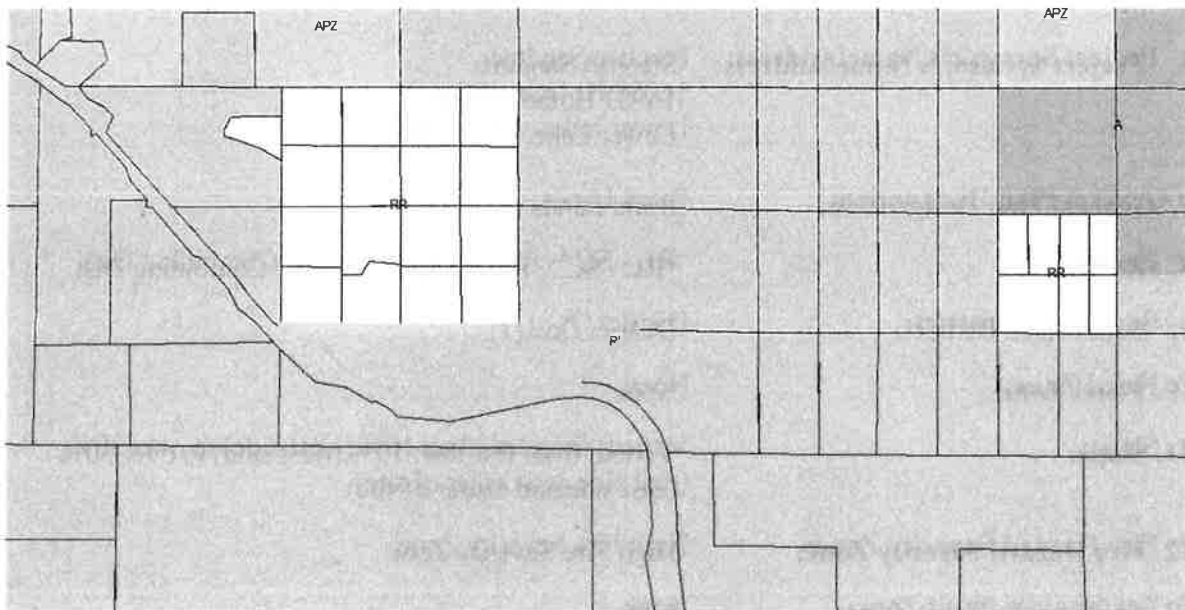


16. Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary).

Project Description

The applicant is proposing ~~two~~ use permits on one legal lot. ~~The first permit, UP 18-12, would include a 42,084 square foot outdoor growing area contained by a 7 foot tall metal cyclone fence with screening.~~ The ~~second~~ permit, MUP 18-10, would have three 30' x 96' greenhouses supporting an 'indoor grow' of 8,640 square feet. There are two houses on the subject site; the primary dwelling (1,660 sq.ft.) and a secondary dwelling (1,456 sq.ft.). There is an existing garage on the site (1,200 square feet) served by a dirt driveway. There is an existing well on the site, and well logs for the well have been provided, however the well will not be used for the cultivation and is limited to domestic (dwelling) use. The well test, dated November 18, 1991 shows a continuous flow of 10 GPM over a four hour period of time. The estimated water usage is 3 gallons per day per plant, ~~or 65,000 gallons per month for the outdoor grow area, and or~~ about 18,000 gallons per month for the greenhouse grows. Also proposed are ten 15,000 gallon water tanks that will be used to store rainwater; this will be the sole source of water for the greenhouse cultivation proposed. There are also three 2,500 gallon tanks for water use and storage for the site. There will be 5 total employees, with 2 working at any given time.

Access to the site is taken from Hofacker Lane. Security will occur through the use of 16 cameras strategically placed at entrances and to provide maximum video coverage of various parts of the site. Both The cultivation 'areas' ~~(indoor and outdoor)~~ will be enclosed by a 7' tall screened metal cyclone fence with industrial grade locks. The processing area will be inside the garage in an 8' by 10' room, also capable of being locked.



Subject Site and Surrounding Zoning



Aerial View of Subject Site and Surrounding Properties

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

North: "RR" Rural Residential; eight parcels each being approximately 10 acres in size, and "RL" Rural Land, one parcel being about 80 acres in size. Three of the 10 acre parcels contain dwellings. There is no evidence of agricultural activities occurring on any of the northern parcels.

South: "RL" Rural Land. Parcel sizes are generally over 30 acres. None of the southern parcels are developed.

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 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 & Forestry</u> | <input checked="" type="checkbox"/> <u>Hazards & 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 type="checkbox"/> <u>Biological Resources</u> | <input type="checkbox"/> <u>Land Use / Planning</u> | <input type="checkbox"/> <u>Transportation / Traffic</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>Geology / Soils</u> | <input checked="" type="checkbox"/> <u>Noise</u> | <input type="checkbox"/> <u>Utilities / Service Systems</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: 11.13.18


Michalyn DelValle - Director
Community Development Department

SECTION 1

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, and then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

KEY: 1 = Potentially Significant Impact
2 = Less Than Significant with Mitigation Incorporation
3 = Less Than Significant Impact
4 = No Impact

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
I. AESTHETICS <i>Would the project:</i>						
a) Have a substantial adverse effect on a scenic vista?			X		<p>The project site is located in a rural area of the County and protected by the natural topography of the landscape with slopes that range from less than 10% to greater than 30%. The proposed use is accessible from Hofacker Lane, an unpaved County road. The use would be designed and situated in a manner that would not obstruct views of the natural features and scenic resources in the area, which consistent with County policies for preserving scenic resources. Also, the topography and natural vegetation would act as a natural screen. Impacts to scenic vistas would be less than significant. (Grow area is on the hilltop)</p> 	1, 3, 4, 5, 9
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X		See Section I(a) above.	1, 3, 4, 5, 9
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X		The project parcel is shielded from view from existing vegetation and topography from old Hwy 29. Therefore, the proposed use would not substantially degrade the existing visual character or quality of the site and surrounding area. Less Than Significant.	1, 3, 4, 5, 6, 9
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 paints shall be required to be used on the structures. If the applicant wishes to install lighting at a future date, the applicant must adhere to the County of Lake Dark Skies Policy. Less Than Significant.	1, 3, 4, 5, 9

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
II. AGRICULTURE AND FORESTRY RESOURCES <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>						
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		The site does not contain Class I through 4 farmland, and most of the site is classified as ' <u>Grazing land</u> '. The site has no known agricultural uses in the past other than a prior cannabis grow operation. Uses immediately surrounding the site include single family residences to the north, and vacant land to the northeast and south. No impacts to farmland would occur with construction of the proposed project. Less than Significant Impact.	1, 3, 4, 5, 7, 8, 13, 33
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X		As proposed, the project will not impact agricultural uses or Williamson Act contracts. The project site is zoned "RL" Rural Lands and does not contain Williamson Act contracts. Uses surrounding the project site consist of three developed parcels with dwelling units to the northwest, and vacant land to the north / northeast and south. All surrounding land is zoned "RL" Rural Lands. Further, upon issuance of a Major and Minor Use Permit the proposed project would be in conformance with the Lake County Zoning Ordinance. Less than Significant Impact.	1, 3, 4, 5, 7, 8, 13, 33
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. Less than Significant Impact.	1, 3, 4, 5, 7, 33
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. Less than Significant Impact.	1, 3, 4, 5, 7, 33
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		See Section II (a) and (c) above. As proposed, this project would not induce changes to existing Farmland that would result in its conversion to non-agricultural use. Less than Significant Impact.	1, 3, 4, 5, 7, 33
III. AIR QUALITY <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> <i>Would the project:</i>						
a) Conflict with or obstruct implementation of the applicable air quality plan?		X			<p>The project has the potential to result in high air quality impacts. The applicant indicates one (1) 42,500 s.f. outdoor cultivation site and three (3) indoor 'greenhouse' sites that are contiguous.</p> <p>Dust from the dirt driveway will be mitigated by wetting the soil with a mobile water tank and hose.</p> <p>According to the <i>Property Management Plan - Air Quality Management Plan</i> the applicant would:</p> <p>Implement dust suppression measures by wetting the road through the use of water sprayers, as the traffic on site will be minimal and not require additional chemical applications.</p>	1, 3, 4, 5, 10, 21, 24, 31, 36

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>Odor sources and controls In the greenhouses, carbon filters shall be installed to lower the amount of odor created. The outdoor cultivation area will be planted with enough spacing to allow wind to travel through and keep the odor down. <u>Additionally, Foliar sprays shall not be used on windy days. A carbon air filtration system will be used to mitigate odors inside each greenhouse.</u></p> <p>Contacts The following person(s) are responsible for responding to odor complaints 24-hours a day, seven days a week as well as responsible for notifying and providing all property owners and residents of properties within a 1,000 foot radius of the cannabis facility with their 24/7 contact information.</p> <p>Construction of the project would take place over a short period of time and would be temporary, which would not result in significant air quality impacts.</p> <p>Additionally, implementation of mitigation measures below would further reduce air quality impacts to less than significant. Less Than Significant with Mitigation Incorporation.</p> <p><u>Mitigation Measures:</u> AQ-1: 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. AQ-2: 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. AQ-3: 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. AQ -4: The Cultivation of Commercial Cannabis is subject to AB 2588 Air Emission Inventory requirements administrated 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. AQ-5: 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. AQ-6: 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, and apply for an Authority to Construct permit. AQ – 7: 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. AQ – 8: All areas subject to semi-truck/trailer traffic shall be paved with</p>	

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>asphaltic concrete or an all-weather surfacing to reduce fugitive dust generation.</p> <p>AQ -9: 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>AQ-10: 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 contribute substantially to an existing or projected air quality violation?		X			<p>See Section III (a) above. Less Than Significant with Mitigation Measures Incorporated.</p> <p>Mitigation: Implement MMs AQ-1 through AQ-10.</p>	1, 3, 4, 5, 10, 21, 24, 31, 36
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under and applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?				X	<p>The County of Lake is in attainment of state and federal ambient air quality standards.</p>	1, 3, 4, 5, 10, 21, 24, 31, 36
d) Expose sensitive receptors to substantial pollutant concentrations?		X			<p>Sensitive receptors in the area include adjacent and near proximity residents. As described in Section III (a) above, with implementation of mitigation measures MMs AQ-1 through AQ-10 impacts are anticipated to be mitigated to less than significant.</p>	1, 3, 4, 5, 10, 21, 24, 31, 36
e) Create objectionable odors affecting a substantial number of people?		X			<p>Lake County Air Quality Management District has expressed concern over odor mitigation measures on the part of the applicant in the adjacent site. This application is essentially identical to the site that comments were provided for (Wertentiel); therefore the potential for odor migration is significant. The Cultivation of Commercial Cannabis may create objectionable odors. Mitigation measure MM AQ-6 requires the submittal and affirmative review of an Odor Control Plan during the Use Permit Review process. Such plan shall address mitigating odors related to the growing and harvesting process. Additionally, as described in Section III (a) above, with implementation of mitigation measure MM AQ-6, odor-related impacts are anticipated to be mitigated to less than significant.</p>	1, 3, 4, 5, 10, 21, 24, 31, 36
<p align="center">IV. BIOLOGICAL RESOURCES <i>Would the project:</i></p>						
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X		<p><u><i>A Biological Assessment</i></u> was conducted on August 9th, 2017. The cultivation area was surveyed for special status plants, communities, and habitats for special status animals. The surrounding area was also searched for nesting birds and for special status plants, communities, and habitats for special status animals out to 100 feet. According to the Study, consideration was taken in locating the cultivation area to minimize any potential impacts to listed species or any associated habitats. The proposed fence around the cultivation area along with the metal fencing along the bottom shall prevent any wildlife from accessing the cultivation area. There are multiple wildlife corridors throughout the property.</p> <p>Each of the sensitive plant taxa potentially occurring within the cultivation areas listed in Table 1 was specifically searched for during the survey. The survey identified a total of 8 plant taxa within the proposed cultivation area and 100 feet surrounding, including native and introduced species. The plants encountered in the field were identified to the lowest taxonomic level (genus or species) necessary for a rare plant determination and recorded on a species list. This overall species list and the taxonomic nomenclature used was based on <i>The Jepson Manual</i> (Hickman 1993). No rare, threatened or endangered species were found within the proposed cultivation area or within 100 feet surrounding the proposed cultivation area.</p>	1, 3, 4, 5, 11, 12, 13 16, 31

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					No special status animal species listed above (including bats) were located in or in adjacent to the proposed cultivation area. Hollow or cavities in trees were not observed in any of the trees within 100 feet surrounding the proposed cultivation area. There are also no potentially jurisdictional wetlands or other non-wetland waters within or adjacent to the proposed cultivation area. The proposed cultivation area will not result in the "take" or significantly impact any species. <u>Riparian Habitat:</u> There are no riparian habitats mapped on the subject site. Less Than Significant Impacts.	
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	Please see response to IV.a. No Impact.	1, 3, 4, 5, 11, 12, 13 16, 31
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X	There are no federally protected wetlands on the subject site. No Impact.	1, 3, 4, 5, 11, 12, 13 16, 31
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		There are no native resident wildlife that are mapped for this property, and there are no mapped native resident fauna or migratory fish on the site. Less than Significant.	1, 3, 4, 5, 11, 12, 13 16, 31
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X		According to Section 21083.4 of the California Public Resources Code, if a county determines that there may be a significant effect to oak woodlands, mitigation measures must be put in place in order to alleviate the impact created through the conversion of oak woodlands. Since no oak trees are proposed for removal, this project results in Less than Significant Impact.	1, 3, 4, 5, 11, 12, 13 16, 31
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 and no impacts are expected. No Impact.	1, 3, 4, 5, 11, 12, 13 16, 31
V. CULTURAL RESOURCES <i>Would the project:</i>						
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?		X			On August 9th, an archaeological survey of the site was conducted. In the proposed project area, a complete survey was conducted. The area was systematically traversed at 1-meter intervals, looking for evidence of prior human activity, conducting occasional foot scrapes to remove some grass layer. The visibility was good or moderate. A general reconnaissance survey was conducted adjacent to the proposed project area, consisting of ocular searches while walking the perimeters. No archaeological resources were located within or adjacent to the proposed project areas. A qualified archaeologist does not need to be onsite during ground disturbing activities, due to the lack of archeological resources located within or adjacent to the project areas.	1, 3, 4, 5, 11, 14, 15

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>However, in keeping with CEQA Guidelines, if archaeological resources are uncovered during construction, work at the place of discovery should be halted immediately until a qualified archaeologist can evaluate the finds [§15064.5(f)]. Further, upon discovery of any 'significant' artifacts, the Pomo Tribe shall be contacted, and if the Tribe determines that it is relevant to their cultural heritage, they shall choose the method of involvement in overseeing the construction of the site for the duration of ground disturbance.</p> <p>Mitigation Measure: MM CUL-1: 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 Pomo 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.</p>	
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, 11, 14, 15
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X			See Response to Section V (a).	1, 3, 4, 5, 11, 14, 15
d) Disturb any human remains, including those interred outside of formal cemeteries?		X			See Response to Section V (a).	1, 3, 4, 5, 11, 14, 15
VI. GEOLOGY AND SOILS <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>ii) 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>iii) Strong seismic ground shaking?</p> <p>iv) Seismic-related ground failure, including liquefaction?</p> <p>iv) Landslides?</p>			X		<p>Earthquake Faults The project site is not located within a mapped Earthquake Fault Zone as established by the California Geological Survey in accordance with the Alquist-Priolo Earthquake Fault Zoning Act.</p> <p>Seismic Ground Shaking and Seismic-Related Ground Failure, including liquefaction. Lake County contains numerous known active faults. Future seismic events in the Northern California region can be expected to produce seismic ground shaking at the site. All construction is required to be built consistent with Current Seismic Safety construction standards.</p> <p>Landslides 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>Less than Significant with the incorporated Mitigation Measures</p>	1, 3, 4, 5, 6, 7, 17, 18, 19, 20, 31

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
b) Result in substantial soil erosion or the loss of topsoil?			X		Grading activities associated with project development have the potential to result in substantial erosion and loss of topsoil. According to the soil survey of Lake County, prepared by the U.S.D.A., the soil within the project is as follows: <ul style="list-style-type: none"> • Skyhigh - Millsholm (Type 209; approximately 75% of site); the slope of this soils type is 15 to 50 percent. This soil class has a shrink-swell potential that varies based on depth from low (surface) to high (greater than 18 inches deep). This soil type is suitable for grazing, and is not mapped as Farmland of Significance, and is not a Class I through 4 soil type. • Millsholm – Bressa Loam (Type 177; approx. 25% of the site); 30 to 50 percent slope. Low to moderate shrink-swell potential. Not mapped as Farmland of Significance, and is not a Class I through 4 soil type. See Response to Section VI (a). Less Than Significant	1, 3, 4, 5, 6, 7, 17, 18, 19, 20, 30, 31
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. See Response to Section VI (a). Less Than Significant	1, 3, 4, 5, 6, 7, 17, 18, 19, 20, 31
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 Type 209 and 177 soil shrink-swell potential is “low”. Further, construction of the proposed project would not increase risks to life or property and impacts would be less than significant due to the intended use of the new buildings, which are not ‘habitable space’, and will be occasionally used as drying and processing rooms. See Response to Section VI (a). Less Than Significant	1, 3, 4, 5, 6, 7, 17, 18, 19, 20, 31
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?			X		The project site will be served through an existing onsite waste disposal system and well. The proposed commercial cannabis grow areas will not require connection to or the use of a septic system. See Response to Section VI (a). Less Than Significant	1, 3, 4, 5, 6, 7, 21, 29, 34
VII. GREENHOUSE GAS EMISSIONS <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 crops will not generate measurable greenhouse gases. Less than Significant.	1, 3, 4, 5, 10, 20, 21, 24, 31, 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. No Impact	1, 3, 4, 5, 10, 20, 21, 24, 31, 36
VIII. HAZARDS AND HAZARDOUS MATERIALS <i>Would the project:</i>						
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		X			Materials associated with the proposed cultivation of commercial cannabis, such as gasoline, diesel, carbon monoxide, pesticides, fertilizers and the equipment emissions may be considered hazardous if released into the environment. Routine construction materials and all materials associated with the proposed cultivation of commercial cannabis shall be transported and disposed of properly in accordance with all applicable Federal, State and local regulations.	1, 3, 4, 5, 10, 20, 21, 24, 31, 36

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>According to the <i>Property Management Plan - Fertilizer Management Plan</i> all fertilizers would be stored in their original package and may only be used in strict accordance with the product label requirements including, but not limited to directions pertaining to application, storage and disposal of the fertilizer product. The Plan states:</p> <p>The following Non-RCRA hazardous wastes are used on site: - 99.97% Isopropyl Alcohol: 3 gallons used per year - Simply Neutral: 3 gallons used per year</p> <p>No RCRA hazardous wastes are used or stored on site. b. Storage Container types and locations</p> <p>All hazardous materials shall be stored inside the existing garage which has a proposed use of both storage and processing. Materials shall be stored with a secondary catchment container that is of sufficient depth and material to contain any leaks or spills. All solid materials shall be stored on pallets to prevent their contact with the building floor or any potential moisture.</p> <p>The project shall comply with Section 41.7 of the Lake County Zoning Ordinance that specifies that all uses involving the use or storage of combustible, explosive, caustic or otherwise hazardous materials shall comply with all applicable local, state and federal safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate firefighting and fire suppression equipment.</p> <p>All equipment shall be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and contaminated soil shall be stored, transported, and disposed of consistent with applicable local, state and federal regulations.</p> <p>Mitigation Measure HHM-1: 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 or similar secured room inside 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			See Response to Section VIII (a). Less than Significant Impact with mitigation measure HHM-1.	1, 3, 4, 5, 10, 20, 21, 24, 31, 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. No Impact	1, 3, 4, 5, 10, 20, 21, 24, 31, 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. Less Than Significant Impact.	1, 3, 4, 5, 10, 20, 21, 24, 31, 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. No Impact	1, 3, 4, 5, 10, 20, 21, 22, 24, 31, 36
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X	Project is not located within an airport land use plan or within two (2) miles of an airport and/or private airstrip. No Impact	1, 3, 4, 5, 10, 20, 21, 22, 24, 31, 36
g) 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. Less Than Significant Impact.	1, 3, 4, 5, 10, 20, 21, 22, 23, 24, 25, 31, 36, 37
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X		The project site is located in a <u>Severe Fire Hazard Area (State Responsibility Area)</u> . The applicant will adhere to all Federal, State and local fire requirements/regulations. Less Than Significant Impact.	1, 3, 4, 5, 10, 20, 23, 31, 36, 37

IX. HYDROLOGY AND WATER QUALITY

Would the project:

a) Violate any water quality standards or waste discharge requirements?			X		<p>This project will not violate any water quality standards or waste discharge requirements. The project will employ BMPs related to erosion and water quality to reduce impacts related to storm water and water quality and adhere to all federal, state and local requirements, as applicable.</p> <p>According to the Property Management Plan –Water Management Plan, five Class III watercourses were identified during a site evaluation conducted on November 20, 2017. Per publically available Lake County GIS data, the Class III watercourses are hydrologically connected to Coyote Creek, which is a tributary to Putah Creek. All proposed cannabis cultivation activities shall take place greater than 100 feet from any watercourse to prevent sediment or other discharges from entering waters of the state.</p> <p>One well is located on the site, however this well will be limited for use as a domestic well only. The water source for the greenhouse cannabis cultivation will occur through a 150,000 gallon capacity rainwater catchment system that will store rainwater roof runoff. The well is the sole water source for all activities on the project site including cannabis cultivation irrigation and associated activities as well as all domestic use. Please reference well permit/report for additional details. All proposed cultivation activities shall take place greater than 50 feet from the well to protect water quality.</p> <p>b. Description of the watershed in which the cannabis cultivation is located.</p> <p>The project site is located in the Coyote Creek Watershed (HUC 12 180201620307) which is a tributary to Putah Creek which is a tributary to Lake Berryessa.</p> <p>Three polyethylene (poly) storage water tanks are located on the project site and an additional ten 15,000 gallon tanks will be added and will be used for cannabis cultivation and associated activities. Upon inspection, there were no signs of structural issues with the existing storage tanks. Equipment that generates heat shall be kept more than 50 feet from the poly storage tanks to ensure the integrity of the storage tanks is not compromised. Water storage tanks shall be maintained seasonally to ensure integrity.</p>	1, 3, 4, 5, 6, 12, 13, 14, 16, 21, 24, 29, 31, 32, 33, 34
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IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p><u>Pest Management</u> The Pest Management Plan submitted indicates that the applicant will be using exclusively organic pesticides such as Diatomaceous Earth, Sulfur, and Method 1.</p> <p>The applicant has indicated that his operation will be in compliance with all pesticide application and storage protocols, which include the following:</p> <p>Compliance with CFDA Code and the California Code of Regulations</p> <p>Pesticide labels will be kept on packaging and compliance will be insured by a county certified pesticide applicator</p> <p>Chemicals will be stored in secured shed on property to prevent wildlife access</p> <p>Cleaning supplies will be stored in shed as well to maintain chemical leaks and clean up any spills</p> <p>To prevent off-site drift, we will minimize spray drift, and exclusively to weather permitting scenarios</p> <p>Pesticides will not be applied when pollinators are present</p> <p>By not allowing drift to flowering plants that are attractive to pollinators</p> <p>By not spraying directly to surface water or allow pesticide product to drift to surface water</p> <p>By only spraying when wind is blowing away from the surface water</p> <p>By not applying pesticides if there is a chance if it reaching the surface or ground water</p> <p>By only using properly labeled pesticides</p> <p>By not using pesticides within 100 ft of a body of water</p> <p>Water usage is projected to be 65,000 gallons per month, or 178,800 gallons per year. Each plant requires 3 gallons per day per plant.</p> <p>If development activities will occur on over one (1) acre of new disturbance, the project will require coverage under a Construction General Permit for storm water management, including a Storm Water Pollution Prevention Plan (SWPPP). Less than significant</p>	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?			X		<p>As proposed, the project would not substantially deplete ground water supplies or interfere substantially with groundwater recharge.</p> <p>According to the Property Management Plan – <i>Water Management Plan</i> would protect downstream waterways and water bodies from runoff and/or erosion through the design and implementation of operational tactics, which includes but is not limited to the following:</p> <p><u>1) Site Design Measures (BPMs):</u></p> <ul style="list-style-type: none"> • Locate cultivation site more than 300 feet from any spring or top bank • Locate covered storage areas more than 100 feet from any spring or top bank. • Minimize compaction of highly permeable soil and use of impervious surfaces. • Limit clearing and grading of native vegetation at the site to the minimum area needed to build the project, allow access and provide fire protection. • Minimize impervious surfaces by concentrating development on the least 	1, 3, 4, 5, 6, 12, 13, 14, 16, 21, 24, 29, 31, 32, 33, 34

• IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>sensitive portions of the site, while leaving the remaining land in a natural, undisturbed state.</p> <ul style="list-style-type: none"> Planting tree lines and preserving natural ecosystem. Establish rooftop and impervious surface drainage system with rain barrels and cisterns to catch storm water. Use alternative engineered hardscape surfaces such as porous concrete to prevent runoff. <p><u>2) Erosion and Sediment Prevention Methods (BMPs)</u></p> <ul style="list-style-type: none"> Hire an experienced, reputable, and licensed operator to conduct operations if heavy equipment is required to develop roads and the grow site, including Oak Tree removal. Minimizes grading and soil disturbance during grow site development and road construction. Seed, mulch, or rock areas that have been disturbed by grading, excavation or road construction activities. Native grass seed should be applied to disturbed areas before installation of mats/blankets and wattles. Remove excess soil and other debris and place used material in safe and dry environment. All necessary control structures should be in place and functioning, and all areas of exposed soil because of grading should be stabilized as soon as possible after grading is complete and before any precipitation event that could cause erosion and/or deliver storm water runoff to a water body. Riparian zones should be avoided and vegetation should be maintained to protect watercourses from growing operations. Do not service, fuel, or store equipment within 200 feet of surface water bodies. <p><u>3) Storm Water Management Construction Plan (BMP's)</u></p> <ul style="list-style-type: none"> Schedule construction activities during dry weather and keep grading operations to a minimum during the rainy season. Protect any exposed slope once before rain arrives or send out a crew to repair a wet, muddy and slippery slope every time it rains. Protect and establish vegetation to prevent dislodging and transporting of soil. Train and educate construction crews and personnel to better understand the effects of storm water pollution from construction projects and learn ways to prevent or minimize pollution on the job. Stabilize construction entrances and exits to prevent tracking onto roadways. Protect exposed slopes from erosion through preventative measures such as covering the slopes to avoid contact with storm water by hydro-seeding, applying mulch or using plastic sheeting. Use brooms and shovels whenever possible to maintain a clean site instead of a hose. Introducing more water than necessary only adds to water pollution. Designate a concrete washout area to avoid wash water from concrete tools or trucks from entering gutters, inlets or storm drains. Maintain washout area and dispose concrete waste on a regular basis. Establish a vehicle storage, maintenance and refueling area to minimize the spread of oil, gas and engine fluids. The use of oil pans under stationary vehicles is strongly recommended. Protect drainage inlets from receiving polluted storm water using filters such as fabrics, gravel bags or straw wattles. Check the weather forecast and be prepared for rain by having necessary materials onsite before the rainy season. Inspect all BMPs before and after a storm event. Maintain BMPs on a regular basis and replace as necessary. 	

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>The plan also indicates "<i>Parameters and Methods of Monitoring</i>" would occur through annual reporting to the Central Valley Regional Water Quality Control Board and/or the California State Water Board and the reporting forms would be made available to the Lake County Community Development Department. The cultivation site and property road system would be inspected during a rain event predicted to accumulate one (1) inch over a 24 hour period. The logs would report the overall functioning of the Storm Water Management Plan and areas in need of improvement would be noted and any failing elements within the system that may result in the illicit discharge of storm water are addressed immediately. Ongoing storm water reporting logs will be made available to the County.</p> <p>According to the Property Management Plan – Water Resources Management Plan has been designed to minimize adverse impacts on surface and groundwater resources and to help ensure that onsite water resources and management is in full compliance with applicable local, county and state regulations. 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.</p> <p>Less than significant</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, in a manner that would result in substantial erosion or siltation on-site or off-site?			X		<p>The project site is currently developed with a gravel access road, a single-family residence of undetermined size served by an existing onsite septic system and well(s), an existing shed, <u>a three 5000 gallon water tank</u>, and an existing 600 square foot shed will be used as a drying room. The new cultivation site will be 43,500+ <u>10,000</u> square feet in size, and will also be enclosed by a 6' tall chain link fence with steel gate and combination lock. <u>There will also be a new structure added that will enclose ten 15,000 gallon water storage tanks. The square footage of non permeable (roof) area will not exceed 20,000 square feet.</u></p> <p>The hours of operation would be Monday through Saturday 7:00AM to 9:00PM. There would be up to two employees working at a given time, and a total of five employees are listed in the application material submitted. These employees would not substantially alter the drainage of the site. The applicant will comply with all local and state regulations pertaining to erosion and storm water, as applicable.</p> <p>According to the <i>Property Management Plan – Storm Water Management Plan</i>, the proposed use would protect downstream water bodies from water quality by implementing measures to prevent potential of contamination from fertilizers and chemicals and using best management practices.</p> <p>The permit holder shall 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. Less than significant.</p>	1, 3, 4, 5, 6, 12, 13, 14, 16, 21, 24, 29, 31, 32, 33, 34
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-site or off-site?			X		<p>The project site is not located within a flood zone; construction of the project will not induce flooding on-site or off-site. Less than Significant</p>	1, 3, 4, 5, 6, 12, 13, 14, 16, 21, 24, 29, 31, 32, 33, 34
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?			X		<p>The project site is currently developed with mostly permeable surfaces and the project does not propose to create a substantial amount of additional impermeable surfaces. Therefore, the project would not create a substantial amount of additional run-off and impacts would be less than significant. The applicant will comply with all federal, state and local regulations pertaining to erosion and storm water, as applicable. Less Than Significant</p>	1, 3, 4, 5, 6, 12, 13, 14, 16, 21, 24, 29, 31, 32, 33, 34

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
f) Otherwise substantially degrade water quality?			X		The applicant shall adhere to all Federal, State and Local regulations regarding water quality and usage. Less Than Significant.	1, 2, 3, 4, 10, 11, 12, 15, 29, 34, 35
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X	The project is not located within a 100-year flood zone. No Impact	1, 3, 4, 5, 6, 12, 13, 14, 16, 21, 24, 29, 31, 32, 33, 34
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X	See Response in Section IX (g). No Impact	1, 3, 4, 5, 6, 12, 13, 14, 16, 21, 24, 29, 31, 32, 33, 34
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X	The project parcel is not located within a flood zone. No Impact	1, 3, 4, 5, 6, 12, 13, 14, 16, 21, 24, 29, 31, 32, 33, 34
j) Inundation by seiche, tsunami, or mudflow?			X		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. Less than Significant	1, 3, 4, 5, 6, 12, 13, 14, 16, 21, 24, 29, 31, 32, 33, 34
X. LAND USE AND PLANNING <i>Would the project:</i>						
a) Physically divide an established community?			X		The proposed project site would not physically divide an established community. Less Than Significant	1, 3, 4, 5, 6, 17, 35
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X		<p>This project is consistent with the Lake County General Plan, The Kelseyville Area Plan and the Lake County Zoning Ordinance. Less Than Significant.</p> <p><u>Lake County General Plan, Section 3.2 Land Use Designations</u> The General Plan Land Use Designation is "Rural Lands-Resource Conservation.</p> <p>The purpose of Rural Lands is to allow rural development in areas that are primarily in their natural state, although some agricultural production, especially vineyards, can occur on these lands. This category is appropriate for areas that are remote or characterized by steep topography, fire hazards, and limited access.</p> <ul style="list-style-type: none"> Typical uses permitted by right include, but are not limited to, animal raising, <u>crop production</u>, single family residences, game preserves and fisheries. Other typical uses permitted conditionally include, but are not limited to, recreational facilities, manufacturing and processing operations, mining, and airfields. These lands also provide important groundwater recharge functions. As watershed lands, these lands function to collect precipitation and provide for important filtering of water to improve water quality. They are generally supportive to the management of the natural infrastructure of the watersheds, and are located outside of Community Growth Boundaries. <p>The purpose of Resource Conservation assures the maintenance or sustained generation of natural resources within the County. The highest priority for these lands is to provide for the management of the County's natural infrastructure. This management should include, but is not limited to functioning as watershed lands, which collects precipitation and provide for the important filtering of water to improve water quality. In addition, these lands provide important ground water recharge capabilities which is critical to the maintenance of the natural ecosystems and to providing a sustainable ground water supply for the County. Typical uses permitted by right include, but are not limited to resource utilization through a conditional use permit.</p>	1, 3, 4, 5, 6, 17, 35

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p><u>Section 3.9 Economic Development</u></p> <p><u>Goal LU-6:</u> “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"> <u>Policy LU 6.1:</u> “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><u>Kelseyville Lower Lake Area Plan</u> The <u>Kelseyville Lower Lake Area Plan</u> does not regulate cannabis operations.</p> <p><u>Lake County Zoning Ordinance.</u></p> <ul style="list-style-type: none"> A Major and/or Minor Use Permits shall be obtain for the proposed use. On May 2, 2018, the applicant has submitted Major Use Permit, UP 18-15. The applicant shall adhere to all incorporated Mitigation Measures, including all Conditions of Approval. <p><u>Property Management Plan</u> The applicant(s), including staff/employees shall adhere to all aspects discussed in the Property Management Plan.</p> <p>Impacts to land use and planning would be less than significant.</p>	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X	This project is not located within the boundaries of a habitat or natural community conservation plan. No Impact	1, 3, 4, 5, 6, 17, 35
XI. MINERAL RESOURCES <i>Would the project:</i>						
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, 13, 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 Kelseyville 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, 13, 26
XII. NOISE <i>Would the project result in:</i>						
a) Exposure of persons to or generation of noise levels 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. Less Than Significant with Mitigation Incorporation</p> <p><u>Mitigation Measures:</u></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</p>	1, 3, 4, 5, 13

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>night work.</p> <p><u>NOI -2:</u> 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 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><u>NOI -3:</u> The operation of the Heating and Ventilation Units 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 when measured at any property lines as specified within Zoning Ordinance Section 21-41.11 (Table 11.2).</p>	
b) Exposure of persons to or generation of 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, 3, 4, 5, 13
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X		No permanent increases in ambient noise levels will occur with this project. A small amount of infrequent noise could be anticipated if the proposed backup power generator is activated during any power outage or during generator testing, but these impacts would not be significant or long lasting. Implementation of NOI-1 through NOI-3 would reduce impacts to Less than Significant.	1, 3, 4, 5, 13
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X		<p>During construction, a temporary increase in noise is expected. Mitigation measures have been incorporated that will limit the short-term impacts of noise associated with the project. Implementation of NOI-1 through NOI-3 would reduce impacts to Less than Significant.</p> <p>See Response to Section XII (a)</p>	1, 3, 4, 5, 13
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 expose people residing or working in the project area to excessive noise levels?				X	Project is not located within an airport land use plan or within two miles of a public airport. No Impact	1, 3, 4, 5, 13, 22
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X	Project is not located in the vicinity of a private airstrip. No Impact	1, 2, 3, 4, 5, 22
XIII. 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 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

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X	No people will be displaced as a result of the project. No Impact	1, 3, 4, 5
XIV. 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 the need for new or altered government facilities. There will not be a need to increase fire or police protection, schools, parks or other public facilities as a result of the project's implementation. Less than Significant.	1, 3, 4, 5, 14, 15, 16, 20, 21, 24, 29, 32, 33, 34, 35, 36, 37
XV. 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
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
XVI. TRANSPORTATION / TRAFFIC <i>Would the project:</i>						
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X		The project site is located on a parcel with slopes from approximately 10% or less, to greater than 30%. The project site is accessible by Hofacker Lane, an unpaved County-maintained public road. A minimal increase in traffic is anticipated due to construction; employees exiting and entering premises; routine maintenance and weekly and/or monthly incoming and outgoing deliveries. Less than Significant	1, 3, 4, 5, 17, 20, 22, 27, 28, 35

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X		See Response to Section XVI (a).	1, 3, 4, 5, 17, 20, 22, 27, 28, 35
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?				X	The project location is not located in the vicinity of any airfield. No Impact	1, 3, 4, 5, 17, 20, 22, 27, 28, 35
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X	Hofacker Lane that serves this location is an unpaved public County maintained road. The additional trips generated by this use are similar to those generated from a single family dwelling. Therefore, it would not increase hazards at the project site. No Impact	1, 3, 4, 5, 17, 20, 22, 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, 17, 20, 22, 27, 28, 35, 37
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X	The only parking associated with the project would be for the applicant and his 4 employees, however only two employees are to work in any given shift. The property has ample room for parking near the residence. If the applicant did need additional parking, there is adequate parking available throughout the project parcel. No Impact	1, 3, 4, 5, 17, 20, 22, 27, 28, 35, 37
XVII. 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 would reduce impacts to Less than Significant.	1, 3, 4, 5, 14, 15
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 would reduce impacts to Less than Significant.	1, 3, 4, 5, 14, 15
XVIII. UTILITIES AND SERVICE SYSTEMS <i>Would the project:</i>						
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X		The subject parcel is served by an existing well and septic system. The applicant shall adhere to all Federal, State and Local regulations regarding wastewater treatment and water usage requirements. See Response to Section IX (a)(b). Less Than Significant	1, 3, 4, 5, 16, 21, 28, 29, 32, 33, 34, 35, 37
b) Require or result in the construction of new water or wastewater treatment facilities or			X		See Response to Section IX (a)(b). Less Than Significant According to the plan, the proposed use is anticipated to use a monthly rate of	1, 3, 4, 5, 16, 21, 28, 29, 32, 33, 34, 35

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
expansion of existing facilities, the construction of which could cause significant environmental effects?					30,000 15,000 gallons of water to irrigate the plants (3 gallons per day per plant), and 3000 gallons per month for each house. The projected total annual water usage is 432,000+ gallons, with 360,000 gallons per year being new usage.	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X		See Response to Section IX (a)(b). Less Than Significant	1, 3, 4, 5, 16, 21, 28, 29, 32, 33, 34, 35
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X		See Response to Section IX (a)(b). Less Than Significant	1, 3, 4, 5, 16, 21, 28, 29, 32, 33, 34, 35, 37
e) 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		See Response to Section IX (a)(b). Less Than Significant	1, 3, 4, 5, 16, 21, 29, 33, 37
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X		<p>The existing landfill has sufficient capacity to accommodate the project's solid waste disposal needs.</p> <p>According to the Property Management Plan – Waste Management Plan has been developed to help minimize the generation of waste and for the proper disposal of waste produced during the cultivation and processing of cannabis at the project site. The goal is to prevent the release of hazardous waste into the environment, minimize the generation of cannabis vegetative waste and dispose of cannabis vegetative waste properly, and manage growing medium and dispose of growing medium properly. All employees are required to follow the procedures outlined in this plan. Any deviations from this plan must be immediately brought to the attention of Director of Cultivation.</p> <p>Less than Significant.</p>	1, 3, 4, 5, 21, 29, 34
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X		All requirements provided within the Property Management Plan related to solid waste will apply to this project. See Response to Section XVIII (f). Less than Significant.	1, 3, 4, 5, 21, 29, 34

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IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
XIX. MANDATORY FINDINGS OF SIGNIFICANCE						
a) Does the project have the potential to 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, 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 previously disturbed area. As proposed, this project is not anticipated to significantly impact habitat of fish and/or wildlife species or cultural resources with the incorporated mitigation measures described above.	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, Cultural Resources, Hazards & Hazardous Materials, Noise, and Tribal Cultural Resources. 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, Cultural Resources, Hazards & Hazardous Materials, Noise, and Tribal Cultural Resources 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. Vacant
3. Lake County Zoning Ordinance
4. Lower Lake Area Plan
5. 707 Organics / Lake County Cannabis Cultivation Application – Major and Minor Use Permits.
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 the Oram-Sandtner property; Prepared By Alicia Ives Ringstad, Senior Wildlife Biologist, Jacobzoon and Assoc., dated Nov. 20, 2017.
14. Cultural Resource/Archaeological Survey for the Oram-Sandtner property; Prepared By Alicia Ives Ringstad, Senior Wildlife Biologist, Jacobzoon and Assoc., dated Aug. 23, 2017.

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. South Lake Fire Protection District
38. Site Visit – Sept. 12, 2018

Eric Porter

From: norman kimes <toolmfg@gmail.com>
Sent: Thursday, October 11, 2018 9:49 AM
To: Eric Porter
Subject: RE: Hofacker Ln. grow operation

Mr. Porter,

Most likely I misunderstood Ms. Fiedler. I thought she said you lived on the knoll behind them. My mistake. I appreciate your adding me to the list. Additionally, I didn't consider I might be putting you in a compromising situation with my invitation. I apologize if I have done so.

Thank you,

Norman Kimes

On Oct 11, 2018 7:58 AM, "Eric Porter" <Eric.Porter@lakecountyca.gov> wrote:

Good morning Mr. Kimes,

I added your PO box to our mailing labels list. It sounds like the PO box is more secure / more likely to get timely mail deliveries.

I'm going to try and keep the December 13th 2018 (9:00 am) hearing date for Sandtner's cannabis hearing. You will receive a notice about 2 weeks ahead of the hearing. If that date changes, I will let you know so you don't waste a trip to Lakeport unnecessarily.

I actually live in the Riviera; I'm not sure where Debbie Fiedler got the idea that I live near you, but I appreciate your kind offer nonetheless.

Take care / more to follow,

Eric Porter

From: norman kimes [mailto:toolmfg@gmail.com]
Sent: Wednesday, October 10, 2018 09:19 PM

Attachment 7

To: Eric Porter <Eric.Porter@lakecountyca.gov>
Subject: RE: Hofacker Ln. grow operation

Mr. Porter,

I appreciate your response. My mailing address is:

Norman Kimes

PO Box 897

Middletown, CA 95461

Mail is also sent to:

14331 Highway 29

Lower Lake, CA 95457

The street address mailbox is not considered secure. Please include me in the list. While I reside here, it is owned by my mother & some cousins. My property is 150 acres adjoining these parcels. It is my intent to attend the meeting. The difficulties we all face as the county grows in population are all resolvable if we can approach them with reason & can apply our experience as wisely as we are able.

Thank you again, Norman Kimes

PS: Debbie Fiedler mentioned you are also a neighbor. I haven't been good introducing myself to my neighbors. We are the driveway directly across from Hofacker Ln. You are welcome to stop in any time. The gate will be unlocked if we are here & it serves mostly to protect our dog from the highway.

On Oct 10, 2018 2:24 PM, "Eric Porter" <Eric.Porter@lakecountyca.gov> wrote:

Mr. Kimes,

Thank you for your emailed comments. I would encourage you to attend the hearing if at all possible; the tentative hearing date is December 13th, 2018. I will be sending out a public notice about 2 weeks prior to the hearing. I don't have your name or mailing address on my 'labels' sheet that I rely on to send out notifications, including the upcoming hearing notice. Would you like me to add you onto the recipient list? If so I need your mailing address.

Since you emailed me, I can also email the hearing notice to you. Meanwhile, I'll put this email into the public record.

Take care,

Eric Porter

From: norman kimes [mailto:toolmfg@gmail.com]

Sent: Wednesday, October 10, 2018 02:18 PM

To: Eric Porter <Eric.Porter@lakecountycalifornia.gov>

Subject: Hofacker Ln. grow operation

I'm Norman Kimes. Resident at 14331 Highway 29, Lower Lake, CA. My grandparents & great uncle bought & developed the two ranches on both side of Highway 29 in 1950. I have been involved with the properties my entire life. I am 66 years old & a contractor of 40 years experience.

There are significant problems with water on these 1500 acres, (the original ranches). In 1968 we measured the output volume of the springs off Hofacker Ln. A 55 gallon drum filled in 25 seconds. The calculated daily output was over 150,000 gallons. Six years ago while I didn't measure volume output, the spring was flowing at a rate that only filled 1/4 to 1/3 of the 3" pipe. I would estimate the output volume at approximately 10 gallons per minute at that time. Additionally, it took 46 minutes to fill the 600 gallon tank of my fire truck 3 years ago. We have a static line pressure of 62 PSI with a 1" service line from the 3" main. This anecdotal estimate would indicate a daily volume of approximately 15,000 gallons. A reduction to 10% of the original.

The aquifers here are comprised of fresh water, (we've called them sweet water) & alkaline. In the past there were 6 fresh water springs & 3 alkaline on these properties. Only the 2 springs off Hofacker Ln. produced a volume to support a house. The alkaline were unusable for domestic or agricultural purposes. Today evidence of the lessor springs is not visible. There was a 26 foot hand dug well which supported the farmstead owned by the Rushs. It is dry now. While I have heard neighbors speak of wells drying up or output reduced to unusable levels, I can't responsibly comment on that fact.