


IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
the purpose of avoiding or mitigating an environmental effect?					<p>Goal LU-6: "To maintain a healthy and diverse local economy that meets the present and future employment, shopping, recreational, and service needs of lake County residents".</p> <ul style="list-style-type: none"> Policy LU 6.1: "The County shall actively promote the development of a diversified economic base by continuing to promote agriculture, recreation services and commerce and by expanding its efforts to encourage industrial and non-industrial corporate developments, and the developments of geothermal resources". <p>The proposed Commercial Cannabis Operation, would create diversity within the local economy, create future employment opportunities for local residents and allow access to agricultural products to the community as a whole.</p> <p>Upper Lake - Nice Area Plan The Area Plan does not regulate cannabis operations.</p> <p>Lake County Zoning Ordinance.</p> <ul style="list-style-type: none"> A Major and/or Minor Use Permits shall be obtained for the proposed use. On August 14, 2018, the applicant has submitted Major Use Permit, UP 18-39. The applicant shall adhere to all incorporated Mitigation Measures, including all Conditions of Approval. <p>Vivian Smith Property Management Plan The applicant(s), including staff/employees shall adhere to all aspects discussed in the Property Management Plan.</p> <p>Less than Significant.</p>	
<p align="center">XII. MINERAL RESOURCES <i>Would the project:</i></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?				X	The Aggregate Resource Management Plan (ARMP) does not identify this project as having an important source of aggregate. No Impact	1, 3, 4, 5, 26
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?				X	The County of Lake's General Plan, the Upper Lake - Nice Area Plan nor the Lake County Aggregate Resource Management Plan designates the project site as being a locally important mineral resource recovery site. No Impact	1, 3, 4, 5, 26
<p align="center">XIII. NOISE <i>Would the project result in:</i></p>						
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			<p>Short-term increases in ambient noise levels to uncomfortable levels could be expected during project grading and/or construction. Mitigation measures will decrease these noise levels to an acceptable level, both during construction and during post-construction operation of the facility.</p> <p>Less Than Significant with Mitigation Incorporation</p> <p>Mitigation Measures:</p> <p>NOI-1: All construction activities including engine warm-up shall be limited Monday Through Friday, between the hours of 7:00am and 7:00pm to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels. This mitigation does not apply to night work.</p> <p>NOI-2: Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00AM to 10:00PM and 45 DbA</p>	1, 2, 3, 4, 5, 30

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					<p>between the hours of 10:00PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.1) at the property lines.</p> <p>NOI-3: The operation of the Air Filtration System shall not exceed levels of 57 dBA between the hours of 7:00AM to 10:00PM and 50 dBA from 10:00PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.2) measured at the property lines.</p>	
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 facility operation. The low level truck traffic during construction and for deliveries would create a minimal amount of groundborne vibration. Less Than Significant	1, 2, 3, 4, 5, 30
XIV. POPULATION AND HOUSING <i>Would the project:</i>						
a) Induce substantial 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. No Impact	1, 3, 4, 5
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X	No housing will be displaced as a result of the project. No Impact	1, 3, 4, 5
XV. PUBLIC SERVICES <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 new or altered government facilities. There will not be a need to increase fire or police protection, fire protection, schools, parks or other public facilities as a result of the project's implementation. Less than Significant.	1, 3, 4, 5, 16, 20, 24, 28, 32, 33, 34, 35, 37
XVI. RECREATION <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. No Impact	1, 3, 4, 5

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
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. No Impact	1, 3, 4, 5
XVII. TRANSPORTATION <i>Would the project:</i>						
a) Conflict with a plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian paths?			X		The project site fronts Bachelor Valley Road, a County maintained public road, and is served by a steep driveway with a gate located at the public road. The project was routed to the County Road Department, who had no adverse comments regarding increased construction, delivery or employee-related trips generated by this project. Less than Significant	1, 3, 4, 5, 27, 28, 35
b) For a land use project, would the project conflict with or be inconsistent with CEQA guidelines section 15064.3, subdivision (b)(1)?			X		See Response to Section XVII (a).	1, 3, 4, 5, 20, 22, 27, 28, 35
c) For a transportation project, would the project conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)(2)?				X	The project is not a transportation project. No Impact	1, 3, 4, 5, 20, 27, 28, 35, 37
d) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X	No changes to Bachelor Valley Road are proposed or needed, nor are any changes to the driveway serving the site proposed. The Lake County Road Department had no adverse comments regarding this proposal. Less than Significant Impact	1, 3, 4, 5, 20, 27, 28, 35, 37
e) Result in inadequate emergency access?				X	As proposed, this project will not impact existing emergency access. No Impact	1, 3, 4, 5, 20, 27, 28, 35, 37
XVIII. TRIBAL CULTURAL RESOURCES <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			See Response to Section V(a). Implementation of CUL-1 and CUL-2 would reduce impacts to Less than Significant.	1, 3, 4, 5
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 Resources Code 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		X			See Response to Section V(a). Implementation of CUL-1 and CUL-2 would reduce impacts to Less than Significant.	1, 3, 4, 5

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
XIX. UTILITIES AND SERVICE SYSTEMS <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		According to the application, the subject parcel is served by an existing well and septic system; a new septic system would be installed to serve the Processing Room, which has bathrooms proposed. The new septic system will be designed by a civil engineer, and will be evaluated by Environmental Health for adequate capacity and location during the permit review process for the structure. The applicant shall adhere to all Federal, State and Local regulations regarding wastewater treatment and water usage requirements. No changes to the water system are proposed. The applicant will rely on 'grid power' for exclusive power usage for the 6 greenhouses. Less Than Significant	1, 3, 4, 5, 21, 24, 29, 33, 34
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X		According to the plan, the proposed use is anticipated to use a daily rate of 1,800 gallons of water to irrigate the plants. The existing agricultural well generates 230 gallons per minute. The house is on a domestic well. Less than significant	1, 3, 4, 5, 21, 24, 29, 33, 34
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 Lake County Environmental Health Department oversees septic systems. They were notified of this action and had no adverse comments. A new septic system would be installed to serve the Processing Room, which has bathrooms proposed. The new septic system will be designed by a civil engineer, and will be evaluated by Environmental Health for adequate capacity and location during the permit review process for the structure. See Response to Section IX (a)(b). Less Than Significant	1, 3, 4, 5, 21, 24, 29, 33, 34
d) Generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure?			X		The Waste Management Plan submitted for this proposal adequately addresses solid waste management. There are no known capacity issues with the solid waste provider for Lake County. See Response to Section IX (a)(b). Less Than Significant	1, 3, 4, 5, 21, 24, 29, 33, 34
e) Negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals?			X		See Response to Section XIX (d). Less Than Significant	1, 3, 4, 5, 21, 24, 29, 33, 34
f) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			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 the growing medium and dispose of the 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. Less than Significant.	1, 3, 4, 5, 21, 24, 29, 33, 34
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X		All requirements related to solid waste will apply to this project. Less than Significant.	1, 3, 4, 5, 21, 24, 29, 33, 34

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<p align="center">XX. WILDFIRE</p> <p align="center"><i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i></p>						
a) Impair an adopted emergency response plan or emergency evacuation plan?			X		<p>The entire site is within an SRA (CALFIRE) area and is identified as a moderate fire risk site. The adjacent properties were burned during the Valley Fire, but this site was untouched.</p> <p>The only 'escape route' between this site and the highway system is Bachelor Valley Road, a paved County maintained road.</p>  <p align="center"><u>Bachelor Valley Road adjacent to Site</u></p> <p>The cannabis cultivation use will not generate a significant number of daily trips. This general area has had to evacuate recently, however this site is no more prone to excessive fire risk than most other sites in Lake County. The trips generated by this use will be roughly the equivalent of a single family dwelling (around 10 average daily trips) based on the number of employees proposed and the distance of this site from restaurants that might otherwise be available for lunch trips.</p> <p>Less than Significant Impact.</p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
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		<p>The site's slopes vary from less than 10% to greater than 30%. The prevailing wind direction is generally from the north / northwest to the south / southeast.</p> <p>The site is at no greater risk than most sites within Lake County for pollutant concentration exposure. If a wildfire were to occur north and/or west of the subject site, it would likely spread smoke and ash onto the site.</p> <p>Less than Significant Impact.</p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 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		<p>The applicant is proposing to construct an on-site water retention basin for stormwater runoff, and the property already contains a pond used for water storage. Both water storage areas can be used for emergency fire suppression if necessary. No additional construction will occur other than the 6 proposed greenhouses and the processing room on the footprint of the existing garage, and no activities that would obviously increase fire risks are proposed.</p> <p>Less than Significant Impact.</p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 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		<p>The soil mapped at this location is stable. As previously stated, the Valley Fire burned other properties in the vicinity, but did not burn this site. The 'uphill' vegetation is intact, and would act as an anchor that would inhibit landslides. The applicant is proposing an on-site water retention basin for stormwater runoff. Less than Significant Impact.</p>	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
XXI. MANDATORY FINDINGS OF SIGNIFICANCE						
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 6 greenhouses. As proposed, this project is not anticipated to significantly degrade or adversely affect the habitat of fish and/or wildlife species or cultural resources with the incorporated mitigation measures described herein.	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 Air Quality, Biological Resources, Cultural / Tribal Resources, Geology and Soils, Hazards & Hazardous Materials and Noise. These impacts in combination with the impacts of other past, present and reasonably foreseeable future projects could cumulatively contribute to significant effects on the environment. 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.	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, to Air Quality, Biological Resources, Cultural / Tribal Resources, Geology and Soils, Hazards & Hazardous Materials and Noise have the potential to impact human beings. Implementation of and compliance with mitigation measures identified in each section as conditions of approval would not result in substantial adverse indirect or direct effects on human beings and impacts would be considered less than significant.	ALL

* Impact Categories defined by CEQA

****Source List**

1. Lake County General Plan
2. Lake County Building Official
3. Lake County Zoning Ordinance
4. Upper Lake - Nice Area Plan
5. Vivian Smith / Lake County Cannabis Cultivation Application – Major Use Permit.
6. U.S.G.S. Topographic Maps
7. U.S.D.A. Lake County Soil Survey
8. Lake County Important Farmland Map, California Department of Conservation Farmland Mapping and Monitoring Program
9. Department of Transportation's Scenic Highway Mapping Program,
(http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm)
10. Lake County Serpentine Soil Mapping
11. California Natural Diversity Database (<https://www.wildlife.ca.gov/Data/CNDDDB>)
12. U.S. Fish and Wildlife Service National Wetlands Inventory
13. Biological Assessment for Vivian Smith, prepared by Pinecrest Environmental Consulting dated March 19, 2018.
14. Cultural Site Assessment, prepared by Dr. John Parker, March 19, 2018.

15. California Historical Resource Information Systems (CHRIS); Northwest Information Center, Sonoma State University; Rohnert Park, CA.
16. Water Resources Division, Lake County Department of Public Works Wetlands Mapping.
17. U.S.G.S. Geologic Map and Structure Sections of the Clear Lake Volcanic, Northern California, Miscellaneous Investigation Series, 1995
18. Official Alquist-Priolo Earthquake Fault Zone maps for Lake County
19. 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
20. Lake County Emergency Management Plan
21. Lake County Hazardous Waste Management Plan, adopted 1989
22. Lake County Airport Land Use Compatibility Plan, adopted 1992
23. California Department of Forestry and Fire Protection - Fire Hazard Mapping
24. National Pollution Discharge Elimination System (NPDES)
25. FEMA Flood Hazard Maps
26. Lake County Aggregate Resource Management Plan
27. Lake County Bicycle Plan
28. Lake County Transit for Bus Routes
29. Lake County Environmental Health Division
30. Lake County Grading Ordinance
31. Lake County Natural Hazard database
32. Lake County Countywide Integrated Waste Management Plan and Siting Element, 1996
33. Lake County Water Resources
34. Lake County Waste Management Department
35. California Department of Transportation (CALTRANS)
36. Lake County Air Quality Management District website
37. Northshore Fire Protection District
38. Site Visit – February 26, 2019

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Major Use Permit UP 18-39Lead Agency: Lake County CA Planning DepartmentContact Person: Eric Porter, Associate PlannerMailing Address: 255 N. Forbes StreetPhone: 707-263-2221City: Lakeport, CAZip: 95453County: Lake County**Project Location:** County: Lake CountyCity/Nearest Community: NiceCross Streets: Bachelor Valley RoadZip Code: 95493Longitude/Latitude (degrees, minutes and seconds): 39 ° 10.58' 0.636" N / 122 ° 56' 46.84" W Total Acres: 33.4+Assessor's Parcel No.: 003-018-10Section: _____ Twp.: _____ Range: _____ Base: Mt. DiabloWithin 2 Miles: State Hwy #: 20Waterways: several unnamed creeks

Airports: _____

Railways: _____

Schools: Upper Lake Union S.D.**Document Type:**

CEQA: ☐ NOP ☐ Draft EIR NEPA: ☐ NOI Other: ☐ Joint Document
☐ Early Cons ☐ Supplement/Subsequent EIR ☐ EA ☐ Final Document
☐ Neg Dec (Prior SCH No.) _____ ☐ Draft EIS ☐ Other: _____
☒ Mit Neg Dec Other: _____ ☐ FONSI

Local Action Type:

☐ General Plan Update ☐ Specific Plan ☐ Rezone ☐ Annexation
☐ General Plan Amendment ☐ Master Plan ☐ Prezone ☐ Redevelopment
☐ General Plan Element ☐ Planned Unit Development ☒ Use Permit ☐ Coastal Permit
☐ Community Plan ☐ Site Plan ☐ Land Division (Subdivision, etc.) ☐ Other: _____

Development Type:

☐ Residential: Units _____ Acres _____
☐ Office: Sq.ft. _____ Acres _____ Employees _____
☒ Commercial: Sq.ft. 40,000 Acres _____ Employees 7
☐ Industrial: Sq.ft. _____ Acres _____ Employees _____
☐ Educational: _____
☐ Recreational: _____
☒ Water Facilities: Type Well (on site) MGD Varied
☐ Transportation: Type _____
☐ Mining: Mineral
☐ Power: Type _____ MW _____
☐ Waste Treatment: Type _____ MGD _____
☐ Hazardous Waste: Type _____
☐ Other: _____

Project Issues Discussed in Document:

☐ Aesthetic/Visual ☐ Fiscal ☐ Recreation/Parks ☐ Vegetation
☐ Agricultural Land ☐ Flood Plain/Flooding ☐ Schools/Universities ☐ Water Quality
☒ Air Quality ☐ Forest Land/Fire Hazard ☐ Septic Systems ☐ Water Supply/Groundwater
☒ Archeological/Historical ☐ Geologic/Seismic ☐ Sewer Capacity ☐ Wetland/Riparian
☐ Biological Resources ☐ Minerals ☐ Soil Erosion/Compaction/Grading ☐ Growth Inducement
☐ Coastal Zone ☒ Noise ☐ Solid Waste ☐ Land Use
☐ Drainage/Absorption ☐ Population/Housing Balance ☒ Toxic/Hazardous ☒ Cumulative Effects
☐ Economic/Jobs ☐ Public Services/Facilities ☐ Traffic/Circulation ☐ Other: _____

Present Land Use/Zoning/General Plan Designation:Zoning: Rural Residential - Scenic Combining - Waterway; and Rural Land - Waterway. General Plan: Rural Residential**Project Description:** (please use a separate page if necessary)

• A - Type 3B Tier 2 "Medium Mixed-Light" cultivation. Total combined proposed Canopy Area will be 19,920 sq. ft. The total area to be enclosed/surrounded by a 6-foot tall chain link fence with privacy slats will be approximately 40,000 sq. ft. The proposed Cannabis Cultivation Area/Cannabis Cultivation Site is 32,880 sq. ft., composed of 19,920 sq. ft. of mixed-light cultivation/canopy area (within greenhouses), 9,960 sq. ft. of combined immature plants cultivation area (within 6 greenhouses), and a 3,000 sq. ft. Processing Facility (metal building). Annual estimated water usage is 465,966 gallons from on-site pond, the primary water source. Secondary water source will be an on-site well. The proposed cultivation to occur within six 41.5'x120' greenhouse structures.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

<input type="checkbox"/> Air Resources Board	<input type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> California Emergency Management Agency	<input type="checkbox"/> Parks & Recreation, Department of
<input type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Pesticide Regulation, Department of
<input type="checkbox"/> Caltrans District # _____	<input type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Caltrans Division of Aeronautics	<input type="checkbox"/> Regional WQCB # _____
<input type="checkbox"/> Caltrans Planning	<input type="checkbox"/> Resources Agency
<input type="checkbox"/> Central Valley Flood Protection Board	<input type="checkbox"/> Resources Recycling and Recovery, Department of
<input type="checkbox"/> Coachella Valley Mtns. Conservancy	<input type="checkbox"/> S.F. Bay Conservation & Development Comm.
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> San Joaquin River Conservancy
<input type="checkbox"/> Conservation, Department of	<input type="checkbox"/> Santa Monica Mtns. Conservancy
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input type="checkbox"/> Education, Department of	<input type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Water Rights
<input type="checkbox"/> Fish & Game Region # _____	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Food & Agriculture, Department of	<input type="checkbox"/> Toxic Substances Control, Department of
<input type="checkbox"/> Forestry and Fire Protection, Department of	<input type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> General Services, Department of	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Health Services, Department of	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Housing & Community Development	
<input checked="" type="checkbox"/> Native American Heritage Commission	

Local Public Review Period (to be filled in by lead agency)

Starting Date April 23, 2019 Ending Date May 22, 2019

Lead Agency (Complete if applicable):

Consulting Firm: Lake County Community Development
Address: 255 N. Forbes Street
City/State/Zip: Lakeport, CA 95453
Contact: Eric Porter, Associate Planner
Phone: 707-263-2221

Applicant: Vivian Smith
Address: 9243 Levidi Court
City/State/Zip: Elk Grove, CA 95758
Phone: 916-479-4787

Signature of Lead Agency Representative: _____

Date: April 1, 2019

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Eric Porter

From: Leslie Weaver <leslieweaver1@gmail.com>
Sent: Wednesday, April 24, 2019 10:13 PM
To: Eric Porter
Subject: Opposition Submission to Project Title Smith use Permit 18-39 IS 18-52

We will be submitting a signed copy of this letter in addition, however we are e-mailing the following in an effort to have our concerns reviewed sooner as the notice indicated both were acceptable forms of submission.

After reviewing the Notice of Intent to Adopt a Mitigated Negative Declaration for the Project Title "Smith, use Permit 18-39, Initial Study IS 18-52" on APN No 003-018-10 for 10544 Bachelor Valley Road, Witter Springs, CA we wish to submit a letter opposing the approval of this use permit.

As residents living within the immediate area surrounding this APN, we have the following concerns and ask that the county not approve this use permit/project.

1. Water usage and request to drill additional agricultural well – Water usage for this type of facility will cause a draw down on water within the immediate area and is well beyond the usage of a normal single family residence or agriculture operation. In addition, the request to drill an additional well may impact the water of surrounding residents who rely on this for domestic water supply.
2. Contamination of watershed – Bachelor Valley has a high water table and is in almost its entirety watershed. Though requirements may only allow organic materials in the use of cultivation, these organic compounds are not native to this valley and should not be allowed to enter the surrounding areas. The long-term accumulation can have negative environmental impact and poses serious health concerns to residents utilizing the water for consumption. In addition, the housing proposed would indicate that it is intended for the lodging of workers and not for single residential or even dual family occupancy. There is no mention of intent to install a larger septic system to support the lodging of workers and could lead to a failure of the system, resulting in contamination.
3. Traffic and emergency ingress and egress – We recently experienced the largest wildfire in California history and the Bachelor Valley area was ordered to evacuate. We have serious concerns with increased traffic flow that this project will bring with the addition of a commercial scale business on a narrow rural road. In addition, the wear and tear to the roadway will be increased significantly, especially in winter months when the high water levels cause the ground to be soft.
4. Zoning and Land Value– This project does not meet the zoning requirements as they were intended. Homes were purchased with the intent of this being agricultural or rural residential. The scale of operation is commercial in nature, evident by the size of the structures and the workforce that will be utilized. The valley has been used traditionally for larger agricultural purposes, however the scale of these structures is a determining factor in this being commercial in nature and not strictly agricultural. This could negatively impact the value of homes that were purchased prior to this project/permit.
5. Wildfire risk – 90% of fires are caused by humans and based on the volume of cultivation being requested, this will require a large workforce, thus increasing potential ignitions of wildfires. People who live here as a primary residence have a vested interest in preventing wildfires, however outside

employees hired to manage marijuana cultivation have a much lower interest. The housing requested would indicate that workers will be brought from out of the area.

6. Enforcement limitations – Limited enforcement staff will make monitoring compliance difficult and could lead to increased risk of the issues noted above.

If the county approves the use permit, we ask and would like to note the following:

1. Items 1 and 2 above – We ask that the county environmental health test the bodies of water as well as the ground water near this location quarterly. If water contamination becomes evident in the future, the county will be asked to mitigate the health risks for residents, livestock, domestic animals and wildlife. We have a baseline test completed recently that shows the levels within our water source and propose the county offer this service for other residents. If water amounts decrease causing an impact to residential use, the county will be asked to provide alternate water sources to residents impacted. A commercial size septic tank that can accommodate this scale of operation needs to be required.
2. Item 3 above – There is no full mitigation for the ingress and egress issues, however per Public Resources Code 4290, any commercial business requires a roadway standard (20 foot 2 lane roadway) accessed to the structures on the property. In our review of this property, it is currently only served by a 10 foot driveway, which does not meet the requirement. We ask that this standard be met prior to permit approval and not after as it has been seen in Mendocino County that emergency vehicle access is greatly inhibited by the amount of traffic these commercial grows bring to rural residential properties. Road maintenance and repaving needs to be scheduled more periodically in order to keep up with wear and tear on the surface of the roadway.
3. Item 5 above – Please review Public Resources Code 4290 and require the roadway standard to be met prior to permit issuance and not after. It has been seen that in Mendocino County many of these permits are issued initially and then are never finalized, which means that this standard is never met. Limit the number of workers this operation can utilize and expand the width of the rural road to ensure ingress and egress for emergency personnel.
4. Item 6 above – Increase staffing for compliance monitoring and enforcement and ensure that the operation is being checked quarterly. Ensure that environmental health is also completing quarterly checks on the watershed. Require the standards for cultivation be met prior to the operation being permitted at all and do not have a “grace” period while the operation is built.

In addition to the specific concerns noted above, as residents with young children, we have serious safety concerns both when it comes to increased traffic as well as with the nature of the business, the origins of the financials supporting this operation and the unknown nature and intent of the individuals requesting the permit. With a formal business such as Flokana, the public has the ability to research the company and be well informed on who is accountable for the operation. With this scenario, that is not the case.

We request that the county preserve the integrity of the rural residential and agricultural area of Bachelor Valley. We moved here to raise our family and be members of this quaint community. We both hold full time jobs and engage in community activities and commerce within the county and surrounding areas. We hope to remain in this area to raise our family, but fear that this will not be our choice if the community integrity is not protected. For this

reason and the issues addressed above, we are prepared to take necessary steps to ensure that adverse impacts affecting our family are mitigated.

We ask that we be added to the official communication regarding where this permit is in processing as well as a final determination. We became aware of this through surrounding neighbors, but were not notified by the county even though we are two parcels away from this proposed operation.

Respectfully Submitted,

Ryan and Leslie Smith

Eric Porter

From: Eric Porter
Sent: Tuesday, April 23, 2019 8:05 AM
To: J & R Peterson
Cc: Eric Porter
Subject: RE: APN NO.:003-018-10

Mr. and Mrs. Peterson;

Thank you for providing comments.

We are in the first stage of the review process for this proposal - the Environmental Quality Act review. The second stage is the public hearing that will take place with the Planning Commission; that is the place where your comments will be provided, and you will have the opportunity to address the Planning Commission with your concerns.

Please keep in mind that this is a legal process, and that any testimony you offer will mean the most if you can point out where the proposal fails to meet specific codes or regulations.

You will receive another notice regarding the public hearing once the hearing date grows nearer. You can always call or email me if you want to further discuss this project; my number is 707-263-2221.

Take care,
Eric Porter

From: J & R Peterson [mailto:jsrlpeterson@gmail.com]
Sent: Monday, April 22, 2019 04:23 PM
To: Eric Porter <Eric.Porter@lakecountycalifornia.gov>
Subject: APN NO.:003-018-10

Good afternoon Eric Porter,

We recently received a "Notice of Intent" from the County regarding a pending approval of a 40,000 s.f. Commercial Cannabis cultivation site located very near our residence on Bachelor Valley Rd. This as I have come to learn, would be the third such site proposed for the Witter Springs area. We(My family & I) would like to make our comments known as requested in this notice. We are VERY much against this (for what it's worth). We chose this location to live due to it's piece and quiet & beauty the area has to offer. This area as you may know is full of hard working people/farmers with families who enjoy what this area offers. We believe an operation of this kind has the potential to bring negative impacts to the area such as more underground water usage, lighting pollution & more traffic among others.

Thank you for your time & consideration,

Jeffrey & Ronda Peterson

ITEM 5
9:45AM
MAY 23, 2019

SMITH JP 18-39

Eric Porter

From: Lynn Hughes <huffnpuff@hughes.net>
Sent: Tuesday, April 30, 2019 10:05 AM
To: Eric Porter
Cc: Eddie Crandell
Subject: Comments re: APN No: 003-018-10

April 30, 2019

RE: Smith; Use Permit UP 18-39; Initial Study IS 1852
Address: 10544 Bachelor Valley Road, Witter Springs, CA

Dear Mr Porter,

We would like to express our concerns regarding this commercial cultivation one property away from ours. Despite filing for a legal grow permit Mr Smith has already graded the property and created an earthen dam across the seasonal creek. This dam and pond only exists because of their efforts before the rainy season. This pond can be seen on google earth and was seen and photographed from a drone. The seasonal creek flows under BVR to Witter Springs; under hwy 20 to Scotts Creek water shed area. During the heavy rain storms silty water from this property flooded the roadway onto the neighboring property rather than flowing through the culvert as intended.

The development of an earthen dam and pond was been reported today to Fish and Game. Most importantly, it shows that Mr Smith is not a trustworthy individual despite his applying for a use permit.

Water is a serious concern as the water supply in the east end of our valley is scarce whereas the west of Bachelor Valley has a high water table. Property adjacent to 10544 BVR, their well goes dry in June as does another nearby well. Across BVR the new well went 80 feet to secure a flow of 10 gallons per minute. Our well is 40 ft with a flow of 10 gallons per minute. These are shallow wells providing adequate water with careful management by property owners.

This development will require an excessive amount of water to hydroponically growing plants and the processing oil from the plants. Two residences also require water. Add this amount to the commercial needs, and it is an unreasonable demand. If this new well meets their needs, what will happen to the existing wells. We can surmise that our water supplies will be seriously effected. Our water may disappear completely if their pumping of the ground water accesses our aquafer. We need our water and our existing wells protected. Without water none of our properties' value will be severely diminished.

This commercial grow will create waste water containing fertilizers (not stated to be organic) and whatever chemicals needed to extract oil from the plants. Where will this water go? Best guess, it will follow the seasonal creek's natural path.

This entire commercial use of land is not following the requirement of Rural Conservation and/or Rural Residency. The property seems to be predominately hill side with the low lands by BVR.

Sincerely

Tom and Lynn Hughes
10335 Bachelor Valley Road

ITEM 5 - 945 AM

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. 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