



COUNTY OF LAKE

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

Courthouse - 255 N. Forbes Street

Lakeport, California 95453

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

Dated: February 10, 2020

CALIFORNIA ENVIRONMENTAL QUALITY ACT ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY IS 18-74

1. **Project Title:** Magic Meadow Farm's; Christopher Kelley and Kristen Callahan
2. **Permit Number:** Major Use Permit UP18-50
Early Activation EA18-42
Initial Study IS18-74
3. **Lead Agency Name and Address:** County of Lake
Community Development Department
Courthouse – 255 North Forbes Street
Lakeport CA 95453
4. **Contact Person:** Victor Fernandez, Assistant Planner
(707) 263-2221
5. **Project Location(s):** 21650 St. Helena Creek, Middletown, CA 95461
APN: 014-460-05
6. **Project Sponsor's Name/Address:** Christopher Kelley, Kristen Callahan, Michelle Briggs, and Corbin Woods
P.O Box 1158
Cobb, California 95426
7. **General Plan Designation:** Rural Lands – Resource Conservation – Rural Residential
8. **Zoning:** “RL – RR – WW” Rural Lands – Rural Residential – Waterway Combining
9. **Supervisor District:** District One (1)
10. **Flood Zone:** X; Outside Area of Flood Zone
11. **Slope:** Varies from fairly flat to moderately steep
12. **Fire Hazard Severity Zone:** SRA (CalFire); High to moderate in grow area in steep eastern portion
13. **Earthquake Fault Zone:** None
14. **Dam Failure Inundation Area:** Not located within Dam Failure Inundation Area

Attachment 6

15. Parcel Size: 229.17 Acres

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).

Magic Meadows Farm's, proposes to develop a commercial cannabis cultivation operation at 21650 St. Helena Creek, Middletown, California on Lake County APN 014-460-05 (Project Property), composed of an A – Type 3 “outdoor” cultivation area and an A – Type 2B Tier 1 “Small Mixed-Light” cultivation area. Magic Meadow Farm's seeks to obtain a Major Use Permit for Commercial Cannabis Cultivation for a total combined cultivation area of 79,400 square feet with a total combined cannabis canopy of 51,240 square feet. The total proposed mixed-light cultivation area is 18,100 square feet. Within the mixed-light cultivation there will be four (4) greenhouses, each one being 30X80 (2,400 square feet) and 16 feet in height constructed of galvanized steel tubes. The canopy area within each greenhouse will be 1,920 square feet for a total mixed-light canopy area of 7,680 square feet. The total proposed outdoor cultivation area is 61,300 square feet with a total canopy area of 43,560 square feet.

The project is located in Middletown, CA, about a half mile from the intersection of Highway 175 and 29 (The project site was impacted by the 2015 Valley Fire). The property is within the Saint Helena Creek Watershed (HUC10). The proposed cultivation will take place in a previously permitted timberland to agriculture conversion through the state. The existing structures on the property include a 1,600 Square foot accessory Agricultural Exempt barn used for animal holding, a 192 square foot office, and a building pad for a proposed dwelling unit in the near future.

The proposed cannabis cultivation area and associated facilities are accessed via an existing private dirt access road off of St. Helena Creek Drive. The proposed outdoor cultivation method is in-ground with drip irrigation systems in full sun. The proposed mixed-light cultivation method is via an above grade organic soil mixture in natural beds, above-ground, with drip irrigation systems, within greenhouse structures composed of galvanized steel frames. The proposed cultivation areas will be surrounded by an 6-foot tall wire fence, with cemented metal posts on 8-foot intervals, with privacy mesh to screen the cultivation areas from any view. Existing ancillary facilities include a 1,600 square foot accessory agricultural exempt building used for animal holding and a 192 square foot office. The proposed ancillary facilities include four 2,400 square foot greenhouses, a 320 square foot shipping container for construction tools and hazardous materials, two (2) 70 square foot storage sheds for fertilizers and pesticides, a 112 square foot waste storage shed, a 200 square foot power utility shed, an employee portable restroom, and a 2,850 gallon water storage tank. There is also a concrete building pad, which is proposed for a future dwelling, but is not directly associated with the proposed cultivation operation. This project does not propose any grading at this time..

All pesticides, fertilizers, and hazardous materials including gasoline, diesel, and oil will be stored in the proposed shipping containers as well as the two 70 square foot storage sheds. Pesticides and fertilizers will be held within their manufacturer's original containers, which are within secondary containment structures. The flammable/petroleum products will be in containers within secondary containment that is separated from the pesticides and fertilizers. Isopropyl alcohol, used to sanitize equipment, will be stored on site in a secure cabinet within the processing facility. The storage sheds will be located within the fenced cultivation area located in front of the greenhouses.

Excess plant matter (plant stems) will be composted on site in a designated area. According to the applicant, it is estimated approximately 380 pounds of vegetative waste will be produced annually. The grading medium (soil) will be reused from the composted areas.

The proposed cultivation operation will draw water from an existing well which was permitted on May 22, 2012. The well has three (3) existing 2,500 gallon water storage tanks, and four (4) additional 2,500 gallon storage tanks are proposed.

According to the proposed project, the facility will be open Monday through Saturday, 5:00 AM to 8:00 PM, with delivery and pick-ups restricted between 9:00 AM to 6:00 PM. All visitors to the site will be met by an employee of the site and request identification, purpose, time, and date to be logged.

CONSTRUCTION

According to the applicant, the following is in regards to the site preparation and construction:

- Ground disturbance activities will take place over a 2-3 week period.
- Materials and equipment will only be staged on previously disturbed areas (Areas previously burnt in the Valley Fire and timberland conversion area). No areas will be disturbed for the purpose of staging materials or equipment.
- Construction will occur Monday through Friday from the hours of 8:00 AM to 6:00 PM
- Water (from the existing onsite well or water truck) will be used to mitigate the generation of dust during construction.
- All construction activities, including engine warm-up, will be limited to Monday through Friday, between the hours of 7:00 AM to 7:00 PM.
- All equipment will be maintained and operated to minimize spillage or leakage of hazardous materials. All equipment will be refueled in locations more than 100 feet from surface water bodies. Servicing of equipment will occur on an impermeable surface. In an event of a spill or leak, the contaminated soil will be stored, transported, and disposed of consistent with applicable local, state, and federal regulations.



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

North: “RL” Rural Lands and “RR” Rural Residential. Parcel sizes range from approximately one (1) to 33 acres in size.

South: “A” Agriculture and “RL” Rural Lands. Parcel sizes range from approximately 40 to greater than 250 acres in size.

East: “RR” Rural Residential; and “RL” Rural Lands. Parcel sizes range from approximately 20 to greater than 400 acres in size.

West: “APZ” Agricultural Preserve District, “A” Agriculture, “RR” Rural Residential, and “C3” Service Commercial District. Parcel sizes range from approximately 2 greater than 150 acres in size.

The Project parcel is not within a Community Growth Boundary. The nearest parcel boundary is approximately 453 feet from the Community Growth Boundary.

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 Agricultural Commissioner
Lake County Sheriff Department

South Lake County Fire Protection District (CalFire)
 Central Valley Regional Water Quality Control Board
 California Water Resources Control Board
 California Department of Forestry & Fire Protection (Calfire)
 California Department of Fish & Wildlife (CDFW)
 California Department of Food and Agricultural
 California Department of Pesticides Regulations
 California Department of Public Health
 California Bureau of Cannabis Control
 California Department of Consumer Affairs

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

Notification of the project was sent to local tribes. Redwood Valley differed comment. Middletown Rancheria did not request a consultation: however the tribe requested that the applicant *engage with Middletown Rancheria in a Cultural Resources Monitoring Agreement for the preservation and protection of all cultural resources during all in ground disturbance activities as identified by the Middletown Rancheria.* The California Historical Resources Information System stated that the proposed project area has the possibility of containing unrecorded archaeological site(s) and a study is recommended prior to commencement of project activities.

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 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 checked="" type="checkbox"/> <u>Biological Resources</u> | <input type="checkbox"/> <u>Land Use / Planning</u> | <input type="checkbox"/> <u>Transportation</u> |
| <input checked="" type="checkbox"/> <u>Cultural Resources</u> | <input type="checkbox"/> <u>Mineral Resources</u> | <input checked="" type="checkbox"/> <u>Tribal Cultural Resources</u> |
| <input type="checkbox"/> <u>Geology / Soils</u> | <input checked="" type="checkbox"/> <u>Noise</u> | <input type="checkbox"/> <u>Utilities / Service Systems</u> |
| <input type="checkbox"/> <u>Wildfire</u> | <input type="checkbox"/> <u>Energy</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:
Victor Fernandez, Assistant Planner



Date: 02/18/2020

SIGNATURE

Scott DeLeon - Interim 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		The project site is located on a property that is surrounded by dense vegetation; the topography and natural vegetation would act as a natural screen. The cultivation area is not visible from any adjacent lots or any public roads. The fencing will be screened as part of a condition of approval. The impacts would be less than significant. Less than Significant Impact.	1, 2, 3, 4, 6, 9
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X		There are no scenic resources on or in the vicinity of this property. Less than Significant Impact.	1, 2, 3, 4, 6, 9
c) Substantially degrade the existing visual character or quality of public views the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X		The proposed use would occur on a portion of the site that has been impacted by the 2015 Valley Fire and undergone an Agricultural Conversion permit through the state. No physical changes to the site are proposed or needed by this action. The site is not located within an urbanized area, and the site is not visible from any public property, including roads. Less than Significant Impact.	1, 2, 3, 4, 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 has some potential to create additional light and/or glare through exterior security lighting. All greenhouses incorporating artificial lighting shall be equipped with blackout film/material to be used at night for maximum light blockage to lessen the impact on the surrounding parcels and the dark skies. Applicant shall submit a <u>Blackout Film/Materials Plan</u> to the Community Development Department for review and approval prior to issuance of any permits. Less than Significant Impact.	1, 2, 3, 4, 5, 6, 9
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 majority of the lot is classified as "other land" and does not contain prime farmland. There is a small portion in the center of the property that is zoned "Farmland of Local Importance" which is an isolated area not connected to a larger system. The subject site is not within a Williamson Act contract. Less than Significant Impact.	1, 2, 3, 4, 5, 7, 8, 11, 13
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X		Refer to Section II (a). Less than Significant Impact.	1, 2, 3, 4, 5, 7, 8, 11, 13

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
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	The proposed use will not conflict with existing, zoning, or cause rezoning of forest land, timberland, or timber production as defined by the Government Code. No Impact.	1, 2, 3, 4, 5, 7, 8, 11, 13
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 as it previously underwent a Timberland conversion after the Valley Fire. No Impact.	1, 2, 3, 4, 5, 7, 8, 11, 13
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		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, 2, 3, 4, 5, 7, 8, 11, 13
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 some potential to result in short- and long-term air quality impacts. Dust and fumes may be released as a result of site preparation / construction of the greenhouses and cultivation area; and vehicular traffic, including small delivery vehicles that would be contributors during and after site preparation / construction. Odors generated by the plants, particularly during harvest season, will be mitigated through passive means (separation distance), and active means such as planting native flowering vegetation surrounding the entire cultivation area (Odor Control Plan). Additionally, implementation of mitigation measures below would reduce air quality impacts to less than significant. The applicant is proposing the use of greenhouses, which has the ability to control odor. The applicant states within the Property Management Plan that carbon filters / air scrubbers will be used in each greenhouse. Dust during site preparation can be mitigated by wetting the soil with a mobile water tank and hose.</p> <p>Construction of the project would begin following approval of the major use permits, and would last between 4 months to 8 months. There would be minimal soil disturbance, given that the greenhouse compound site is flat.</p> <p>Less Than Significant with Mitigation Measures added:</p> <p><u>AQ-1:</u> Prior to cultivation, the applicant shall submit an <u>Odor Control Plan</u> to the Community Development Department for review and approval, or review and revision.</p> <p><u>AQ-2:</u> All Mobile diesel equipment used for construction and/or maintenance shall be compliance with State registration requirements. Portable and stationary diesel powered equipment must meet the requirements of the State</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>Air Toxic Control Measures for CI engines as well as Lake County Noise Emission Standards.</p> <p><u>AQ-3:</u> Construction and/or work practices that involve masonry, gravel, grading activities, vehicular and fugitive dust shall be managed by use of water or other acceptable dust palliatives to mitigate dust generation during and after site development.</p> <p><u>AQ-4:</u> 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 to the Lake County Air Quality Management District.</p> <p><u>AQ-5:</u> All vegetation during site development shall be chipped and spread for ground cover and/or erosion control. The burning of vegetation, construction debris, including waste material is prohibited.</p> <p><u>AQ-6:</u> 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. The use of white rock as a road base or surface material for travel routes and/or parking areas is prohibited.</p> <p><u>AQ-7:</u> All areas subject infrequent use of 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>	
b) Violate any air quality standard or result in a cumulatively considerable net increase in an existing or projected air quality violation?			X		<p>The cultivation activity will take in an outdoor area and within greenhouses. The greenhouses will use air filtration systems to mitigate odor and other potential pollutants. The outdoor cultivation area is not anticipated to generate dust or other substances that will violate air quality in this vicinity. Lake County is an Air Attainment county.</p> <p>Less Than Significant Impact.</p>	1, 3, 4, 5, 10, 21, 24, 31, 36
c) Expose sensitive receptors to substantial pollutant concentrations?			X		<p>See response to III.a and b.</p> <p>Less than Significant Impact.</p>	1, 3, 4, 5, 10, 21, 24, 31, 36
d) Result in substantial emissions (such as odors or dust) adversely affecting a substantial number of people?		X	X	X	<p>Sensitive receptors in the area include adjacent and/or nearby residents. The nearest off-premises house is about 1,095 feet away from the nearest cultivation area. The cultivation areas are setback a significant distance from the nearest off-site dwellings, so passive odor control (separation distance) may be adequate for the outdoor cultivation area. The applicant has an emergency contact name and number that will be distributed to neighbors within 100 feet of the property as is required by Lake County Air Quality Management District. As described in Section III (a) above, implementation of mitigation measures AQ-1 through AQ-4 will reduce impacts to less than significant.</p>	1, 2, 3, 4, 5, 10, 21, 24, 31, 36
IV. BIOLOGICAL RESOURCES <i>Would the project:</i>						
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species		X			<p>The project has some potential to result in short- and long-term biological impacts. Nesting birds and roosting bats have the potential to nest/roost in areas of high tree density. Although the cultivation area is completely void of trees</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30,

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?					<p>through the previous timberland conversion, the rest of the parcel has a high tree density. The applicant, in consultation with a registered biologist, has actively placed nesting towers in areas on the property away from the cultivation area to promote nesting/roosting of the sensitive species. Additionally, implementation of mitigation measures below would further reduce air quality impacts to less than significant.</p> <p>The applicant provided a Biological and Wetland Assessment, prepared by Ms. Lucy Macmillan, M.S. Environmental Scientist, Mill Valley, California.</p> <p>Coyote bush, lupine, and thistles occur on this project site and therefore provide potential habitat for the obscure bumblebee. Loss of habitat shall be mitigated through replanting of host species in more remote portions of the project site. However, loss of habitat would not be considered significant.</p> <p>For any activities that will result in the clearing of vegetation for cannabis operations protocol-level surveys shall be conducted by a qualified botanist the spring prior to ground disturbance. If rare plants are found, mitigation measures such as avoidance or transplanting may be required depending on the species.</p> <p>Ms. Macmillan's wetland delineation report conducted on March 8, 2019, resulted in the finding that "No potential wetland features were identified."</p> <p>BIO-1: If project activities occur during the breeding season (February 1 through August 31), a qualified biologist shall conduct a breeding survey no more than 14 days prior to project activities to determine if any birds are nesting in trees on or adjacent to the study area. This shall include areas where water wells and security fencing will be installed.</p> <p>If active nests are found close enough to affect breeding success, the qualified biologist shall establish an appropriate exclusion zone around the nest. This exclusion zone may be modified depending upon the species, nest location, and existing visual buffers.</p> <p>BIO-2: If initial ground disturbance occurs during the bat maternity roosting season (April 1 through September 1), a qualified biologist shall conduct a bat roost assessment of trees within 100 feet of the proposed construction. If bat maternity roosts are present, the biologist shall establish an appropriate exclusion zone around the maternity roost.</p> <p>BIO-3: Prior to any development, the project area shall be surveyed by a qualified biologist to determine if there are any active fisher dens within 250 feet of the project footprint. If an active den is found, California Department of Fish and Wildlife shall be consulted to determine appropriate mitigation measures, which may include relocation of the den or establishing a suitable buffer zone.</p>	31, 32, 33, 34

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					<p>BIO-4: All workers on crew shall be trained by a qualified biologist as to the sensitivity of the Foothill Yellow-Legged Frog, California Giant Salamander, and Red-Bellied Newt that can potentially be found on the property. No construction activities shall occur during rain events, defined as ¼ inch of rain falling within a 72-hour period. Construction activities shall resume 72 hours after the end of the rain event. All work areas shall be checked daily prior to the start of work to ensure that no special-status species are within the proposed work zone.</p> <p>Less Than Significant Impact with mitigation measures BIO-1 through BIO-4 added.</p>	
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			<p>The Biological Assessment states that all Biological impacts can be mitigated using Avoidance and Protection measures as stated in Section IV (a).</p> <p>Less than Significant Impact with mitigation measures BIO-1 through BIO-2 added.</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 29, 30, 31, 32, 33, 34
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X		<p>According to the Biological and Wetland Assessment, there are no known wetlands.</p> <p>Less than Significant Impact.</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
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		<p>The Biological Assessment states that all Biological impacts can be mitigated using Avoidance and Protection measures as stated in Section IV (a).</p> <p>Less than Significant Impact.</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X		<p>The proposed use will not conflict with any local policies or ordinances protecting biological resources such as tree preservation. Tree removal will be minimal, and will consist of the removal of dead trees from the Valley Fire in 2015.</p> <p>Less than Significant Impact.</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 21, 24, 29, 30, 31, 32, 33, 34
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		<p>The proposed use will not conflict with an adopted Habitat Conservation Plans or Natural Community Conservation Plans, or other local, regional or state habitat conservation plans associated with this site.</p> <p>Less than Significant Impact.</p>	1, 2, 3, 4, 5, 11, 12, 13, 16, 17, 21, 24, 29, 30, 31, 32, 33, 34
<p align="center">V. CULTURAL RESOURCES <i>Would the project:</i></p>						
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?		X			<p>A Cultural Study was done on March 3, 2019 by Jay Flaherty of Flaherty Cultural Resource Services (FCRS). Jay Flaherty's recommendations are below:</p> <p>No cultural resources sites were discovered as a result of the</p>	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>survey; however, the possibility of buried or obscured cultural resources does exist. Should archaeological materials be discovered during future development, all activity shall be halted in the vicinity of the find(s), and that a qualified archaeologist be retained to evaluate the find(s) and to recommend mitigation procedures.</p> <p>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 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 Department.</p> <p>CUL-2: All employees shall be trained in recognizing potentially significant artifacts that may be discovered during ground disturbance. If any artifacts or remains are found, the Middletown Rancheria Tribe shall immediately be notified; a licensed archaeologist shall be notified, and the Lake County Community Development Department shall be notified of such finds.</p> <p>Less than Significant with Mitigation Measures CUL-1 and CUL-2 added.</p>	
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?			X		<p>See response to Section V (a). There are no known or mapped significant archaeological resources on this site.</p> <p>Less than Significant Impact.</p>	1, 3, 4, 5, 11, 14, 15
c) Disturb any human remains, including those interred outside of formal cemeteries?		X			<p>See Response to V (a).</p> <p>The applicant shall immediately halt all work and contact the Lake County Sheriff's Office, the local overseeing tribe, and the Community Development Department if any human remains are encountered.</p> <p>Less than Significant with Mitigation Measures CUL-1 and CUL-2 added.</p>	1, 3, 4, 5, 11, 14, 15
VI. ENERGY <i>Would the project:</i>						
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?			X		<p>The applicant states solar power is the proposed energy source. The outdoor cultivation area will have a minimal need for power. The greenhouse cultivation areas will require power for lighting and exhaust fans. Other uses that require power include the security system, lighting, and solar well pump.</p> <p>Less than Significant Impact.</p>	1, 3, 4, 5, 11, 14, 15
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X		<p>The proposed use will not conflict or obstruct a state or local plan for renewable energy or energy efficiency.</p> <p>Less than Significant Impact.</p>	1, 3, 4, 5, 11, 14, 15
VII. GEOLOGY AND SOILS <i>Would the project:</i>						
a) Directly or indirectly cause potential substantial adverse			X		<p>Earthquake Faults There are no mapped earthquake faults on or adjacent to the subject site.</p>	1, 3, 4, 5, 6, 7, 10, 17, 18,

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
<p>effects, including the risk of loss, injury, or death involving:</p> <p>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</p> <p>ii) Strong seismic ground shaking?</p> <p>iii) Seismic-related ground failure, including liquefaction?</p> <p>iv) Landslides?</p>					<p><u>Seismic Ground Shaking and Seismic-Related Ground Failure, including liquefaction.</u> 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 proposed construction is required to be built consistent with Current Seismic Safety construction standards.</p> <p><u>Landslides</u> There is some minor risk of landslides based on slope of the site. The cultivation is located within a flat area.</p> <p>Less than Significant Impact.</p>	19, 21, 24, 25
b) Result in substantial soil erosion or the loss of topsoil?			X		<p>According to the soil survey of Lake County, prepared by the U.S.D.A., the soil within the project parcel is as follows:</p> <ul style="list-style-type: none"> • Henneke-Montara-Rock outrock complex (142): 15% to 50% percent slopes. Soil is shallow and somewhat excessively drained. The permeability is moderately slow and water capacity is 1 inch to 2 inches. Surface runoff is rapid, and the hazard of erosion is severe. • Jafa Loam (145): 5% to 15% percent slopes. This is very deep, well-drained soil is on terraces and fans. The permeability of the soil is moderately slow and water capacity is 4 to 8.5 inches. Surface runoff is medium, and the hazard of erosion is moderate. • Kelsey Fine Sandy Loam (147): This is very deep, well-drained soil is on flood plains. The permeability is moderately rapid and water capacity is 7.0 to 8.5 inches. Surface runoff is very slow, and the hazard of erosion is slight. • Sobrante-Callayomi-Whispering association (217): 30% to 50% percent slopes. This map unit is on hills and mountains. Permeability is moderate and water capacity is 2.5 inches to 7.0 inches. Surface runoff is rapid and the hazard of erosion is severe. • Speaker-Maymen-Millshom association (227): 30% to 50% percent slopes. This map unit is on hills and mountains. Soil is moderately deep and well-drained. Permeability of the soil is moderately slow and water capacity is 2 inches to 6 inches. • Yorkville Variant clay loam (255): 2% to 8% percent slopes. This very deep, well-drained soil is on alluvial fans, landslips, and toe slopes. Permeability is slow and water capacity is 6.5 inches to 8.0 inches. Surface runoff is medium, and the hazard of erosion is moderate. <p>If greater than fifty (500) cubic yards of soils are moved, a <u>Grading Permit</u> shall be required as part of this project. The project design shall incorporate Best Management Practices (BMPs) to the maximum extent practicable to prevent or reduce</p>	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19, 21, 24, 25, 30

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
					discharge of all construction or post-construction pollutants into the County storm drainage system. BMPs typically include scheduling of activities, erosion and sediment control, operation and maintenance procedures and other measures in accordance with Chapters 29 and 30 of the Lake County Code. Less than Significant Impact.	
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 cultivation site is mapped as being generally stable to unstable. The soil is not in danger of subsidence, liquefaction or collapse as a result of the proposed project as there is no grading or proposed ground disturbance on any unstable soils. Less Than Significant Impact.	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19, 21, 24, 25, 30
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X		The soil on the cultivation area is type 145 which is not expansive, and is usually well drained and the hazard of erosion is moderate and would not likely cause substantial direct or indirect risk to life or property as grading not proposed at this time. Less Than Significant Impact.	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19, 21, 24, 25, 30
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		According to the soil survey of Lake County, prepared by U.S.D.A., for soil type 145 if it is used for septic tank absorption fields, the limitation of moderately slow permeability can be minimized by increasing the size of the absorption field or by using a specially designed sewage disposal system. The project site has an existing septic that was permitted through Environmental Health. Less Than Significant Impact.	1, 3, 4, 5, 6, 7, 10, 16, 17, 18, 19, 21, 24, 25, 29, 30
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X		There are no unique paleontological or geologic features on the site. Less than Significant Impact.	1, 3, 4, 5, 11, 14, 15
VIII. 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 can come from construction activities and from post-construction activities. Some new construction activities will occur on the site (greenhouses and storage sheds), and there are minimal gasses that could result from outdoor and indoor cultivation activities. The greenhouses will be equipped with airborne particulate carbon filters. The outdoor cultivation areas will not have specific greenhouse gas-producing elements; no ozone will result, and the cannabis plants will, to a small degree, help capture carbon dioxide. Less than Significant.	1, 3, 4, 5, 21, 24, 29, 30, 31, 32, 34, 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. The County of Lake is an 'air attainment' County, and does not have any established thresholds of significant for greenhouse gases. No Impact.	1, 3, 4, 5, 21, 24, 29, 30, 31, 32, 34, 36

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
IX. 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		<p>According to the applicant's application package, the proposed project will use organic pest control and fertilizers. This will significantly limit potential environmental hazards. Cannabis waste is proposed to be chipped and disbursed on site; burning cannabis vegetation is not permitted; this is a standard condition of approval.</p> <p>Materials associated with the proposed Cultivation of Commercial Cannabis, such as gasoline, pesticides, fertilizers, alcohol, hydrogen peroxide and the equipment emissions may be considered hazardous if released into the environment. The applicant has stated that all potentially harmful chemicals will be stored and locked in a secured building on site.</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>Less than Significant.</p>	1, 3, 4, 5, 10, 13, 17, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36
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		<p>See response to Section IX (a).</p> <p>Less than Significant.</p>	1, 3, 4, 5, 10, 13, 17, 20, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X	<p>The proposed project is not located within one-quarter mile of an existing or proposed school.</p> <p>No Impact.</p>	1, 3, 4, 5, 10, 13, 17, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X		<p>The project site is not listed as a site containing hazardous materials in the databases maintained by the Environmental Protection Agency (EPA).</p> <p>Less Than Significant Impact.</p>	1, 3, 4, 5, 10, 13, 17, 21, 24, 25, 29, 30, 31, 32, 33, 34, 36
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X	<p>The project is not located within two (2) miles of an airport and/or within an Airport Land Use Plan.</p> <p>No Impact.</p>	1, 3, 4, 5, 20, 22

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X	The project would not impair or interfere with an adopted emergency response or evacuation plan. No Impact.	1, 3, 4, 5, 20, 22, 35, 37
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X		The parcel is mapped as Moderate to High Fire Risk. The applicant will adhere to all Federal, State and local agency requirements/regulations for setbacks and defensible space. Less Than Significant Impact.	1, 3, 4, 5, 20, 35, 37
X. HYDROLOGY AND WATER QUALITY <i>Would the project:</i>						
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X		The project parcel is currently served by an existing onsite septic and well. The applicant shall adhere to all Federal, State and Local regulations regarding wastewater treatment and water usage requirements. Less than Significant.	1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X		According to the applicant, the project site is equipped with two existing wells. One (1) well will be used as a primary water source, while the second well will be used for emergencies only. The primary well has an estimated 60 GPM. The water will be pumped and stored in water tanks located near the cultivation site. Water is delivered to a drip irrigation system via a 1 Horsepower (HP) jet pump pressure tank. The projected monthly water usage is 135,000 gallons for cultivation. Drip lines will be sized to irrigate large areas slowly, to maximize absorption, and will be placed under a layer of straw mulch. According to the <u>Property Management Plan</u> , the following are irrigation best management practices (BMP's) that are proposed by Magic Meadow Farm's: <ul style="list-style-type: none"> • The site will utilize a drip irrigation system with a schedule that minimizes water usage. • Regular inspections of the water delivery system to prevent and immediately repair leaks • Replace worn, outdated, or inefficient system components and equipment to ensure a properly functioning irrigation system • Drip irrigation will be utilized instead of spray sprinklers in narrow or complex shaped areas • Reduce overspray of impervious surfaces and prevent runoff water Less than significant.	1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: <ul style="list-style-type: none"> i) Result in substantial erosion or siltation on- or off-site; ii) Substantially increase the rate or amount of surface runoff in a manner which 			X		The applicant has stated that the total cultivation area is about 79,400 square feet in size, and the canopy area is about 51,240 square feet in area. This represents about 0.8% of the entire 208-acre site. Furthermore one (1) acre of the 79,400 square feet is outdoor which will remain permeable. The greenhouses are not permeable, however, the footprint of the buildings are small comparatively to the property and the runoff resulting from those buildings is not significant. If development activities will occur on over one (1) acre of new disturbance, the project will require coverage under a <u>Construction General Permit for Storm Water Management</u> , including a <u>Storm water Pollution Prevention Plan (SWPPP)</u> .	1, 3, 4, 5, 13, 21, 23, 24, 25, 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>would result in flooding on- or off-site;</p> <p>iii) Create or contribute to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;</p> <p>iv) Impede or redirect flood flows?</p>					Less than Significant.	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X		<p>The project site is not located in a flood plain, a tsunami or seiche zone, and the risk of stormwater-related pollutants migrating is minimal. Further, all chemicals including pesticides, fertilizers, and other potentially toxic chemicals shall be stored in a manner that the chemicals will not be adversely affected in the event of a flood.</p> <p>Less than Significant.</p>	1, 3, 4, 5, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X		<p>See response to X (d) above.</p> <p>Less than Significant.</p>	1, 3, 4, 5, 10, 13, 21, 23, 24, 25, 29, 31, 32, 33, 34
<p align="center">XI. LAND USE AND PLANNING <i>Would the project:</i></p>						
a) Physically divide an established community?				X	<p>The proposed project site would not physically divide an established community.</p> <p>No Impact.</p>	1, 3, 4, 5, 6, 35
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X		<p>This project is consistent with the Lake County General Plan, The Middletown Area Plan and the Lake County Zoning Ordinance.</p> <p>Less than Significant.</p>	1, 3, 4, 5, 20, 21, 22, 27, 28
<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	<p>According to the California Department of Conservation: Mineral Land Classification, there are no known mineral resources on the project site.</p> <p>No Impact.</p>	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	<p>The County of Lake's General Plan, the Middletown Area Plan nor the Lake County Aggregate Resource Management Plan designates the project site as being a locally important mineral resource recovery site.</p> <p>No Impact.</p>	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,		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 the following mitigation measures incorporated:</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**
or applicable standards of other agencies?					<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 7:00PM 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>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		<p>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. According to the applicant's application package, two (2) trucks will be used for an approximate six (6) trips for construction.</p> <p>Less Than Significant Impact.</p>	1, 3, 4, 5, 13
XIV. POPULATION AND HOUSING <i>Would the project:</i>						
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X		<p>The project is not anticipated to induce population growth.</p> <p>Less than Significant Impact.</p>	1, 3, 4, 5
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X	<p>No housing will be displaced as a result of the project.</p> <p>No Impact.</p>	1, 3, 4, 5
XV. PUBLIC SERVICES <i>Would the project:</i>						
<p>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:</p> <ul style="list-style-type: none"> - Fire Protection? - Police Protection? - Schools? - Parks? - Other Public Facilities? 				X	<p>The project does not propose any new housing or other uses that would necessitate 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.</p> <p>No Impact.</p>	1, 3, 4, 5, 13, 17, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
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
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 proposed project site is accessed from a private dirt road off of St. Helena Creek Drive (County Maintained). This project was presented to the County Road Department and to CalFire who had no substantial comments regarding increased construction, delivery or employee-related trips generated by this project. Less than Significant Impact.	1, 3, 4, 5, 9, 20, 22, 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		The land use project is the use permit, which the applicant has applied for. The proposed use will not cause any improvements to St. Helena Creek Drive. Less than Significant Impact.	1, 3, 4, 5, 9, 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 proposed use will not conflict with and/or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)(2). No Impact.	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
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		The proposed use will not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). Less than Significant Impact	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
e) Result in inadequate emergency access?				X	As proposed, this project will not impact existing emergency access. No Impact.	1, 3, 4, 5, 9, 20, 22, 27, 28, 35
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).	1, 3, 4, 5, 11, 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		X			See Response to Section V (a).	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**
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.						
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 applicant, the proposed use is anticipated to use a monthly rate of 135,000 gallons for cultivation. The Site is served by an on-site well and septic system. Power is proposed to be Solar. The cannabis cultivation will minimize water use by using a low-pressure drip irrigation system. Less than Significant Impact.	1, 3, 4, 5, 29, 32, 33, 34, 37
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			X		See Response to Section XIX (a). Less Than Significant Impact.	1, 3, 4, 5, 29, 32, 33, 34, 36, 37
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		See Response to Section XIX (a). Less Than Significant Impact.	1, 3, 4, 5, 29, 32, 33, 34
d) Generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure?			X		The nearest existing landfill is South Lake Refuse, which serves this site, has sufficient capacity to accommodate the project's solid waste disposal needs. Less than Significant Impact.	1, 3, 4, 5, 28, 29, 32, 33, 34, 36
e) Negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals?			X		The proposed use will not negatively impact the provision of solid waste services or impair the attainment of solid waste reduction goals as the applicant will chip and spread the cannabis waste on site. Less than Significant Impact.	1, 3, 4, 5, 29, 32, 33, 34, 36
f) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X		All requirements and regulations related to solid waste will apply to this project. Less than Significant Impact.	1, 3, 4, 5, 29, 32, 33, 34, 36

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
XX. WILDFIRE <i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>						
a) Impair an adopted emergency response plan or emergency evacuation plan?			X		The subject site is accessed by a private road off of St. Helena Creek Drive. The property is located within an SRA Area, the applicant shall adhere to all Federal, State, and local agency requirements. Less than Significant Impact.	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		See response XX (a). Less than Significant Impact.	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		No additional wildfire-related site improvements appear to be needed. Less than Significant Impacts.	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		There is small chance of risks associated with post-fire slope runoff, instability or drainage changes given the flatness of the cultivation site. Less than Significant Impact.	1, 2, 4, 5, 6, 20, 23, 31, 35, 37, 38
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 a previously disturbed area that underwent a timberland conversion to agricultural land, and was impacted by the Valley Fire of 2015. As proposed, this project is not anticipated to significantly impact habitat of fish and/or wildlife species or cultural resources. Less than Significant Impact with Mitigation Measures BIO-1 through BIO-4.	All

IMPACT CATEGORIES*	1	2	3	4	All determinations need explanation. Reference to documentation, sources, notes and correspondence.	Source Number**
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 <u>Air Quality</u> , <u>Cultural Resources</u> , <u>Biological Resources</u> and <u>Noise</u> . 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. Less than Significant with Mitigation Incorporation	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, <u>Air Quality</u> , <u>Biological Resources</u> and <u>Noise</u> 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. Less than Significant with Mitigation Incorporation	All

* Impact Categories defined by CEQA

****Source List**

1. Lake County General Plan
2. Lake County GIS Database
3. Lake County Zoning Ordinance
4. Middletown Area Plan
5. Magic Meadow Farm’s 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, prepared by Ms. Lucy Macmillan, M.S., dated March 26, 2019.
14. Cultural Resource Evaluation – Jay M. Flaherty, dated March 31, 2019.
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 County Fire Protection District
38. Site Visit by Victor Fernandez – September 11, 2019