



## COUNTY OF LAKE

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

Courthouse - 255 N. Forbes Street

Lakeport, California 95453

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

Dated: April 1, 2019

### CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY IS 18-52

1. **Project Title:** Vivian Smith
2. **Permit Number:** Major Use Permit, UP 18-39  
Initial Study, IS 18-52
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):** 10544 Bachelor Valley Road, Witter Springs, CA 95493  
APN: 003-018-10
6. **Project Sponsor's Name/Address:** Vivian Smith  
9243 Levidi Court  
Elk Grove, CA 95758
7. **General Plan Designation:** Rural Land, Rural Residential
8. **Zoning:** "RL-WW" Rural Land – Waterway and "RR-WW-SC" Rural Residential – Waterway – Scenic Combining District
9. **Supervisor District:** District Three (3)
10. **Flood Zone:** X (immediately adjacent to AO)
11. **Slope:** Varied; from flat (near Bachelor Valley Road) to over 30% slope (primarily on the east side of the property)
12. **Fire Hazard Severity Zone:** SRA (High Fire Area)
13. **Earthquake Fault Zone:** None
14. **Dam Failure Inundation Area:** Not located within Dam Failure Inundation Area
15. **Parcel Size:** 33.38 Acres

**Attachment 6**

**16. Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary).**

This proposal is for an A - Type 3B Tier 2 "Medium Mixed-Light" commercial cannabis cultivation license at 10544 Bachelor Valley Road, Witter Springs, APN 003-018-10. The applicant seeks to obtain a Major Use Permit for Commercial Cannabis Cultivation for a total combined cultivation area of 29,880 sq. ft. with a cannabis canopy of 19,920 sq. ft.

The cumulative impact of the proposal consists of the 29,880 sq. ft. of cultivation area, which is the total footprint of the six (6) 41.5' x 120' greenhouse structures proposed. The affected portion of the site is flat, so minimal grading will be necessary. The cultivation area will be surrounded by a 6-foot tall chain link fence with privacy slats. Ancillary facilities include a pond/water storage reservoir, two residences, a covered carport, and a garage. The applicant has indicated that the garage will be torn down and a 3,000 sq. ft. 'drying room' will be constructed on the footprint of the garage (the garage is about 600 sq. ft. in gross area; about 2,400 sq. ft. smaller than the proposed metal drying building).

The impacts of the greenhouses and 3,000 sq. ft. metal drying building, while comparatively minimal, do not rise to the level of qualifying for a Categorical Exemption; thus this Initial Study has been prepared for this project.

Current and past land uses for the site are/were rural residential and extensive agriculture (animal grazing) according to the applicant. The site, including the cultivation area, is accessed via existing gravel driveway that is presently used for the existing dwellings and for general site access; this driveway connects the site with Bachelor Valley Road. There is a small concrete 'bridge' over the seasonal water course near the junction of the driveway and Bachelor Valley Road; see graphic, next page. The two existing dwellings on the site are served by an existing well and septic system. The Project Property has been enrolled for coverage under and maintained compliance with the State Water Resource Control Board's Cannabis General Order since April 4th, 2018.

The proposed cultivation method is via an above grade organic soil mixture in fabric garden beds with drip and microspray irrigation systems within the six afore-mentioned greenhouses. The greenhouses will be composed of steel frames with a polycarbonate glaze. Proposed ancillary facilities include a new water supply well and the proposed 3,000 sq. ft. metal drying building previously mentioned.

The 33.4-acre Rural Residential and Rural Lands zoned Project Property is located within the Upper Cache Creek watershed, Lower Scotts Creek sub-watershed, on the eastern foothills of the Bachelor Valley. The Project Property is dominated by a bowl-shaped valley surrounded by steeper hills and canyons; with elevations on ranging from 1,385 to 1,620 feet above mean sea level. Soils include highly permeable yet shallow Bressa, Millsholm, and Pomo loams.

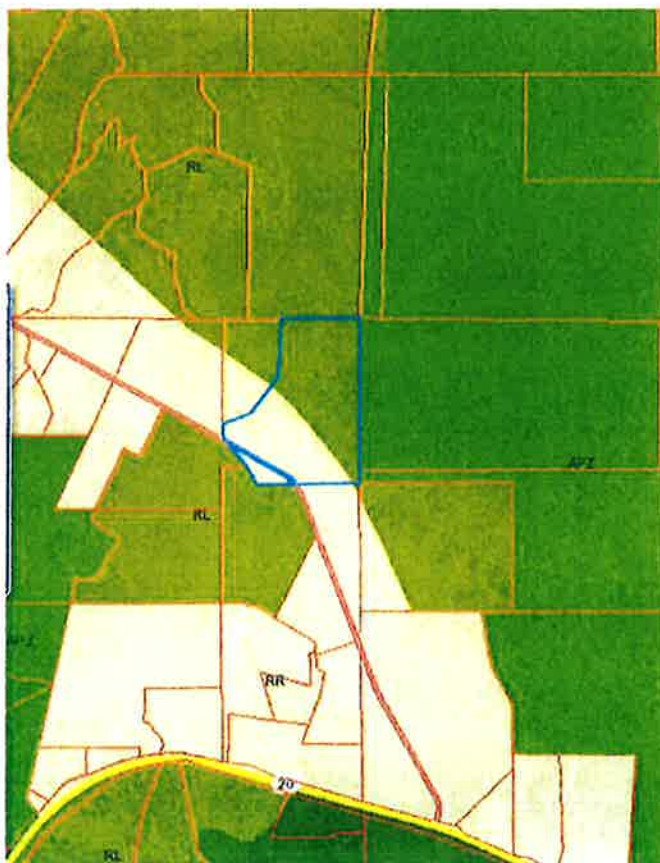
**17. Surrounding Land Uses and Setting: Briefly describe the project's surroundings:**

The site is surrounded by Rural Land, Rural Residential and Agricultural Preserve-zoned properties, many of which contain active agricultural uses. Most of the adjacent lands contain dwellings. Please see zoning map, next page.

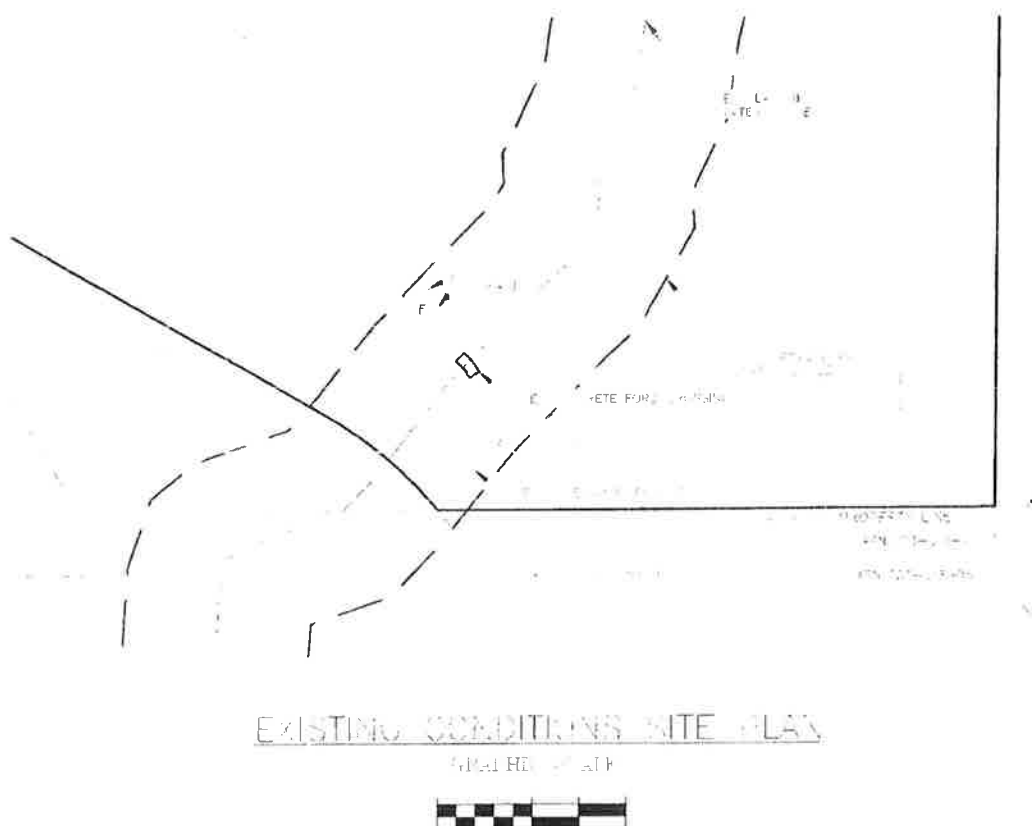
**Other public agencies whose approval may be required (e.g., Permits, financing approval, or participation agreement.)**

Lake County Community Development Department  
Lake County Department of Environmental Health  
Lake County Air Quality Management District  
Lake County Department of Public Works  
Lake County Department of Public Services  
Lake County Agricultural Commissioner  
Lake County Sheriff Department  
Kelseyville Fire Protection District  
Central Valley Water Resource Control  
California Department of Forestry & Fire Protection (CalFire)  
California Department of Cannabis Control  
California Department of Food and Agriculture\*  
California Department of Pesticides Regulations  
California Department of Public Health  
California Department of Consumers Affairs

\*The California Department of Food and Agriculture (CDFA) is responsible not only for licensing, but also for regulation of cannabis cultivation and enforcement as defined in the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) and CDFA regulations related to cannabis cultivation (Bus. & Prof. Code, §26102).



Zoning Map of Subject Site and Surrounding Area



*The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.*

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> <u>Aesthetics</u>                                    | <input type="checkbox"/> <u>Greenhouse Gas Emissions</u>                     | <input type="checkbox"/> <u>Population / Housing</u>                 |
| <input type="checkbox"/> <u>Agriculture &amp; Forestry</u>                    | <input checked="" type="checkbox"/> <u>Hazards &amp; Hazardous Materials</u> | <input type="checkbox"/> <u>Public Services</u>                      |
| <input checked="" type="checkbox"/> <u>Air Quality</u>                        | <input type="checkbox"/> <u>Hydrology / Water Quality</u>                    | <input type="checkbox"/> <u>Recreation</u>                           |
| <input checked="" type="checkbox"/> <u>Biological Resources</u>               | <input type="checkbox"/> <u>Land Use / Planning</u>                          | <input type="checkbox"/> <u>Transportation</u>                       |
| <input checked="" type="checkbox"/> <u>Cultural Resources</u>                 | <input type="checkbox"/> <u>Mineral Resources</u>                            | <input checked="" type="checkbox"/> <u>Tribal Cultural Resources</u> |
| <input type="checkbox"/> <u>Energy</u>  | <input checked="" type="checkbox"/> <u>Noise</u>                             | <input type="checkbox"/> <u>Utilities / Service Systems</u>          |
| <input checked="" type="checkbox"/> <u>Geology / Soils</u>                    |  | <input type="checkbox"/> <u>Wildfire</u>                             |
| <input checked="" type="checkbox"/> <u>Mandatory Findings of Significance</u> |  |  |

**DETERMINATION: (To be completed by the lead Agency)**


On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or

agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Initial Study Prepared By:  
Eric Porter, Associate Planner

  
SIGNATURE

Date: 4-15-19

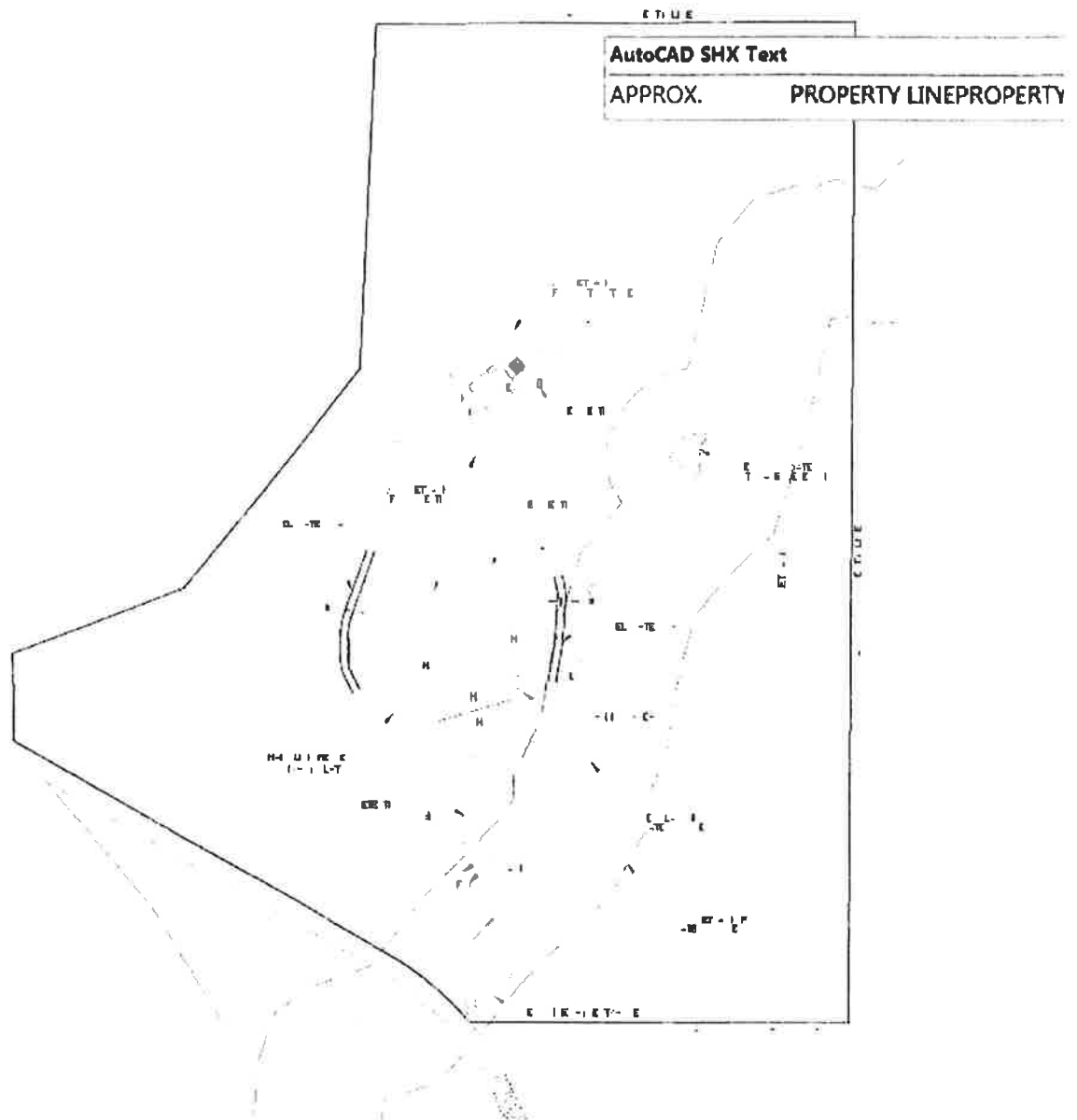
Michalyn DelValle - Director  
Community Development Department

#### 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

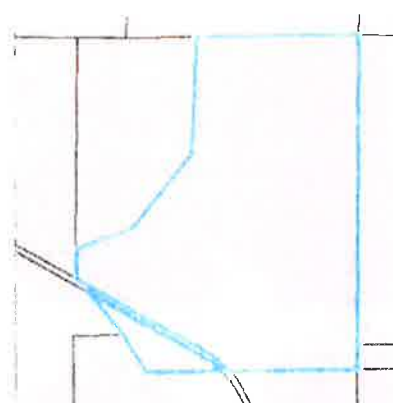


ITE L-



TF 1006


### Proposed Site Layout

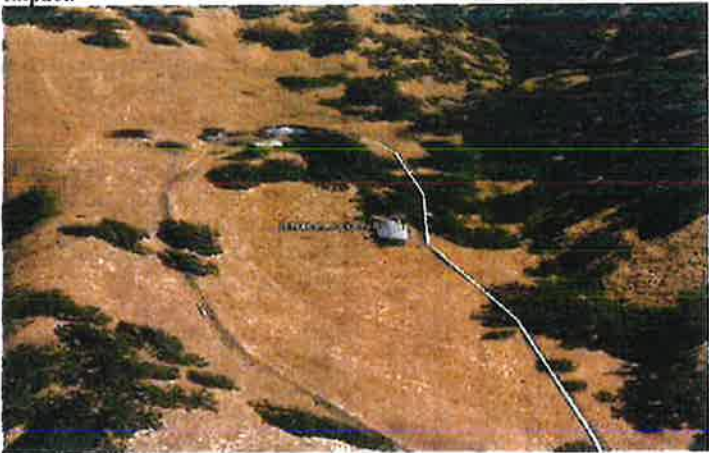
IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<p align="center"><b>I. AESTHETICS</b> <i>Would the project:</i></p>						
a) Have a substantial adverse effect on a scenic vista?			X		Bachelor Valley Road is a scenic road in this location. The scenic overlay runs 200 feet into the subject property. The greenhouse that is closest to Bachelor Valley Road is located about 280 feet from the roadway and is outside the scenic overlay boundary. The greenhouse structures are approximately 16' tall based on photos of a similar greenhouse submitted. <b>Impacts to scenic vistas would be less than significant</b>	1, 3, 4, 5
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X	The project area is located on a hillside that is virtually invisible from Bachelor Valley Road due to the steep slope adjacent to the road on the subject site. No further mitigation is needed, and no scenic resources will be damaged by this project. <b>No Impact</b>	1, 3, 4, 5
c) Substantially degrade the existing visual character or quality of public views the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				X	<b>See prior responses – No Impact</b>	1, 3, 4, 5
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X		The project is not anticipated to create additional light or glare. Non-glare fabric covering shall be required to be used on structures. The applicant provided light details that comply with the Lake County Dark Skies policy regarding outdoor lighting; this is indicated in the applicant's submittal package. <b>Less Than Significant Impact.</b>	1, 3, 4, 5
<p align="center"><b>II. AGRICULTURE AND FORESTRY RESOURCES</b> <i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board.</i> <i>Would the project:</i></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>The site contains a minute amount of Farmland of Local Importance. The applicant is proposing cultivation occurring in 6 greenhouses, which is allowed on higher value farmland. The main soils on the cultivation portion of the site are Bressa, Millsholm, and Pomo loams (Types 198, 120 and 177). Type 198 (Pomo-Bressa loam) is the predominant soil type, and responds well to fertilizing, rangeland seeding, and proper grazing use. Type 120 (Bressa-Millsholm loam) responds well to fertilization and rangeland seeding. Most of the property is mapped as 'suitable for grazing'; see map below.</p> <p><b>Less than Significant Impact.</b></p> <div style="display: flex; align-items: flex-start;"> <div style="flex: 1;"> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Important Farmland               <ul style="list-style-type: none"> <li><input type="checkbox"/> Prime Farmland</li> <li><input type="checkbox"/> Farmland of Statewide Importance</li> <li><input type="checkbox"/> Unique Farmland</li> <li><input type="checkbox"/> Farmland of Local Importance</li> </ul> </li> <li><input type="checkbox"/> Grazing Land</li> <li><input type="checkbox"/> Urban and Built Up Land</li> <li><input type="checkbox"/> Other Land</li> <li><input type="checkbox"/> Water</li> <li><input type="checkbox"/> Farmland of Local Potential</li> <li><input type="checkbox"/> Irrigated Farmland</li> <li><input type="checkbox"/> Nonirrigated Farmland</li> <li><input type="checkbox"/> Not Surveyed</li> <li><input type="checkbox"/> Earthquake Fault Zones</li> <li><input checked="" type="checkbox"/> FIRE               <ul style="list-style-type: none"> <li><input type="checkbox"/> Fire Districts</li> <li><input type="checkbox"/> Fire Hazard</li> <li><input type="checkbox"/> CALFIRE Area</li> </ul> </li> <li><input checked="" type="checkbox"/> WATER</li> </ul> </div> <div style="flex: 2;">  </div> </div>	1, 3, 4, 5, 6, 7, 8, 11



IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X		The site has historically been used as grazing land. Three acres of land will be used for cannabis cultivation (less than 10% of the total site area). A total of 30 acres will remain that can still be used as grazing land. The site is not under Williamson Act contract. <b>Less than Significant Impact.</b>	1, 3, 4, 5, 6, 7, 8, 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		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. <b>Less than Significant Impact.</b>	1, 3, 4, 5, 6, 7, 8, 11
d) Result in the loss of forest land or conversion of forest land to non-forest use?			X		See response to Section II (c). The project would not result in the loss or conversion of forest land to a non-forest use. <b>Less than Significant Impact.</b>	1, 3, 4, 5, 6, 7, 8, 11
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		<b>See Section II (a) and (c) above.</b> As proposed, this project would not induce changes to existing Farmland that would result in its conversion to non-agricultural use. <b>Less than Significant Impact.</b>	1, 3, 4, 5, 6, 7, 8, 11
<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 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 the potential to result in some air quality impacts. The applicant is proposing 6 greenhouses as the exclusive cultivation area, therefore odor control will be possible through air filtration system(s), which are proposed by the applicant. Dust during site preparation (construction) can be mitigated by wetting the soil with a mobile water tank and hose. There is no mapped serpentine soil on the property.</p> <p>Construction of the project would begin following approval of the major use permit, and would last between 6 and 8 weeks. There would be some grading required due to the slope of the project area; consequently a grading plan has been submitted, and a Grading Permit will be required.</p> <p>Additionally, implementation of the mitigation measures below would further reduce air quality impacts to less than significant. <b>Less Than Significant with the following Mitigation Measures incorporated:</b></p> <p><b><u>Mitigation Measures:</u></b></p> <p><b><u>AQ-1:</u></b> Prior to obtaining the necessary permits and/or approvals for any phase, applicant shall contact the Lake County Air Quality Management District and obtain an Authority to Construct (A/C) Permit for all operations and for any diesel powered equipment and/or other equipment with potential for air emissions.</p> <p><b><u>AQ-2:</u></b> All Mobile diesel equipment used for construction and/or maintenance must be compliance with State registration requirements. Portable and stationary diesel powered equipment must meet the requirements of the State Air toxic Control Measures for CI engines as well as Lake County Noise Emission Standards.</p> <p><b><u>AQ-3:</u></b> Construction and/or work practices that involve masonry, gravel, grading activities, vehicular and fugitive dust shall be management by use of water or other acceptable dust palliatives to maintain two inches of visibly-moist soil in the project area and to ensure that dust does not leave the property.</p>	1, 3, 4, 5, 10, 24, 36

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p><b>AQ -4:</b> The Cultivation of Commercial Cannabis is subject to AB 2588 Air Emission Inventory requirements administered by the Lake County Air Quality Management District. Therefore, the applicant shall maintain records of all hazardous or toxic materials used, including a Material Safety Data Sheet (MSDS) for all volatile organic compounds utilized, including cleaning materials. Said information shall be made available upon request and/or the ability to provide the Lake County Air Quality Management District such information in order to complete an updated Air Toxic emission Inventory.</p> <p><b>AQ-5:</b> All vegetation during site development shall be chipped and spread for ground cover and/or erosion control. The burning of vegetation, construction debris, including waste material is prohibited.</p> <p><b>AQ-6:</b> Prior to obtaining the necessary permits and/or approvals for any phase, the applicant shall submit an <u>Odor Control Plan</u> to the Lake County Air Quality Management District, apply for and receive a temporary permit.</p> <p><b>AQ - 7:</b> The applicant shall have the primary access and parking areas surfaced with chip seal, asphalt or an equivalent all weather surfacing to reduce fugitive dust generation.</p> <p><b>AQ - 8:</b> All areas subject to semi-truck/trailer traffic shall be paved with asphaltic concrete or an all-weather surfacing to reduce fugitive dust generation.</p> <p><b>AQ -9:</b> All areas subject to low use (driveways, over flow parking, etc.) shall be surfaced with gravel. Applicant shall regularly use and/or maintain graveled area to reduce fugitive dust generations.</p> <p><b>AQ-10:</b> The use of White Rock is prohibited for any road surfacing, including parking areas as it breaks down and would create excessive dust.</p>	
b) Violate any air quality standard or result in a cumulatively considerable net increase in an existing or projected air quality violation?		X			See Section III (a) above. <b>Less Than Significant with Mitigation Measures Incorporated.</b>  <b>Mitigation: Implement MMs AQ-1 through AQ-11.</b>	1, 3, 4, 5, 10, 24, 36
c) Expose sensitive receptors to substantial pollutant concentrations?			X		The site disturbance associated with preparation for the greenhouses is not anticipated to be significant to the point of creating substantial pollutant concentrations. The greenhouse buildings are each 41.5' x 120' in size (4,980 s.f.), so a total of slightly less than 30,000 s.f. of soil would be disturbed to accommodate the new greenhouse structures. Conditions of approval are added that will require the site to be watered to control dust during construction. Further, there are minimal sensitive receptors located in the vicinity; the area is marginally developed to the east, and to the north, south and west contains a mixture of agricultural and residential uses on larger lots. See photo, next page.  <b>Less Than Significant Impact.</b>	1, 3, 4, 5, 10, 24, 36
d) Result in substantial emissions (such as odors or dust) adversely affecting a substantial number of people?			X		See Section III (c) above. <b>Less Than Significant Impact.</b>	1, 3, 4, 5, 10, 24, 36
<b>IV. BIOLOGICAL RESOURCES</b> <i>Would the project:</i>						
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans,		X			<p><u>A Biological Assessment</u> was undertaken by Pinecrest Environmental Consulting on March 19, 2018. Their summary is as follows:</p> <p>No impacts are predicted for any of the State or Federal special-status plant species... No impacts to State or Federal special-status animal species ... are predicted due to the lack of actual observations and lack of suitable habitat</p>	1, 3, 4, 5, 11, 12, 13, 25

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?					<p data-bbox="641 262 820 283">near the project site.</p>  <p data-bbox="844 682 1144 703"><u>Aerial Photo of Site and Vicinity</u></p> <p data-bbox="641 735 1339 924">Cultivation activities are not expected to have any adverse impact on wetlands or waters of the U.S. The cultivation area is low quality ruderal grassland, and there should be no impacts to sensitive habitats including the stream channel as long as all appropriate Best Management Practices related to erosion control are followed, and as long as construction does not disturb the potential wetland habitat associated with the stock pond in the northern portion of the parcel.</p> <p data-bbox="641 945 1339 1102">Culvert crossings appear to be in good shape and the main crossing under Bachelor Valley Road is well-armored. The only erosional feature that may require some remediation is the roadside ditch along the northern loop of the access driveway that has a small downcut running southwest alongside it. This area could probably be fixed by filling the roadside ditch with drain rock.</p> <p data-bbox="641 1134 1339 1186"><b>The following mitigation measures are recommended within the Biologic Study as follows:</b></p> <p data-bbox="641 1218 1339 1323"><b>BIO-1:</b> Pre-construction special-status species and migratory bird survey should be performed by a qualified biologist in the proposed Project Area and an appropriate buffer zone around the Project Area within 7 days prior to commencement of ground disturbing activities.</p> <p data-bbox="641 1354 1339 1480"><b>BIO-2:</b> All food scraps, wrappers, food containers, cans, bottles, and other trash from the Project Area should be deposited in waste receptacles with an adequate lid or cover to contain trash. All food waste should be placed in a securely-covered bin and removed from the site on a weekly basis to avoid attracting animals.</p> <p data-bbox="641 1512 1339 1701"><b>BIO-3:</b> Vehicles and equipment should be parked on pavement, existing roads or paved road shoulders developed areas, or approved work areas. Vehicles will be confined to public roadways and pre-approved access routes (e.g., private paved and unpaved roads, and overland routes), previously disturbed and unvegetated roadsides, and work areas. Access routes and construction work areas should be limited to the minimum necessary to achieve the project goals.</p> <p data-bbox="641 1732 1339 1806"><b>BIO-4:</b> Only certified weed-free straw mulch and locally native, non-invasive, and nonpersistent grass seed mixes (erosion control measures) should be used on the Project Property.</p> <p data-bbox="641 1837 1339 1932"><b>BIO-5:</b> An avian and nest detection survey should be performed by a qualified wildlife biologist in the proposed Project Area and an appropriate buffer zone around the Project Area within 7 days prior to commencement of ground disturbing activities during the nesting season (generally from</p>	

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					February 1 through August 31).  <b>BIO-6:</b> A tree cavity survey should be performed by a qualified wildlife biologist before pruning or removing any trees or snags on the Project Property with cavities, hollows, or exfoliating bark.  <b>Impacts can be reduced to Less Than Significant with mitigation measures BIO-1 through BIO-6 added.</b>	
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 riparian habitats or other sensitive mapped habitats on the subject site. <b>Less than Significant Impact.</b>	1, 3, 4, 5, 11, 12, 13, 25
c) Have a substantial adverse effect on state or federally protected wetlands (including, but 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, 3, 4, 5, 11, 12, 13, 25
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X			The applicant's biological study contained recommendations for follow up wildlife survey work to occur on the site prior to ground disturbance and during nesting season (February 1 to August 31). These recommendations have been added as mitigation measures and will be added as conditions of approval. <b>Mitigated to Less than Significant Impact with mitigation measures BIO-1 through BIO-6.</b>	1, 3, 4, 5, 11, 12, 13, 25
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 on this site, and the project area is already devoid of trees – see aerial photo below. <b>Less than Significant Impact.</b> 	1, 3, 4, 5, 11, 12, 13, 25
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X	No special conservation plans have been adopted for this site. <b>No Impact.</b>	1, 3, 4, 5, 11, 12, 13, 25

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<b>V. CULTURAL RESOURCES</b> <i>Would the project:</i>						
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?		X			<p>A cultural resource investigation was conducted on March 30, 2018 of the project site. The purpose of the investigation was to locate, describe, and evaluate any archaeological or historical resources that may be present on the parcel. In addition, the author was to assess the impact that might occur as a result of agricultural activities related to cannabis production.</p> <p>The background research indicated that no cultural sites had been recorded within 1 mile of the parcel. In addition, there had been no past cultural resource inspections done in the area. A cultivated field was marked on the 1888 map and a house is indicated just north of the parcel on the 1927 and 1938 maps.</p> <p>During the field inspection, two single family homes and out-buildings were discovered along with a concrete water cistern, stock pond and abandon walnut orchard. The structures appeared to date to the 1960's or later and were not considered significant historic resources. No prehistoric cultural materials were encountered. <b>Less than Significant Impact with the following mitigation measures added:</b></p> <p><b><u>Mitigation Measures:</u></b></p> <p><b><u>CUL-1:</u></b> Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted in the vicinity of the find(s), the local overseeing Tribe shall be notified, and a qualified archaeologist retained to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. Should any human remains be encountered, they shall be treated in accordance with Public Resources Code Section 5097.98 and Public Health and Safety Code section 7050.5.</p> <p><b><u>CUL-2:</u></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>	1, 3, 4, 5
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?		X			See Response to Section V (a).	1, 3, 4, 5
c) Disturb any human remains, including those interred outside of formal cemeteries?		X			See Response to Section V (a).	1, 3, 4, 5

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<b>VI. ENERGY</b> <i>Would the project:</i>						
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?			X		<p>Two of the proposed greenhouse structures will be used for the propagation and "vegging" of immature cannabis plants. In these greenhouses eighty 630-watt CMH lights will be installed. The other four proposed greenhouse structures will be used for the "vegging" and "flowering" of mature cannabis plants, and will contain one hundred and sixty 630-watt CMH lights each. When in use, the CMH lights will be the largest consumers of energy on the Project Property. Three-layer breathable blackout material will be used to prevent supplemental light from escaping the greenhouse structures when artificial light is being used.</p> <p>Total Watts per Day (during summer months): 98,702.5 KWh/Day: 98.2 Total Watts per Day (during winter months): 6,196,602.5 KWh/Day: 6,196.6</p> <p>It is conceivable, however highly unlikely, that all of the above appliances could be in use at the same time. Therefore, the Farm Load for the proposed cultivation operation is 6,048 KWh (100% Demand Factor).</p> <p>Lastly, there is no 'upper threshold energy usage limit' for cannabis cultivation in Lake County.</p> <p><b>Less than Significant Impact based on the lack of upper limit energy usage threshold.</b></p>	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X		See previous response; <b>Less than Significant Impact</b>	
<b>VII. GEOLOGY AND SOILS</b> <i>Would the project:</i>						
<p>a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <p>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</p> <p>ii) Strong seismic ground shaking?</p> <p>iii) Seismic-related ground failure, including liquefaction?</p> <p>iv) Landslides?</p>			X		<p><u>Earthquake Faults.</u> There are no mapped earthquake faults on or adjacent to the subject site.</p> <p><u>Seismic Ground Shaking and Seismic-Related Ground Failure, including liquefaction.</u> The mapping of the site's soil indicates that the soil is stable and not prone to 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 considered "stable" and not located within and/or adjacent to an existing known "landslide area".</p> <p>Project design shall incorporate Best Management Practices (BMPs) to the maximum extent practicable 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.</b></p>	1, 3, 4, 5, 6, 7, 8, 10, 11, 17, 18, 19, 20
b) Result in substantial soil erosion or the loss of topsoil?			X		Grading activities associated with project development have the potential to result in some loss of topsoil and earth movement necessary to place the 6 greenhouses on the site. The applicant has provided an engineered Grading Plan showing specific areas that would need to be graded; the amount of earth to be moved is less than what would require a Grading permit.	1, 3, 4, 5, 6, 7, 8, 10, 11, 17, 18, 19, 20, 30



IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<b>Less Than Significant with the following mitigation measure added:</b>	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X		According to the soil survey of Lake County, prepared by the U.S.D.A., the soil at the site is considered "stable" and there is little potential for landslide, subsidence, debris flows, liquefaction or collapse.  <b>Less Than Significant</b>	1, 3, 4, 5, 6, 7, 8, 10, 11, 17, 18, 19, 20
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X		The project site is located on Type 198-Pomo-Bressa loam (15 to 50% slope), and is near Type 120, Bressa-Millsholm loam (15 to 30% slope). These map units are found on hills. The Pomo soils are susceptible to slumping.  Neither soil type is shown to be overly expansive according to the Soil Study used by Lake County (provided by the U.S. Dept. of Agriculture).  Permeability of the Pomo-Bressa and Bressa-Millsholm soil types is moderately slow. Surface runoff is rapid for both types, and the hazard of erosion is severe.  These units are both used mainly for livestock grazing, wildlife habitat, and watershed, as well as for firewood production.  Neither soil type is overly prone to significant expansion.  <b>Less Than Significant</b>	1, 3, 4, 5, 6, 7, 8, 10, 11, 17, 18, 19
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 site is served through an existing onsite septic system.  <b>Less Than Significant</b>	1, 3, 4, 5, 6, 7, 8, 10, 11, 17, 18, 19
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?					There are no unique paleontological or geologic features on the site.  <b>Less than Significant Impact</b>	
<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		In general, greenhouse gas emissions from construction activities include the use of construction equipment, trenching, landscaping, haul trucks, delivery vehicles, and stationary equipment (such as generators, if any are used). Greenhouse gas emissions resulting from temporary construction would be negligible and would not result in a significant impact to the environment. Further, the cannabis crop will be indoors (inside a greenhouse) that will have air filtration systems, and which should not generate measurable greenhouse gases. <b>Less than Significant.</b>	1, 3, 4, 5, 24, 36
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X	This project will not conflict with any adopted plans or policies for the reduction of greenhouse gas emissions. <b>No Impact</b>	1, 3, 4, 5, 24, 36
<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			Hazards with the potential to occur at the proposed cultivation operation include: • exposure to sun and heat, • the use of hazardous equipment/machinery, • exposure to unsanitary conditions, and • exposure to agricultural and processing chemicals.  Illnesses and injuries from all of these hazards can and should be	1, 3, 4, 5, 10, 16, 17, 21, 24, 31, 32, 33, 34, 36

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>avoided/prevented. To avoid/prevent over exposure to sun and heat and heat-related illnesses, the applicant indicates that her staff should drink water every 15 minutes (even when not thirsty), wear a hat and light-colored clothing, and rest in the shade. Hydration stations equipped with water coolers filled with ice and potable water will be established in the proposed cultivation area(s) and serviced daily.</p> <p>The applicant indicates that their staff will be trained on how to appropriately and safely use potentially hazardous equipment/machinery, such as lawn mowers and tillers, before using them to avoid/prevent injuries.</p> <p>The applicant indicates that their staff will be required to clean and sanitize the buildings of the proposed cultivation operation on a regular basis. Personal Protective Equipment (PPE) will be available for their personnel when cleaning/sanitizing potentially hazardous unsanitary areas.</p> <p>The proposed Processing Facility will be equipped with restrooms/washrooms that discharge to a Lake County-permitted onsite wastewater treatment system designed by California-licensed civil engineer, with the capacity to handle/treat the anticipated wastewater discharges from the proposed cultivation operation. The restrooms/washrooms of the proposed Processing Facility will be available for use whenever staff are onsite.</p> <p>The Hazardous Materials Business Plan below addresses hazards associated with agricultural and processing chemicals.</p> <p>No manufacturing activities are planned at this time at the proposed cultivation operation. All packaging will be done by hand, and only for the purposes of transferring cannabis product to a California-licensed Distributor.</p> <p><b>Mitigation Measure HHM-1:</b> Storage of potentially hazardous waste shall be in its original package, and shall be clearly labeled to display the volume and type of material stored. These packages will be kept inside a storm-proof shed, a locked storage area that will only be accessible to authorized staff. When removing materials from storage the employee name, the type of material, date, and time will be entered into a hazardous waste manifest located within the secure storage area and will be stored for five years. When returning material into storage, the type of material, volume used, name of employee, date and time will be entered into the manifest. Storage areas containing hazardous waste will be inspected weekly by staff/employees to ensure accurate record keeping and safe storage conditions.</p>	
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			<b>See Response to Section IX (a). Less than Significant Impact with mitigation measure HHM-1.</b>	1, 3, 4, 5, 10, 16, 17, 21, 24, 31, 32, 33, 34, 36
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X	The proposed project is not located within one-quarter mile of an existing or proposed school. <b>No Impact</b>	1, 3, 4, 5, 10, 16, 17, 21, 24, 31, 32, 33, 34, 36
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X		The project site is not listed as a site containing hazardous materials in the databases maintained by the Environmental Protection Agency (EPA), California Department of Toxic Substance, and Control State Resources Water Control Board. <b>Less Than Significant Impact.</b>	1, 3, 4, 5, 10, 16, 17, 21, 24, 31, 32, 33, 34, 36



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 for people residing or working in the project area?				X	The project is not located within two (2) miles of an airport and/or within an Airport Land Use Plan. <b>No Impact</b>	1, 3, 4, 5, 10, 16, 17, 21, 24, 31, 32, 33, 34, 36
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, 3, 4, 5, 10, 16, 17, 20, 21, 24, 31, 32, 33, 34, 36
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 Severe Fire Hazard Area (State Responsibility Area) and has a moderate risk of wildfires. The applicant will adhere to all Federal, State and local fire requirements/regulations. <b>Less Than Significant Impact.</b>	1, 3, 4, 5, 6, 23, 37
<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		<p>According to the application material submitted, the Project Property has been enrolled for coverage under and maintained compliance with the State Water Resource Control Board's Cannabis General Order (Water Quality Order WQ-2017-0023-DWQ) since April 4th, 2018 (WDID 5S17CC401668) as a Tier 1 Low Risk site.</p> <p>Once a Commercial Cannabis Cultivation Use Permit has been obtained for the proposed cultivation operation, the applicant will augment enroll for coverage under the Cannabis General Order for the Project Property from Tier 1 to Tier 2. Tier 2 of the Cannabis General Order will provide coverage for the size, scale, and scope of the proposed cultivation operation. At that time, the applicant will engage the Central Valley Water Board to determine if compliance with the Cannabis General Order provides coverage for all activities necessary to develop the proposed cultivation operation/facilities, or if enrollment and compliance with the Construction General Permit (Order 2009-0009-DWQ) is needed.</p> <p>If needed, the applicant will enroll for coverage under the Construction General Permit, and comply with all elements including the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP), and regular inspections from a Qualified SWPPP Practitioner. Additionally and at a minimum, a Lake County Grading Permit will be needed for the earth moving activities necessary to develop the proposed cultivation operation/facilities. Grading and Erosion and Sediment Control Plans have been prepared by Realm Engineering (California Licensed Civil Engineers) for submittal to the Lake County Community Development Department to obtain the necessary Grading Permit. The Grading and Erosion and Sediment Control Plans will be implemented before, during, and after development of the proposed cultivation operation/facilities. This project's Site Manager will conduct monthly monitoring inspections to confirm that this operation is in compliance California Water Code.</p> <p><b>Less than Significant Impact.</b></p>	1, 3, 4, 5, 16, 21, 24, 25, 29, 32, 33
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X		The applicant states that inline water meters, compliant with California Code of Regulations, Title 23, Division 3, Chapter 2.7, will be installed on the main water supply line running between the pond/water storage reservoir and the water storage tanks of the proposed cultivation area. The applicant will maintain daily water meter readings records for a minimum of five years, and will make those records available to Water Boards, CDFW, and Lake County staff upon request.	1, 3, 4, 5, 16, 21, 24, 25, 29, 32, 33

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>Additionally, each year the landowner must file a Report of Licensee to the State Water Resource Control Board's Division of Water Rights for the Project Property's Appropriative Water Right. The general public can view the annual reports submitted since 2009 online via the State Water Resources Control Boards eWRIMS (Electronic Water Rights Information Management System) website.</p> <p>The proposed groundwater well will serve as a back-up water source for the proposed cultivation operation, in the event that water cannot or should not be taken from the intermittent unnamed Class II watercourse or pond/water storage reservoir. If the proposed cultivation operation needs to use water from the groundwater well, an HDPE water supply line will be run between the groundwater well and the water storage tanks of the proposed cultivation area.</p> <p><b>Less than Significant Impact.</b></p>	
<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 which would:</p> <ul style="list-style-type: none"> <li>i) Result in substantial erosion or siltation on- or off-site;</li> <li>ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;</li> <li>iii) Create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;</li> <li>iv) Impede or redirect flood flows?</li> </ul>			X		<p>The applicant will need to obtain a Grading Permit, and has provided engineered Grading and Drainage plans to the County as part of this application review process. The Grading Permit is added as a condition of approval. The drawings have been routed to Water Resources, Public Works and the County Surveyor, and no adverse comments were received.</p> <p>The applicant has indicated that she protect all disturbed areas by applying BMPs, which may include the placement of straw, mulch, seeding, straw wattles, and silt fencing and planting of native vegetation on all disturbed areas to prevent erosion. Therefore, proposed use would not substantially alter the existing drainage pattern of the site or area.</p> <p>The project site contains an unnamed seasonal waterway. The cultivation area is more than 100 feet from this waterway, and the cultivation areas are enclosed within greenhouses, further reducing the risk of on-site water contamination through terpenes coming from the cannabis plants, fertilizer migration, or other chemical erosion factors.</p> <p>One on site stormwater detention basin will be constructed to detain runoff such that post- development discharge rates do not exceed the estimated pre-development discharge rates. The detention basins were sized using the Modified Rational Hydrograph Method. The detention basin calculations indicate one is not needed, yet one will be installed to control the flow of water during and after construction.</p> <p><b>Less than significant.</b></p>	1, 3, 4, 5, 16, 21, 24, 25, 29, 32, 33
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X		<p>The project site is not located in an area of potential inundation by seiche or tsunami. In addition, the soils at the project site are relatively stable; therefore is minimal potential to induce mudflows.</p> <p><b>Less than Significant</b></p>	1, 3, 4, 5, 16, 21, 24, 25, 29, 32, 33
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X		<p>The engineered Grading and Drainage plans address how stormwater runoff will be mitigated on site. Because the cultivation will occur exclusively within greenhouses, there is little opportunity for toxic chemicals to find their way into the groundwater table.</p> <p><b>Less Than Significant</b></p>	1, 3, 4, 5, 16, 21, 24, 25, 29, 32, 33
<b>XI. LAND USE AND PLANNING</b> <i>Would the project:</i>						
a) Physically divide an established community?				X	The proposed project site would not physically divide an established community. <b>No Impact.</b>	1, 3, 4, 5
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for			X		<p>This project is consistent with the Lake County General Plan, the Upper Lake-Nice Area Plan and the Lake County Zoning Ordinance.</p> <p><b>Lake County General Plan, Section 3.9 Economic Development</b></p>	1, 3, 4, 5, 6, 7, 8, 9