Development Department adopts the Mitigated Negative Declaration and allows the development to move forward as proposed, our property, the properties of our neighbors and our rights to unimpeded enjoyment of those properties will be negatively impacted. Exhibit We also believe that the

proposed development will negatively impact the natural environment and wildlife that relies on it, far beyond the boundaries of the applicants' property. Our objections include, but are not limited to:

1. The proposed project description includes "a pond/water storage reservoir," which in fact is a large earthen dam on the seasonal creek, which the applicants have already constructed. We ask that the proposed project not be allowed to impede the flow of said creek.
2. Construction of said dam during the fall/winter of 2018/2019 failed to take into consideration either the stabilization of the disturbed earth or the control of erosion. During heavy rains, sediment and debris dislodged because of the construction clogged the culvert through which the creek passes, flooding neighboring properties, damaging Bachelor Valley Road, and eroding the driveway by which we gain access to our property. When the culvert was cleared, the creek flooded dangerously.
3. Because of the steep nature of the property upon which the development is proposed, the construction of 40,000 square feet of greenhouses, two dwellings, a 3,000 foot processing facility, parking and roads to access all of these facilities will require the movement of tremendous amounts of earth. Earthmoving when undertaken in an unsafe manner, endangers the property and lives of those living downhill. We ask that the proposed development be limited in its scope. We further ask that none of these projects be allowed without engineering reports, an Erosion Sediment Control Plan and a Disturbed Area Stabilization Plan.
4. Proposed development of greenhouses with a 19,920 square foot canopy will accommodate approximately 800 cannabis plants. According to California Fish and Game, each cannabis plant requires 900 gallons of water. That is a total 720,000 gallons of water to satisfy just the cultivation. But that's not where the water use will end. Applicants would also be using water for two proposed residences and a processing facility with an unspecified labor force.

All of the residents of Bachelor Valley depend upon their well water. These wells refill slowly during the summer and autumn months and in drought years, can go completely dry. There can be no doubt that the enormous scale of the water needs of the proposed development will impact the wells in the neighborhood. We ask first, that before any application is granted, that the applicants be required to pay for a water impact report. We also ask that if this Commercial Cannabis Cultivation License is granted, that it be significantly scaled back in size and water use. We further ask that the applicant be required to pay for yearly reports (undertaken in October) on all neighboring wells that may be affected by the water use of the cannabis cultivation and processing facilities. Such yearly reports will provide the baseline to determine the damage to groundwater levels by the proposed project.

5. Cannabis cultivation also requires huge amounts of chemical fertilizers and pesticides to be profitable. A facility of this scale means pollutants will be used at a tremendous magnitude. As property owners downhill and downstream from the proposed development, we object to the fouling of the seasonal creek, the



contamination of the groundwater and the negative impact on our health and the health of wildlife such toxins will inevitably entail. We ask first, that the application for the cultivation facility be denied entirely. If the application is approved, we ask that the facilities be scaled back significantly. We also ask that if the application is approved at any scale, the applicants be required to submit a Nitrogen Management Plan and that applicants be required to pay for yearly pollutant tests on all neighboring wells. Should pollutants from the cultivation facility appear in well water, applicants must be held responsible for the damage.

6. Large commercial cannabis cultivation facilities create horrible odor pollution. We, and our neighbors, live in Bachelor Valley, in part, because of the pristine air quality. Neighbors of large commercial cannabis cultivation facilities frequently report unbearable stench, headaches, dizziness and respiratory illnesses. We ask that applicants be required to install and maintain odor filtration devices on any and all greenhouse facilities that they receive permits for.

7. With the limited information available to us, we have no way of knowing what impacts the cannabis processing facility will entail. We ask that applicants be required to provide a detailed description of the activities and staffing of the facility and an environmental impact study before a permit for the facility is granted.

8. Having a large commercial cannabis cultivation and processing development next to our property will lower the re-sale value of our property.

The above objections are raised based on the information that is known to us now. Raising them is in no way a waiver to raising further objections at a later date.

Would you please supply us with the staff report regarding this project?

Thank you for your attention.

Sincerely,

Todd W. Hosfelt

Louis B. Schump

Exhibit A  
Page A3 of 3



## Lake County Historic Courthouse Museum

A fine exhibit of rocks and minerals of Lake County, also fossils and mining resources.  
Open: 10–4 Wed–Sat, 12–4 Sun  
255 North Main Street  
Lakeport ..... 263-4555

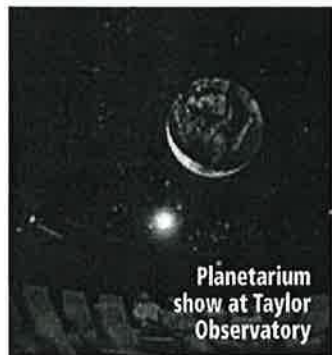
## Lake County Rockhounds

Meet first Wednesday of the month, 5–7pm  
Redbud Library, 14785 Burns Valley Road  
Clearlake ..... 277-9700

## STARGAZING

### Dark Sky Community

On November 20, 2018 the Lake County Board of Supervisors adopted a Proclamation that Lake County is a DARK SKY DESTINATION, with beautiful night time viewing experiences that will be preserved for future generations. With 300+ nights of clear skies it is anticipated that this will be officially designated by the International Dark Sky Association in the near future.



Planetarium show at Taylor Observatory

## Taylor Observatory

Kid-friendly Taylor Observatory features a new outdoor observing platform, an 18-inch Dobsonian telescope, a domed 16-inch research grade telescope, a planetarium with a 20-foot domed ceiling, an Epsilon Model Digitarium Star Projector System and a classroom.

Public night evenings "Windows to the Universe" are held on the 3rd and 4th Saturday, Jan–Oct.

See Facebook page

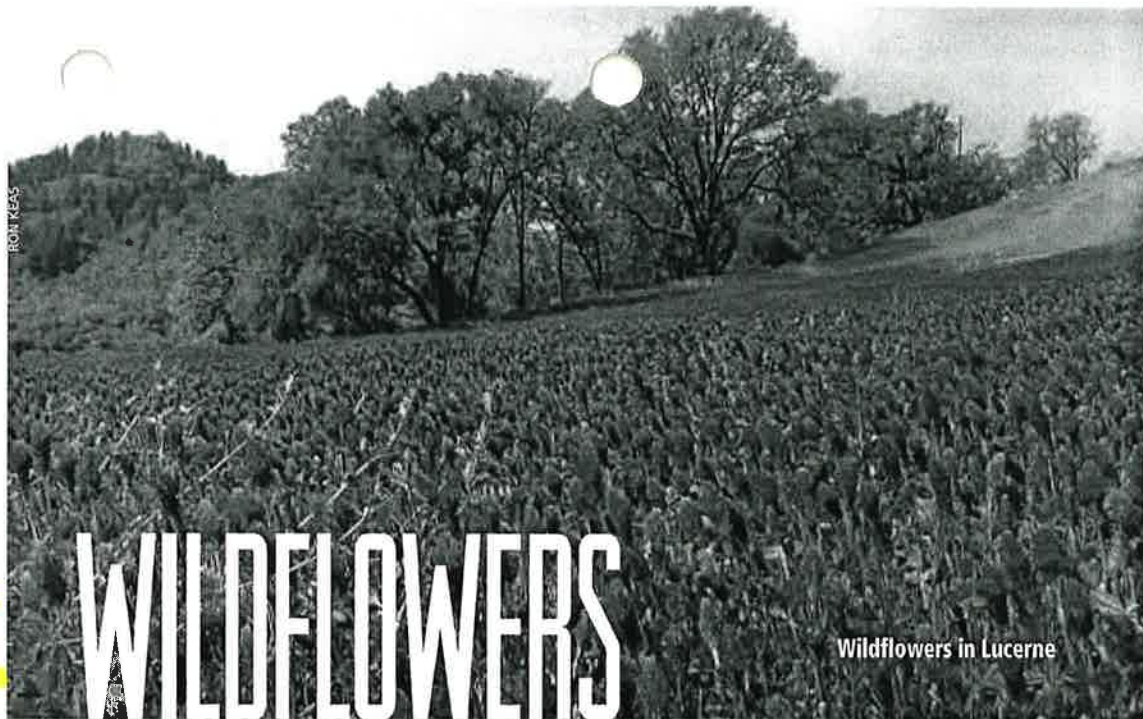
(Friends of Taylor Observatory) for details. The event typically includes an astronomy presentation, a pre-recorded planetarium show and telescope viewings.

5725 Oak Hill Lane, Kelseyville .... 262-4121  
[www.taylorobservatory.org](http://www.taylorobservatory.org)

### Did you know?

Taylor Observatory's domed 16-inch Meade LX200 GPS is a computerized telescope, able to locate 140,000 Celestial objects.

**NOTE** All telephone numbers are area code (707) unless otherwise listed



# WILDFLOWERS

Wildflowers in Lucerne

## BLOSSOMS, BUDS AND BLOOMS

With its rural setting and rich soils, Lake County's landscapes are radiant with blooms, blossoms, and buds during the spring and summer. Seas of lupine and other wildflowers flood meadows with color while western redbud erupt in vibrant magenta blooms. These and other native and non-native plants cover Lake County's valley floors, rocky hillsides, and fruit trees with all shades of bright.

Various events are held throughout the year as blooms unfold, and activities are available with opportunities to learn more about the magnificent flora. Choose from hikes with close-up looks, lectures, displays, and guided activities.

Or take one of several **wildflower drives**: Highway 175 from Middletown to Cobb; Bottle Rock Road from Cobb to Kelseyville; Point Lakeview and Soda Bay roads from Highway 29 west of Lower Lake to Soda Bay and Kelseyville; Highway 29 or Spruce Grove Road between Middletown and Lower Lake; Clover or Bachelor Valley roads outside Upper Lake; and the pear and walnut orchard throughout the Big Valley agricultural area surrounding the towns of Kelseyville and Finley.

### Wildflower Tours at Eleven Roses Ranch

April–May. Begin this spring tour with a narrated mule-drawn wagon ride that meanders through a valley rich with history, wildlife, and magnificent wildflowers, and end with an authentic chuckwagon barbecue, complete with Dutch oven cobbler and complimentary Lake County wine. Guided wildflower/nature tour includes stunning views. Barn has a collection of antique wagons and carriages and gift shop. Seasonal special events. All ages and tour buses welcome. Reservations required. 5456 New Long Valley Road, Clearlake Oaks..... 998-4471  
[www.elevenrosesranch.com](http://www.elevenrosesranch.com)

## HOT SPRINGS AND



Lake County has a long history of relaxing and invigorating spas that attract both residents and visitors alike.

**Alchemical Empowerment, LLC** ☼  
75 Fourth St, Lakeport .... (310) 279-6244  
[www.akashicempowerment.com/](http://www.akashicempowerment.com/)

**DayMakers Skin Care & Massage**  
415 N Main St, Lakeport..... 891-3400

**Flawless Skin**  
910 S Main St, Lakeport ..... 972-2366  
[www.facebook.com/FlawlessSkinByTessa/](http://www.facebook.com/FlawlessSkinByTessa/)

# WELLNESS

## TREATMENTS

### Debi Freeland, ☼ Certified Massage Practitioner

Call for appointment ..... 245-7552  
[debifreeland.abmp.com/](http://debifreeland.abmp.com/)

### Harbin Hot Springs

For over a hundred years, guests from near and far have enjoyed the natural tranquility and restorative hot waters at Harbin Hot Springs.

Forced to close operations due to the wide-ranging destruction of its facilities in the 2015 Valley Fire, Harbin is actively rebuilding its unique and natural retreat.

Harbin looks forward to welcoming you again in the coming years. You can following their rebuilding progress at [harbin.org/community/news/](http://harbin.org/community/news/). 18424 Harbin Springs Road Middletown ..... 987-2477  
[www.harbin.org](http://www.harbin.org)

### Healing House

601 N Main Street  
Lakeport..... 415-264-0685

### Mariah Meadows ☼ Resort & Spa

10545 Loch Lomond Road  
Loch Lomond..... 928-9804  
[www.mariahmeadowsresortandspa.com](http://www.mariahmeadowsresortandspa.com)

### Serenity Massage

514 Lakeport Blvd, Lakeport..... 263-7226

### Skin Fitness

480 S Main Street, Lakeport..... 263-3400

### Soul Remedy Massage Therapy ☼

380 N Main St, Suite G (Upstairs)  
Lakeport..... 272-8588  
[www.soulremedymassage.com](http://www.soulremedymassage.com)

### Specialty Care and ☼ Surgery Center

5685 Main Street, Kelseyville..... 279-8733  
[www.drspecialtycare.com](http://www.drspecialtycare.com)



BOARD OF SUPERVISORS, COUNTY OF LAKE,  
STATE OF CALIFORNIA

**Proclamation**

**Lake County is a Dark Sky Destination**

- WHEREAS,** the natural night inspires science, religion, art and literature, and less than 100 years ago, everyone could look up and see a spectacular night sky and now few see the Milky Way; and
- WHEREAS,** the inappropriate use of artificial light has adversely impaired our view of the night universe by brightening the night sky through backscatter from air pollution called Skyglow; and
- WHEREAS,** in the United States over 90% of the population cannot experience a natural night because of Skyglow; and
- WHEREAS,** Lake County has been on top of California's healthy air list for 28 years and for the third consecutive year, Lake County's air has been rated cleanest from fine particulate pollution in the nation and regularly is within the top 4 in the nation; and
- WHEREAS,** Lake County rarely experiences coastal or valley fog and sees an average 300 nights of clear or partial clear night skies with low Skyglow; and
- WHEREAS,** Lake County promotes and interprets local building regulations that result in Dark Sky Friendly Development; and
- WHEREAS,** Lake County is home to Taylor Observatory-Norton Planetarium and features a research grade telescope capable of locating >140,000 celestial objects; and
- WHEREAS,** the Taylor Observatory supports student and community activities through the Lake County Office of Education and Friends of Taylor Observatory ([friendsoftaylor.org/events](http://friendsoftaylor.org/events)); and
- WHEREAS,** Lake County's Dark Skies provide an astrotourism destination with night sky viewing for people from light polluted regions that cannot see significant nighttime stars.

**NOW, THEREFORE BE IT PROCLAIMED,** that Lake County is a DARK SKY DESTINATION with beautiful night time viewing experiences that will be preserved for future generations.

**PASSED AND ADOPTED** this 20<sup>th</sup> day of November, 2018.

**ATTEST:** CAROL J. HUCHINGSON  
Clerk of the Board

COUNTY OF LAKE

By: \_\_\_\_\_  
Deputy



Exhibit





## COUNTY OF LAKE

COMMUNITY DEVELOPMENT DEPARTMENT  
Planning Division  
Courthouse - 255 N. Forbes Street  
Lakeport, California 95453  
Telephone 707/263-2221 FAX 707/263-2225

FILE # \_\_\_\_\_  
\_\_\_\_\_

### DAMS OR RESERVOIR, SMALL TERMS AND CONDITIONS

Section 27.3(e) of the Lake County Zoning Ordinance requires that the following standard terms and conditions be met:

(e) Dam or reservoir, small: (Ord. No. 1749, 7/7/1988)

1. The proposed site of the small dam or reservoir shall not be identified on any U.S. Geological Survey map as a lake, marsh, or solid or broken "blue line" stream.
2. A small dam shall not exceed six (6) feet in height from the natural bed of the stream or watercourse at the downstream toe of the barrier; a small reservoir is larger than one (1) acre foot and shall not exceed five (5) acre feet.
3. All dams or reservoirs shall be accompanied by a plan approved by the U.S.D.A., Soil Conservation Service or prepared by a registered civil engineer, except as provided in Subsection 4 or 5 below.
4. Excavated or embankment ponds under one (1) acre foot in capacity or dams less than three (3) feet in height need not include engineered plans or water rights determination.
5. Excavated ponds less than five (5) acre feet when constructed totally below natural grade and off watercourses need not submit engineered plans.
6. All dams or reservoirs shall be accompanied by a 1601 or 1603 permit issued by the State Department of Fish and Game if located on a stream.
7. The applicant shall apply to the State Department of Water Resources, Division of Water Rights for water rights determination or permit, except as provided in Subsection 4 above. The permittee shall file with the Planning Department all applicable water rights determinations or permits prior to construction of dam. (Ord. No. 1749, 7/7/1988)

In addition to the above listed terms and conditions, the terms and conditions of Zoning Permit Application page 2 shall be met.



## COUNTY OF LAKE

### COMMUNITY DEVELOPMENT DEPARTMENT

#### Planning Division

Courthouse - 255 N. Forbes Street

Lakeport, California 95453

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

FILE # \_\_\_\_\_

### DAMS OR RESERVOIR, MEDIUM TERMS AND CONDITIONS

Section 27.3(e) of the Lake County Zoning Ordinance requires that the following standard terms and conditions be met:

(e cont.) Dam or reservoir, medium: (Ord. No. 1749, 7/7/1988)

1. The proposed site of the medium dam or reservoir shall not be identified on any U.S. Geological Survey Map as a lake, marsh, or solid or broken "blue line" stream.
2. A medium dam shall not exceed fifteen (15) feet in height from the natural bed of the stream or watercourse at the downstream toe of the barrier; a medium reservoir shall not exceed fifteen (15) acre feet.
3. All applications for medium dams or reservoirs shall be accompanied by a detailed plan approved by the U.S.D.A., Soil Conservation Service or prepared by a registered civil engineer with assistance of a certified engineering geologist.
4. All applications for medium dams or reservoirs shall be accompanied by an approved 1601 or 1603 permit issued by the State Department of Fish and Game if located on a stream.
5. The applicant shall apply to the State Department of Water Resources, Division of Water Rights for water rights determination or permit. The permittee shall file with the Planning Department a favorable water rights determination or permit prior to issuance of grading or building permits for construction of a medium dam or reservoir.

In addition to the above listed terms and conditions, the terms and conditions of Zoning Permit Application page 2 shall be met.