



## PUBLIC RESOURCES CODE 4290 FIRE SAFE REQUIREMENTS

Date: 06/03/2020

Assessor's Parcel #: 002-023-90; 002-023-93

### Type of request

☐ Building Permit ☐ Subdivision Map ☒ Use Permit ☐ Parcel Map ☐ Other (please give brief explanation on line below)

### Project Information

Applicant name: Beck Last Alex First

Address: 13306 Elk Mountain Road Street UPPER LAKE City

Cross Street: \_\_\_\_\_ Phone #: (\_\_\_\_) \_\_\_\_\_

*Applicant shall comply with the following subsections of Public Resources Code 4290 and 4291. Requirements shall be met prior to the issuance of a use permit; certificate of occupancy; the recording of a parcel or final map; filing of a notice of completion; or the final inspection of any building permit.*

#### Road Standards for Fire Equipment Access

- ☐ 1273.01 Road Width
- ☐ 1273.02 Roadway Surface
- ☐ 1273.03 Roadway Grades
- ☐ 1273.04 Roadway Radius
- ☐ 1273.05 Roadway Turnarounds
- ☐ 1273.06 Roadway Turnouts
- ☐ 1273.07 Roadway Structures
- ☐ 1273.08 One-way Roads
- ☐ 1273.09 Dead End Roads
- ☐ 1273.10 Driveways
- ☐ 1273.11 Gate Entrances

#### Water Supply for Emergency Fire Use

- ☐ 1275.10 General Water Supply Standards
- ☐ 1275.15 Hydrant/Fire Valve Standards
- ☒ 1275.20 Signing of Water Sources

#### Signing Streets, Roads & Buildings

- ☒ 1274.01 Street & Road Signs
- ☒ 1274.02 Road Sign Visibility/Legibility
- ☐ 1274.03 Height of Street & Road Signs
- ☒ 1274.04 Names/Numbers for Road Signs
- ☐ 1274.05 Intersecting Road Signs
- ☐ 1274.06 Traffic Access Limitation Signs
- ☐ 1274.07 Installation of Road/Street Signs
- ☐ 1274.08 Building/Structure Addresses
- ☐ 1274.09 Size of Letters/Numbers/Symbols
- ☐ 1274.10 Address Location & Visibility

#### Fuel Modification Standards

- ☐ 1276.01a Defensible Space Setback Greater Than an Acre
- ☐ 1276.01b Defensible Space Setback Less Than an Acre
- ☐ 1276.02 Disposal of Vegetation & Fuels
- ☒ 1276.03 Greenbelts
- ☐ 1299 Defensible Space Requirements

*This office reserves the right to have applicant comply with additional subsections of the Public Resources Code as additional information becomes available or in the course of the final inspection.*

Remarks/Mitigations/Exceptions allowed:

Authorizing Personnel Signature: \_\_\_\_\_ Title: CODE

Any future expansions or modifications may require additional fire protection requirements. Other agencies may impose more stringent requirements to this project.

FINAL INSPECTION COMPLETED BY: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_



**COUNTY OF LAKE**  
**Health Services Department**  
**Environmental Health Division**  
922 Bevins Court  
Lakeport, California 95453-9739  
Telephone 707/263-1090  
FAX 707/263-4395

Denise Pomeroy  
Health Services Director

Gary Pace, MD, MPH  
Public Health Officer

Jasjit Kang  
Environmental Health Director

***Promoting an Optimal State of Wellness in Lake County***

**Memorandum**

**DATE:** April 29, 2020  
**TO:** Victor Fernandez, Assistant Planner  
**FROM:** Kelli Hanlon, Office Services Supervisor  
**RE:** UP 18-29 CE 19-48  
**APN:** 002-023-90 and 002-023-93

The applicant must meet the Lake County Division of Environmental Health requirements regarding on-site wastewater treatment and potable water requirements.

For any proposed building permits or projects where the parcel is serviced by an Onsite Wastewater Treatment System (OTWS) (aka septic system), the applicant may need to demonstrate the location of any proposed or existing structures including residential or commercial dwellings, garages, sheds, barns, green houses, non-perimeter fences, well houses, etc.; the location of any existing or proposed OTWS; the location of any existing or proposed wells; the location of any existing or proposed driveways; and the location of the proposed project (i.e. commercial cannabis cultivation) on a to-scale site plan prior to building permit issuance and/or project approval.

If the applicant wants to add a new septic system for restrooms/plumbed wastewater at the processing facility, then our office will require a site evaluation and new septic permit application

Lake County Environmental Health requires all applicants to provide a written declaration of the chemical names and quantities of any Hazardous Material to be used on site. As a general rule, if a material has a Safety Data Sheet, that material may be considered as part of the facilities Hazardous Material Declaration.



**COUNTY OF LAKE**  
**HEALTH SERVICES**  
prevent.promote.protect.

## Victor Fernandez

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**From:** Gordon Haggitt  
**Sent:** Wednesday, April 1, 2020 3:34 PM  
**To:** Victor Fernandez  
**Subject:** RE: Request for Review; Major Use Permit (UP 18-29); Commercial Cannabis

Victor: My main concern is that the setbacks are being met with adjacent ownerships and the County Road. A survey may be required to verify these.

Gordon M. Haggitt  
County Surveyor, County of Lake  
(707)263-2341

**From:** Victor Fernandez [mailto:Victor.Fernandez@lakecountyca.gov]  
**Sent:** Tuesday, March 24, 2020 1:05 PM  
**To:** Steven Hajik <Steven.Hajik@lakecountyca.gov>; Doug Gearhart <doug@lcaqmd.net>; fahmya@lcaqmd.net; Elizabeth Knight <elizabethk@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Richard Ford <Richard.Ford@lakecountyca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; chief500@lakeportfire.com; pbleuss@kelseyvillefire.com; chief800@northshorefpd.com; gloria.fong@fire.ca.gov; mike.wink@fire.ca.gov; fdchf700@yahoo.com; pgenorthernagencyins@pge.com; rlk7@pge.com; kyle.stoner@wildlife.ca.gov; janae.fried@waterboards.ca.gov; melissa.m.france@usace.army.mil; ryan\_olah@fws.gov; anafus@blm.gov  
**Subject:** Request for Review; Major Use Permit (UP 18-29); Commercial Cannabis

Good Afternoon Agencies,

Attached below is a request for review for Major Use Permit (UP 18-29), please review the attached documents.

Please advise us if additional information is needed, which permits are required from your agency (if any), and of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than April 7, 2020. Please email your comments to victor.fernandez@lakecountyca.gov or mail them to the address listed in the letterhead above.

Sincerely,

Victor Fernandez – Assistant Planner

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Lake County – Community Development Department  
255 N. Forbes Street, Lakeport, CA 95453  
County Website: [www.lakecountyca.gov](http://www.lakecountyca.gov)  
Phone: (707) 263-2221

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## Files attached to this message



# NORTHSHORE FIRE PROTECTION DISTRICT

6257 Seventh Avenue • Post Office Box 1199 • Lucerne, California 95458

(707) 274-3100 • (707) 274-3102 Fax

District Fire Chief Mike Ciancio

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Station 75  
(707) 998-3294

Station 80  
(707) 274-3100

Station 85  
(707) 274-8834

Station 90  
(707) 275-2446

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March 23, 2020

Northshore Fire Protection District has the following comments regarding the proposed project.  
Better Nature Holdings, LLC. Major Use Permit, UP 18-29; Categorical Exemption 19-48;  
13306 Elk Mountain Rd, Upper Lake CA 95485

The Northshore Fire Protection District provides year-round fire protection services to the project area. Our closest staffed station to the project is at 9420 Main St. Upper Lake about 6 miles from the project area.

The project area is also in State Responsibility Area (SRA). California Department of Forestry and Fire Protection (Cal Fire) has primary responsibility for wildland fire protection during the fire season which generally runs from June to October. Cal Fire may require the project to meet state Public Resource Codes. Your Cal Fire contact will be at the St. Helena Station which is the Lake/ Napa and Sonoma Unit Headquarters for Cal Fire.

A proposed Use Permit may will require a Change of Occupancy and will be subject to the requirements of the California Fire Code and NFPA standards and the Public Resource Code. The need for fire hydrants and supporting water storage will be determined by the Lake County Building official and/or Cal Fire. Sprinkler systems, fire alarm systems, portable fire extinguishers, fire hose reels and other fire protection methods may need to be provided as required by the California Fire Code and the Lake County Building official.

The project may be subject to Fire Mitigation Fees. Once plans are submitted those fees may be calculated if applicable.

Fire Access Roads shall be meet the requirements of CCR 1273/PRC 4290.

Premises Identification- approved address numbers shall be placed on all buildings and or driveways in such a position as to be plainly visible and legible from the street or road fronting the property. Numbers shall contrast with their background.

***Key Box- a rapid entry lock box, approved by this fire district will be required if a gate is installed.***

Thank you for your consideration in this matter. Please feel free to contact me if you have any questions or concerns regarding these comments.

Respectfully,

**Fire Chief  
NorthShore Fire Protection District**



## LAKE COUNTY SHERIFF'S DEPARTMENT

1220 Martin Street • Lakeport, California 95453

**Administration**  
(707) 262-4200

**Central Dispatch**  
(707) 263-2690

**Coroner**  
(707) 262-4215

**Corrections**  
(707) 262-4240

**Patrol/Investigation**  
(707) 262-4230

**Substation**  
(707) 994-6433

**Brian L. Martin**  
**Sheriff / Coroner**

Lake County Community Development

RE: MUP 18-29  
13306 Elk Mountain Rd  
Upper Lake, CA

In review of the Security Management Plan submitted for MUP 18-29 via the Lake County Community Development Department in March 2020. The Lake County Sheriff's Office has determined the submitted security plan meets the requirements of the County of Lake as set forth in Lake County Ordinance 3084 / 3073.

The Lake County Sheriff's Office's review of the Security Plan is not an endorsement or recommendation of the Security Plan. It is a determination the Security Plan meets the minimum requirements as outlined in Lake County Ordinance 3084 / 3073.

The original, official document is retained by the Lake County Community Development Department. All inquiries regarding the status of cannabis permits or the application process should be directed to the Community Development Department.

*L. Bingham*  
Lieutenant Luke Bingham  
Lake County Sheriff's Office  
1220 Martin St.  
Lakeport, CA 95453  
707 262 4200

## Victor Fernandez

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**From:** Fahmy Attar <FahmyA@lcaqmd.net>  
**Sent:** Tuesday, March 24, 2020 1:43 PM  
**To:** Victor Fernandez  
**Subject:** [EXTERNAL]Re: Request for Review; Major Use Permit (UP 18-29); Commercial Cannabis

Victor,

For a Cannabis operation site, here is a list of Air Quality requirements that may be applicable to the site:

1. Off-site odor impacts should be mitigated to minimize nuisance to nearby residences, property, and public roads.
2. Any manufacturing or delivery Cannabis operations must comply with LCAQMD rules and regulations. An application must be submitted. Contact LCAQMD for more details.
3. Any demolition or renovation is subject to the Federal National Emissions Standard for Hazardous Air Pollutants (NESHAP) for asbestos in buildings requires asbestos inspections by a Certified Asbestos Consultant for all major renovations and all demolition. An Asbestos Notification Form with the Asbestos inspection report must be submitted to the District at least 14 days prior to beginning any demolition work. The applicant must contact the District for more details and proper approvals. Regardless of asbestos content or reporting requirements all demolition and renovation activities should use adequate water/ amended water to prevent dust generation and nuisance conditions.
4. Construction activities that involve pavement, masonry, sand, gravel, grading, and other activities that could produce airborne particulate should be conducted with adequate dust controls to minimize airborne emissions. A dust mitigation plan may be required should the applicant fail to maintain adequate dust controls.
5. If construction or site activities are conducted within Serpentine soils, a Serpentine Control Plan may be required. Any parcel with Serpentine soils must obtain proper approvals from LCAQMD prior to beginning any construction activities. Contact LCAQMD for more details.
6. All engines must notify LCAQMD prior to beginning construction activities and prior to engine Use. Mobile diesel equipment used for construction and/or maintenance must be in compliance with State registration requirements. All equipment units must meet Federal, State and local requirements. All equipment units must meet RICE NESHAP/NSPS requirements including proper maintenance to minimize airborne emissions and proper record-keeping of all activities, all units must meet the State Air Toxic Control Measures for CI engines, and must meet local regulations. Contact LCAQMD for more details.
7. Site development, vegetation disposal, and site operation shall not create nuisance odors or dust. During the site preparation phase, the District recommends that any removed vegetation be chipped and spread for ground cover and erosion control. Burning is not allowed on commercial property, materials generated from the commercial operation, and waste material from construction debris, must not be burned as a means of disposal.
8. Significant dust may be generated from increase vehicle traffic if driveways and parking areas are not adequately surfaced. Surfacing standards should be included as a requirement in the use permit to minimize dust impacts to the public, visitors, and road traffic. At a minimum, the District recommends chip seal as a temporary measure for primary access roads and parking. Paving with asphaltic concrete is preferred and



should be required for long term occupancy. All areas subject to semi truck / trailer traffic should require asphaltic concrete paving or equivalent to prevent fugitive dust generation. Gravel surfacing may be adequate for low use driveways and overflow parking areas, however, gravel surfaces require more maintenance to achieve dust control, and permit conditions should require regular palliative treatment if gravel is utilized. White rock is not suitable for surfacing (and should be prohibited in the permit) because of its tendency to break down and create excessive dust. Grading and re-graveling roads should utilize water trucks if necessary, reduce travel times through efficient time management and consolidating solid waste removal/supply deliveries, and speed limits.

Best,

**Fahmy Attar**

Air Quality Engineer

Lake County Air Quality Management District

2617 S. Main Street, Lakeport, CA, 95453

(707) 263-7000 | [fahmya@lcaqmd.net](mailto:fahmya@lcaqmd.net)

On Mar 24, 2020, at 1:08 PM, Victor Fernandez <[Victor.Fernandez@lakecountyca.gov](mailto:Victor.Fernandez@lakecountyca.gov)> wrote:

Hello Agencies,

I failed to attach the RFR document to the previous email. You will find that attached here.

Sincerely,

*Victor Fernandez – Assistant Planner*

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Lake County – Community Development Department

255 N. Forbes Street, Lakeport, CA 95453

County Website: [www.lakecountyca.gov](http://www.lakecountyca.gov)

Phone: (707) 263-2221

**From:** Victor Fernandez [<mailto:Victor.Fernandez@lakecountyca.gov>]

**Sent:** Tuesday, March 24, 2020 1:05 PM

**To:** Steven Hajik <[Steven.Hajik@lakecountyca.gov](mailto:Steven.Hajik@lakecountyca.gov)>; Doug Gearhart

<[dougg@lcaqmd.net](mailto:dougg@lcaqmd.net)>; [fahmya@lcaqmd.net](mailto:fahmya@lcaqmd.net); Elizabeth Knight <[elizabethk@lcaqmd.net](mailto:elizabethk@lcaqmd.net)>; Ryan Lewelling

<[Ryan.Lewelling@lakecountyca.gov](mailto:Ryan.Lewelling@lakecountyca.gov)>; Richard Ford <[Richard.Ford@lakecountyca.gov](mailto:Richard.Ford@lakecountyca.gov)>; Jim Campbell

<[Jim.Campbell@lakecountyca.gov](mailto:Jim.Campbell@lakecountyca.gov)>; David Casian <[David.Casian@lakecountyca.gov](mailto:David.Casian@lakecountyca.gov)>; Kelli Hanlon

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<[Lucas.Bingham@lakecountyca.gov](mailto:Lucas.Bingham@lakecountyca.gov)>; Lori Baca <[Lori.Baca@lakecountyca.gov](mailto:Lori.Baca@lakecountyca.gov)>; Gordon Haggitt

<[Gordon.Haggitt@lakecountyca.gov](mailto:Gordon.Haggitt@lakecountyca.gov)>; Greg Peters <[Greg.Peters@lakecountyca.gov](mailto:Greg.Peters@lakecountyca.gov)>; Yuliya Osetrova

<[Yuliya.Osetrova@lakecountyca.gov](mailto:Yuliya.Osetrova@lakecountyca.gov)>; [chief500@lakeportfire.com](mailto:chief500@lakeportfire.com); [pbleuss@kelseyvillefire.com](mailto:pbleuss@kelseyvillefire.com); [chief800@northshorefpd.com](mailto:chief800@northshorefpd.com); [gloria.fong@fire.ca.gov](mailto:gloria.fong@fire.ca.gov); [mike.wink@fire.ca.gov](mailto:mike.wink@fire.ca.gov); [fdchf700@yahoo.com](mailto:fdchf700@yahoo.com); [\[hernagencyins@pge.com\]\(mailto:hernagencyins@pge.com\); \[rlk7@pge.com\]\(mailto:rlk7@pge.com\); \[kyle.stoner@wildlife.ca.gov\]\(mailto:kyle.stoner@wildlife.ca.gov\); \[janae.fried@waterboards.ca.gov\]\(mailto:janae.fried@waterboards.ca.gov\);](mailto:pgenort</a></p></div><div data-bbox=)

[melissa.m.france@usace.army.mil](mailto:melissa.m.france@usace.army.mil); [ryan\\_olah@fws.gov](mailto:ryan_olah@fws.gov); [anafus@blm.gov](mailto:anafus@blm.gov)

**Subject:** Request for Review; Major Use Permit (UP 18-29); Commercial Cannabis

## Victor Fernandez

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**From:** Lori Baca  
**Sent:** Tuesday, March 24, 2020 4:45 PM  
**To:** Victor Fernandez  
**Subject:** RE: Request for Review; Major Use Permit (UP 18-29); Commercial Cannabis

Victor,

Parcels 002-023-90 and -93 are all outside of any Special Districts service areas, no impact.

**Lori A. Baca, CTA**  
Customer Service Coordinator  
[Lori.Baca@lakecountyca.gov](mailto:Lori.Baca@lakecountyca.gov)  
Office Number (707) 263-0119  
Fax (707) 263-3836



**From:** Victor Fernandez [mailto:Victor.Fernandez@lakecountyca.gov]  
**Sent:** Tuesday, March 24, 2020 1:05 PM  
**To:** Steven Hajik <Steven.Hajik@lakecountyca.gov>; Doug Gearhart <doug@lcaqmd.net>; fahmya@lcaqmd.net; Elizabeth Knight <elizabethk@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Richard Ford <Richard.Ford@lakecountyca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; chief500@lakeportfire.com; pbleuss@kelseyvillefire.com; chief800@northshorefpd.com; gloria.fong@fire.ca.gov; mike.wink@fire.ca.gov; fdchf700@yahoo.com; pgenorthernagencyins@pge.com; rlk7@pge.com; kyle.stoner@wildlife.ca.gov; janae.fried@waterboards.ca.gov; melissa.m.france@usace.army.mil; ryan\_olah@fws.gov; anafus@blm.gov  
**Subject:** Request for Review; Major Use Permit (UP 18-29); Commercial Cannabis

Good Afternoon Agencies,

Attached below is a request for review for Major Use Permit (UP 18-29), please review the attached documents.

Please advise us if additional information is needed, which permits are required from your agency (if any), and of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than April 7, 2020. Please email your comments to [victor.fernandez@lakecountyca.gov](mailto:victor.fernandez@lakecountyca.gov) or mail them to the address listed in the letterhead above.

Sincerely,

Victor Fernandez – Assistant Planner





YOCHA DEHE  
CULTURAL RESOURCES

March 26, 2020

RECEIVED  
APR 06 2020  
LAKE COUNTY COMMUNITY  
DEVELOPMENT DEPT.

County of Lake - Planning Division  
Attn: Victor Fernandez, Assistant Planner  
255 N. Forbes Street  
Lakeport, CA 95453

RE: 13306 Elk Mountain Road Cannabis Project

Dear Mr. Fernandez:

Thank you for your project notification letter dated, March 24, 2020, regarding cultural information on or near the proposed 13306 Elk Mountain Road Upper Lake Cannabis Project, Upper Lake, Lake County. We appreciate your effort to contact us.

The Cultural Resources Department has reviewed the project and concluded that it is not within the aboriginal territories of the Yocha Dehe Wintun Nation. Therefore, we respectfully decline any comment on this project. However, based on the information provided, please defer correspondence to the following:

Habematelol Pomo of Upper Lake  
Attn: Linda Rosas-Bill  
P.O. Box 516  
Upper Lake, CA 95485

Please refer to identification number YD-03242020-02 in any future correspondence with Yocha Dehe Wintun Nation concerning this project.

Thank you for providing us with this notice and the opportunity to comment.

Sincerely,

Isaac Bojorquez  
Isaac Bojorquez (Mar 31, 2020)

Isaac Bojorquez  
Director of Cultural Resources

cc: Habematelol Pomo of Upper Lake

## **Victor Fernandez**

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**From:** Ryan Peterson <rpeterson@middletownrancheria.com>  
**Sent:** Tuesday, March 24, 2020 2:05 PM  
**To:** Victor Fernandez  
**Subject:** [EXTERNAL]Re: Request for Review; Major Use Permit (UP 18-29); Commercial Cannabis

Hey Victor,

The Middletown Rancheria of Pomo Indians of California (the "Tribe") or ("Middletown Rancheria") is in receipt of your notification dated 3/24/20 regarding the referenced project in the subject line of this email correspondence.

Our Tribal Historic Preservation Office has reviewed the project and concluded that it is not within the aboriginal territories of the Middletown Rancheria. Therefore, we respectfully decline any comment on this project.

Should you have any questions, please feel free to contact our office:

Middletown Rancheria  
Tribal Historic Preservation Department  
Office: (707) 987-1315  
Email: [THPO@middletownrancheria.com](mailto:THPO@middletownrancheria.com)

We thank you for providing us with this notice and the opportunity to provide comments to the referenced project(s). Nothing herein should be construed to be a waiver or limitation of any of Middletown Rancheria's rights in law, equity or otherwise. All rights, claims and remedies are specifically reserved.

Regards,

Ryan Peterson  
Admin & Projects Coordinator  
Middletown Rancheria  
Tribal Historic Preservation Department  
PO Box 1035 Middletown, CA 95461  
Phone: (707) 987-1315  
Fax: (707) 987-9091

On Tue, Mar 24, 2020 at 1:08 PM Victor Fernandez <[Victor.Fernandez@lakecountyca.gov](mailto:Victor.Fernandez@lakecountyca.gov)> wrote:  
Good Afternoon Tribal Agencies,

Attached below is a request for review for Major Use Permit (UP 18-29), please review the attached documents.

In accordance with Assembly Bill 52 (AB52) and Section 21080.3.1(b) of the California Public Resources Code (PRC), we are responding to your request to be notified of projects in our jurisdiction that will be reviewed under CEQA. We are hereby notifying you of an opportunity to consult with us regarding the potential for this project to impact Tribal Cultural Resources, as defined in Section 21074 of the PRC. The purposes of tribal consultation under AB52 are to determine, as part of the CEQA review process, whether or not Tribal Cultural Resources are present within the project area, and if so, whether or not those resources will be significantly impacted by the project. If tribal cultural resources may be significantly impacted, then consultation will also help to determine the most appropriate way to avoid or mitigate those impacts. In accordance with

## Victor Fernandez

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**From:** Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>  
**Sent:** Saturday, April 11, 2020 12:32 AM  
**To:** Victor Fernandez  
**Cc:** Beristianos, J@NSD; Hakala, Jeff@CALFIRE; David Casian; Jack Smalley; Hannan, Jake@CALFIRE  
**Subject:** [EXTERNAL]Re: Request for Review; Major Use Permit (UP 18-29); Commercial Cannabis

Greetings Planner Fernandez.

These comments are from CAL FIRE.

This Use Permit is in the SRA (State Responsibility Area). The requires the application of all Fire Codes, which also apply Title 14, PRC 4290 et'al.

The delay of any Fire Safe Standards is not allowed per Title, Code, Regulation et'al, and CAL FIRE does not support any delayed application of minimum fire safe standards.

If the AHJ chooses to not enforce minimum fire safe standards during the permit process that is required by the State Fire Safe Regulations (Title 14, PRC 4290 et'al), they are accepting all responsibility for not requiring the applicant to follow minimum State Fire Safe Regulations required in the SRA.

The Lake County Chief Building Official is also the County Fire Marshall who shall ensure all Codes, Laws, Regulations and etcetera for this project shall be applied. This is also within the local Fire Protection Districts Boundary, where they are a cooperater in applying and enforcing all Codes, Laws, Regulations and etcetera for this project and they will also have comments.

While not in Title, Code or Regulation, CAL FIRE does support the County of Lake's "Dark Sky Initiative". This standard reduces the false reporting of a vegetation fire from light during the night. False activation of the 911 system puts the community and first responders at risk when it can be avoided.

This location is within proximity and or surrounded by a "VERY HIGH Wildland Fire Hazard Severity Zone" area. This is the most extreme and hazardous area category for wildland fire risk. (see below)

Regulations for the AHJ to follow listed below to be , but not be limited to:

- Property line setbacks for structures shall be a minimum of 30 feet. A "Greenhouse" is a structure.
- Addressing that is reflective and of contrasting colors from the public roadway to the location and at every intersection.
- On site water storage for fire protection of each structure per NFPA 1142.
- Per NFPA 1142, fire suppression water storage tanks for commercial use shall be steel or fiberglass (not plastic).

- All private property roads / access used for this project shall meet minimum Fire Safe standards for emergency vehicle ingress and egress
- A "One Way" loop road standard could be used, or a two lane road.
- A "Road" is two 10 foot lanes of travel for a total of 20 feet of derivable surface not including the shoulders.
- A "Driveway" is a 10 foot wide road with a turnout every 400 feet. This shall not be used for commercial applications, or access to more than three structures that are residences.
- A "Turnout" shall be a minimum 10 feet wide and 30 feet long, with a 25 foot taper at each end
- A "One Lane", "One Way" only loop road is 12 feet wide of derivable surface, plus shoulders. A one lane road must connect on both ends to a two lane road or County Road.
- A bridge can meet the "One Lane", "One Way" 12 feet wide road standard with appropriate signage. A bridge must be marked by the owner of the bridge that it is rated to support 75,000 pounds.
- A bridge shall not be less than 12 feet wide.
- A bridge can meet the "Road " 20 feet wide standard. A bridge must be marked by the owner of the bridge that is is rated to support 75,00 pounds.
- Existing roadways on private property shall meet, and or be improved to meet "Road" standards.
- All weather roadway surfaces shall be rated/engineered for 75,000 lb vehicles is the minimum (including bridges).
- All weather roadway surfaces do not ever have mud, standing or flowing water that vehicles have to travel through.
- Maximum roadway slope is 16%.
- Gate width is 14 foot minimum.
- Gate set backs are a minimum of 30 feet from a road to the gate.
- Gates shall have access criteria locks and alike that meet the local Fire Protection District standard "KNOX" (or similar) access program.
- Parking at the site shall allow for turnarounds, hammerhead T, or similar.
- Minimum fuels reduction of 100 feet of defensible space from all structures.
  - Some applications have mention that they may have a gasoline generator for backup power when solar is not available. If this is the case, the generator shall be placed on a minimum of a 10 foot radius of a non combustibile surface. It shall have a minimum of a 3A-40B.C Fire Extinguisher within the 10 foot radius.

- This property will meet the criteria to be, or will be a CERS / CUPA reporting facility/entity to Lake County Environmental Health (see hyperlink below), it shall also comply specifically with PRC4291.3 requiring 300 feet of defensible space and fuels reduction around structures. In summary, any structure or location that stores hazardous, flammable or dangerous items shall establish and maintain 300 feet of defensible space / fuels reduction around its radius.
- While not in Title, Code or Regulation, CAL FIRE does support the County of Lake's "Dark Sky Initiative". This standard reduces the false reporting of a vegetation fire from light during the night. False activation of the 911 system puts the community and first responders at risk when it can be avoided.

[http://www.fire.ca.gov/fire\\_prevention/fire\\_prevention\\_wildland\\_codes](http://www.fire.ca.gov/fire_prevention/fire_prevention_wildland_codes)

#### California's Wildland-Urban Interface Code Information - CAL FIRE - Home www.fire.ca.gov

The law requires that homeowners do fuel modification to 100 feet (or the property line) around their buildings to create a defensible space for firefighters and to protect their homes from wildfires. New building codes will protect buildings from being ignited by flying embers which can travel as ...

[http://www.lakecountycalifornia.gov/Government/Directory/Environmental\\_Health/Programs/cupa.htm](http://www.lakecountycalifornia.gov/Government/Directory/Environmental_Health/Programs/cupa.htm)

#### Hazardous Materials Management (CUPA)

[www.lakecountycalifornia.gov](http://www.lakecountycalifornia.gov)

The Lake County Division of Environmental Health is the Certified Unified Program Agency for all of Lake County, dealing with hazardous waste and hazardous materials.

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<https://www.nfpa.org/assets/files/AboutTheCodes/1142/1142-A2001-ROP.PDF>

#### Report of the Committee on - NFPA

[www.nfpa.org](http://www.nfpa.org)

351 Report of the Committee on Forest and Rural Fire Protection Richard E. Montague, Chair FIREWISE 2000, Inc., CA [SE] John E. Bunting, Secretary New Boston Fire Dept., NH [U]

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351 Report of the Committee on Forest and Rural Fire Protection Richard E. Montague, Chair  
FIREWISE 2000, Inc., CA [SE] John E. Bunting, Secretary New Boston Fire Dept., NH [U]

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**From:** Victor Fernandez <Victor.Fernandez@lakecountyca.gov>

**Sent:** Tuesday, March 24, 2020 1:08 PM

**To:** Victor Fernandez <Victor.Fernandez@lakecountyca.gov>; Steven Hajik <Steven.Hajik@lakecountyca.gov>; Gearhart, Doug@lcaqmd <doug@lcaqmd.net>; fahmya@lcaqmd.net <fahmya@lcaqmd.net>; Elizabeth Knight <elizabethk@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Richard Ford <Richard.Ford@lakecountyca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; 500, chief@LKP <chief500@lakeportfire.com>; pbleuss@kelseyvillefire.com <pbleuss@kelseyvillefire.com>; Beristianos, J@NSD <chief800@northshorefpd.com>; Fong, Gloria@CALFIRE <Gloria.Fong@fire.ca.gov>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Ch700, Fd@yahoo <fdchf700@yahoo.com>; pgenorthernagencyins@pge.com <pgenorthernagencyins@pge.com>; rlk7@pge.com <rlk7@pge.com>; Stoner, Kyle@Wildlife <Kyle.Stoner@wildlife.ca.gov>; Fried, Janae@Waterboards <Janae.Fried@Waterboards.ca.gov>; melissa.m.france@usace.army.mil <melissa.m.france@usace.army.mil>; ryan\_olah@fws.gov <ryan\_olah@fws.gov>; anafus@blm.gov <anafus@blm.gov>

**Subject:** RE: Request for Review; Major Use Permit (UP 18-29); Commercial Cannabis

**Warning:** this message is from an external user and should be treated with caution.

Hello Agencies,

I failed to attach the RFR document to the previous email. You will find that attached here.

Sincerely,

*Victor Fernandez - Assistant Planner*

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Lake County – Community Development Department  
255 N. Forbes Street, Lakeport, CA 95453  
County Website: [www.lakecountyca.gov](http://www.lakecountyca.gov)  
Phone: (707) 263-2221



**From:** Victor Fernandez [mailto:Victor.Fernandez@lakecountyca.gov]

**Sent:** Tuesday, March 24, 2020 1:05 PM

**To:** Steven Hajik <Steven.Hajik@lakecountyca.gov>; Doug Gearhart <dougg@lcaqmd.net>; fahmya@lcaqmd.net; Elizabeth Knight <elizabethk@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Richard Ford <Richard.Ford@lakecountyca.gov>; Jim Campbell <Jim.Campbell@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; chief500@lakeportfire.com; pbleuss@kelseyvillefire.com; chief800@northshorefpd.com; gloria.fong@fire.ca.gov; mike.wink@fire.ca.gov; fdchf700@yahoo.com; pgenorthernagencyins@pge.com; rlk7@pge.com; kyle.stoner@wildlife.ca.gov; janae.fried@waterboards.ca.gov; melissa.m.france@usace.army.mil; ryan\_olah@fws.gov; anafus@blm.gov  
**Subject:** Request for Review; Major Use Permit (UP 18-29); Commercial Cannabis

Good Afternoon Agencies,

Attached below is a request for review for Major Use Permit (UP 18-29), please review the attached documents.

Please advise us if additional information is needed, which permits are required from your agency (if any), and of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than April 7, 2020. Please email your comments to victor.fernandez@lakecountyca.gov or mail them to the address listed in the letterhead above.

Sincerely,

Victor Fernandez – Assistant Planner

Lake County – Community Development Department  
255 N. Forbes Street, Lakeport, CA 95453  
County Website: [www.lakecountyca.gov](http://www.lakecountyca.gov)  
Phone: (707) 263-2221

## Files attached to this message

Filename	Size	Checksum (SHA256)
Site Plans Sheets 1- 10_UP 18- 29.pdf	39.2 MB	553b7890cc26ee97d024e876085b4de3e9892f3a17e00d4dcc9b34615baf1ab1
Property Management Plan_UP 18- 29.pdf	324 KB	2bd79528c28d0f0cbaac7493876e6b15b52039b0026a29c72f72127456e6a921
Well Test Report_UP 18- 29.pdf	228 KB	c20ecfce70caf8d41a32d4539716df3d4b829d692bfddc5b371794e8736e8429

RECEIVED

MAR 25 2020



# COUNTY OF LAKE

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

LAKE COUNTY COMMUNITY  
DEVELOPMENT DEPT.

DISTRIBUTION DATE: March 24, 2020

## REQUEST FOR REVIEW FOR SUFFICIENCY

<u>@</u> AG. COMMISSIONER	<u>_____</u> FIRE PROTECTION DIST:	<u>@</u> CA DEPT FISH & WDLF
<u>@</u> AIR QUALITY MGMT	<u>@</u> Kelseyville	<u>@</u> CALTRANS
<u>@</u> ASSESSOR	<u>@</u> Lake County	<u>_____</u> STATE LANDS COMM.
<u>@</u> BUILDING DIVISION	<u>_____</u> Lake Pillsbury (no contact info)	<u>@</u> CRWQCB
<u>@</u> DPW - ROADS	<u>@</u> Lakeport County	<u>@</u> STATE DEPT. OF HEALTH
<u>@</u> ENVIRON HEALTH	<u>@</u> Northshore	<u>@</u> SONOMA STATE
<u>_____</u> LAKEBED MANAGEMENT	<u>@</u> South Lake County	<u>_____</u> NW INFORMATION CENTER
<u>_____</u> PUBLIC SERVICES	<u>@</u> CalFire	<u>@</u> ARMY CORPS
<u>@</u> SHERIFF	<u>_____</u>	<u>@</u> BLM
<u>@</u> SPECIAL DISTRICTS	<u>@</u> PG&E	<u>@</u> CALCANNABIS
<u>@</u> SURVEYOR	<u>_____</u> HOA	<u>@</u> GRADING: RON
<u>@</u> TAX COLLECTOR	<u>_____</u> WATER CO	<u>@</u> US FISH & WILDLIFE SVC
<u>_____</u> WASTE DISPOSAL	<u>_____</u> OTHER	<u>_____</u> US FOREST SERVICE
<u>@</u> WATER RESOURCES		

FROM: Victor Fernandez, Assistant Planner  
REQUEST: Major Use Permit, UP 18-29; Categorical Exemption 19-48;  
OWNER: Better Nature Holdings, LLC.  
APPLICANT: Alex Michael Beck

APN: 002-023-90 (Approximately 34.59 acres in size)  
002-023-93 (Approximately 20.37 acres in size)

LOCATION: 13306 Elk Mountain Rd, Upper Lake CA 95485

ZONING: "RR - SC - WW - FF": Rural Residential - Scenic Combining District - Waterway Combining District - Floodway Fringe Combining District

GENERAL PLAN: Rural Residential - Resource Conservation

HAZARDS: Project Parcel Located within State Responsibility Area  
FLOOD ZONE: "X - A" 0.2 % Annual Chance - Areas of 1 % annual flood.  
SOIL STABILITY: Generally Stable  
SOIL TYPE(s): Still loam (Type 233)  
Talmage very gravelly sandy loam (Type 237)  
Xerofluvents-Riverwash (Type 249)

WATER SOURCE: Well  
CONSTRUCTION: 140 truck trips  
CREEKS: Middle Creek and Salt Flat Creek  
EXISTING DEVELOPMENT: Pole barn, pump house

PROPOSAL:

The applicant is requesting approval of a Major Use Permit to allow the following licenses:

Two (2) **A – Type 1C: “Specialty Cottage”**: Cultivation for adult use cannabis of 2,500 square feet or less of total canopy size for mixed-light cultivation using light deprivation and/or artificial lighting below a rate of 25 watts per square foot, up to 25 mature plants for outdoor cultivation without the use of light deprivation and/or artificial lighting in the canopy area at any point in time, or 500 square feet or less of total canopy size for indoor cultivation within a permanent structure using exclusively artificial light or within any type of structure using artificial light at a rate above twenty-five watts per square foot, on one premises.

One (1) **A – Type 3: “Outdoor”**: Outdoor cultivation for adult use cannabis without the use of light deprivation and/or artificial lighting in the canopy area at any point in time from 10,001 square feet to one acre, inclusive, or total canopy size on one premises. **Please refer to attached site plans and project description for further information.**

**ACCESS**: Any site where a cannabis related activity is permitted shall have access to a public road or a recorded easement that allows for, but not limited to, delivery trucks, emergency vehicles, sheriff and other law enforcement officers, and government employees who are responsible for inspection or enforcement actions.

Please advise us if additional information is needed, which permits are required from your agency (if any), and of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **April 7, 2020**. Please email your comments to [victor.fernandez@lakecountycalifornia.gov](mailto:victor.fernandez@lakecountycalifornia.gov) or mail them to the address listed in the letterhead above.

COMMENTS: They are required to obtain an Operator Identification Number to purchase and apply all pesticides - restricted or not, organic or conventional from the  
 NAME \_\_\_\_\_ DATE \_\_\_\_\_

cc: 3	Supervisory District (RFR Only)	Eddie Crandell	Redbud Audubon
@	Carol Huchingson/Michelle Scully/Susan Parker		
	Other (Examples: Sierra Club / HOA /	Farm Bureau / etc.) (RFR Only)	

Ag Commissioners office. They need to train employees that spray pesticides conventional from the Ag commission be a hemp farm last year (they register records, they didn't grow any hemp.

They did not cultivate a testable hemp crop. They grew some small plants in a barn on the property that never made it to maturity, and never put plants in the ground or farmed the land. *fe*