PUBLIC RESOURCES CODE 4290 REQUIREMENTS

Date: 9/16/2020 Assessor's Parcel #: 013-013-11

Type of request

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

Project Information

Applicant name: Jennings (*Last*) Chris (*First*)

Address: 23492 Jerusalem Grade (*Street*) Middletown (*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:

4290 EXEMPT

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.

BEFORE CALLING THE COUNTY FOR A FINAL, please contact Fire Marshal David Miinch at (707) 987-3089 ext 2. Please allow at least 48 hours notice when scheduling an appointment for the final inspection with the Fire Marshal. For further information pertaining to any of the requirements under the Public Resources Code 4290 and 4291, please contact the Fire Marshal.

FINAL INSPECTION COMPLETED BY: **Title:** **Date**

Victor Fernandez

From: Yuliya Osetrova
Sent: Tuesday, March 10, 2020 8:32 AM
To: Victor Fernandez
Subject: RE: Notice of Intent to Adopt a Mitigated Negative Declaration for Major Use Permit, UP 19-07
Attachments: CNRFC - Water Resources - Daily Water Resources Update_current.pdf; CNRFC - Water Resources - Daily Water Resources Update_current_percentage.pdf; CNRFC - Water Resources - Daily Water Resources Update_WY2019.pdf; CNRFC - Water Resources - Daily Water Resources Update_WY2019_percentage....pdf

Victor,
I have a few comments for this project:

1. The duration of the well test was 2 hours which is not enough to make a statement that the "water table is strong at the location";
2. The test was performed on April 9, 2019 right at the end of winter and a rain season, when aquifers are naturally full (or even overly saturated) and no agricultural activities have started. I have attached the graphical sources to compare 2019 water year to current (2020) water year;
3. The well showed 24 gpm (gallons per minute) yield. However, this project's demand could be anything from 16.6 gpm (assumption made – 500 plants per acre and 6 gallons of water per plant) to 44 gpm (assumption made – 35 inches per acre per season).

Overall comment: there is not enough data to determine whether the project of the proposed magnitude would have "Less than significant impact" on the groundwater recharge for the aquifers in the location.

Yuliya Osetrova
Water Resources Engineer III
Lake County Water Resources Department
(707) 263-2344

From: Victor Fernandez
Sent: Monday, March 9, 2020 10:43 AM
To: Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>
Subject: RE: Notice of Intent to Adopt a Mitigated Negative Declaration for Major Use Permit, UP 19-07

Hello Yuliya,

I have attached the well test report to this email. Let me know if you need additional information to comment on the proposed Mitigated Negative Declaration. Thank you.

Sincerely,

Victor Fernandez – Assistant Planner

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

From: Yuliya Osetrova
Sent: Friday, March 6, 2020 9:47 AM
To: Victor Fernandez <Victor.Fernandez@lakecountyca.gov>
Subject: RE: Notice of Intent to Adopt a Mitigated Negative Declaration for Major Use Permit, UP 19-07

Victor,
Do you have well tests docs for this project. Please send if so.
Thanks
Y

From: Victor Fernandez
Sent: Thursday, March 5, 2020 11:23 AM
To: Victor Fernandez <Victor.Fernandez@lakecountyca.gov>
Subject: Notice of Intent to Adopt a Mitigated Negative Declaration for Major Use Permit, UP 19-07
Importance: High

Hello,

This email is in regards to the Notice of Intent (NOI) to adopt a Mitigated Negative Declaration for Major Use Permit (UP 19-07) located at 23492 Jerusalem Grade Road, Middletown, CA. I have attached a copy of the Notice of Intent (NOI) above, along with the Initial Study for you to review/comment. If you have any questions please let me know.

The public review period for the respective proposed Mitigated Negative Declaration based on Initial Study IS 19-12 will begin on March 5, 2020 and end on April 8, 2020. You are encouraged to submit written comments regarding the proposed Mitigated Negative Declaration. You may do so by submitting written comments to the Planning Division prior to the end of the review period. Copies of the application, environmental documents, and all reference documents associated with the project are available for review through the **Community Development Department, Planning Division; telephone (707) 263-2221**. Written comments may be submitted to the Planning Division or via email at victor.fernandez@lakecountyca.gov.

Sincerely,

Victor Fernandez - Assistant Planner

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

Middletown Rancheria
Tribal Historic Preservation Department
P.O. Box 1035
Middletown, CA 95461

January 30, 2020

Via Electronic Mail

Victor Fernandez
255 N. Forbes Street
Lakeport, CA 95453

Request: 23492 Jerusalem Grade Road, Middletown CA 95461; Chris Jennings

Dear Mr. Fernandez:

The Middletown Rancheria (Tribe) conducted a site visit with Mr. Jennings regarding the proposed project at above mentioned location on Thursday, January 30th. We thank you and Mr. Jennings for your willingness to work with us to safely mitigate our culturally sensitive artifacts and prehistoric sites. We are grateful for Mr. Jennings reaching out to us and giving us the opportunity to mitigate any concerns we may have had, sharing more details about the project and scope of work. The Tribe and our Department takes the preservation of our resources and sacred sites seriously.

After conducting the site visit we have concluded that due to very minimal ground disturbances, the Tribe is comfortable with the project moving forward. As always, should any new information or evidence of human habitation be found as this project progresses, we respectfully ask to be contacted to preserve our cultural resources. We do have a process to protect such important and sacred resources. We will not request that Mr. Jennings engage with us for a cultural monitoring agreement and hereby consider the AB52 consultation completed. Thank you for your help in this matter.

Regards,

p.p.
Ryan Peterson
Administrative and Projects Coordinator

Signed on behalf of Sally Peterson, Tribal Vice-Chairperson

Office Phone (707) 987-1315

Fax (707) 987-9091

Victor Fernandez

From: peteellis99 <peteellis99@yahoo.com>
Sent: Friday, March 13, 2020 5:02 PM
To: Victor Fernandez
Subject: RE: [EXTERNAL]Apn# 013-013-11

Thank you Victor, for the info, and timely response. I did have one last concern that occurred to me. There is an easement for the only access to the applicants property, which was originally engendered from my property many years back. It runs the length of my west side. I had used it for 10 years to access that area of my property for maintenance, security etc. Last year applicant stated it was his easement and didn't want me using it and bulldozed a drop off to the portion connecting to my northwest corner. I stated that an easement definition means he only owns the right to use the easement, not the actual land and as I understand real estate law, I have a right to continue to use it to access those areas of my property as I have done in the past. Is it possible to get clarification on the easement since it does seem to also be in the scope of applicants permit process? Thank you. Pete ellis

Sent from my Samsung Galaxy smartphone.

-------- Original message --------
From: Victor Fernandez <Victor.Fernandez@lakecountyca.gov>
Date: 3/13/20 3:42 PM (GMT-08:00)
To: peteellis99 <peteellis99@yahoo.com>
Cc: Scott DeLeon <Scott.DeLeon@lakecountyca.gov>, Mark Roberts <Mark.Roberts@lakecountyca.gov>
Subject: RE: [EXTERNAL]Apn# 013-013-11

Hello Mr. Ellis,

Thank you for the email. I have responded to your questions/concerns below in blue ink:

Thank you for the opportunity to give feedback to the proposed UP 19-07 for apn 013 013 11. My 40 acre parcel where I have resided since 2006 shares a north/south property line with this applicant. My house is about 700 feet from this cultivation.

I do welcome direct investment and agriculture in our valley as it benefits us locally, and also adds much needed tax income to the county. I just have a few concerns based on my close proximity to the proposed cannabis cultivation.

Chiefly, the applicant has not honored, or shown respect for previously accepted property lines. The north south line had been surveyed in the past. Previous owners and myself had honored this line which is roughly reflected by large pipe gates to applicants property, and county gis satellite parcel mapping. Presently, the old survey marker pipes have been moved or removed, and applicant has bulldozed 40 to 60 feet over the

previously recognized property line and have piled up 40 yards of debris, on my side, blocking my access and usability to my own property. I think it's reasonable to ask, that the applicant either roughly recognize the county gis boundaries, or hire at applicants expense, a completely independent unbiased survey, and that the survey be filed with the county.

The property lines of a parcel will need to be established through a surveyor.

Of more minor, but not inconsequential concern; I think it reasonable that all motorized folier spraying be done between 7am and 8pm as the 2 stroke and/or electric motors create a noise nuisance.

Similarly, generator usage should comply with best practices for sound deadening and decibel limits which are presently required for a generator permit in the county.

A condition of approval will be added that states that all construction activities including engine warm-up shall be limited Monday through Friday between the hours of 7:00 am and 7:00 pm to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels. Additionally, Maximum non-construction related sound levels shall not exceed levels of 55 dBA between the hours of 7:00 am to 10:00 pm and 45 dBA between the hours of 10:00 pm to 7:00 am within residential areas as specified within Zoning Ordinance Section 21-41.11 (Table 11.1) at the property lines.

Finally, any and all security or night work lighting, should be congruent with reasonable accepted limits for bulb type, strength, and lenses which reflect present nuisance laws in the county.

A condition of approval will be added that states that if lighting is contemplated, a lighting plan shall be submitted to the Community Development Department for review and approval. All outdoor lighting will need to be directed downward onto the project site and not onto adjacent properties. All lighting equipment will need to comply with the recommendations of darksky.org and the provisions of Section 21.48 of the Zoning Ordinance.

Let me know if you have any questions.

Sincerely,

Victor Fernandez

From: peteellis99 <peteellis99@yahoo.com>
Sent: Wednesday, March 11, 2020 2:27 PM
To: Victor Fernandez
Subject: [EXTERNAL]Apn# 013-013-11

To: lake county planning division

From: pete Ellis 23408 Jerusalem grade (apn# 013 013 15) phone 415 535 8616

To: Victor Fernandez

Thank you for the opportunity to give feedback to the proposed UP 19-07 for apn 013 013 11. My 40 acre parcel where I have resided since 2006 shares a north/south property line with this applicant. My house is about 700 feet from this cultivation.

I do welcome direct investment and agriculture in our valley as it benefits us locally, and also adds much needed tax income to the county. I just have a few concerns based on my close proximity to the proposed cannabis cultivation.

Chiefly, the applicant has not honored, or shown respect for previously accepted property lines. The north south line had been surveyed in the past. Previous owners and myself had honored this line which is roughly reflected by large pipe gates to applicants property, and county gis satellite parcel mapping. Presently, the old survey marker pipes have been moved or removed, and applicant has bulldozed 40 to 60 feet over the previously recognized property line and have piled up 40 yards of debris, on my side, blocking my access and usability to my own property. I think it's reasonable to ask, that the applicant either roughly recognize the county gis boundaries, or hire at applicants expense, a completely independent unbiased survey, and that the survey be filed with the county.

Of more minor, but not inconsequential concern; I think it reasonable that all motorized folier spraying be done between 7am and 8pm as the 2 stroke and/or electric motors create a noise nuisance.

Similarly, generator usage should comply with best practices for sound deadening and decibel limits which are presently required for a generator permit in the county.

Finally, any and all security or night work lighting, should be congruent with reasonable accepted limits for bulb type, strength, and lenses which reflect present nuisance laws in the county.

Please add my comments listed here to the planning divisions file on this application, and email me back confirmation that these comments were filed.

Thank you again for reaching out, and feel free to phone me with any questions.

Pete Ellis

Sent from my Samsung Galaxy smartphone.

Victor Fernandez

From: Lori Baca
Sent: Friday, March 6, 2020 8:30 AM
To: Victor Fernandez
Subject: RE: Notice of Intent to Adopt a Mitigated Negative Declaration for Major Use Permit, UP 19-07

Victor,

Parcel 013-013-11 located at 23492 Jerusalem GradeRd in Middletown is outside of any Special Districts service area, no impact.

Have a wonderful Friday!

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

From: Victor Fernandez
Sent: Thursday, March 05, 2020 11:23 AM
To: Victor Fernandez <Victor.Fernandez@lakecountyca.gov>
Subject: Notice of Intent to Adopt a Mitigated Negative Declaration for Major Use Permit, UP 19-07
Importance: High

Hello,

This email is in regards to the Notice of Intent (NOI) to adopt a Mitigated Negative Declaration for Major Use Permit (UP 19-07) located at 23492 Jerusalem Grade Road, Middletown, CA. I have attached a copy of the Notice of Intent (NOI) above, along with the Initial Study for you to review/comment. If you have any questions please let me know.

The public review period for the respective proposed Mitigated Negative Declaration based on Initial Study IS 19-12 will begin on March 5, 2020 and end on April 8, 2020. You are encouraged to submit written comments regarding the proposed Mitigated Negative Declaration. You may do so by submitting written comments to the Planning Division prior to the end of the review period. Copies of the application, environmental documents, and all reference documents associated with the project are available for review through the **Community Development Department, Planning Division; telephone (707) 263-2221**. Written comments may be submitted to the Planning Division or via email at victor.fernandez@lakecountyca.gov.

Sincerely,

Victor Fernandez - Assistant Planner

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

CALIFORNIA
Water Boards

GAVIN NEWSOM
GOVERNOR

JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

8 April 2020

CERTIFIED MAIL

Victor Fernandez
County of Lake
255 North Forbes Street
Lakeport, CA 95453

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, SOUTH LAKE FARMS PROJECT, SCH#2020030178, LAKE COUNTY

Pursuant to the State Clearinghouse's 5 March 2020 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the South Lake Farms Project, located in Lake County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by

the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:
http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:
https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201805.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Cannabis General Order

Cannabis cultivation operations are required to obtain coverage under the State Water Resources Control Board's *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities Order No. WQ 2017-0023-DWQ* (the Cannabis General Order). Cultivators that divert and store surface water (stream, lake, subterranean stream, etc.) to irrigate cannabis also need a valid water right.

The Water Boards Cannabis Cultivation Programs offer an easy to use online Portal for cultivators to apply for both Cannabis General Order coverage and a Cannabis Small Irrigation Use Registration (SIUR) water right, if needed.Visit the Water Boards Cannabis Cultivation Programs Portal at:
https://public2.waterboards.ca.gov/CGO

Additional information about the Cannabis General Order, Cannabis SIUR Program, and Portal can be found at: www.waterboards.ca.gov/cannabis

For questions about the Cannabis General Order, please contact the Central Valley Water Board's Cannabis Permitting and Compliance Unit at: centralvalleysacramento@waterboards.ca.gov or (916) 464-3291. For questions about Water Rights (Cannabis SIUR), please contact the State Water Board's Division of Water Rights at: CannabisReg@waterboards.ca.gov or (916) 319-9427.

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at: http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits[1]

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

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[1] Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit
Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ. For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml

Clean Water Act Section 404 Permit
If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification
If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State
If USACE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:
https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Waste Discharge Requirements – Discharges to Land
Pursuant to the State Board's Onsite Wastewater Treatment Systems Policy, the regulation of the septic system may be regulated under the local agency's management program.

Please note that only domestic wastewater coming from bathrooms and kitchens should be discharged to septic systems. Cannabis cultivation can generate other wastewaters such as irrigation runoff, water treatment effluent, cleaning agents, and wash waters. Discharges of these wastewaters to an on-site wastewater system such as a septic tank and leach field must obtain separate regulatory authorization, such as waste discharge requirements (WDRs), a conditional waiver of WDRs, or other permit mechanism, prior to discharge. The application to obtain WDRs or a conditional waiver of WDRs can take over a year to process and requires that you characterize the wastewater chemistry and volume. In lieu of discharging to a septic system, Water Board staff recommends that wastewaters from cannabis cultivation activities be discharged to a holding tank and then hauled by a servicing company to a community wastewater treatment plant for disposal.

For more information on waste discharges to land, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_land/index.shtml

Dewatering Permit
If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

Limited Threat General NPDES Permit
If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit
If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/help/permit/

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

Original Signed By:

Peter Minkel
Environmental Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento (via email)

Victor Fernandez

From: Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>
Sent: Thursday, April 2, 2020 4:24 PM
To: Victor Fernandez
Cc: Hakala, Jeff@CALFIRE; Jack Smalley; David Casian
Subject: [EXTERNAL]Re: Notice of Intent to Adopt a Mitigated Negative Declaration for Major Use Permit, UP 19-07
Attachments: Exempt Agricultural Building Permit.pdf

Good afternoon Planner Fernandez. As a follow up to the below I spoke to a few of the BOS members who referenced the Ag Departments process for procedure and governance. They sent me the attached permit application.

- On page 14 the ND document sates that the 10,000 square foot building is referenced as a "drying building".
- The County of Lake, Exempt Agricultural Building Permit, Owners Declaration #2 states in second sentence that "The structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated, or packaged, nor shall it be used by the public."
- Is the drying of a product in a building considered a process or treatment? If it is, this structure will need to be processed by CDD permit process.
- If the drying of a product inside of a building is not a process or treatment, what is it?

From: Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>
Sent: Sunday, March 29, 2020 7:21 PM
To: Victor Fernandez <Victor.Fernandez@lakecountyca.gov>
Cc: Hakala, Jeff@CALFIRE <Jeff.Hakala@fire.ca.gov>; Jack Smalley (Interim Fire Marshall) <jack.smalley@lakecountyca.gov>; David Casian <david.casian@lakecountyca.gov>; Fong, Gloria@CALFIRE <Gloria.Fong@fire.ca.gov>; Devin Hoberg <dhoberg9999@gmail.com>; Jim Comisky (Yes on L) <slcfdboardcomisky@yahoo.com>; Hannan, Jake@CALFIRE <Jake.Hannan@fire.ca.gov>; John Hesst (Dist 1) <dist1planningcomm@lakecountyca.gov>
Subject: Re: Notice of Intent to Adopt a Mitigated Negative Declaration for Major Use Permit, UP 19-07

Good afternoon Planner Fernandez.

These comments are from CAL FIRE and the South Lake County Fire Protection District. We have both provided initial comments, and we thank your Team for including them in the ND.

1. CAL FIRE and South Lake County Fire do not support this ND (Permit / request / et'al) if the privately owned or maintained roads and the commonly refereed to as the Soda Creek bridge are not required

to meet minimum State Fire Safe Standards. If it does require meeting the standard, we support the ND.

2. CAL FIRE and South Lake County Fire do not support "Early Activation" if minimum State Fire Safe Standards are intended to be delayed. The delayed application of minimum State Fire Safe Standards is not allowed in Title, Code or Regulation. If it does require meeting the standard, we support the ND.

Other observations.

- The 100 feet of defensible space shall apply to all structures. This Ag Structure is not exempt from Regulation/Code/Title. page 21
- The access is a concern. p 19
- The access is a concern. p 18
- The access is a concern. p 15
- This area was burned in 2015 during the Jerusalem Fire, in the 2004 Fall Lightning Siege and again in the Alderson fire in the 1950s.
- Where can the written interpretation be found clarifying that a 10,000 square foot structure for a commercial activity can be Ag Exempt? The South Lake County Fire Protection District needs this interpretation for transparency of Mitigation Fee collection with fair and consistent application. Occasionally applicants come to the Fire District requesting a exemption that based on our County Approved Ordinance are mostly denied. If a commercial activity can use a Ag Exempt structure and not have to pay mitigation fees the Fire District needs to review their Ordinance for possible revision.

From: Victor Fernandez <Victor.Fernandez@lakecountyca.gov>
Sent: Thursday, March 5, 2020 11:23 AM
To: Victor Fernandez <Victor.Fernandez@lakecountyca.gov>
Subject: Notice of Intent to Adopt a Mitigated Negative Declaration for Major Use Permit, UP 19-07

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

This email is in regards to the Notice of Intent (NOI) to adopt a Mitigated Negative Declaration for Major Use Permit (UP 19-07) located at 23492 Jerusalem Grade Road, Middletown, CA. I have attached a copy of the Notice of Intent (NOI) above, along with the Initial Study for you to review/comment. If you have any questions please let me know.

The public review period for the respective proposed Mitigated Negative Declaration based on Initial Study IS 19-12 will begin on March 5, 2020 and end on April 8, 2020. You are encouraged to submit written comments regarding the proposed Mitigated Negative Declaration. You may do so by submitting written comments to the Planning Division prior to the end of the review period. Copies of the application, environmental documents, and all reference documents associated with the project are available for review through the **Community Development Department, Planning Division; telephone (707) 263-2221**. Written comments may be submitted to the Planning Division or via email at victor.fernandez@lakecountyca.gov.

Sincerely,

Victor Fernandez - Assistant Planner

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

Victor Fernandez

From: Lori Baca
Sent: Thursday, July 18, 2019 8:10 AM
To: Eric Porter
Subject: RE: Request for Review and AB 52 Tribal Consultation - Jennings UP 19-07, Initial Study IS 19-12, early activation; commercial cannabis app

Eric,

Parcel 013-013-11 is outside of any Special Districts service area, no impact.

Have a great day!

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

From: Eric Porter
Sent: Wednesday, July 17, 2019 12:43 PM
To: Mary Jane Montana <MaryJane.Montana@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Fahmy Attar <FahmyA@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Ponce, Kevin@CDFA <Kevin.Ponce@cdfa.ca.gov>; Stoner, Kyle@Wildlife <Kyle.Stoner@wildlife.ca.gov>; Northwest Information Center <nwic@sonoma.edu>; Gloria Gregore <Gloria.Gregore@lakecountyca.gov>; sryan@big-valley.net; l.brown.elem@gmail.com; a.garcia@elemindiancolony.org; kkarolaepa@gmail.com; aarroyosr@hpultribe-nsn.gov; streppa@hpultribe-nsn.gov; hmarcks@hpultribe-nsn.gov; lrosas@hpultribe-nsn.gov; aholstine@hpultribe-nsn.gov; rpeterson@middletownrancheria.com; jsimon@middletownrancheria.com; MTR THPO <THPO@middletownrancheria.com>; jlord@middletownrancheria.com; slreyes@middletownrancheria.com; btorres@middletownrancheria.com; speterson@middletownrancheria.com; admin@rvrpomo.net; drogers@robinsonrancheria.org; tmartin@hpultribensn.gov; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>
Cc: Eric Porter <Eric.Porter@lakecountyca.gov>
Subject: Request for Review and AB 52 Tribal Consultation - Jennings UP 19-07, Initial Study IS 19-12, early activation; commercial cannabis app

Greetings all,

We have received a commercial cannabis application. The property is located on Jerusalem Grade Road past the bridge.

Please have any comments to me on or before Tuesday July 20, 2019.

Thank you,
Eric Porter

Middletown Rancheria
Tribal Historic Preservation Department
P.O. Box 1035
Middletown, CA 95461

July 23, 2019 Via Electronic Mail

Eric Porter
County of Lake
255 N. Forbes Street
Lakeport, CA 95453

Request:	Major Use Permit MUP 19-07, Initial Study IS 19-12, Early Activation EA 19-56
Applicant/ Owner:	Chris Jennings
Location:	23492 Jerusalem Grade Rd., Middletown
APN:	013-013-11

Dear Mr. Porter:

The Middletown Rancheria (Tribe) is in receipt of your notification dated July 17, 2019 regarding the above referenced matter. The proposed Project site and its surrounding area is a site of cultural, historical, and religious significance for the Tribe. The Tribe is aware of and concerned about significant cultural and sacred resources that, while known to the Tribe, might not be properly identified through record and survey searches. Moreover, the potential for cumulative impacts to tribal cultural resources must be adequately assessed.

Due to the high likelihood of disturbing tribal cultural resources, the Tribe hereby request that the following mitigation measures be incorporated to ensure preservation or mitigation of impacts to tribal cultural resources. We also we request government-to-government consultation with the County as the Lead/Responsible Agency of the Project. Please provide us copies of all available archaeological studies, geotechnical reports, proposed grading plans, and any other applicable scoping and environmental documents (if any) pertaining to the proposed Project, as soon as possible so that we may review them prior to our initial meeting.

Mitigation Measures

Due to the possibility of unearthing tribal cultural resources which include, but is not limited to, Native American human remains, funerary objects, items or artifacts, sites, features, places, landscapes or objects with cultural values to the Middletown Rancheria of Pomo Indians of California ("Tribe"), during ground disturbance activities, the following mitigation measures shall be incorporated into the Project for preservation or mitigation of significant impacts to tribal cultural resources.

Office Phone (707) 987-1315 *Fax (707) 987-9091*
THPO@Middletownrancheria.com

MM TCR-1: Prior to initial ground disturbance, the applicant shall retain a project Tribal Cultural Advisor approved by the Tribe, to direct all mitigation measures related to tribal cultural resources.

MM TCR-2: Ground disturbing activities occurring in conjunction with the Project (including surveys, testing, concrete pilings, debris removal, rescrapes, punchlists, erosion control (mulching, waddles, hydroseeding, etc.), pot-holing or auguring, boring, grading, trenching, foundation work and other excavations or other ground disturbance involving the moving of dirt or rocks with heavy equipment or hand tools within the Project area) shall be monitored on a full-time basis by qualified tribal monitor(s) approved by the Tribe. The tribal monitoring shall be supervised by the project Tribal Cultural Advisor. Tribal monitoring should be conducted by qualified tribal monitor(s) approved by the Tribe, who is defined as qualified individual(s) who has experience with identification, collection and treatment of tribal cultural resources of value to the Tribe. The duration and timing of the monitoring will be determined by the project Tribal Cultural Advisor. If the project Tribal Cultural Advisor determines that full-time monitoring is no longer warranted, he or she may recommend that tribal monitoring be reduced to periodic spot-checking or cease entirely. Tribal monitoring would be reinstated in the event of any new or unforeseen ground disturbances or discoveries.

MM TCR-3: The project Tribal Cultural Advisor and tribal monitor(s) may halt ground disturbance activities in the immediate area of discovery when known or suspected tribal cultural resources are identified until further evaluation can be made in determining their significance and appropriate treatment or disposition. There must be at minimum one tribal monitor for every separate area of ground disturbance activity that is at least 30 meters or 100 feet apart unless otherwise agreed upon in writing between the Tribe and applicant. Depending on the scope and schedule of ground disturbance activities of the Project (e.g., discoveries of cultural resources or simultaneous activities in multiple locations that requires multiple tribal monitors, etc.) additional tribal monitors may be required on-site. If additional tribal monitors are needed, the Tribe shall be provided with a minimum of three (3) business days advance notice unless otherwise agreed upon between the Tribe and applicant. The on-site tribal monitoring shall end when the ground disturbance activities are completed, or when the project Tribal Cultural Advisor have indicated that the site has a low potential for tribal cultural resources.

MM TCR-4: All on-site personnel of the Project shall receive adequate cultural resource sensitivity training approved by the project Tribal Cultural Advisor or his or her authorized designee prior to initiation of ground disturbance activities on the Project. The training must also address the potential for exposing subsurface resources and procedures if a potential resource is identified consistent. The Project applicant will coordinate with the Tribe on the cultural resource sensitivity training.

MM TCR-5: The Project applicant must meet and confer with the Tribe, at least 45 days prior to commencing ground disturbance activities on the Project to address notification, protection, treatment, care and handling of tribal cultural resources potentially discovered or disturbed during ground disturbance activities of the Project. All potential cultural resources unearthed by Project activities shall be evaluated by the project Tribal Cultural Advisor. The Tribe must have an opportunity to inspect and determine the nature of the resource and the

Office Phone (707) 987-1315 *Fax (707) 987-9091*
THPO@Middletownrancheria.com

best course of action for avoidance, protection and/or treatment of tribal cultural resources to the extent permitted by law. If the resource is determined to be a tribal cultural resource of value to the Tribe, the Tribe will coordinate with the Project applicant to establish appropriate treatment and disposition of the resources with appropriate dignity which may include reburial or preservation of resources. The Project applicant must facilitate and ensure that the determination of treatment and disposition by the Tribe is followed to the extent permitted by law. No laboratory studies, scientific analysis, curation, or video recording are permitted for tribal cultural resources without the prior written consent of the Tribe.

Pursuant to the California Public Resources Code section 21080.3.1 and applicable law, the Tribe request that the County promptly notify and consult with the Tribe prior to any agency action by the County to modify or reject any of the foregoing proposed mitigation measure and allow for meaningful consultation between the parties.

Further, we also request that Project details including, but not limited to, the scope of work, dates and timelines of any Project activities be provided to the Tribe as soon as possible.

This correspondence does not purport the entire position of the Tribe and is without prejudice to any rights and remedies of the Tribe, all of which are expressly reserved.

Please contact me at your earliest convenience at to schedule a meeting and if you have questions and/or concerns. Please reference THPD File Number 19-07-004.

Thank you,

Sally Peterson
Tribal Vice-Chairwoman
Interim THPO Director

Office Phone (707) 987-1315 *Fax (707) 987-9091*
THPO@Middletownrancheria.com

CALIFORNIA HISTORICAL RESOURCES INFORMATION SYSTEM

ALAMEDA
COLUSA
CONTRA COSTA
DEL NORTE
HUMBOLDT
LAKE
MARIN
MENDOCINO
MONTEREY
NAPA
SAN BENITO
SAN FRANCISCO
SAN MATEO
SANTA CLATA
SANTA CRUZ
SOLANO
SONOMA
YOLO

Northwest Information Center
Sonoma State University
150 Professional Center Drive, Suite E
Rohnert Park, California 94928-3609
Tel: 707.588.8455
nwic@sonoma.edu
http://www.sonoma.edu/nwic

July 30, 2019 File No.: 19-0115

Eric Porter, Project Planner
County of Lake
Community Development Department
255 N. Forbes Street
Lakeport, CA. 95453

re: County File Numbers UP 19-07, IS 19-12, EA 19-56 / 23492 Jerusalem Grade, Middletown / Chris Jennings

Dear Mr. Porter:

Records at this office were reviewed to determine if this project could adversely affect cultural resources. **Please note that use of the term cultural resources includes both archaeological sites and historical buildings and/or structures. The review for possible historic-era building/structures, however, was limited to references currently in our office and should not be considered comprehensive.**

Project Description: The proposed project entails outdoor cannabis cultivation for adult use cannabis without the use of light deprivation and/or artificial lighting in the canopy area, from 10,001 square feet to 1 acre, inclusive, of total canopy size. The applicant proposes 40,000 square feet of canopy within 46,000 square feet of cultivation area, including five drying rooms totaling 6,000 square feet. The project also includes a proposed future processing facility 5,000 square feet in size, a proposed water line to four 5,000 gallon water tanks, and multiple proposed future cultivation areas.

Previous Studies:

_XX_ Study #S-49934 (Parker 2017), covering approximately 60% of the proposed project area, identified no significant cultural resources within those portions of the proposed project area (see recommendations below).

Archaeological and Native American Resources Recommendations:

_XX_ Based on an evaluation of the environmental setting and features associated with known sites, Native American resources in this part of Lake County have been found near areas populated by oak, buckeye, pepperwood, and laurel, as well as near a variety of plant and animal resources. Sites are also found near streamcourses in fertile valleys. The proposed project area is located on a gentle, wooded hillslope in proximity to Gunther Creek. The project area is also near several other watercourses. Given the similarity

of one or more of these environmental factors, the general area encompassing the proposed project area should be considered moderately sensitive for Native American resources.

We therefore recommend that a qualified archaeologist conduct a study of the portions of the proposed project area that were not studied as part of the previous survey (Parker 2017) prior to commencement of project activities.

XX We recommend that the lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. For a complete listing of tribes in the vicinity of the project, please contact the Native American Heritage Commission at (916) 373-3710.

Built Environment Recommendations:

XX Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, if the project area contains such properties, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture and history of Lake County conduct a formal CEQA evaluation.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the California Historical Resources Information System (CHRIS) Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

For your reference, a list of qualified professionals in California that meet the Secretary of the Interior's Standards can be found at http://www.chrisinfo.org. If archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation. If you have any questions, please contact our office at nwic@sonoma.edu or at (707) 588-8455.

Sincerely,

Jessika Akmenkalns, Ph.D.
Researcher

Victor Fernandez

From: Fahmy Attar <FahmyA@lcaqmd.net>
Sent: Wednesday, July 31, 2019 9:52 AM
To: Eric Porter
Subject: Re: Request for Review and AB 52 Tribal Consultation - Jennings UP 19-07, Initial Study IS 19-12, early activation; commercial cannabis app

Eric,

For a Cannabis cultivation site, here is a list of requirements they must meet (if it applicable):

1. Any manufacturing or delivery operations must comply with LCAQMD rules and regulations. An application must be submitted. contact LCAQMD for more details.

2. 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.

3. Mobile diesel equipment used for construction and/or maintenance must be in compliance with State registration requirements. Portable and stationary diesel-powered equipment must meet the requirements of the State Air Toxic Control Measures for CI engines. The applicant should contact the District for further information if the project includes a backup generator. Installation of backup generator requires review and approval from LCAQMD.

4. Off-site odor impacts should be mitigated to minimize nuisance to nearby residences, property, and public roads.

5. Site development, site operation and vegetation disposal 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.

6. Any demolition or major 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 must be submitted to the District at least 14 days prior to beginning any demolition work. The applicant should contact the District for details. Regardless of asbestos content, all demolition activities should use adequate water/ amended water to prevent dust generation and nuisance conditions.

7. If the construction site address contains Serpentine, approval from LCAQMD and a Serpentine control plan is required unless otherwise determined by the LCAQMD. Please contact LCAQMD for more details.

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. The applicant has indicated grading and re-graveling roads, utilizing 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

On Jul 17, 2019, at 12:42 PM, Eric Porter <Eric.Porter@lakecountyca.gov> wrote:

Greetings all,

We have received a commercial cannabis application. The property is located on Jerusalem Grade Road past the bridge.

Please have any comments to me on or before Tuesday July 20, 2019.

Thank you,
Eric Porter
<RFR Jennings 2.doc><Site plan revised 6.29.19.pdf><UPE Jerusalem-COVER SHEET.pdf><UPE Jerusalem-SHEET 2 AERIAL.pdf><UPE Jerusalem-SHEET 3 EXISTING.pdf><UPE Jerusalem-SHEET 4 PROPOSED.pdf><UPE Jerusalem-SHEET 5 CANNABIS SITE.pdf><UPE Jerusalem-SHEET 6 BUILDING LAYOUTS.pdf><UPE Jerusalem-SHEET 7 SECURITY (B).pdf><Bio Study.pdf>

Victor Fernandez

From: Ryan Lewelling
Sent: Monday, July 22, 2019 3:19 PM
To: Eric Porter
Subject: RE: Request for Review and AB 52 Tribal Consultation - Jennings UP 19-07, Initial Study IS 19-12, early activation; commercial cannabis app

Eric,

This Assessor's Office review of proposed development at APN 013-013-110-000, JENNINGS, has no comments.

Ryan Lewelling
Cadastral Mapping Specialist
707-263-2302 | *Ryan.Lewelling@LakeCountyCA.gov*

From: Eric Porter
Sent: Wednesday, July 17, 2019 12:43 PM
To: Mary Jane Montana <MaryJane.Montana@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; Fahmy Attar <FahmyA@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; Ponce, Kevin@CDFA <Kevin.Ponce@cdfa.ca.gov>; Stoner, Kyle@Wildlife <Kyle.Stoner@wildlife.ca.gov>; Northwest Information Center <nwic@sonoma.edu>; Gloria Gregore <Gloria.Gregore@lakecountyca.gov>; sryan@big-valley.net; l.brown.elem@gmail.com; a.garcia@elemindiancolony.org; kkarolaepa@gmail.com; aarroyosr@hpultribe-nsn.gov; streppa@hpultribe-nsn.gov; hmarcks@hpultribe-nsn.gov; lrosas@hpultribe-nsn.gov; aholstine@hpultribe-nsn.gov; rpeterson@middletownrancheria.com; jsimon@middletownrancheria.com; MTR THPO <THPO@middletownrancheria.com>; jlord@middletownrancheria.com; slreyes@middletownrancheria.com; btorres@middletownrancheria.com; speterson@middletownrancheria.com; admin@rvrpomo.net; drogers@robinsonrancheria.org; tmartin@hpultribensn.gov; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>
Cc: Eric Porter <Eric.Porter@lakecountyca.gov>
Subject: Request for Review and AB 52 Tribal Consultation - Jennings UP 19-07, Initial Study IS 19-12, early activation; commercial cannabis app

Greetings all,

We have received a commercial cannabis application. The property is located on Jerusalem Grade Road past the bridge.

Please have any comments to me on or before Tuesday July 20, 2019.

Thank you,
Eric Porter

Victor Fernandez

From: Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>
Sent: Thursday, July 18, 2019 5:02 PM
To: Eric Porter
Cc: Bertelli, Greg@CALFIRE; Hannan, Jake@CALFIRE; Jack Smalley; Mary Jane Montana
Subject: Re: Jennings - Jerusalem Grade Road - commercial cannabis app

Good afternoon Mr. Porter. I show this project located in unincorporated Lake County, that is also in the SRA (State Responsibility Area). It is in a "VERY HIGH - Wildland Fire Hazard Severity Zone" area. Below are the comments/requirements from CAL FIRE. All of the below are State Law minimums.

This Major Use Permit Application shows items that do not meet State Law minimums as submitted. There are also access deficiencies in the shared road to the parcel. This will require additional discussion among County staff for whom and how it will be brought up to State Law minimums for this new commercial use.

We are recommending that this Major Use Permit be delayed and not approved to proceed until State Law requirements for access and site items can be resolved.

For example, Jerusalem Grade Road from and including the Soda Creek Bridge traveling east to the address does not meet road standards. The bridge is not rated with signage for weight maximums, the bridge is not 12 feet wide, the bridge is not signed as a one way bridge, the road is not contiguously an all weather surface that will support 75,000 lbs, there is a compromised culvert, there is a low water crossings with no mitigating measures, the road width does not contiguously meet minimum standards. I did not see the required 2.5 inch National Hose connection with a minimum of a 4 inch supply line called out in site plan for fire suppression use.

As this address is in the SRA, all Fire Safe Regulations/Laws in the State of California's Public Resource Code, Division 4, and all Sections in 4290 and 4291 (4001-4958) shall apply to this application/construction. All regulations in the California Code of Regulations Title 14, Division 1.5, Chapter 7, Sub chapter 2, Article 1 through 5 shall apply to this application/construction.

<u>This shall include, but not be limited to:</u>

- Property line setbacks for structures shall be a minimum of 30 feet.
- Addressing that is reflective and of contrasting colors.
- On site water storage for fire protection of each structure per NFPA 1142
- Per NFPA 1142 water storage tanks for commercial use shall be steel or fiberglass (not plastic)
- As this is a commercial property, no driveway standard shall be applied.
- Roadway for this commercial use shall consist of two 10 foot lanes of travel for a total of 20 feet wide not including the shoulders.
- Roadway types and specifications based on designated usage, which is commercial.
- Existing roadways shall meet, and or be improved to meet all standards for commercial use.
- All weather roadway surfaces engineered for 75,000 lb vehicles is the minimum (including bridges).
- All Bridges shall be 12 feet wide and marked as one way.
- Maximum roadway slope of 16%.
- Gate width is 14 foot minimum.

- Gate set backs are a minimum of 30 feet from a road.
- Parking shall allow for turnarounds, hammerhead T, or similar.
- Minimum fuels reduction of 100 feet of defensible space for all structures.
- If 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 vegetation fuels reduction around its radius.

Thank you for your time and consideration.

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.lakecountyca.gov/Government/Directory/Environmental_Health/Programs/cupa.htm

Hazardous Materials Management (CUPA)

www.lakecountyca.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.

Hazardous Materials Management (CUPA)

www.lakecountyca.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.

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

Report of the Committee on - NFPA

www.nfpa.org

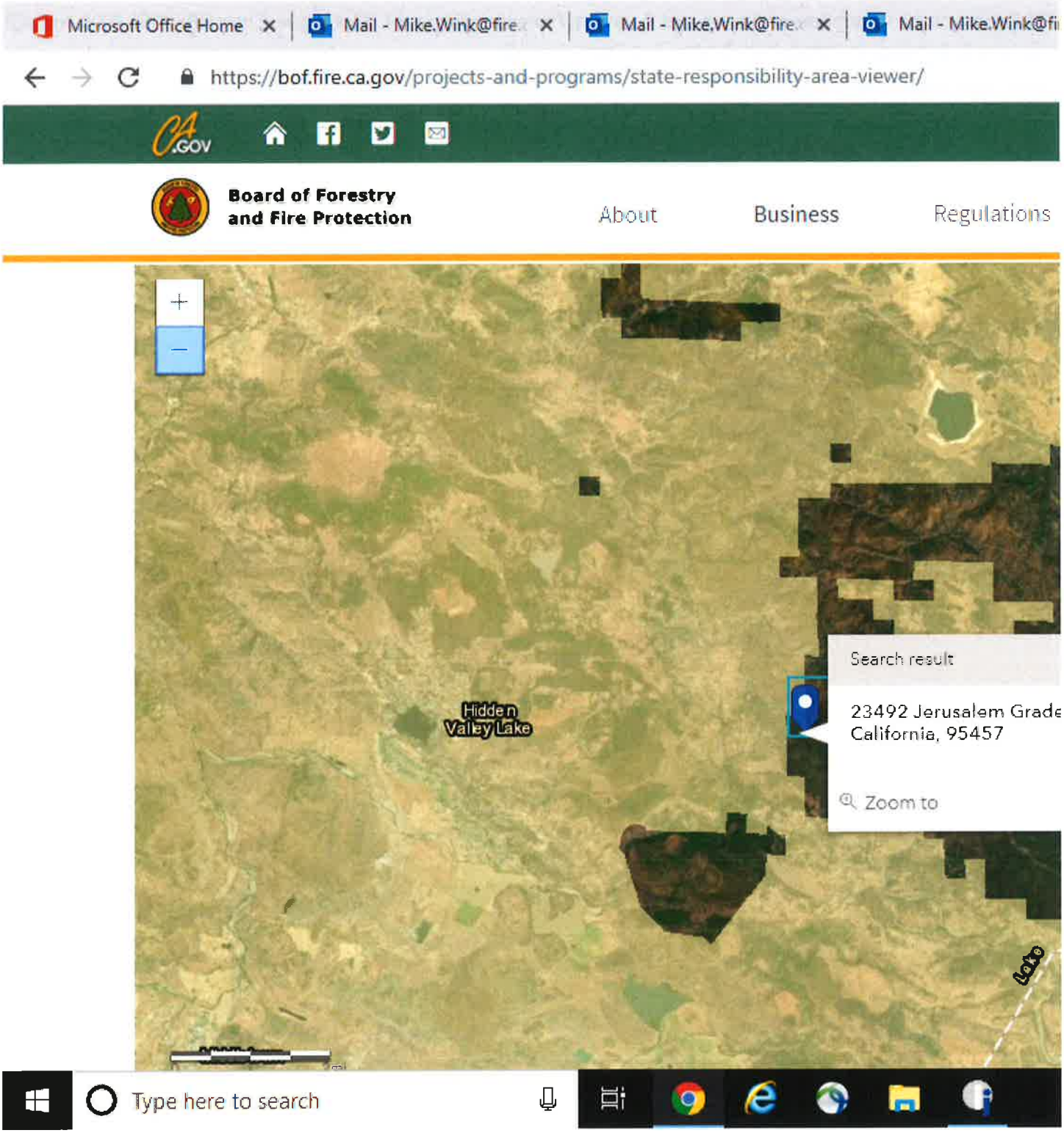
351 Report of the Committee on Forest and Rural Fire Protection Richard E. Montague, Chair FIREWISE 2000, Inc., CA [SE] John E. Bunting, Secretary New Boston Fire Dept., NH [U]

Report of the Committee on - NFPA

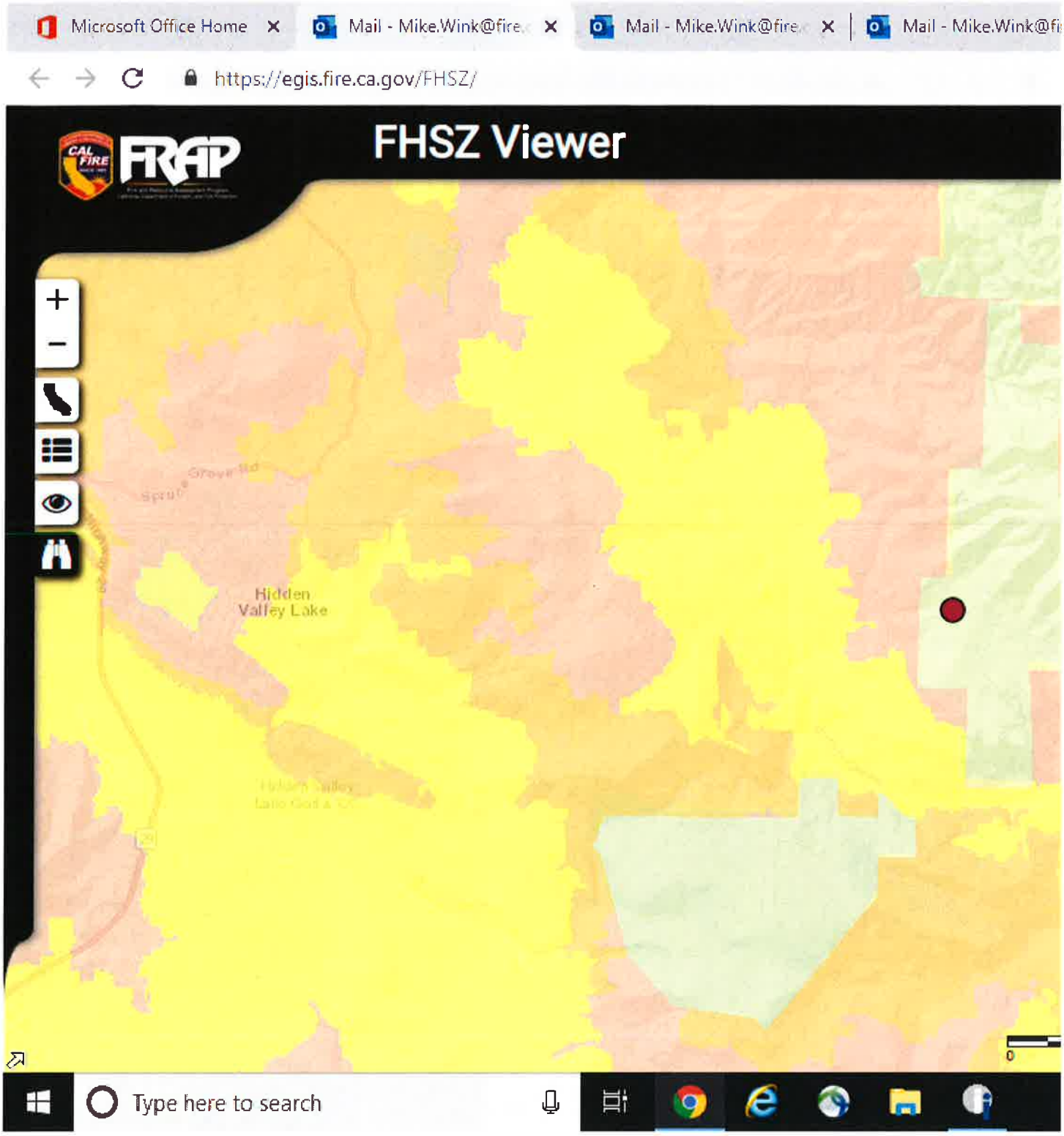
www.nfpa.org

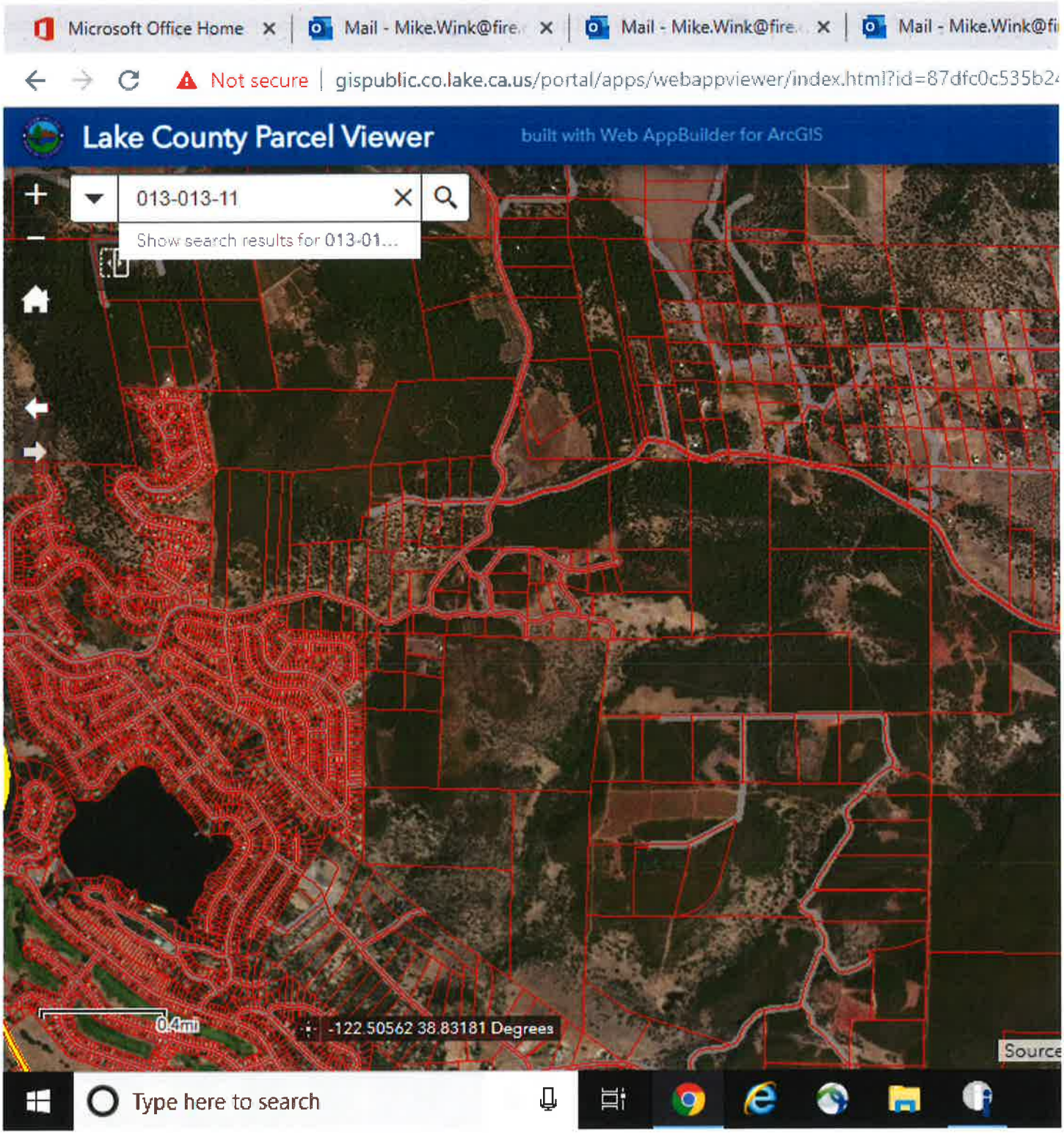
351 Report of the Committee on Forest and Rural Fire Protection Richard E. Montague, Chair FIREWISE 2000, Inc., CA [SE] John E. Bunting, Secretary New Boston Fire Dept., NH [U]

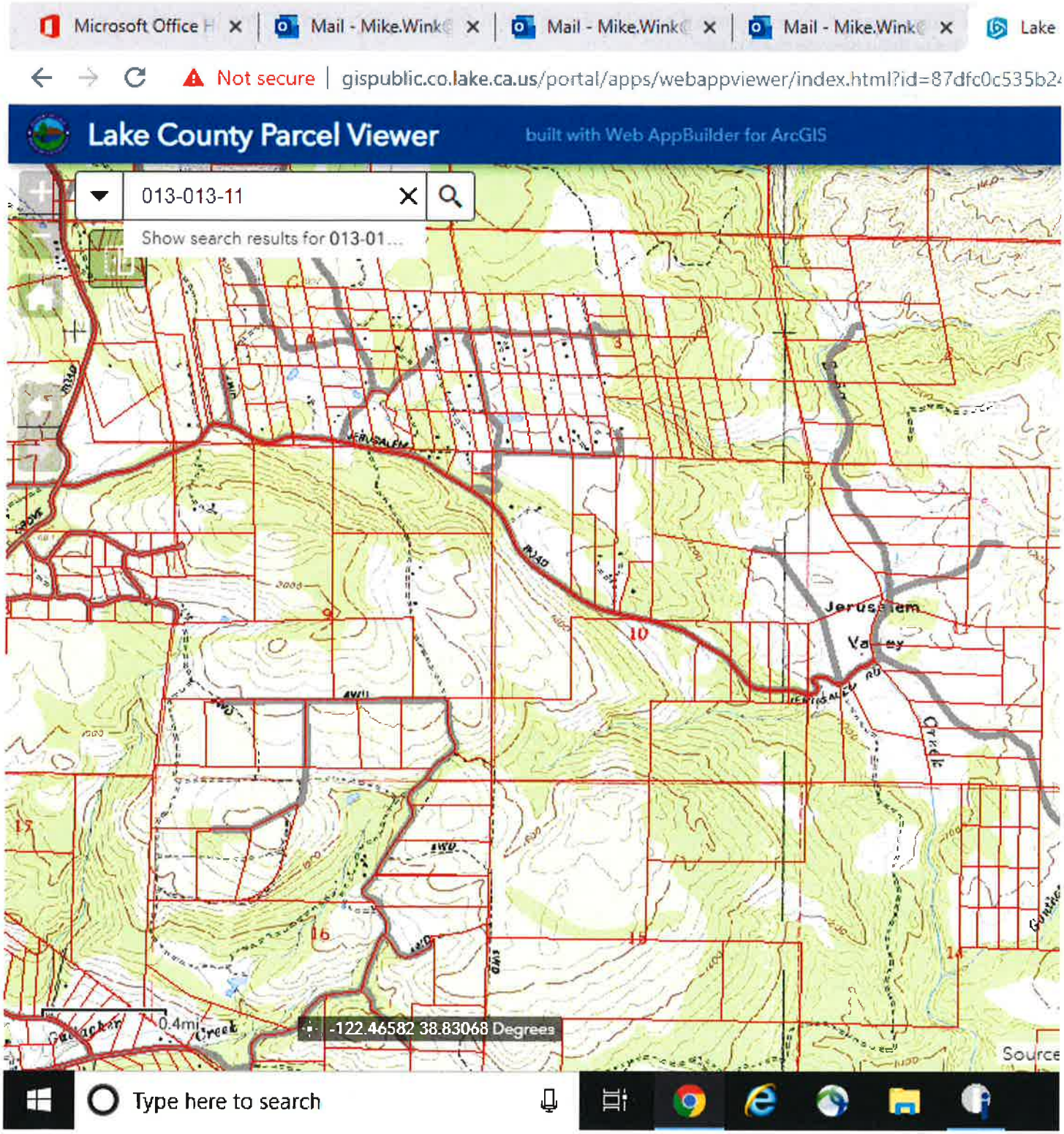
It is in the State Responsibility Area, right next to BLM Lands.



While the address pin drop shows it on the BLM land, the parcel is so large the actual parcel it to the NW of this pin drop. It is in the Very High hazard area.


Microsoft Office Home
Mail - Mike.Wink@fire
Mail - Mike.Wink@fire
Mail - Mike.Wink@fi
https://egis.fire.ca.gov/FHSZ/
FRAP
FHSZ Viewer
Hidden Valley Lake
Type here to search


Microsoft Office Home
Mail - Mike.Wink@fire
Mail - Mike.Wink@fire
Mail - Mike.Wink@fi
Not secure
gispublic.co.lake.ca.us/portal/apps/webappviewer/index.html?id=87dfc0c535b2
Lake County Parcel Viewer
built with Web AppBuilder for ArcGIS
013-013-11
Show search results for 013-01...
0.4mi
-122.50562 38.83181 Degrees
Source
Type here to search



From: Eric Porter <Eric.Porter@lakecountyca.gov>
Sent: Wednesday, July 17, 2019 12:23:25 PM
To: Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>
Subject: Jennings - Jerusalem Grade Road - commercial cannabis app

Warning: this message is from an external user and should be treated with caution.
Good afternoon Mike,

I need your reply fairly quickly on this app if possible; the applicant wants to 'early activate', but he's way up on Jerusalem Grade Road beyond the bridge.

If it's at all possible to get your comments by this Friday, I would greatly appreciate it.

Thanks,
Eric Porter