

DISTRIBUTION DATE: March 2, 2020

# **AB52 TRIBAL CONSULTATION NOTIFICATION**

Please note: In accordance with Section 21080.3.1(b) of the PRC, Consultation request under AB52 must be received in writing within 30 days of receipt of this notice.

Mishewal-Wappo @ HERC @ NATIVE AMERICAN HERITAGE Middletown Rancheria Redwood Valley TRIBES: Big Valley Rancheria Robinson Rancheria Scotts Valley Band of Pomo @ Cortina Rancheria Upper Lake Habematolel (a) Elem Colony Hopland Band of Pomo Yocha Dehe Koi Nation

FROM: Rob Fitzsimmons, Assistant Planner

REOUEST: Major Use Permit, UP 19-08, Initial Study, IS 19-14, Early Activation, EA 19-06

OWNER: PorterG3 McIntire, LLC

APPLICANT: Golden State Herb

APN: **011-055-06** 

LOCATION: 8550 Hwy 175, Kelseyville

ZONING: "A-SC" – Agricultural – Scenic Corridor Combining

GENERAL PLAN: Agriculture

HAZARDS: High Fire, Earthquake Fault Zone

SUPERVISOR DIST: 5, Brown

PROPOSAL: The applicant is requesting approval of a Major Use Permit for commercial cannabis cultivation.

According to the applicant's application packet, the applicant is proposing the following: Please refer to attached Project Management Plan and Site Plans for further information.

- Two cultivation sites for a combined total of 83,560 square feet of canopy (one A-Type 3 and four A-Type 2 licenses)
- Two (2) 10'x12' (120 square feet) storage sheds for fertilizer and pesticide
- 2 employees in general, 12 at peak (6 per peak shift)

# Description of the type of requested permit:

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, of total canopy size on one premises.

A - Type 2: "Small 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 between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises.

The cultivation sites are required to meet the following access standards: 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. Driveway encroachments onto County-maintained roadways shall be constructed to current County standards and shall be constructed with an encroachment permit obtained from the Department of Public Works. All driveways shall be constructed

and maintained so as to prevent road surface and fill material from discharging to any surface water body. The design of all access to and driveways providing access to the site where the cannabis related activity that is permitted shall be sufficient to be used by all emergency vehicles and shall be approved by the applicable fire district. Gates shall not be constructed across driveways or access roads that are used by neighboring properties or the general public.

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 Section 21080.3.1(b) of the PRC, Consultation request under AB52 must be received in writing within 30 days of receipt of this notice. If the Tribe would like to formally request an AB 52 consultation, please email or write your request and designated lead contact person to Rob Fitzsimmons at rob.fitzsimmons@lakecountyca.gov or mail them to the address listed in the letterhead above.

COMMENTS:		-
NAME	DATE	

# COUNTY OF LAKE **Planning Division**

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

DISTRIBUTION DATE: March 2, 2020

#### REQUEST FOR REVIEW FOR SUFFICIENCY

@ AG. COMMISSIONER	FIRE PROTECTION DIST:	_@_ CA DEPT FISH & WDLF
AIR QUALITY MGMT	Kelseyville	CALTRANS
<u>@</u> ASSESSOR	_@_ Lake County	STATE LANDS COMM.
<u>@</u> BUILDING DIVISION	Lake Pillsbury (no contact info)	@ CRWQCB
_@_ DPW - ROADS	<u>@</u> Lakeport County	STATE DEPT. OF HEALTH
@ ENVIRON HEALTH	<ul><li> Northshore</li><li> South Lake County</li></ul>	@ CALCANNABIS
LAKEBED MANAGEMENT	<u>@</u> South Lake County	NW INFO CENTER
PUBLIC SERVICES	@ CalFire	@ SIERRA CLUB
<u>@</u> SHERIFF	@ GRADING: PEGGY/RON	@ FARM BUREAU
@ SPECIAL DISTRICTS	<u>@</u> AUDITOR	ARMY CORPS
@ SURVEYOR	<u>@</u> PG&E	BLM BLM
<u>@</u> TAX COLLECTOR WASTE DISPOSAL	HOA_WATER CO	@ NRCS (USDA) US FISH & WILDLIFE SVC
	OTHER	US FOREST SERVICE
<u>@</u> WATER RESOURCES	OTTEX	COT CREST SERVICE
FROM: Rob Fi	tzsimmons, Assistant Planner	
REQUEST: Major	Use Permit, UP 19-08, Initial Study, IS 19	9-14, Early Activation, EA 19-06
OWNER: Porter	G3 McIntire, LLC	·
APPLICANT: Golder	1 State Herb	
APN: <b>011-05</b>	55-06	
LOCATION: 8550 F	Iwy 175, Kelseyville	
ZONING: "A-SC"	– Agricultural – Scenic Corridor Combini	ng
GENERAL PLAN: Agricult	ure	
HAZARDS: High Fir	e, Earthquake Fault Zone	
SUPERVISOR DIST: 5, Brown	wn	
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Please advise us if additional information is needed, which permits are required from your agency, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared. 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 11/13/2019. Please email your comments to Rob Fitzsimmons at rob.fitzsimmons@lakecountyca.gov or mail them to the address listed in the letterhead above.

COMMENTS:	
	<del></del>
NAME	DATE

From: Fahmy Attar Rob Fitzsimmons

Subject: [EXTERNAL]Re: Please Fwd any replies to RFR UP 19-08, Golden State Herb Red Hills (Cannabis) Date:

Tuesday, March 10, 2020 8:46:26 AM

Rob,

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 recordkeeping 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 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 Mar 2, 2020, at 10:22 AM, Rob Fitzsimmons < Rob. Fitzsimmons @lakecountyca.gov > wrote:

Good morning,

I have taken over the processing of UP 19-08, Golden State Herb Red Hills (Cannabis). I cannot find a record of an Request For Review being previously sent out for this project, but there may have been one. If this project was previously reviewed by your agency, please forward any comments to me.

Thank you,

Rob Fitzsimmons Assistant Planner Community Development Department Lake County, CA

# Files attached to this message

Filename	Size	Checksum (SHA256)
UP 19-08 RFR.pdf	195 KB	dbf0386bc673f1cc873553ec4748d0a9995£6000524583dfcdf8dafdd17£00d7
Golden State Herb Property Management 4-28-19 (Arc Removed).pdf	27.7 MB	b9e918a49d8f5882d4efab72a352bd078386fdd7069fd5a821ced0ba80893f8a

Please click on the following link to download the attachments:

https://filetransfer.co.lake.ca.us/message/9NyvJvj4KgMTog5uMOxqju

This email or download link can be forwarded to anyone.

The attachments are available until: Monday, 9 March.

Message ID: 9NyvJvj4KgMTog5uMOxqju

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County of Lake Secure File Transfer — LiquidFiles Appliance: https://filetransfer.co.lake.ca.us



From: Wink, Mike@CALFIRE
To: Rob Fitzsimmons

Cc: Hakala, Jeff@CALFIRE; Jack Smalley; David Casian

Subject: [EXTERNAL]Re: Please Fwd any replies to RFR UP 19-08, Golden State Herb Red Hills (Cannabls)

**Date:** Sunday, March 29, 2020 5:46:36 PM

Good afternoon Planner Fitzsimmons. I know these comments are far beyond the timeline, but I did not show a response in my email. My apologies. Below is the standard terminology that applies to all projects in the SRA. I am hopeful other layers of review addressed this during the application process.

These comments are from CAL FIRE.

I do not know if this Use Permit is in the SRA (State Responsibility Area). If it is in the SRA it 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 cooperator in applying and enforcing all Codes, Laws, Regulations and etcetera for this project and they will also have comments.

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 land 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 combustible 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

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

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.

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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

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: Rob Fitzsimmons < Rob. Fitzsimmons@lakecountyca.gov>

Sent: Monday, March 2, 2020 10:22 AM

greg.peters@lakecountyca.gov <greg.peters@lakecountyca.gov>; lmccollough@candswaste.com <lmccollough@candswaste.com>; scott.deleon@lakecountyca.gov <scott.deleon@lakecountyca.gov>; yuliya.osetrova@lakecountyca.gov>; 500, chief@LKP <chief500@lakeportfire.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>; kris.amante@lakecountyca.gov <kris.amante@lakecountyca.gov>; Stoner, Kyle@Wildlife <Kyle.Stoner@wildlife.ca.gov>; Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>; Fried, Janae@Waterboards <Janae.Fried@Waterboards.ca.gov>; kevinponce@cdfa.ca.gov <kevinponce@cdfa.ca.gov>; vbrandon@lakelive.info <vbrandon@lakelive.info>; lcfarmbureau@sbcglobal.net <lcfarmbureau@sbcglobal.net>; korinn.woodard@ca.usda.gov <korinn.woodard@ca.usda.gov>

Subject: Please Fwd any replies to RFR UP 19-08, Golden State Herb Red Hills (Cannabis)

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

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Message ID: 9NyvJvj4KgMTog5uMOxqju

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From: Gordon Haggitt

Sent: Monday, August 3, 2020 12:43 PM

To: Eric Porter

Subject: RE: Lake County - Notice of Intent for commercial cannabis cultivation project - UP

19-08, 'Red Hills'

Eric: I'm assuming the parcel is a legal lot. Also, make sure the operation does not encroach into the setbacks or the state highway right of way. A survey may be required to field verify setbacks.

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

From: Eric Porter

Sent: Friday, July 31, 2020 10:53 AM

To: Fahmy Attar <FahmyA@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; John Everett

<John.Everett@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Lori Baca

<Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Elizabeth Martinez

<Elizabeth.Martinez@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; pbleuss@kelseyvillefire.com; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Carol Huchingson

<Carol.Huchingson@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; Michelle Scully

<Michelle.Scully@lakecountyca.gov>; Steven Hajik <Steven.Hajik@lakecountyca.gov>; roberta.lyons@att.net;

vbrandon95457@gmail.com

Subject: Lake County - Notice of Intent for commercial cannabis cultivation project - UP 19-08, 'Red Hills'

## Greetings.

We are sending an Initial Study / Mitigated Negative Declaration to the State Clearinghouse, to affected Agencies and Tribes, and to neighbors of the proposed site.

I have other support documents such as site plans, a Property Management Plan, water usage projections, and so forth. These are larger files that are too big to email.

If you want any of the support docs, please let me know and I will send them to you via File Share, which can accommodate larger documents.

Take care, Eric Porter



# Eric J. Porter Associate Planner

Department of Community Development 255 N. Forbes St. Lakeport, CA 95453

Phone: (707) 263-2221 x 37108

Fax: (707) 262-1843

Email: eric.porter@lakecountyca.gov

From:

John Everett

Sent:

Friday, September 11, 2020 10:07 AM

To:

**Eric Porter** 

**Subject:** 

RE: Lake County - Notice of Intent for commercial cannabis cultivation project - UP

19-08, 'Red Hills'

#### Eric.

I have no comment of the environmental documents. This project does need to install a Commercial driveway per County Standard 231-D and associated notes on 231-B. To do so they will need an encroachment permit for this work in Caltrans ROW along SH 175.

Other general DPW comments are as follows:

- 1. All parking spaces which include an ADA compliant parking space for this commercial cannabis operation should be located on an all weather surface. All driveways, parking areas, areas subject to semi-trailer/ truck traffic or general site access need to be surfaced with an all-weather or gravel medium as a minimum.
- 2. Any accessible parking areas, routes of building ingress/egress, and/or access to bathrooms shall meet California Building Code Requirements.

If you have any questions about these comments, please don't hesitate to contact John Everett at (707) 263-2719.

John Everett PE Associate Civil Engineer County of Lake 255 N. Forbes St., Room 309 Lakeport, CA 95453 (707) 263-2719

From: Eric Porter

Sent: Friday, July 31, 2020 10:53 AM

To: Fahmy Attar <FahmyA@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; John Everett

<John.Everett@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Lori Baca

<Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Elizabeth Martinez

<Elizabeth.Martinez@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>;

pbleuss@kelseyvillefire.com; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Carol Huchingson

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vbrandon95457@gmail.com

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# **Eric J. Porter Associate Planner**

**Department of Community Development** 255 N. Forbes St. Lakeport, CA 95453

Phone: (707) 263-2221 x 37108

Fax: (707) 262-1843

Email: eric.porter@lakecountyca.gov

STAY CONNECTED:











# **COUNTY OF LAKE**

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

DISTRIBUTION DATE: March 2, 2020

# REQUEST FOR REVIEW FOR SUFFICIENCY

Q AG. COMMISSIONER     AIR QUALITY MGMT     ASSESSOR     BUILDING DIVISION     DPW - ROADS     ENVIRON HEALTH     LAKEBED MANAGEMENT     PUBLIC SERVICES     SHERIFF     SPECIAL DISTRICTS     SURVEYOR     TAX COLLECTOR     WASTE DISPOSAL     WATER RESOURCES	FIRE PROTECTION DIST:  @ Kelseyville @ Lake County Lake Pillsbury (no contact info)  @ Lakeport County @ Northshore @ South Lake County @ CalFire @ GRADING: PEGGY/RON @ AUDITOR @ PG&E HOA WATER CO OTHER	@ CA DEPT FISH & WDLF CALTRANS STATE LANDS COMM. @ CRWQCB STATE DEPT. OF HEALTH @ CALCANNABIS @ NW INFO CENTER @ SIERRA CLUB @ FARM BUREAU ARMY CORPS BLM @ NRCS (USDA) US FISH & WILDLIFE SVC US FOREST SERVICE
FROM: Rob Fi	tzsimmons, Assistant Planner	
•	Use Permit, UP 19-08, Initial Study, IS 19	9-14, Early Activation, EA 19-06
	33 McIntire, LLC	
	State Herb	
APN: <b>011-05</b>	5-06	
LOCATION: 8550 H	lwy 175, Kelseyville	
ZONING: "A-SC"-	- Agricultural - Scenic Corridor Combinis	ng
GENERAL PLAN: Agricultu	are	
HAZARDS: High Fire	e, Earthquake Fault Zone	
SUPERVISOR DIST: 5, Brow	vn	
PROPOSAL: The applicant is	requesting approval of a Major Use Per	mit for commercial cannabis cultivation.

- refer to attached Project Management Plan and Site Plans for further information.

   Two cultivation sites for a combined total of 83,560 square feet of canopy (one A-Type 3 and four A-Type 2
  - licenses)

     Two (2) 10'x12' (120 square feet) storage sheds for fertilizer and pesticide
  - 1 Wo (2) To XIZ (120 Square reet) storage sheds for fert
  - 2 employees in general, 12 at peak (6 per peak shift)

## Description of the type of requested permit:

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, of total canopy size on one premises.

According to the applicant's application packet, the applicant is proposing the following: Please

A - Type 2: "Small 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 between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises.

The cultivation sites are required to meet the following access standards: 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. Driveway encroachments onto County-maintained roadways shall be constructed to current County standards and shall be constructed with an encroachment permit obtained from the Department of Public Works. All driveways shall be constructed and maintained so as to prevent road surface and fill material from discharging to any surface water body. The design of all access to and driveways providing access to the site where the cannabis related activity that is permitted shall be sufficient to be used by all emergency vehicles and shall be approved by the applicable fire district. Gates shall not be constructed across driveways or access roads that are used by neighboring properties or the general public.

Please advise us if additional information is needed, which permits are required from your agency, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared. 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 11/13/2019. Please email your comments to Rob Fitzsimmons@lakecountyca.gov or mail them to the address listed in the letterhead above.

COMMENTS:					
	0	See	attached memorandum		
NAME	tina	Reibin	DATE 3	18	2020



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:

March 18, 2020

TO:

Rob Fitzsimmons, Assistant Planner

FROM:

Tina Dawn-Rubin, Environmental Health Aide

RE:

UP 19-08 Major Use Permit, IS 19-14, EA 19-06

Commercial Cannabis

APN:

011-055-06 8550 Hwy 175, Kelseyville

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

Our office will require a field clearance to locate/validate the existing septic system if it is going to be used for the cultivation. Our office does not have any well or septic information on file. If the applicant is using portable toilets and handwashing stations, then our office has no concerns.

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.



# **Donna Cloninger**

From:

Kelli Hanlon

Sent:

Monday, March 2, 2020 10:25 AM

To:

**Donna Cloninger** 

vbrandon@lakelive.info; lcfarmbureau@sbcglobal.net; korinn.woodard@ca.usda.gov Subject: Please Fwd any replies to RFR UP 19-08, Golden State Herb Red Hills (Cannabis)

**Subject:** 

FW: Please Fwd any replies to RFR UP 19-08, Golden State Herb Red Hills (Cannabis)

SOP by EOB today. Thanks.

From: Rob Fitzsimmons [mailto:Rob.Fitzsimmons@lakecountyca.gov]

Sent: Monday, March 2, 2020 10:22 AM

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>; Kris Amante <Kris.Amante@lakecountyca.gov>; David Casian <David.Casian@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; James Scott <James.Scott@lakecountyca.gov>; Kelli Hanlon <Image: Richard.Ford@lakecountyca.gov>; James Scott <Image: Richard.Grant@lakecountyca.gov>; Lars Ewing <Image: Richard.Grant@lakecountyca.gov>; Lars Ewing <Image: Richard.Grant@lakecountyca.gov>; Lars Ewing <Image: Richard.Grant@lakecountyca.gov>; Brian Martin <Image: Richard.Grant@lakecountyca.gov>; Brian Martin <Image: Richard.Grant@lakecountyca.gov>; Brian Martin <Image: Richard.Grant@lakecountyca.gov>; Chris Macedo <Image: Richard.Grant@lakecountyca.gov>; Lucas Bingham <Image: Richard.Grant@lakecountyca.gov>; Lori Baca <Image: Richard.Grant@lakecountyca.gov>; Gordon Haggitt <Image: Richard.Grant@lakecountyca.gov>; Grant@lakecountyca.gov>; Imaccollough@candswaste.com; Scott DeLeon <Image: Richard.Grant@lakecountyca.gov>; Chris Macedo <Image: Richard.Grant@lakecountyca.gov>; Imaccollough@candswaste.com; Scott DeLeon <Image: Richard.Grant@lakecountyca.gov>; Yuliya Osetrova <Image: Richard.Grant@lakecountyca.gov>; Chris Amante@lakecountyca.gov>; kvie.wink@fire.ca.gov; fdchf700@yahoo.com; Kris Amante <Image: Kris.Amante@lakecountyca.gov>; kvie.stoner@wildlife.ca.gov; f2ceqa@wildlife.ca.gov; janae.fried@waterboards.ca.gov; kvinponce@cdfa.ca.gov; kvinponce@cdfa.ca.gov;

#### Good morning,

I have taken over the processing of UP 19-08, Golden State Herb Red Hills (Cannabis). I cannot find a record of an Request For Review being previously sent out for this project, but there may have been one. If this project was previously reviewed by your agency, please forward any comments to me.

Thank you,

Rob Fitzsimmons
Assistant Planner
Community Development Department
Lake County, CA

# Files attached to this message

Filename	Size	Checksum (SHA256)
UP 19-08 RFR.pdf	195 KB	dbf0386bc673f1cc873553ec4748d0a9995f6000524583dfcdf8dafdd17f00d7

Filename	Size	Checksum (SHA256)
Golden State Herb Property Management 4- 28-19 (Arc Removed).pdf	27.7 MB	b9e918a49d8f5882d4efab72a352bd078386fdd7069fd5a821ced0ba80893f8a

Please click on the following link to download the attachments: https://filetransfer.co.lake.ca.us/message/9NyvJvj4KgMTog5uMOxqju This email or download link can be forwarded to anyone.

The attachments are available until: Monday, 9 March.

Message ID: 9NyvJvj4KgMTog5uMOxqju





From: Mary Camp <admin@rvrpomo.net>
Sent: Monday, August 3, 2020 9:40 AM

**To:** Eric Porter

Subject: [EXTERNAL] RE: NOI - Red Hills commercial cannabis project - UP 19-08

Redwood Valley thanks you for the notice. We would defer to any review, comments or concerns from Scotts Valley Band of Pomo and Big Valley Rancheria

From: Eric Porter < Eric. Porter@lakecountyca.gov>

Sent: Friday, July 31, 2020 11:02 AM

To: tc@middletownrancheria.com; jsimon@middletownrancheria.com; mshaver@middletownrancheria.com; THPO@middletownrancheria.com; btorres@middletownrancheria.com; rpeterson@middletownrancheria.com; sshope@middletownrancheria.com; speterson@middletownrancheria.com; scottg@mishewalwappotribe.com; admin@rvrpomo.net; drogers@robinsonrancheria.org; terre.logsdon@sv-nsn.gov; thomas.jordan@sv-nsn.gov; lbill@yochadehe-nsn.gov; jkinter@yochadehe-nsn.gov; aroberts@yochadehe-nsn.gov; Sarah Ryan <sryan@big-valley.net>; nahc@nahc.ca.gov

Subject: NOI - Red Hills commercial cannabis project - UP 19-08

#### Good morning!

I'm sending the attached Initial Study to the State Clearinghouse today. This is a 2-acre commercial cannabis cultivation project on a site that contains a working vineyard and beekeeping area.

If you have comments, please provide them to me on or before Sept. 5, 2020. Also, I have other support docs, most of which are too large to email but can be sent to you via file share. Let me know if you want to see the Property Management Plan, water usage analysis, the Bio Study or any other documents that I have for this project.

Thank you,

### **Eric Porter**



# Eric J. Porter Associate Planner

Department of Community Development 255 N. Forbes St. Lakeport, CA 95453

Phone: (707) 263-2221 x 37108

Fax: (707) 262-1843

Email: eric.porter@lakecountyca.gov

STAY CONNECTED:



From: Lori Baca

**Sent:** Monday, August 3, 2020 10:15 AM

To: Eric Porter

Subject: RE: Lake County - Notice of Intent for commercial cannabis cultivation project - UP

19-08, 'Red Hills'

Eric,

Parcel 011-055-060 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: Friday, July 31, 2020 10:53 AM

To: Fahmy Attar <FahmyA@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; John Everett

<John.Everett@lakecountyca.gov>; Kelli Hanlon <Kelli.Hanlon@lakecountyca.gov>; Lori Baca

<Lori.Baca@lakecountyca.gov>; Gordon Haggitt <Gordon.Haggitt@lakecountyca.gov>; Elizabeth Martinez

<Elizabeth.Martinez@lakecountyca.gov>; Yuliya Osetrova <Yuliya.Osetrova@lakecountyca.gov>; pbleuss@kelseyvillefire.com; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Carol Huchingson

<Carol.Huchingson@lakecountyca.gov>; Susan Parker <Susan.Parker@lakecountyca.gov>; Michelle Scully

<Michelle.Scully@lakecountyca.gov>; Steven Hajik <Steven.Hajik@lakecountyca.gov>; roberta.lyons@att.net;

vbrandon95457@gmail.com

Subject: Lake County - Notice of Intent for commercial cannabis cultivation project - UP 19-08, 'Red Hills'

### Greetings.

We are sending an Initial Study / Mitigated Negative Declaration to the State Clearinghouse, to affected Agencies and Tribes, and to neighbors of the proposed site.

I have other support documents such as site plans, a Property Management Plan, water usage projections, and so forth. These are larger files that are too big to email.

If you want any of the support docs, please let me know and I will send them to you via File Share, which can accommodate larger documents.

Take care,



# **Eric J. Porter Associate Planner**

**Department of Community Development** 

255 N. Forbes St. Lakeport, CA 95453

Phone: (707) 263-2221 x 37108

Fax: (707) 262-1843

Email: eric.porter@lakecountyca.gov

STAY CONNECTED:











Jared Blumenfeld
Secretary for
Environmental Protection

# Department of Toxic Substances Control



Gavin Newsom Governor

Meredith Williams, Ph.D.
Director
8800 Cal Center Drive
Sacramento, California 95826-3200

August 24, 2020

Mr. Eric Porter
Associate Planner
Lake County CA Planning Department
255 N. Forbes Street
Lakeport, CA 95453
eric.porter@lakecountyca.gov

MITIGATED NEGATIVE DECLARATION FOR GOLDEN STATE FARMS/RED HILLS – MAJOR USE PERMIT UP 19-08 – DATED JULY 28, 2020 (STATE CLEARINGHOUSE NUMBER: 2020080034)

Mr. Porter:

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for the Golden State Farms/Red Hills – Major Use Permit UP 19-08 (Project). The Lead Agency is receiving this notice from DTSC because the Project includes one or more of the following: groundbreaking activities, work in close proximity to a roadway, work in close proximity to mining or suspected mining or former mining activities, presence of site buildings that may require demolition or modifications, importation of backfill soil, and/or work on or in close proximity to an agricultural or former agricultural site.

DTSC recommends that the following issues be evaluated in the MND. Hazards and Hazardous Materials section:

- 1. The MND should acknowledge the potential for historic or future activities on or near the project site to result in the release of hazardous wastes/substances on the project site. In instances in which releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The MND should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.
- 2. Refiners in the United States started adding lead compounds to gasoline in the 1920s in order to boost octane levels and improve engine performance. This practice did not officially end until 1992 when lead was banned as a fuel additive

in California. Tailpipe emissions from automobiles using leaded gasoline contained lead and resulted in aerially deposited lead (ADL) being deposited in and along roadways throughout the state. ADL-contaminated soils still exist along roadsides and medians and can also be found underneath some existing road surfaces due to past construction activities. Due to the potential for ADL-contaminated soil DTSC, recommends collecting soil samples for lead analysis prior to performing any intrusive activities for the project described in the MND.

- 3. If any sites within the project area or sites located within the vicinity of the project have been used or are suspected of having been used for mining activities, proper investigation for mine waste should be discussed in the MND. DTSC recommends that any project sites with current and/or former mining operations onsite or in the project site area should be evaluated for mine waste according to DTSC's 1998 Abandoned Mine Land Mines Preliminary Assessment Handbook (https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/11/aml\_handbook.pdf).
- 4. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers (https://dtsc.ca.gov/wpcontent/uploads/sites/31/2018/09/Guidance Lead Contamination 050118.pdf).
- If any projects initiated as part of the proposed project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to DTSC's 2001 Information Advisory Clean Imported Fill Material (https://dtsc.ca.gov/wpcontent/uploads/sites/31/2018/09/SMP\_FS\_Cleanfill-Schools.pdf).
- 6. If any sites included as part of the proposed project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the MND. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 Interim Guidance for Sampling Agricultural Properties (Third Revision) (https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Ag-Guidance-Rev-3-August-7-2008-2.pdf).

DTSC appreciates the opportunity to comment on the MND. Should you need any assistance with an environmental investigation, please submit a request for Lead

Mr. Porter August 24, 2020 Page 3

Agency Oversight Application, which can be found at: <a href="https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/VCP">https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/VCP</a> App-1460.doc. Additional information regarding voluntary agreements with DTSC can be found at: <a href="https://dtsc.ca.gov/brownfields/">https://dtsc.ca.gov/brownfields/</a>.

If you have any questions, please contact me at (916) 255-3710 or via email at <a href="mailto:Gavin.McCreary@dtsc.ca.gov">Gavin.McCreary@dtsc.ca.gov</a>.

Sincerely,

Gavin McCreary Project Manager

Site Evaluation and Remediation Unit Site Mitigation and Restoration Program Department of Toxic Substances Control

Harrin Malanny

cc: (via email)

Governor's Office of Planning and Research State Clearinghouse <a href="mailto:State.Clearinghouse@opr.ca.gov">State.Clearinghouse@opr.ca.gov</a>

Mr. Dave Kereazis
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

From:

Fried, Janae@Waterboards

To:

Rob Fitzsimmons

Subject:

[EXTERNAL]RE: Please Fwd any replies to RFR UP 19-08, Golden State Herb Red Hills (Cannabis)

Date:

Monday, March 2, 2020 10:34:31 AM

This site is in complete compliance with the Central Valley Water Board. Thank you,

Janae

Janae Fried

**Engineering Geologist** 

Central Valley Regional Water Quality Control Board, Region 5R

Cannabis Permitting Unit

364 Knollcrest Drive, Suite 205

Redding, CA 96002

Janae.Fried@Waterboards.ca.gov

530-224-3291

From: Rob Fitzsimmons < Rob. Fitzsimmons@lakecountyca.gov>

Sent: Monday, March 2, 2020 10:22 AM

To: steven.hajik@lakecountyca.gov; doug.gearhart@lakecountyca.gov; fahmya@lcaqmd.net; elizabethk@lcaqmd.net; ryan.lewelling@lakecountyca.gov; richard.ford@lakecountyca.gov; jim.campbell@lakecountyca.gov; kris.amante@lakecountyca.gov; david.casian@lakecountyca.gov; kelli.hanlon@lakecountyca.gov; james.scott@lakecountyca.gov; david.cowan@lakecountyca.gov; nicole.johnson@lakecountyca.gov; anita.grant@lakecountyca.gov; lars.ewing@lakecountyca.gov; scott.deleon@lakecountyca.gov; gloria.pulido@lakecountyca.gov; dennis.keithly@lakecountyca.gov; brian.martin@lakecountyca.gov; chris.macedo@lakecountyca.gov; lucas.bingham@lakecountyca.gov; lori.baca@lakecountyca.gov; gordon.haggitt@lakecountyca.gov; greg.peters@lakecountyca.gov; lmccollough@candswaste.com; scott.deleon@lakecountyca.gov; yuliya.osetrova@lakecountyca.gov; chief500@lakeportfire.com; pbleuss@kelseyvillefire.com; chief800@northshorefpd.com; Fong, Gloria@CALFIRE <Gloria.Fong@fire.ca.gov>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; fdchf700@yahoo.com; kris.amante@lakecountyca.gov; Stoner, Kyle@Wildlife <Kyle.Stoner@wildlife.ca.gov>; Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>; Fried, Janae@Waterboards <Janae.Fried@Waterboards.ca.gov>; kevinponce@cdfa.ca.gov; vbrandon@lakelive.info; lcfarmbureau@sbcglobal.net; korinn.woodard@ca.usda.gov Subject: Please Fwd any replies to RFR UP 19-08, Golden State Herb Red Hills (Cannabis)

#### **EXTERNAL:**

## Good morning,

I have taken over the processing of UP 19-08, Golden State Herb Red Hills (Cannabis). I cannot find a record of an Request For Review being previously sent out for this project, but there may have been one. If this project was previously reviewed by your agency, please forward any comments to me.

Thank you,

Rob Fitzsimmons Assistant Planner Community Development Department Lake County, CA

# Files attached to this message

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Golden State Herb Property Management 4-28-19 (Arc Removed).pdf	27.7 MB	b9e918a49d8f5882d4efab72a352bd078386fdd7069fd5a821ced0ba80893f8a

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Message ID: 9NyvJvj4KgMTog5uMOxqju

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